9543. Also, petition of citizens of Luzerne County, Pa., in behalf of immediate cash payment at full face value of adjusted-service certificates; to the Committee on Ways and Means.

9544. By Mr. WATSON: Petition of 38 residents of Montgomery County, Pa., urging cash payment of soldiers' adjusted-compensation certificates; to the Committee on Ways and Means.

9545. By Mr. WELCH of California: Petition of Harry J. Lewis and 36 other citizens of San Francisco, Calif., urging the cash payment of adjusted-compensation certificates at full face value as created by section 702 of the World War adjusted compensation act of 1924; to the Committee on Ways and Means.

9546. Also, petition of A. Matiah and 38 other citizens of San Francisco, Calif., urging the cash payment at full face value of adjusted-service certificates; to the Committee on Ways and Means.

9547. Also, petition of James E. Lewis and 36 other citizens of San Francisco, Calif., urging the cash payment at full face value of adjusted-service certificates; to the Committee on Ways and Means.

9548. Also, petition of Frank A. Powers and 37 other citizens of San Francisco, Calif., urging the cash payment at full face value of adjusted-service certificates; to the Committee on Ways and Means.

9549. Also, petition of Rex E. Gilliam and 37 other citizens of San Francisco, Calif., urging the cash payment at full face value of adjusted-service certificates; to the Committee on Ways and Means.

9550. By Mr. WOLVERTON of West Virginia: Petition of the American Legion Auxiliary of the Roy E. Parrish Post, American Legion, Clarksburg, W. Va., urging Congress to take favorable action on legislation proposing pensions to dependent widows and orphans of veterans of the World War, and to service connect all disabled veterans suffering from chronic constitutional diseases on January 1, 1925; to the Committee on World War Veterans' Legislation.

9551. Also, petition of Leo S. Lyon and 37 other veterans of the World War of Clarksburg, W. Va.; Bellaire, Ohio; Mount Claire, W. Va., and Baltimore, Md., urging Congress to take favorable action on providing for the immediate cash payment of veterans' adjusted-compensation certificates; to the Committee on Ways and Means.

9552. By Mr. WYANT: Petition of citizens of New Alexandria, Westmoreland County, Pa., urging passage of Sparks-Capper amendment eliminating approximately 7,500,000 aliens from count in proposed congressional reapportionment; to the Committee on the Judiciary.

9553. Also, petition of M. H. Pancoast, Philadelphia, Pa., protesting against cash payment of World War veterans' adjusted-service certificates; to the Committee on Ways and Means.

9554. Also, petition of Tradesmens National Bank & Trust Co., of Philadelphia, Pa., protesting against cash payment of World War veterans' adjusted-service certificates; to the Committee on Ways and Means.

9555. Also, petition of M. S. Morgan, Philadelphia, Pa., protesting against cash payment of World War veterans' adjusted-service certificates; to the Committee on Ways and Means.

SENATE

FRIDAY, FEBRUARY 13, 1931

(Legislative day of Monday, January 26, 1931)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

The PRESIDENT pro tempore. The Senator from Oklahoma [Mr. THOMAS] has the floor.

Mr. FESS. Mr. President, will the Senator yield to enable me to make just a brief statement before suggesting the absence of a quorum?

Mr. THOMAS of Oklahoma. If I do not lose the floor.

The PRESIDENT pro tempore. The Senator from Oklahoma continues to hold the floor.

Mr. THOMAS of Oklahoma. Then, I yield to the Senator from Ohio.

HISTORY OF CITY OF WASHINGTON, BY H. P. CAEMMERER

Mr. FESS. Mr. President, about four years ago the secretary of the Fine Arts Commission, under the suggestion of the commission, began the preparation of a history of the city of Washington. I have in my possession now the manuscript. It comprises 254 pages of typewritten matter. It has 250 illustrations. It will make a book that would be sold by private institutions for not less than $5. Mr. Caemmerer does not ask any credit for it and does not want any revenue from it. He is ready to pass it over to the Government for publication without any return to him. I have made a careful examination of it. I think it is one of the most meritorious undertakings of which I have any knowledge. It gives a history of Washington up to the time of L'Enfant. Then it proceeds from that on to 1900 and from 1900 up to the present time under the McMillan Commission. It gives rather an accurate history of the development of the Capital as the Capital. I think it is a very important piece of work. I am only now wondering what would be the better method of procedure in order to get it published by the Government.

The PRESIDENT pro tempore. May the Chair make a suggestion?

Mr. FESS. The Senator from Ohio would be glad to have the Chair do so.

The PRESIDENT pro tempore. The Chair would suggest that the manuscript be referred to the Senate Committee on Printing to prepare a proper concurrent resolution in whatever form it may deem fitting.

Mr. SMOOT. Mr. President, I was about to suggest the same thing. I would like to ask the Senator from Ohio a question, however. There are illustrations accompanying the manuscript?

Mr. FESS. Yes; 250 of them.

Mr. SMOOT. Of course, the Committee on Printing will take note as to whether we must have legislation to cover that matter.

Mr. FESS. I assume we would have to have legislation.

The PRESIDENT pro tempore. If the Chair may make a further suggestion, it occurs to the Chair that the proper method of dealing with the subject now is for the Senator from Ohio to present the manuscript and have it referred to the Committee on Printing, with a view to having it printed. Without objection, that order will be entered.

Mr. FESS subsequently submitted a concurrent resolution (S. Con. Res. 39), which, with the manuscript and the accompanying statement, was referred to the Committee on Printing, the concurrent resolution and accompanying statement being as follows:

Resolved by the Senate (the House of Representatives concurring), That there shall be printed with illustrations and bound, as may be directed by the Joint Committee on Printing, 4,000 copies of the manuscript entitled "Washington, the National Capital," prepared by H. P. Caemmerer, of which —— hundred copies shall be for the use of the Senate and —— hundred copies for the use of the House of Representatives, and the remaining copies shall be available for distribution as the Joint Committee on Printing may direct.

Mr. FESS's statement (to accompany Senate Concurrent Resolution No. 39):

For several years there has been demand for a book on Washington, the National Capital, that would in a comprehensive way describe the development of the National Capital from the time of its origin to the present and set forth the plans that have been adopted for its future development. Washington is the one city of the Nation in which all the people are interested and in which, by virtue of the Constitution of the United States, each citizen has a share. Washington is a city of tremendous interest historically, a city that has grown with the Nation. Washington is also a city of standards. Here the Government has built great buildings that uphold the traditions of good architecture. Here, too, are more monuments for a city of its size than in any other city in the United States. Many of these monuments and memorials are a tribute of a grateful people to their country. Washington also has had a plan from the very beginning, the L'Enfant plan, which though long neglected is now, as a result of the enactments of

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Congress in recent years, being realized. Plans have been authorized for the development of the National Capital that will involve an expenditure of $400,000,000 and will give assurance of Washington becoming the greatest and most beautiful Capital City in the world.

The task of preparing a book on Washington that would describe all this was undertaken by Mr. H. P. Caemmerer, secretary of the Commission of Fine Arts, about four years ago, with the indorsement of the commission. He has been at work on the manuscript copy at intervals during this period and has completed the copy to the point where it is about ready to be printed. It is a book that would very appropriately be made available during the George Washington bicentennial celebration, and the George Washington Bicentennial Commission would be very glad to have the book published as a public document, ready for distribution by 1932. The Commission of Fine Arts heartily recommend the publication of the book, as does also Lieut. Col. U. S. Grant, 3d, executive and disbursing officer of the National Capital Park and Planning Commission and Director of Public Buildings and Public Parks of the National Capital. In general, the book contains—

1. A chapter on the problem to establish a permanent seat of government of the United States. Historical.

2. A comprehensive account of the development of the city of Washington from the time George Washington negotiated with the original owners to purchase land in the District of Columbia for public buildings; Washington in the early days of the Republic; developments from 1850 to 1900. Fifty illustrations.

3. The plan of 1901; projects developed from 1901 to 1925; the new public-buildings program, giving information also as to other projects that recently have been authorized by Congress. One hundred illustrations.

4. A chapter giving a description of 50 or more public buildings and semipublic buildings and other institutions in the District of Columbia, in addition to those mentioned in chapter 3. Fifty illustrations.

5. A chapter giving a description of statues, monuments, and other memorials in the District of Columbia. Fifty illustrations.

The matter of publication of the book has been taken up by the Government Printing Office, which has given an estimate for furnishing 1,000 copies, cloth bound, size 7½ by 11, based on a maximum of 254 pages of print and 250 full-sized illustrations, including electroplating, for $7,144.74. The added rate for 100 copies of the book is $122.64 cloth bound and $74.27 paper bound. The cloth-bound copy would sell for about $1.50 and the paper-bound copy for about 85 cents. By electroplating a maximum of 200,000 copies can be printed, so that reprints can be provided when necessary.

The first thousand copies would be available for distribution to the Members of Congress. Public libraries throughout the country will desire to have a copy of the book; schools and colleges and other educational institutions and also many individuals will wish a copy of the book for their private library and buy it from the Superintendent of Documents. Mr. Caemmerer is not asking for any credit in particular for preparing the book and will not receive any revenue from its publication. With few exceptions books on Washington to-day are full of errors, written by people who have not devoted careful research to their work and who do not understand the projects for the development of the Capital City of this country, and to make this book available to the public in time for the George Washington bicentennial celebration next year will be sufficient satisfaction for him. The book, when published, will be one that will have the approval of the Commission of Fine Arts, Colonel Grant's office, and the George Washington Bicentennial Commission. We can, therefore, be assured that this book on Washington will give to the people of the country authentic information on the National Capital, and to print the book for 1932 appropriately makes it a matter of record in connection with the bicentennial celebration. It is a great work, and $10,000 would provide for suitable publication of the book.

CALL OF THE ROLL

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

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Dale	Hebert	Partridge
Barkley	Davis	Heflin	Patterson
Bingham	Deneen	Howell	Phipps
Black	Dill	Johnson	Pine
Blaine	Fess	Jones	Pittman
Blease	Fletcher	Kean	Ransdell
Borah	Frazier	Kendrick	Reed
Bratton	George	King	Robinson, Ark.
Brock	Gillett	La Follette	Schall
Brookhart	Glass	McGill	Sheppard
Broussard	Glenn	McKellar	Shipstead
Bulkley	Goff	McNary	Shortridge
Capper	Goldsborough	Morrison	Smith
Caraway	Hale	Morrow	Smoot
Carey	Harris	Moses	Steck
Connally	Harrison	Norbeck	Steiwer
Copeland	Hatfield	Norris	Stephens
Couzens	Hawes	Nye	Swanson
Cutting	Hayden	Oddie	Thomas, Idaho
Thomas, Okla.	Tydings	Walcott	Watson
Townsend	Vandenberg	Walsh, Mass.	Wheeler
Trammell	Wagner	Waterman	Williamson

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 PRESIDENT pro tempore. Eighty-eight Senators having answered to their names, a quorum is present.

PETITIONS AND MEMORIALS

The PRESIDENT pro tempore laid before the Senate a joint memorial of the Legislature of the State of Washington favoring the making of a Federal appropriation for the Mount Adams Highway within the Yakima Indian Reservation to match the sum expended by the county of Yakima, which was referred to the Committee on Indian Affairs. (See joint memorial printed in full when presented to-day by Mr. JONES.)

He also laid before the Senate petitions of sundry citizens of the State of Pennsylvania, praying for the prompt ratification of the World Court protocols, which were referred to the Committee on Foreign Relations.

The PRESIDENT pro tempore also laid before the Senate the following concurrent resolution of the Legislature of the State of Oklahoma, which was referred to the Committee on Public Lands and Surveys:

STATE OF OKLAHOMA,
DEPARTMENT OF STATE.

To all to whom these presents shall come, greeting:

I, R. A. Sneed, secretary of state of the State of Oklahoma, do hereby certify that the following and hereto attached is a true copy of enrolled House Concurrent Resolution No. 8, by Gray and Logan, entitled "A resolution memorializing the Congress of the United States to grant to the State of Oklahoma 210,000 acres of unappropriated nonmineral land for the benefit of agricultural and mechanical colleges of the State of Oklahoma, under the provisions of the acts of July 2, 1862, and July 23, 1866, and to authorize the Secretary of the Treasury, upon the Secretary of Interior certifying the number of acres available, and if there are not sufficient lands in Oklahoma to comply with the provisions of said acts, to make an appropriation and pay the State of Oklahoma, in lieu of said lands, the sum of $1.25 per acre for the number of acres due the State of Oklahoma," the original of which is now on file and a matter of record in this office.

In testimony whereof I hereto set my hand and cause to be affixed the great seal of State.

Done at the city of Oklahoma City this 11th day of February, A. D. 1931.

[SEAL.]

R. A. SNEED,
Secretary of State.
UNA LEE ROBERTS,
Assistant Secretary of State.

Enrolled House Concurrent Resolution 8, memorializing the Congress of the United States to grant to the State of Oklahoma 210,000 acres of unappropriated nonmineral land for the benefit of agricultural and mechanical colleges of the State of Oklahoma, under the provisions of the acts of July 2, 1862, and July 23, 1866, and to authorize the Secretary of the Treasury, upon the Secretary of Interior certifying the number of acres available, and if there are not sufficient lands in Oklahoma to comply with the provisions of said acts, to make an appropriation and pay the State of Oklahoma, in lieu of said lands, the sum of $1.25 per acre for the number of acres due the State of Oklahoma. (By Gray and Logan.)

Whereas under an act of the Congress of the United States approved July 2, 1862 (12 Stat. L. 503), States and Territories of the United States which provide colleges for the benefit of agricultural and mechanical arts were apportioned 30,000 acres nonmineral lands of the value of $1.25 per acre for each Senator and Representative in Congress from each State and Territory; and

Whereas the act of July 23, 1866 (14 Stat. L. 28), extended the benefits of the act of July 2, 1862, to any Territory which may thereafter become a State or be admitted to the Union; and

Whereas the State of Oklahoma was admitted in the Union as a State in 1907 with five Representatives and two Senators; and

Whereas the State of Oklahoma, by the provisions of Senate Joint Resolution 3, enacted by the 1910 legislature within the time prescribed by law, accepted the terms of the acts of 1862 and 1866 and applied to the Secretary of Interior for the number of acres of land to which the State was entitled, and said application was by said official denied; and

Whereas the State of Oklahoma is entitled to all the benefits and privileges of the other States of the Union, and the Congress of the United States should extend the benefits of said acts to the State of Oklahoma: Now, therefore, be it

Resolved by the House of Representatives of the State of Oklahoma (the Senate concurring therein):

SECTION 1. That the Thirteenth Legislature of the State of Oklahoma do, and by this resolution does, petition and request the Congress of the United States to enact necessary laws granting to the State of Oklahoma 210,000 acres of unappropriated lands for the benefit of its agricultural and mechanical colleges, according to the provisions of the acts of July 2, 1862, and July 23, 1866, and authorize the Secretary of the Treasury, upon the Secretary of Interior certifying the number of acres available, to allot the same to the State of Oklahoma, and if there are not sufficient lands in the State of Oklahoma to comply with the provisions of said acts to make an appropriation to pay the State of Oklahoma in lieu thereof the sum of $1.25 per acre for the number of acres due the State of Oklahoma.

SEC. 2. That the Oklahoma delegation in Congress be, and it is hereby, petitioned and requested to introduce a bill in the Congress of the United States having for its purpose the securing of the benefits authorized by said acts of Congress to the State of Oklahoma.

SEC. 3. That copies of this resolution be filed with the clerks of the respective Houses of the Congress of the United States and with each member of the Oklahoma delegation therein.

Adopted by the house of representatives this the 30th day of January, 1931.

CARLTON WEAVER,
Speaker of the House of Representatives.

Adopted by the senate this the 6th day of February, 1931.

ROBERT BURNS,
President of the Senate.

Correctly enrolled.

LUTHER E. GREEN,
Vice Chairman Committee on Enrolled and Engrossed Bills.

Mr. JONES presented the following joint memorial of the Legislature of the State of Washington, which was referred to the Committee on Finance:

Senate Joint Memorial 3

We, your memorialists, the Senate and the House of Representatives of the State of Washington in legislative session assembled, most respectfully represent and petition your honorable body as follows:

Whereas many of the basic industries and pursuits of the West, particularly the State of Washington, are engaged in wheat raising, and in the manufacture and production of pulpwood, lumber, other forest products, and manganese; and

Whereas large sums of money have been invested in the farms and plants and equipment for the production or manufacture of all such products, and large numbers of people are directly dependent upon the productions and operations of all such activities for the livelihood of themselves and their families; and

Whereas the welfare and prosperity of the West, particularly the State of Washington, are directly dependent upon the continuance of productions of wheat, pulp and paper, lumber manufacture, logging, and manganese mining, and upon the continuance of operations of allied and dependent activities; and

Whereas continued and increased importations of all such products from Russia present distinct menaces to and threaten the continued employment of American labor and American production, and the development, growth, progress, and prosperity of the West, particularly the State of Washington, as well as its several manufacturing and commercial activities; and

Whereas it is necessary in the promotion of our general welfare and to create and continue progress and prosperity that American labor and industry shall not be forced into competition with convict or forced or indentured labor in the production of products, and it is believed that the Congress of the United States is duly and fully authorized to enact laws preventing and prohibiting such competition, that of necessity tend to force lowering the standard of American living and wages, and operate to produce idleness to labor and distress and depression to business and commercial activities, and as it is believed the enactment of such laws would be in strict accord with the spirit of the Constitution of the United States of America:

Therefore your memorialists most sincerely and respectfully memorialize your honorable bodies to enact, at the present session of Congress, a law or laws that will prevent and prohibit the importation into the United States of any and all products produced or manufactured by convict or forced or indentured labor of any kind.

And your memorialists will ever pray.

Passed by the senate January 30, 1931.

Passed by the house February 6, 1931.

Mr. JONES also presented the following joint memorial of the Legislature of the State of Washington, which was referred to the Committee on Indian Affairs:

Senate Joint Memorial 4

We, your memorialists, the Senate and House of Representatives of the State of Washington in legislative session assembled, most respectfully represent and petition as follows:

Whereas the county of Yakima, State of Washington, expended more than $1,200,000 in the construction and the maintenance of roads in the Yakima Indian Reservation for the benefit of the United States, the State of Washington, Yakima County, and the Indians upon said reservation, without the aid of any moneys from the Federal Government:

Now, therefore, the Legislature of the State of Washington respectfully petitions the Congress of the United States to match this sum expended by the county of Yakima to be used on the Mount Adams Highway within the Yakima Indian Reserve.

And your memorialists will ever pray.

Passed by the senate February 4, 1931.

Passed by the house February 9, 1931.

Mr. JONES also presented letters in the nature of memorials from members of the Ladies' Auxiliary to the Ancient Order of Hibernians, and the Altar Society of the Immaculate Conception Catholic Church, both of Everett, Wash., remonstrating against the passage of the so-called Gillett bill, being the bill (S. 4582) to amend section 305 (a) of the tariff act of 1922, as amended, and sections 211, 245, and 312 of the Criminal Code, as amended, which were referred to the Committee on the Judiciary.

Mr. LA FOLLETTE presented the following joint resolution of the Legislature of the State of Wisconsin, which was referred to the Committee on Finance:

STATE OF WISCONSIN.

Joint resolution memorializing the Congress of the United States to enact legislation reimbursing World War veterans for all premiums paid by them on war-risk insurance

Whereas the men and women who served the United States in the Army and Navy and as nurses were required to contribute a considerable part of their small wages for the payment of premiums on the war-risk insurance, which they were required to carry for the protection of their dependents and relatives; and

Whereas while the purpose of this war-risk insurance was laudatory, the collection of the premiums thereon from the men and women in the service violated the fundamental principle that employers must insure their employees against hazards of injury; and

Whereas the injustice in this respect can to a great measure be corrected through reimbursing the World War veterans the amounts which they paid on premiums for war-risk insurance: Therefore be it

Resolved by the senate (the assembly concurring), That this legislature hereby respectfully memorializes the Congress of the United States to enact legislation to reimburse all veterans of the World War the amounts which they paid as premiums on war-risk insurance while in the service of the United States; be it further

Resolved, That properly attested copies of this resolution be transmitted to both Houses of Congress and to each Wisconsin Member thereof.

HENRY A. HUBER,
President of the Senate.

R. A. COBBAN,
Chief Clerk of the Senate.

CHAS. B. PERRY,
Speaker of the Assembly.

C. E. SHAFFER,
Chief Clerk of the Assembly.

Mr. LA FOLLETTE also presented the following joint resolution of the Legislature of the State of Wisconsin, which was ordered to lie on the table:

STATE OF WISCONSIN.

Joint resolution relating to the coloring of oleomargarine by the use of palm oil

Whereas under a ruling of the United States Commissioner of Internal Revenue palm oil may now be used in the manufacture of oleomargarine to give it the color of butter without making such product subject to the tax on colored oleomargarine; and

Whereas this practically nullifies the protection which the dairymen of this country have enjoyed since 1902 in the law taxing colored oleomargarine 10 cents per pound; and

Whereas the effect of this ruling has been to greatly increase the manufacture and sale of oleomargarine and similar butter substitutes despite the present very low price of butter; and

Whereas the coloring of oleomargarine to resemble butter constitutes a fraud upon the consuming public of the country: Therefore be it

Resolved by the senate (the assembly concurring), That the Legislature of Wisconsin hereby protests against the ruling permitting oleomargarine and similar butter substitutes to be colored like butter through the use of palm oil without making these products subject to the 10-cent tax on colored oleomargarine, and respectfully requests the United States Commissioner of Internal Revenue to reverse his ruling in the interests of the great dairy industry of this country and fair dealing with consumers; be it further

Resolved, That in the event that the United States Commissioner of Internal Revenue shall not promptly reverse his ruling allowing palm oil to be used in the manufacture of oleomargarine and similar butter substitutes without making the product subject to the tax on colored oleomargarine, the Congress of the United States is respectfully requested to enact legislation either prohibiting the use of palm oil in the manufacture of oleomargarine

or making any product manufactured with palm oil subject to the tax on colored oleomargarine; be it further

Resolved, That properly attested copies of this resolution be transmitted to the Commissioner of Internal Revenue, the Secretary of the Treasury, the presiding officers of both Houses of the Congress of the United States, and to each Wisconsin Member thereof.

HENRY A. HUBER,
President of the Senate.
R. A. COBBAN,
Chief Clerk of the Senate.
CHAS. B. PERRY,
Speaker of the Assembly.
C. E. SHAFFER,
Chief Clerk of the Assembly.

Mr. SHEPPARD presented letters in the nature of memorials from Court Our Lady of Victory, No. 234, the Catholic Daughters of America, of Houston; members of St. Patrick's Cathedral Altar Guild, of El Paso, and of St. Austin's Altar and Rosary Society, of Austin, all in the State of Texas, remonstrating against the passage of Senate bill 4582, permitting the importation, distribution, and sale of contraceptive literature and instruments, which were referred to the Committee on the Judiciary.

Mr. BULKLEY presented petitions and letters and telegrams in the nature of petitions of Court Columbia, No. 59, Foresters of America, of Toledo; sundry citizens of Tiffin; General W. V. McMaken Post, No. 1516, Veterans of Foreign Wars, of Toledo; Cleveland Post, No. 301, the American Legion, of Cleveland; St. George Branch, No. 50, Catholic Knights of Ohio, of Toledo; Federal Employees Union No. 318, of Columbus; Earl Foust Post, No. 73, the American Legion, of Fostoria; Veterans of Foreign Wars, of Youngstown; Clarence Golden Post, No. 296, the American Legion, of Mount Victory; George E. Dignam Post, No. 526, the American Legion, of Fairfield; Monnier-Duplain Post, No. 548, the American Legion, of Louisville; Cambridge Post, No. 84, the American Legion, of Cambridge; Clifford Thompson Post, No. 43, the American Legion, of Troy; Summit County Central Labor Union, of Akron; Liberty Post, No. 46, the American Legion, of Bellevue; sundry citizens of Fostoria; Frank W. Weaver Post, No. 237, the American Legion, of Batavia; Robert E. Bentley Post, No. 50, the American Legion, of Cincinnati; local post, the American Legion, of Fayette; Local Union No. 219, United Association of Journeymen Plumbers and Steam Fitters, of Akron; and Clarence Phillippi Post, No. 101, the American Legion, of La Rue; all in the State of Ohio, praying for the passage of legislation providing for the immediate payment in cash of adjusted-service certificates of ex-service men, which were referred to the Committee on Finance.

He also presented resolutions of Erk Cottrell Post, No. 140, American Legion of Ohio, of Greenville; Wadsworth Post, No. 170, the American Legion, of Wadsworth; George H. Morris Post, No. 306, the American Legion, of Paulding; Charles Faust Post, No. 281, the American Legion, of Cuyahoga Falls; Franklin County Council, the American Legion, of Columbus; Ohio Republican Women's Club, of Akron; City Fire Fighters' Association, Local No. 267, of Lorain; Joseph Wein Post, No. 288, Veterans of Foreign Wars, of Akron; General Edwin F. Glenn Post, No. 108, Veterans of Foreign Wars, of Chillicothe; McWhirter Post, No. 488, the American Legion, of Crestline; Kenmore Lodge, No. 767, Knights of Pythias, of Akron; John Seymour Council, No. 334, Junior Order United American Mechanics, of Akron; St. Clairsville Post, No. 159, the American Legion, of St. Clairsville; Struthers Post, No. 158, the American Legion, of Struthers; Akron Post, No. 209, the American Legion, of Akron; Jefferson County Council, the American Legion, of Mingo Junction; Oscar McVeigh Post, No. 20, the American Legion, of Bremen; Clarence Hyde Post, No. 278, the American Legion, of Warren; the Lion Club, of Mechanicsburg; the Young Men's Democratic Club, of Columbus; Robert Dutro Post, No. 486, the American Legion, of Groveport; Park Etter Post, No. 452, the American Legion, of Mogadore; Board of County Commissioners, of Summit County; Kneil Post, No. 255, the American Legion, of Akron; Cuyahoga County Council, Veterans of Foreign Wars, of Cleveland; Buckley Post, No. 12, Grand Army of the Republic, of Akron; Gold Star Mothers Chapter, of Akron; the First Ward, of Akron; Summit Veterans' Association, of Akron; McEbright Parent-Teachers' Association, of Akron; Akron Camp, Sons of Union Veterans, of Akron; Auxiliary No. 8, Sons of Union Veterans, of Akron; Forest Hill Civic Association, of Akron; Barberton Aerie, No. 562, Fraternal Order of Eagles, of Barberton; the Tri-County Florists' Association, of Canton; all in the State of Ohio; and Orville N. Stover Post, No. 158, the American Legion, of Union City, Ind., praying for the immediate payment in cash of the adjusted-service certificates of ex-service men, which were referred to the Committee on Finance.

Mr. DILL presented a joint memorial of the Legislature of the State of Washington (Senate Joint Memorial No. 3), favoring the passage of legislation at the present session of Congress to prevent and prohibit the importation of any products or manufactures of convict, forced, or indentured labor, which was referred to the Committee on Finance. (See joint memorial printed in full when presented to-day by Mr. JONES.)

He also presented a joint memorial of the Legislature of the State of Washington (Senate Joint Memorial No. 4), favoring the making of an appropriation to be used on the Mount Adams Highway within the Yakima Indian Reservation to match a sum expended by the County of Yakima, which was referred to the Committee on Indian Affairs. (See joint memorial printed in full when presented to-day by Mr. JONES.)

Mr. CAPPER presented a petition of members of Springer Post, No. 332, the American Legion, of Waterville, Kans., praying for the immediate payment in cash of the full face value of adjusted-service certificates of ex-service men, which was referred to the Committee on Finance.

He also presented a petition of sundry citizens of Rice County, Kans., praying for the passage of legislation placing an embargo on the importation of crude petroleum, which was ordered to lie on the table.

He also presented the petition of the Farm Bureau, the Farmers' Union, and Grange of Franklin County, Kans., praying for the passage of legislation placing a tax on colored oleomargarine, which was ordered to lie on the table.

He also presented resolutions adopted by the Kansas State Dairy Association, at Manhattan, and the Woman's Progressive Farm Association, of Osborne, in the State of Kansas, favoring the passage of legislation imposing a tax on colored oleomargarine, which were ordered to lie on the table.

Mr. GOLDSBOROUGH presented petitions of sundry citizens of the State of Maryland, praying for the passage of legislation for the exemption of dogs from vivisection in the District of Columbia, which were referred to the Committee on the District of Columbia.

He also presented the petition of several citizens of Baltimore, Md., praying for the passage of legislation for the immediate payment in cash at full face value of adjusted-compensation certificates, which was referred to the Committee on Finance.

He also presented a letter in the nature of a petition from Guy Carleton Parlett Post, No. 7, the American Legion, of Annapolis, Md., praying for the reinstatement of ex-service men laid off at the United States Naval Academy through lack of funds and that Congress make such appropriation as may be needed to carry on the work, which was referred to the Committee on Naval Affairs.

He also presented petitions numerously signed by sundry citizens of the State of Maryland, praying for the prompt ratification of the World Court protocols, which were referred to the Committee on Foreign Relations.

Mr. COPELAND presented letters in the nature of petitions from sundry citizens of Syracuse, N. Y., praying for prompt action on proposed amendments to the World War veterans' act giving pensions to widows and orphans and service-connected chronic constitutional disabilities to January 1, 1935, and also immediate action on the hospital construction program to provide hospitalization for all veterans, which were referred to the Committee on Finance.

He also presented a petition of members of the faculty of the University of Rochester, N. Y., praying for the ratifica-

tion of the World Court protocols without further delay, which was referred to the Committee on Foreign Relations.

He also presented a letter in the nature of a memorial from the Herkimer Unit, National Council of Catholic Women, of Herkimer, N. Y., and also a telegram in the nature of a memorial from the Cathedral Alumnæ Association (1,000 members) and St. Zita's Home Auxiliary (400 members), both of New York City, N. Y., signed by Mrs. Hennessy, president, remonstrating against the passage of the so-called birth control bill, being the bill (S. 4582) to amend section 305 (a) of the tariff act of 1922, as amended, and sections 211, 245, and 312 of the Criminal Code, as amended, which were referred to the Committee on the Judiciary.

Mr. MORROW presented petitions numerously signed by sundry citizens of the State of New Jersey, praying for the passage of legislation for the exemption of dogs from vivisection in the District of Columbia, which were referred to the Committee on the District of Columbia.

He also presented petitions numerously signed by sundry citizens of the State of New Jersey, praying for the prompt ratification of the World Court protocols, which were referred to the Committee on Foreign Relations.

He also presented petitions of sundry citizens of Toms River, and of Harry J. Eckhart Post, No. 282, Veterans of Foreign Wars of the United States, of Union City, in the State of New Jersey, praying for the early payment of soldiers' adjusted-compensation certificates, which were referred to the Committee on Finance.

He also presented memorials of sundry citizens of the State of New Jersey and members of Kinderkamack Post, No. 41, the American Legion, of Oradell, in the State of New Jersey, remonstrating against the passage of legislation for the payment of adjusted-compensation certificates of ex-service men, which were referred to the Committee on Finance.

He also presented petitions numerously signed by sundry citizens of Essex County, N. J., praying for the passage of the so-called doctors' bill, being the bill (S. 4582) to amend section 305 (a) of the tariff act of 1922, as amended, and sections 211, 245, and 312 of the Criminal Code, as amended, which were referred to the Committee on the Judiciary.

He also presented papers in the nature of memorials from Mount Carmel Branch, No. 257, Ladies' Catholic Benevolent Association, of Englewood; the Mount Carmel Branch of the National Council of Catholic Women, of Tenafly; the Ladies' Catholic Benevolent Association, No. 568, of Tenafly; Court Madonna Catholic Daughters of America, of Englewood; the National Council of Catholic Women, of Newark; St. Joseph's Altar and Rosary Society, of Bogota; St. Joseph's P. T. Association, of Bogota; and the National Council of Catholic Women, of Bogota, all in the State of New Jersey, remonstrating against the passage of the so-called Gillett bill, being the bill (S. 4582) to amend section 305 (a) of the tariff act of 1922, as amended, and sections 211, 245, and 312 of the Criminal Code, as amended, which were referred to the Committee on the Judiciary.

Mr. WHEELER presented a telegram and letter in the nature of memorials, which were referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

MISSOULA, MONT., *February 13, 1931.*

Hon. BURTON K. WHEELER,
United States Senate, Washington, D. C.:

Please enter the protest of the following organizations against the passage of Senate bill 4582 to amend tariff act 1930 and Penal Code. Include protest in your public hearing.

Mrs. J. F. KERIN,
Secretary St. Anthony Council, U. C. C. W.
ANNA COLON,
Secretary St. Francis Council, U. C. C. W.
Mrs. P. J. GRATTAN,
Secretary Daughters of Isabella.

COTTONWOOD, MONT., *February 8, 1931.*

Senator WHEELER,
Washington, D. C.

DEAR SIR: We, the Catholic parish of Cottonwood, Mont., composed of 34 families, having received notice of the proposed bill intended to amend the tariff bill (1930) and the Penal Code in order to allow the free importation and distribution of contraceptive literature and instruments, do hereby protest against the passage of such a bill. We respectfully submit this protest to your attention and beg of you to have it embodied in the CONGRESSIONAL RECORD.

THE ST. JOHN'S CONGREGATION OF COTTONWOOD, MONT.,
By Mrs. PAUL JACOBY, *Secretary.*

Mr. WATERMAN presented a telegram and a letter in the nature of memorials, which were referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

DENVER, COLO., *February 12, 1931.*

Hon. CHARLES W. WATERMAN,
Senate Office Building, Washington, D. C.:

One hundred twenty-four members Branch 320, Ladies' Catholic Benevolent Association, oppose Gillett birth control bill by formal resolution in meeting. Consider it great danger to public health and morals; also added burden of State if such Federal bill passed. Request protest be printed in CONGRESSIONAL RECORD.

MARGARET CLARK, *President.*

ST. ELIZABETH'S LADIES' AUXILIARY, No. 31,
KNIGHTS OF ST. JOHN,
DENVER, COLO., *February 12, 1931.*

Senator WATERMAN,
Senate Office Building, Washington, D. C.

DEAR SIR: St. Elizabeth's Auxiliary, No. 31, to the Knights of St. John, No. 247, hereby protest Senator GILLETT's proposed amendment to the tariff act and Criminal Code.

Reason: The passage of this amendment would vitally affect the right standards of public morality and tend to destroy the long-standing traditions in that respect of our country.

St. Elizabeth's Auxiliary is a national organization with a membership of 85 members in Denver.

Please have our protest printed in the CONGRESSIONAL RECORD.

Yours very truly,

Mrs. FRANCES BENICKEN,
Secretary St. Elizabeth's Auxiliary, No. 31.

Mr. WATERMAN also presented a telegram in the nature of a petition, which was referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

DENVER, COLO., *February 13, 1931.*

Senator CHARLES WATERMAN,
United States Senate, Washington, D. C.:

Through two years' active interest in Denver in maternal hygiene clinic at Colorado General Hospital we have learned that subject of birth control touches every phase of social life. Sound economics must include intelligent program for population control; without it other efforts for social betterment are greatly hampered. Senate bill 4582 will place development of this vitally important work in hands of trained, responsible persons. We hope you can give it your active support.

Mrs. IMOGENE DALY FISHER.
Mrs. T. D. CUNNINGHAM.

BIRTH CONTROL

Mr. WAGNER. Mr. President, I ask unanimous consent to have printed in the RECORD and referred to the Judiciary Committee several protests from organizations in my State against the passage of Senate bill 4582.

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

The protests were referred to the Committee on the Judiciary, and are as follows:

NEW YORK, N. Y., *February 12, 1931.*

Hon. ROBERT F. WAGNER,
Washington, D. C.:

The Catholic Club of the City of New York emphatically disapproves of Senate bill No. 4582, and respectfully requests your earnest efforts for its overwhelming defeat.

CARROLL HAYES, *President.*

GRANVILLE, N. Y., *February 12, 1931.*

Hon. ROBERT WAGNER,
Senate Office Building, Washington, D. C.:

Protest in name of public health, morality, and safety of rising generation against Senate bill 4582, permitting importation, distribution, sale of contraceptive literature and instruments. Earnestly urge you take this matter in hand and represent unanimous opinion of our organization, Council 343, Knights of Columbus, Granville, N. Y., representing 100 members. Further request this protest be embodied in report of hearing; also printed in report in CONGRESSIONAL RECORD.

COUNCIL 343, KNIGHTS OF COLUMBUS.

GRANVILLE, N. Y., *February 12, 1931.*

Hon. ROBERT WAGNER,
Senate Office Building, Washington, D. C.:

Protest in name of public health, morality, and safety of rising generation against Senate bill 4582, permitting importation, dis-

tribution, sale of contraceptive literature and instruments. Earnestly urge you take this matter in hand and represent unanimous opinion of our organization, Court Veronica, No. 289, Catholic Daughters of America, Granville, N. Y., representing 100 members. Further request this protest be embodied in report of hearing; also printed in report in CONGRESSIONAL RECORD.

COURT VERONICA, No. 289, CATHOLIC DAUGHTERS OF AMERICA.

QUEENS VILLAGE, N. Y., *February 12, 1931.*

Hon. ROBERT F. WAGNER:

Acting for 5,000 members of the Ladies' Catholic Benevolent Association residing in New York City, I hereby protest against Senate bill No. 4582, and request that said protest be printed in the CONGRESSIONAL RECORD.

MARY E. COSTELLO,
Treasurer, 1108–08 217 Place, Queens Village, N. Y.

HERKIMER, N. Y., *February 10, 1931.*

Hon. ROBERT F. WAGNER,
Senate Office Building, Washington, D. C.

MY DEAR SENATOR: The attention of the Herkimer Unit, National Council of Catholic Women, with a membership of 800, has been called to a bill introduced last May by Senator GILLETT, of Massachusetts, which has for its purpose the amendment of the Criminal Code and the tariff act so that literature and material for use in contraception or artificial birth control could be imported into and distributed throughout this country.

We are further advised of a public hearing proposed to be had on the 13th day of February, 1931, before a subcommittee of the Judiciary Committee.

As citizens of the Nation we feel it our duty to express ourselves in this vital matter, as being utterly opposed to the aforesaid amendment, and take this opportunity to formally enter our protest to the passage thereof, on the ground that any such legislation should seriously endanger public health and morals, especially of our young people, and would increase the obscenity and pornography in the Nation and would tend to destroy the long-standing traditions of good living.

In view of our inability to attend the hearing on February 13, we therefore ask, as constituents residing in the thirty-third congressional district, that you strenuously oppose the passage of the aforesaid amendment when the same comes to your House for disposition, and request that this protest be printed in the CONGRESSIONAL RECORD.

Very truly yours,

HELEN A. MANGAN,
National Council of Catholic Women, Herkimer Unit.

FLOOD CONTROL OF CANADIAN RIVER, N. MEX.

Mr. BRATTON. I send forward a resolution passed by the Legislature of the State of New Mexico memorializing Congress to include in the plans for an adequate flood-control program of the Mississippi River area the construction of a reservoir in the Canadian River within the State of New Mexico. I ask that it may be printed in the RECORD and referred to the Committee on Irrigation and Reclamation.

The PRESIDENT pro tempore. Under the rule memorials from State legislatures are printed in the RECORD. The resolution presented by the Senator from New Mexico will be so printed and referred as suggested by him.

The memorial was referred to the Committee on Irrigation and Reclamation and is as follows:

TENTH LEGISLATURE,
STATE OF NEW MEXICO.

Senate Joint Memorial 3, memorializing the Congress of the United States to include in the plan for an adequate flood-control program of the Mississippi River area the construction of a flood-control reservoir on the Canadian River within the State of New Mexico. (Introduced by Senators Taylor E. Julien and S. A. Jones)

Whereas the Congress of the United States on May 15, 1928, passed a flood control act for the purpose of controlling the devastating floods in the lower Mississippi River; and

Whereas we believe that stream control, not only in the lower Mississippi Valley but throughout the entire watershed of the Mississippi River, is necessarily a part of any adequate plan for the solution of the problem; and

Whereas the control by reservoirs of tributary streams for the purpose of not only holding back flood and waste waters for the prevention of floods, but for other beneficial purposes, including that of irrigation, is a necessary and proper part of any adequate plan for the control of the lower Mississippi River; and

Whereas the Canadian River, having its rise in the State of New Mexico, is a tributary of the Mississippi River, which periodically contributes a great volume of water to the lower Mississippi River under flood conditions: Now, therefore,

The Tenth Legislature of the State of New Mexico does hereby request the Congress of the United States and the bureaus and departments of the Federal Government intrusted with the working out of the plans for the control of flood conditions in the lower Mississippi to include in the plans for such control the construction of a flood-control reservoir on the Canadian River within the State of New Mexico as an integral part of such flood-control plan; and be it further

Resolved, That a copy of this joint memorial be forwarded to the Hon. SAM BRATTON and the Hon. BRONSON M. CUTTING, Senators of New Mexico, and the Hon. ALBERT G. SIMMS, Representative in Congress from the State of New Mexico.

LITIGATION AFFECTING INHERITANCE TAX ON ESTATE OF MRS. JAMES J. HILL

Mr. HEBERT. Mr. President, in the CONGRESSIONAL RECORD of February 10, on page 4438, there appears a letter addressed to the President by the Senator from Minnesota [Mr. SCHALL]. In that letter there is reference to the manner of treating the litigation involving the inheritance tax on the estate of the late Mrs. James J. Hill. The statement contained in the letter in reference to that case is such that, if unanswered, in my judgment, it might cast a reflection upon the handling of the case by the Department of Justice.

On the 11th instant I addressed a letter to the Hon. Charles P. Sisson, Assistant Attorney General, asking if there was a record of the case on file in the department; and, if so, would he be willing to furnish me with a copy of it in order that it might be made a part of the CONGRESSIONAL RECORD. I now have a letter from Mr. Sisson, under date of February 12, setting forth in detail the record in that case. I ask leave to have my letter as well as the reply of Mr. Sisson inserted in the RECORD.

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

The correspondence referred to is as follows:

FEBRUARY 11, 1931.

Hon. CHARLES P. SISSON,
Assistant Attorney General, Department of Justice, Washington, D. C.

DEAR SIR: I note in the CONGRESSIONAL RECORD of February 10, in a letter from Senator SCHALL, of Minnesota, to President Hoover, at page 4441, a reference to the estate of Mrs. James J. Hill.

I am wondering whether there is a full record of this matter in your possession, and if you could favor me with it. I would also like to know if you would have any objection to its being set out in the CONGRESSIONAL RECORD.

Yours very truly,

FELIX HEBERT.

DEPARTMENT OF JUSTICE,
Washington, February 12, 1931.

Hon. FELIX HEBERT,
United States Senate.

DEAR SENATOR: I have your letter of February 11 making inquiry concerning the records of the Department of Justice as they may relate to litigation involving an inheritance tax upon the estate of Mrs. James J. Hill, a former client of Attorney General William D. Mitchell, reference to this matter appearing on page 4441 of the CONGRESSIONAL RECORD of February 10, 1931, being included in a letter from Senator SCHALL to the President dated February 10, 1931. Senator SCHALL's statement alleges that Mr. Mitchell, when holding the office of Solicitor General, used such office to prevent an appeal to the Supreme Court of this tax case.

The records of the Department of Justice in the premises are as follows:

The case is entitled "George P. Flannery, Administrator of the Estate of Mary T. Hill, Deceased, *v.* Levi M. Willcuts, Collector of Internal Revenue." The District Court of Minnesota found in favor of the United States, but on April 23, 1928, the Circuit Court of Appeals for the Eighth Circuit reversed this judgment.

Thereupon the United States attorney for the district of Minnesota, under date of May 9, 1928, recommended to the Attorney General that a petition for writ of certiorari be filed in the Supreme Court of the United States. The matter was assigned to the tax division of the department, in charge of Hon. Mabel Walker Willebrandt, and, by letter dated May 22, 1928, she advised the United States attorney of the receipt of his letter and that the matter of applying for certiorari was receiving careful consideration by her office. She directed the United States attorney, pending a conclusion in the matter, to take the necessary steps to procure a stay of the mandate during the time allowed for certiorari and also to take such further steps as might be necessary to protect fully the interests of the Government until a decision as to whether or not application for certiorari should be made.

By letter dated May 21 (addressed to Mrs. Willebrandt) the General Counsel of the Bureau of Internal Revenue recommended that a petition for certiorari be filed. In closing he said:

"Will you please give the matter your consideration, and when you have reached a conclusion instruct the United States attorney at St. Paul of the action to be taken by him, and advise this office of your conclusions in the premises?"

On June 5 the tax division of the Department of Justice prepared a memorandum recommending that petition for certiorari be not filed. Thereupon the following memorandum by the tax

division transmitting the case file was addressed to Attorney General Sargent:

"The Solicitor General suggests that inasmuch as he was of counsel and a witness in this case, it be referred to you for consideration as to whether an application should be made to the Supreme Court for a writ of certiorari."

The recommendation against applying for certiorari has the following indorsement in Mr. Sargent's handwriting:

"Approved. 6-6-28. Jno. G. Sargent, Attorney General."

Under date of June 8, 1928, Assistant Attorney General Willebrandt advised the United States attorney for the district of Minnesota and the General Counsel of the Bureau of Internal Revenue as follows:

"In re George P. Flannery *v.* Willcuts (estate of Mary T. Hill).

"You are advised that the Attorney General has decided not to petition the Supreme Court of the United States for a writ of certiorari to review the decision of the Circuit Court of Appeals for the Eighth Circuit reversing the judgment of the District Court for the District of Minnesota in the above-entitled case."

Under date of June 13, 1928, the General Counsel of the Bureau of Internal Revenue replied to Assistant Attorney General Willebrandt as follows:

"Receipt is acknowledged with thanks of your letter of June 8, 1928, advising that the Attorney General has decided not to petition for a writ of certiorari in the above-entitled case."

Other than to suggest the impropriety of his having anything to do with the consideration of the matter of applying for certiorari, as above indicated, Solicitor General Mitchell had nothing to do with the determination of the question as to whether or not the Supreme Court should be asked to review the judgment entered by the Circuit Court of Appeals for the Eighth Circuit.

Yours very truly,

CHARLES P. SISSON,
Assistant Attorney General.

APPOINTMENT OF FEDERAL JUDGE IN MINNESOTA

Mr. SCHALL. I ask unanimous consent to have printed in the RECORD a letter written by me to the President, inclosing a protest signed by the lieutenant governor and by a majority of the members of the State Senate of Minnesota in reference to the judgeship for Minnesota; also a letter signed by Mr. Henry Spindler, State senator, and a telegram inclosed in my letter to the President.

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

The matter referred to is as follows:

FEBRUARY 12, 1931.

The Hon. HERBERT HOOVER,
The President of the United States, White House.

MY DEAR MR. PRESIDENT: Your recent letter of February 10 was undoubtedly written before you received my letter of February 10.

I agree with you that "it would be a misfortune if Minnesota should not have the advantage of the establishment of this court during the present session of Congress," but I also feel that it is a greater misfortune that you have not been given a true picture of the Minnesota situation, and I hope that you may have it before you act in the matter.

Supplementing my letter of February 10, I am forwarding to you a protest signed by a majority of the State senators of the Minnesota Senate and signed by the lieutenant governor against the unjust attack made upon Mr. Michel by your "right-minded" Attorney General.

I am also inclosing you a wire just received from District Judge Roeser, of St. Cloud, whose name was suggested to me by the lawyers' association of his district after your letter to me published February 6.

Respectfully yours,

THOMAS D. SCHALL.

Hon. HERBERT HOOVER,
President of the United States, Washington, D. C.:

We, the undersigned, members of the Minnesota State Senate, desire to register our protest against the recent unjust and undignified attacks made by Attorney General William D. Mitchell against the appointment for the position of Federal judge in Minnesota of a lawyer who has been indorsed by both of our United States Senators, by every Member of Congress, by the governor of our State, and by the chief justice of our supreme court.

Deep in the hearts of the people of this State and Nation is the hope and belief that a lawyer who has been honest and faithful to his profession should not be barred from appointment to such a position because he has not served an apprenticeship in the employment of the privileged interests of this country.

We have felt and still hope that the humblest citizen of our land should be free from unjust attacks and that men temporarily holding high positions of authority ought not to abuse such a privilege and fail to give a man a chance to answer such charges.

Mr. Michel is a native of Minnesota, a young man who has the respect and confidence of the courts of this State, and whose honesty, integrity, and ability can not be honestly questioned.

We feel, Mr. President, that you have been grossly and deliberately misled in regard to the character and qualifications of the man who is so widely supported for this high position, and that if the facts were fairly laid before you or before the Judiciary Committee of the Senate and Mr. Michel could be given what every citizen is entitled to—a fair hearing—that the people of this State and Nation would no longer feel that employment by railroads and the privileged interests of this country are the sole and necessary requisites for service on the Federal bench.

It is furthermore our opinion that both of our United States Senators, every Member of Congress, the governor of our State, and the chief justice of our supreme court can not all be wrong and the Attorney General of the United States, whose corporate connections are well known in Minnesota, is alone right-minded and right-thinking.

Henry Arens, Scott County, lieutenant governor; Frank J. Sell, Nobles and Rock Counties; Wm. Roepke, Rice County; Edw. D. Smith, Pope and Douglas Counties; R. T. Buckler, Polk County; Emil L. Regnier, Lyon and Yellow Medicine Counties; H. E. Sprung, Norman and Mahnomen; H. J. Peck, Itasca and Cass; Henry L. Morin, St. Louis County; Frank F. Romberg, Brown and Redwood Counties; Herman Schmechel, Renville County; H. A. Bridgeman, Beltrami, Koochiching, and Lake of the Woods; A. O. Starks, Mower and Dodge Counties; C. J. Putzier, Meeker County; N. A. Pederson, Chippewa and Lac qui Parle; A. O. Devold, Hennepin County; Albert A. Lodin, Isanti and Anoka; Geo. H. Lommen, St. Louis County; P. W. Morrison, Carver and Scott; A. L. Lennon, Hennepin County; Gerald T. Mullin, Hennepin County; Charles A. Hausler, Ramsey County; Walter P. Wolfe, Hennepin County; E. R. Ribenack, St. Louis County; John Lewer, Waseca and Steele; A. H. Miller, Hennepin County; J. B. Pattison, Stearns and Benton; B. C. Fisk, Wabasha; F. H. Rollins, Winona County; George L. Siegel, Ramsey County; John E. Fearing, Dakota County; John Jacobs, Stearns County; Thos. H. Smullen, Le Sueur County; J. S. McCormack, Freeborn County.

Without knowing the details of the controversy I feel, like every fair-minded person, that a full hearing should be allowed on all charges made against the fitness of Mr. Michel or any other person whose fitness is questioned.

S. W. CHILD, *Hennepin County.*

STATE OF MINNESOTA,
SENATE CHAMBER,
February 10, 1931.

In re the appointment of additional Federal judge for Minnesota:

I am for Judge Arthur E. Giddings, being that I live and practice in his district.

However, I feel Attorney General Mitchell has not been fair to Ernest Michel, one of the candidates. He went out of his way to publicly attack Michel and has not given him a fair show.

Michel has a right to seek the office.

It is quite undignified for the Attorney General of the United States to enter into a long-range controversy in the newspapers, with Senator SCHALL over the qualifications and fitness of Michel. This performance is unusual, to say the least.

Opinions may differ as to Michel's qualifications and fitness.

Michel may represent one extreme in the profession—the personal-injury lawyer. But Attorney General Mitchell represeents the other extreme, the corporation lawyer—the spokesman and advocate, the defender of the big interests. Both have their place. Mitchell has nothing on Michel.

Mitchell speaks, standing behind the authority and protection of his high official position. Michel is a mere private citizen, and does not have a chance to strike back. That is why Mitchell has not given Michel a fair show. The action of Mitchell is most unusual, and there does not seem to be any occasion for it.

If Michel did not find favor, with Mitchell, a mere refusal to recommend him for the position, would have answered the purpose, and is all Mitchell ought properly, and fairly, to have said. No excuse or occasion for jumping on Michel.

HENRY SPINDLER,
State Senator, Wright County, Minn.,
Twenty-seventh District.

[Telegram]

ST. CLOUD, MINN., *February 12, 1931.*

Hon. THOMAS D. SCHALL,
United States Senator for Minnesota, Senate Chamber:

Gratefully acknowledging the compliment extended me by friends in suggesting my appointment as United States district judge. Must earnestly request that you do not propose my name for the reason that I have indorsed the appointment of Ernest A. Michel, and do now favor his appointment to the exclusion of any other aspirant. I can not believe the President will decline to recognize the wishes of the entire congressional delegation of the State—the governor, lieutenant governor; and, as I am informed, a majority of the legislature, a large number of the district judges, headed by the chief justice of the supreme court; about 500 lawyers, and a large majority of the citizens of the State—since the ability, character, and moral qualifications of Mr. Ernest A. Michel are conceded.

JOHN A. ROESER.

REPORTS OF COMMITTEES

Mr. NYE, from the Committee on Public Lands and Surveys, to which was referred the bill (H. R. 12094) to provide for conveyance of certain lands in the State of Alabama to vocational or other educational uses, or to dispose of the lands upon condition that they shall be used for such purposes, reported it without amendment and submitted a report (No. 1601) thereon.

Mr. FESS, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred the resolution (S. Res. 416) further continuing Senate Resolution No. 79, Seventieth Congress, authorizing a general survey of Indian conditions (submitted by Mr. FRAZIER), reported it without further amendment.

He also, from the same committee, to which were referred the following resolutions, reported them severally without amendment:

S. Res. 413. Resolution continuing in force until the end of the Seventy-second Congress Senate Resolution 316, agreed to February 26, 1929 (submitted by Mr. NYE);

S. Res. 428. Resolution continuing the authorization for the employment of two telephone operators (submitted by Mr. WATSON); and

S. Res. 429. Resolution authorizing the employment of a personal messenger by Senator-elect THOMAS P. GORE (submitted by Mr. WATSON).

REPORTS OF NOMINATIONS

As in executive session,

Mr. WAGNER, from the Committee on Banking and Currency, reported favorably the nomination of Eugene Meyer, of New York, as a member of the Federal Reserve Board, to which office he was appointed during the last recess of the Senate, for the unexpired term of 10 years from August 10, 1928, vice Edmund Platt, which was placed on the Executive Calendar.

Mr. REED, from the Committee on Military Affairs, reported favorably the nomination of Brig. Gen. John Henry Sherburne, Reserve, for reappointment in the Officers' Reserve Corps of the Army under the provisions of law, from February 11, 1931, and also the nominations of sundry officers in the Regular Army, which were placed on the Executive Calendar.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JONES:

A bill (S. 6145) authorizing appropriations for purchase of additional water supply for Yakima Indian Reservation, Wash.; and

A bill (S. 6146) to provide for distribution of tribal funds of the Puyallup Indians of the State of Washington; to the Committee on Indian Affairs.

By Mr. HATFIELD:

A bill (S. 6147) to authorize the erection of a United States Veterans' Bureau hospital in northern West Virginia: to the Committee on Finance.

By Mr. GOFF:

A bill (S. 6148) authorizing A. A. Lilly, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Big Sandy River at or near where it enters into the Ohio River, and between the cities of Kenova, W. Va., and Catlettsburg, Ky.; to the Committee on Commerce.

By Mr. SHIPSTEAD:

A bill (S. 6149) to amend sections 2 and 9 of the radio act of 1927; to the Committee on Interstate Commerce.

By Mr. MOSES:

A bill (S. 6150) granting an increase of pension to Marinda E. Anthoine (with accompanying papers); to the Committee on Pensions.

By Mr. THOMAS of Oklahoma:

A bill (S. 6151) repealing certain provisions of the act of June 21, 1906, as amended, relating to the sale and incumbrance of lands of Kickapoo and affiliated Indians of Oklahoma; to the Committee on Indian Affairs.

By Mr. NORBECK:

A bill (S. 6152) to establish a public recreation and hunting ground in Brown County, S. Dak.; to the Committee on Agriculture and Forestry.

By Mr. REED:

A bill (S. 6153) authorizing the construction of a bridge across the Mahoning River near New Castle, Lawrence County, Pa.; to the Committee on Commerce.

By Mr. BROCK:

A bill (S. 6154) to authorize the acquisition of the John Ross House, together with certain surrounding lands situate in the town of Rossville, Ga., and to preserve same as a national monument, and for other purposes (with accompanying papers); to the Committee on Military Affairs.

By Mr. HARRISON:

A bill (S. 6155) authorizing the acceptance by the Administrator of Veterans' Affairs of certain lands in Biloxi, Miss., as a site for a branch home of the National Home for Disabled Volunteer Soldiers; to the Committee on Finance.

COMPETITIVE CONDITIONS IN THE CEMENT INDUSTRY

Mr. KEAN submitted an amendment intended to be proposed by him to the resolution (S. Res. 448) directing the Federal Trade Commission to investigate competitive conditions in the cement industry, which was ordered to lie on the table and to be printed, as follows:

On page 2, line 1, after the word "cement," insert "whether of foreign or domestic manufacture."

UNEMPLOYMENT

Mr. WAGNER. Mr. President, I ask unanimous consent to have printed in the RECORD a letter from Mr. J. G. Luhrsen, president of the American Train Dispatchers Association, on the subject of unemployment and how it affects the association of which he is the head.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AMERICAN TRAIN DISPATCHERS ASSOCIATION,
Chicago, Ill., February 7, 1931.

Hon. ROBERT F. WAGNER,
Senate Office Building, Washington, D. C.

SIR: I appreciate that you personally have taken an outstanding position with respect to the unemployment situation and have introduced several bills, all of which are sound and praiseworthy; it is for this reason that I am approaching you, giving such information as will further fortify you in the thought that something should and must be done, even though dissimilar plans are given consideration.

Perhaps you are already familiar with the class of employees represented by the American Train Dispatchers Association, a class composed entirely of train dispatchers, termed under regulations by the commission as "subordinate officials."

Our association has existed since 1917 and has and is constantly cooperating with the other 21 national railroad-labor organizations, but by reason of the smallness in our number—there being less than 5,000 now employed on all railroads in the United States—we are in a very restricted position as to the exercise of economic power.

The railway labor act, while adopted on the basis of a "good faith" program, has never functioned so far as the smaller and weaker organizations are concerned, because that good faith, so often promised by railroad managements, has been thrown to the winds, and it is only those who have economic power that reap any of the benefits and even they, I know, have been many times disappointed.

We have been confronted with every conceivable angle of violation of the spirit and intent of the law by railroad managements, and the breaking point has been reached by reason of the excessive reductions and consolidations that have taken place in the past year or 18 months.

Our class appreciates that it must bear its proportionate burden so far as justified reductions and consolidations bear their relation to unemployment, but with our class—and it is the only one of its kind in railroad employment—the suffering extends extraordinarily in another direction. With our class those remaining in the service absorb the duties of the man that has been cut off, so that he is performing double service. The engineer, fireman, conductor, and brakeman carry their responsibilities as they attach themselves to the one train operated by them whether business is flourishing or dull.

The train dispatcher, however, who issues orders to the train and engine crews, has an assignment of a division and is in complete control and authority of all of the movements of all of the trains on the division or dispatching district. The train dispatcher carries the load when business is heavy just the same as when it is light and it is usually only when the breaking point of health and absolute impossibility to successfully cope with

the situation that any assistance is given to him by adding more men.

Now we come to the crux of the present condition on railroads as it affects the train dispatcher. The railroads reduce forces or consolidate two or more offices into one, and instead of the dispatcher handling 150 or 175 miles of territory as a single division as formerly, he now handles as high as 800 or 900 miles of territory. Practically every reduction of one man imposes upon the remaining man the work formerly performed by both, and in many instances even the work formerly assigned and performed by three men is done by the one remaining in service.

I receive hundreds of complaints from our men stating the conditions under which they must serve, some handling as high as 8, 10, or even 12 train sheets, one on top of the other so that the work of all but one division is covered up and is not clearly before them; they handle three and four train order books in which every train order must be copied as repeated, checked and counterchecked for accuracy to obviate error with resultant accident. They are compelled, because of reductions, to have a telephone circuit leading from one direction on one ear and frequently another circuit on the other ear, and are, in addition, listening to the click of three or four telegraph instruments through which medium train orders are issued in other directions. Some of these dispatchers, in addition to such conditions, are compelled to copy and deliver their own train orders to the conductor and engineer, which service justly belongs to the telegrapher through whom such orders can be properly checked to avoid error. Distances of communication have been separated by reduction of telegraphers so that it is not unusual to have no open offices for a distance of 70 or more miles, forcing the conductor or engineer to come in at some closed station and ask for aid to advance against other trains that have met with unexpected contingencies. This operation does not permit of the issuance of orders simultaneously, and a check and countercheck as to their accuracy is eliminated, thus adding to the hazards which even under the greatest care present themselves.

But we go from one extreme climax to another. Our men who have complained and pointed out delays, unsafe practices, inefficiency and uneconomic operation, have been forced to retract from their honest convictions by withdrawing such suggestions or recommendations as they made and in which they alluded to the sacrifice of safety, or others would be put in their places.

I have reports from many offices wherein the men with 20 or more years of experience as train dispatchers bitterly complain of the strain imposed—the breaking down of their health is freely admitted—and when they seek to set forth their views as to what the results will be if and when such excessive reductions or consolidations are made, they jeopardize their positions, and only fear of losing their positions keeps them from an open revolt against such practices as are now imposed.

Our association has made an extensive research (employing experts with respect to health preservation) by delving into the actual conditions which are imposed on our class. They are afflicted with nystagmus—a disease practically unknown in this country in any other occupation—they find our men afflicted with diabetic trouble from constant close confinement, often not being able to respond to the calls of nature because of stressing and urgent problems immediately before them. Heart trouble is tripled in our class in comparison with other classes, as indicated by statistical researches made by both governmental agencies and private concerns. Their life is shortened so that their average age at death is 50 years.

Humanitarian consideration on the part of management for these men is beyond the pale of even the most conservative deliberation to devise an improvement. I am not directing or confining my remarks to the limited time of the present depression, although never before in history has the service exacted the lifeblood of these men as it has in recent months.

When during Federal control the train dispatchers had an opportunity for the first time to throw down the gauntlet and were permitted to organize and through their chosen representatives seek improved working conditions, there were employed, in round figures, 5,800 in the United States. They worked seven days per week, eight hours per day, for the grand sum of $150 per month. Through the efforts of our association we were successful in the establishment of "one day's rest in seven," and although out of line with society of enjoying Sundays, our men take their rest day according to turn on all of the week days. This improved working condition would have been of inestimable value for their health and enjoyment had railroads acted in good faith.

However, the railroads figured otherwise. They immediately set about scheming how the work of the additional men required could be entirely absorbed by the same force. The result was that they immediately increased the assignments, even during the most prosperous years of their history, so that at no time since then have there ever been 5,800 dispatchers employed. To the contrary, they were reduced to approximately 5,200 even before this depression took place, so the train dispatchers paid dearly for the one day's rest. To-day, according to the latest Interstate Commerce Commission reports, we have only 4,800 employed dispatchers.

These men are rarely permitted to eat during their 8-hour period, and when you consider that it takes from 30 minutes to an hour going to and returning from work, 9 or 10 hours have elapsed without nourishment.

There are many instances where reductions or consolidations have been made over the vigorous protest of the dispatchers, they pointing out before the consummation of such programs the possible failures of success, etc., but their views go unheeded and in a short while another experiment is resorted to. If these changes are for the interest of the public, then they should be a public charge and these experiments charged to operating expense and paid for by the carriers, and not take all of it out on the employees.

The best remedy I can conceive, and which I am sure is practical so far as the important services of the train dispatcher maintain, is to grant the Interstate Commerce Commission authority to investigate these conditions before accidents occur rather than restricting them as it now is under the law until after accidents have happened. The train dispatcher has the lives of humanity in his hands in the issuance of train orders for all train movements; he knows how much he can perform with safety and he knows the conditions which surround the probabilities and possibilities of oversight when he has assignments which are simply impossible of human effort to properly supervise.

We have at different times called to the attention of the Interstate Commerce Commission instances where conditions imposed on dispatchers were such that they were bound to err, but the commission is powerless and is limited with respect to investigations they are authorized to make. The carriers must report to the commission only certain accidents, and then the commission is authorized to investigate; but we assume and plead, based on experience, that it would be the greater part of wisdom to impose upon the commission a duty to investigate such cases as upon request are brought to their attention on the grounds of inefficiency, uneconomical and unsafe operation, thus holding in abeyance consolidations and reductions until approved by the commission, or to return to status quo if the commission subsequently so orders.

A few years ago we had an arbitration award on one of the wealthiest railroads operating in this country. The increase for each dispatcher was $15 per month. Within 60 days this railroad reduced the dispatching force by 29 men, so that 115 had to perform what was previously performed by 144. In one of the offices where this reduction took place the overburdened dispatcher made an error in his orders and the result was a head-on collision with 30 or more passengers injured. The temporary and deceptive saving—or perhaps reprisal—was overshadowed a hundred to one by the losses in claims for a single accident.

I am giving you but a brief skeleton of the abundance of information on hand to indicate how far-reaching the reductions go to still further increase unemployment at the present time, much of which can no longer be summed up on the proper side of the ledger for increased efficiency.

Deplorable as it may seem, and inconsistent with the promises made to the President of the United States, I am not remiss in also stating that we have hundreds of instances where men are forced to double up and absorb the work of two men on Sundays because it at times happens to be a day of lighter business. Many other cases can be cited where the railroads are inclined to indicate a desire to not only allow but prefer that a dispatcher work his rest day because of his greater experience or aptitude to cope with a complex condition, thereby denying work to the dispatcher entitled to it and thus increases the number of unemployed.

There can be no longer a trust in "good faith" when such deplorable conditions are permitted to prevail, and I close by stating that I share whole-heartedly the view of one of our greatest statesmen, Theodore Roosevelt, when he said:

"Promises are not fundamental; they are merely words utterly useless unless translated into deeds. One ounce of promise which is accompanied by a similar ounce of effective performance is worth more than a ton of promise as to which no effective method of performance is provided."

I hope and pray for the day when real effective performance may be established for that which we so abundantly have placed before us—i. e., "good faith"—and which is so utterly disregarded.

I am requesting Vice President Braese, of New York, to call on you, and I hope that I may some time in the future have the opportunity of meeting you personally and thank you for the great work you are doing.

Very truly yours, J. G. LUHRSEN, *President*.

EXECUTIVE MESSAGES AND APPROVALS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries, who also announced that the President had approved and signed the following acts:

On February 10, 1931:

S. 5776. An act to provide for the advance planning and regulated construction of public works, for the stabilization of industry, and for aiding in the prevention of unemployment during periods of business depression.

On February 12, 1931:

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.

On February 13, 1931:

S. 615. An act authorizing an appropriation for payment to the Uintah, White River, and Uncompahgre Bands of Ute Indians in the State of Utah for certain lands, and for other purposes; and

S. 1533. An act to authorize the Secretary of the Interior to adjust payment of charges due on the Blackfeet Indian irrigation project, and for other purposes.

EXECUTIVE MESSAGES REFERRED

Messages from the President of the United States making nominations were referred to the appropriate committees.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the House had agreed to the concurrent resolution (S. Con. Res. 38) to provide for the printing of additional copies of the report of the special committee to investigate communist activities in the United States, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 16626) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, etc., and certain soldiers and saliors of wars other than the Civil War, and to widows of such soldiers and sailors.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 12571) to provide for the transportation of school children in the District of Columbia at a reduced fare, requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. ZIHLMAN, Mr. MCLEOD, and Mrs. NORTON were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed 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. 16297) to amend the act entitled "An act to provide for the construction of certain public buildings, and for other purposes," approved May 25, 1926 (44 Stat. 630), and acts amendatory thereof.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bill and joint resolution, and they were signed by the President pro tempore:

H. R. 13518. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. J. Res. 462. Joint resolution to further provide for defraying the expenses of the International Water Commission, United States and Mexico.

SOUTH CAROLINA HISTORICAL PAINTINGS IN NATIONAL CAPITOL

Mr. BLEASE. Mr. President, I ask to have printed in the RECORD an editorial from the State, of Columbia, S. C., in its issue of yesterday; also a letter I have written to the editor of the State, of this date, and a brief preamble and resolution, which I submitted in the Senate January 25, 1928, and which was considered and agreed to by the Senate February 1, 1928.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

[From the State, Columbia, S. C., Thursday morning, February 12, 1931]

BY A GENTLEMAN AMATEUR

South Carolinians visiting the Capitol in Washington should give more attention than most of them do to four South Carolina historical paintings by a South Carolina artist, which adorn the corridors of the gallery floor in the Senate wing. These are, by titles:

"Miss Mott Directing Marion and Lee to Burn Her Mansion to Dislodge the British."

"General Marion Inviting a British Officer to Share His Meal."

"Sergeants Jasper and Newton Rescuing American Officers From the British."

"The Battle of Fort Moultrie."

These pieces, all by the painter (likewise a dramatist) John Blake White, were done around 1815—certainly it was in that year "The Battle of Fort Moultrie" was completed—and were presented to the Government through Senator Tillman in 1899 and 1901 by Dr. Octavius A. White, of New York. Charles E. Fairman, art curator of the Capitol, deplores the inadequate lighting as the pictures are at present emplaced:

"The background in all instances is that of a wood interior, and the paintings are therefore so dark that in the light in which they are seen it is difficult to understand properly the really fine technical skill exhibited in the execution of these works."

"The Battle of Fort Moultrie," as reproduced in full-page illustration in Mr. Fairman's really monumental work, Art and Artists of the Capitol, published in 1927, is manifestly a spirited though highly conventional portrayal of the engagement, done in the best manner of its period.

White, born in Charleston in 1781, and educated in England, where he was four years a pupil in art under Benjamin West, was never a professional painter, only a "gentleman amateur," his vocation being that of a lawyer at the bar of Charleston. While still a young man he was awarded a medal for a historical painting by the South Carolina Institute. "The most of his works," Mr. Fairman remarks, "are owned in his native State."

WASHINGTON, D. C., *February 13, 1931.*

The EDITOR THE STATE,
Columbia, S. C.

DEAR SIR: I notice in your issue of Thursday, February 12, 1931, an editorial headed "By a Gentleman Amateur," in which is said: "Charles E. Fairman, art curator of the Capitol, deplores the inadequate lighting as the pictures are at present emplaced."

That statement is very unfair to Mr. David Lynn, Architect of the Capitol.

On the 25th of January, 1928, noticing the condition of these South Carolina pictures, I introduced a resolution in reference to better lighting for them. On February 1, 1928, the resolution was agreed to. This was especially in reference to the picture, "The Battle of Fort Moultrie," mentioned in your editorial. Mr. Lynn at once had the picture removed from where it was then hanging and placed in a more advantageous position and had lights placed above it, which has given it a conspicuous place and a well-lighted position. As to the other pictures mentioned, Mr. Lynn has been for some time endeavoring to remove them and have them rehung and have lights placed over them, and he assured me to-day that he is now nearing the point where he can have these replacements made.

So your Mr. Fairman has evidently criticized without going and looking at the pictures or knowing what he is talking about and has certainly done Mr. Lynn an injustice.

Pardon me for making a suggestion, but I think that before you make criticisms, such as in your editorial, you should have some one verify the facts and not write editorials on reports which are not founded in fact.

I have shown these pictures to many, many people of our State, and they have been very favorably commented upon. I am sure, however, without speaking with any spirit of egotism, that up to January 25, 1928, they were in the dark and very much neglected.

I hope that in justice to Mr. Lynn you will publish this letter.

Very respectfully,

COLE. L. BLEASE.

Senate Resolution 119

Whereas there is hanging in the south corridor of the gallery floor of the United States Senate in the Capitol at Washington, D. C., a painting of the Battle of Fort Moultrie, which was painted in 1815 by John Blake White; and

Whereas from the position that it now occupies on the wall it is shown to great disadvantage on account of the reflection of the light as it is cast upon it from its place and position, making it almost impossible to obtain a clear view of it: Now, therefore, be it

Resolved, That the authorities in charge of the placing and location of paintings around the Capitol and within the Senate gallery be instructed to remove the said painting of the Battle of Fort Moultrie from its present location and to put it in such position that it can be clearly seen and will be distinguishable, or place electric light or lights about it which will give it proper illumination.

INTERIOR DEPARTMENT APPROPRIATIONS—CONFERENCE REPORT

The Senate resumed the consideration of 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. 14675) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes.

The PRESIDENT pro tempore. The question is on agreeing to the motion proposed by the Senator from Montana [Mr. WHEELER]. The Senator from Oklahoma [Mr. THOMAS] has the floor.

Mr. WHEELER. Mr. President, I will withdraw the motion because it was made merely for the purpose of consuming time until the Secretary of Agriculture would send in his reply to the resolution of the Senate. The Senate having received the reply, I have no desire to hold the motion before the Senate any longer.

The PRESIDENT pro tempore. The Chair admires the frankness of the Senator from Montana, and the question now recurs on agreeing to the conference report.

PROPOSED EVENING SESSION

Mr. SMOOT. Mr. President, I here want to give notice now to Senators that I shall ask the Senate to continue its session right along to-night. I will not ask for a recess at 5 o'clock, but will ask the Senate to run on during the evening.

Mr. JOHNSON. Mr. President, just a moment. Was unanimous consent asked by the Senator from Utah? I did not catch what he said.

Mr. SMOOT. I merely gave notice that I would ask the Senate to continue in session to-night.

Mr. JOHNSON. Mr. President, just let me say in that regard that I am perfectly willing to sit here any night, under any circumstances, for the consideration of any bill, but I do not, by any means, approve the idea of sitting here until half past 5 or 6 o'clock and then adjourning, neglecting to hold night sessions on account of dinner engagements for some gentlemen, and then holding night sessions when others may have dinner engagements.

Mr. SMOOT. I wanted to give notice at this time, so that any Senator who has a dinner engagement may cancel that engagement, because I shall ask the Senate to remain in session.

Mr. JOHNSON. That only applies to some.

Mr. THOMAS of Oklahoma. Mr. President, in answer to the distinguished Senator from Utah, I serve notice that when he vacates his seat I shall call the fact to the attention of the Senate.

INTERIOR DEPARTMENT APPROPRIATIONS—CONFERENCE REPORT

The Senate resumed the consideration of 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. 14675) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes.

Mr. THOMAS of Oklahoma. Mr. President, as I said on yesterday, I do not desire to occupy a single minute of the time of the Senate that I do not feel is absolutely necessary. As to a number of the objections I have to this report on issues affecting matters of policy, I am not prepared to use one minute's time in insisting that my viewpoint should prevail; but, Mr. President, there is one issue in this report that does not turn on a matter of policy; it involves a question of justice; and upon that issue there is no place to compromise.

For something like 60 days some of us have been trying to provide relief for some of the poor people of this country. The issue I now raise is raised in an effort to prevent some of the poor people of the country from being robbed by the Congress of the United States. The item to which I object is an item of only $51,000; but, Mr. President, it is not the money to which I object so much as the source whence the money comes.

Three tribes of Indians in my State have the remnants of a trust fund; the trust fund now amounts to less than $300,000; there are 4,000 Indians in these three tribes; and in this bill it is proposed to take $51,000 of the remnants of that fund, without their consent and over their protest, to support an agency supervising other tribes of Indians than the tribes thus being taxed to maintain the agency.

Mr. President, at a later hour I propose to make a point of order to item 64 in this conference committee report. In order that the point of order may be pending for the consideration of the Senate and the Presiding Officer, I now ask that my notes relative to the point of order may be read at the desk.

The PRESIDENT pro tempore. The clerk will read, as requested.

The Chief Clerk read as follows:

I make a point of order against the item in the conference committee report covered by No. 64, as found on page 66, in lines 11 and 12, as follows:

"Kiowa, Comanche, and Apache, $51,000."

The House of Representatives included this item as stated in H. R. 14675, and, upon consideration by the Senate, the item was eliminated from the bill. The conference committee has reinstated the item in its original form and I make a point of order against the action of the conference committee in reinstating the item, and, in support of said point of order, submit the following:

First, it is proposed in this item to take the sum of $51,000 from the tribal trust funds of the Kiowa, Comanche, and Apache Indians and use said funds for the support and maintenance of the Kiowa Indian agency located at Anadarko, Okla., such agency having supervision over numerous tribes of Indians other than the members of the Kiowa, Comanche, and Apache Tribes.

In support of this statement, I submit at this point a communication from the Indian Bureau of date February 12, and send said communication to the desk to be read.

Mr. THOMAS of Oklahoma. At this point I offer the communication and ask that it may be read.

The PRESIDENT pro tempore. The clerk will read, as requested.

The Chief Clerk read as follows:

FEBRUARY 12, 1931.

Hon. ELMER THOMAS,
United States Senate.

MY DEAR SENATOR: In compliance with your telegraphic request of this morning there is inclosed a statement giving information as to the Indian population on the Kiowa Reservation, Okla., and the amount of funds to the credit of the several tribes.

We regret that we do not have accurate figures in the office as to the number of Indians on the reservation who are under our administration (restricted Indians) apart from the total number.

If further information is desired we will endeavor to furnish same upon request.

Sincerely yours,

J. HENRY SCATTERGOOD,
Assistant Commissioner.

Population and funds to credit of Indians under the Kiowa jurisdiction,[1] Oklahoma

Name of tribe	Population	Funds to credit
Kiowa	1,927	$527,442.85
Comanche	1,906	
Apache	212	
Fort Sill Apache	87	
Wichita and affiliated bands	597	2,602.67
Caddo	716	

[1] Number under restriction: Data not available. Census rolls show 4,261 full bloods; 1,184 mixed bloods. Approximately 450 fee patents issued for original or heirship allotments. Total allotments on reservation, 3,500; allotted area 496,336 acres.

Mr. THOMAS of Oklahoma. Mr. President, I ask that the remainder of the point of order may be read.

The PRESIDENT pro tempore. The Clerk will read, as requested.

The Chief Clerk read as follows:

In further support of such point of order I introduce a copy of the law authorizing the creation of this particular trust fund. I ask that the law be read.

Mr. THOMAS of Oklahoma. At this point I submit a copy of the law and ask that it may be read.

The PRESIDENT pro tempore. The clerk will read, as requested.

The Chief Clerk read as follows:

[Public Resolution No. 36, Sixty-ninth Congress]

Joint resolution authorizing the Secretary of the Interior to establish a trust fund for the Kiowa, Comanche, and Apache Indians in Oklahoma and making provisions for the same

Resolved, etc., That the Secretary of the Interior is authorized and directed to set aside and administer as a trust fund for the benefit of the enrolled members of the Kiowa, Comanche, and Apache Tribes of Indians and their unallotted children in Oklahoma that part of any moneys received or to be received under the act approved March 4, 1923 (42 Stat. L. 1448), and any act thereby adopted or made applicable, derived from the south half of Red River in Oklahoma which inures to the Federal Government by virtue of the decision of the Supreme Court of the United States in the suit of the State of Oklahoma against the State of Texas, which decision was rendered May 1, 1922, being the entire amount received from this source, except such part as may have been awarded to successful claimants under said act approved March 4, 1923 (42 Stat. L. 1448), and except 37½ per cent of the

royalties derived from such source, which shall be paid to the State of Oklahoma in lieu of all State and local taxes upon said tribal funds and shall be expended by the State in the same manner as if received under section 35 of the act approved February 25, 1920 (41 Stat. L. 437).

SEC. 2. The Secretary of the Interior is authorized to administer and disburse the moneys which are hereby appropriated, subject to the requirements of existing law, and to prescribe needful rules and regulations for carrying into effect the provisions of this act.

Approved, June 12, 1926.

The communication from the Bureau of Indian Affairs shows beyond question that the Kiowa Agency supervises not only the Kiowa, Comanche, and Apache Tribes of Indians but, in addition thereto, the Fort Sill Apaches, the Caddos, the Wichitas and affiliated bands, which include the Keches, Talswoudes, and other tribes of Indians.

The report further shows that approximately one-third of the Indians supervised under the jurisdiction of the agency belong to tribes other than the Kiowas, Comanches, and Apaches.

The amount of money proposed to be taken from the trust fund is $51,000. If Indians other than members of the three tribes owning such trust funds are to have the benefits of same, then it is a reasonable deduction to say that some $12,000 of the private trust funds of the Kiowa, Comanche, and Apache Indians are proposed by this item to be taken from them and used for the benefit of the Fort Sill Apaches, the Caddoes, the Wichitas, and affiliated bands, which action, I assert, is not only unauthorized by law but contrary to the provisions of the law creating such trust fund.

I maintain that the appropriation herein proposed to be made is not authorized by law. Congress can, however, appropriate Federal funds to support an Indian agency.

In the absence of restrictions the Congress can appropriate the trust funds of any tribe to support an Indian agency serving such tribe; however, under the law creating this trust fund there is no authority for the Congress to appropriate any portion of these funds to support the members of another tribe, as in this case is proposed to be done.

I maintain that this proposed appropriation is not only not authorized by law but is positively forbidden by the expressed terms of the statute creating the fund. The statute provides:

"That the Secretary of the Interior is authorized and directed to set aside and administer as a trust fund for the benefit of the enrolled members of the Kiowa, Comanche, and Apache Tribes of Indians, and their unallotted children in Oklahoma."

This is a restricted Indian trust fund. This fund was created as a sacred covenant with the Government.

Webster defines a trust as "assured reliance on the integrity, veracity, justice, friendship, or other sound principle of another."

I maintain that this fund, being a sacred and restricted trust, can be appropriated only for the purposes mentioned in the act, and that is for "the benefit of the enrolled members of the Kiowa, Comanche, and Apache Tribes of Indians and their unallotted children in Oklahoma."

Upon this interpretation I make the point of order that the proposed appropriation is not only not authorized by law but is contrary to and in violation of the act creating the trust.

The PRESIDENT pro tempore. The Chair is ready to rule.

Mr. THOMAS of Oklahoma. Mr. President, I desire to say one or two words of explanation before submitting this matter to the Chair.

I ask the distinguished chairman of the subcommittee if he is not willing to have this conference report go back to conference for the correction of this one item, that item being the striking from the record of $51,000 to be taken from the trust fund and placing the said $51,000 against the Federal Treasury.

I directed that question, Mr. President, to the distinguished chairman of the subcommittee sponsoring this report.

Mr. SMOOT. Mr. President, will the Senator repeat the question?

Mr. THOMAS of Oklahoma. I ask the distinguished chairman of the subcommittee if he will not consent to have this report go back to conference with the distinct understanding that this one item alone, so far as I am concerned, is to be considered, and that is that this $51,000 not be taken from the tribal fund of these Indians but that said sum be placed as a charge against the Federal Treasury.

Mr. SMOOT. Mr. President, this action has been taken for years and years. It is true that the Senate struck out that provision, as the Senator said, and the $51,000 was to be taken out of the Treasury of the United States instead of the trust fund. This is not the only item in this bill that provides the same thing. As long as the Indians have a trust fund it has been the policy of the Government in dealing with the Indians that certain expenses should be taken out of that trust fund.

Mr. President, I could not do any more, and the conferees could not do any more than they have already done. It is a question now of defeating the conference report or agreeing to this amendment. The conference report is before the Senate, and the only way it could be taken back is for the Senate to disagree to it. That, of course, I can not consent to, and I do not know what action the House would take if we did. I want the legislation passed.

Mr. THOMAS of Oklahoma. Mr. President, the House of Representatives has not passed upon this conference report. So far as time is concerned, it will take only a few minutes, perhaps, to get the committee back together and adjust this particular item.

Mr. SMOOT. Mr. President, the conferees on the part of the Senate did not yield upon this item until, I think, the last thing. The House would not yield; and it is carrying out just exactly the policy that has been carried out for years and years. It would be perfectly useless to send back the conference report, because the House would not yield. I am quite sure that that statement is well within the facts.

Mr. FRAZIER. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Oklahoma yield to the Senator from North Dakota?

Mr. THOMAS of Oklahoma. I do.

Mr. FRAZIER. I think the Senator from Utah is correct in the statement that the conferees have carried out the policy they have adopted for years. In the case of this particular conference report the Senate recedes on 119 amendments, the House recedes on 16, and the conferees compromised on 10.

Mr. THOMAS of Oklahoma. I will come to that later.

Mr. SMOOT. Mr. President, most of the amendments upon which the Senate receded were those relating to salaries. In every section of the bill the great majority of the items receded upon were the salary items. I can tell the Senator just how many there are, so far as that is concerned; but I will say to the Senator that outside of the salary amendments the Senate did not recede on nearly as many as it has receded on in the past.

Mr. THOMAS of Oklahoma. Mr. President, it is a fact that the Congress has been taking these Indians' money for years contrary to law and contrary to public policy.

Mr. SMOOT. No; not contrary to law.

Mr. THOMAS of Oklahoma. Absolutely contrary to law; and I will read the law. This trust fund was created for this purpose, and this purpose alone—and I read:

For the benefit of the enrolled members of the Kiowa, Comanche, and Apache Tribes of Indians and their unallotted children in Oklahoma, and for no other purpose.

Mr. SMOOT. This is for the benefit of the Kiowa, Comanche, and Apache Indians. It is a question as to a policy that has been adopted in the past.

Mr. THOMAS of Oklahoma. Mr. President, the Congress for years past has been by force taking this money, contrary to law, and using it to support an Indian agency supervising the Fort Sill Apaches, supervising the Caddos, supervising the Wichitas, supervising the Talawandas, supervising the Keechis, and other tribes of Indians, contrary to law. This is a restricted trust fund for a particular purpose; and yet we are told here year after year that it is all right to take this money from these defenseless people and use it for a purpose contrary to law.

This is not simply a usual law. This is a trust fund, the most sacred obligation that can be conceived of; not a trust fund between white people but a trust fund between the Government of the United States as a guardian and simple, defenseless people—Indians.

Mr. President, at a later hour I shall call for a ruling upon my point of order.

The PRESIDENT pro tempore. The Chair is of the opinion that the conferees in this instance did not exceed their authority. The Chair is of the opinion, further, that this is not the forum in which to test the legality of the statute cited by the Senator from Oklahoma. The Chair is of the

opinion that the Senator has a further remedy under the rules of the Senate; and the Chair holds that the point of order is not well taken.

Mr. THOMAS of Oklahoma. Mr. President, I did not ask for the ruling, but I accept it.

I now have two procedures open to me. I can first appeal from the decision of the Chair and get the voice of the Senate upon the ruling. Second, I can make a motion that this report be rereferred to the conference committee with instructions to eliminate this item. But, Mr. President, before I decide I choose to make some remarks.

The PRESIDENT pro tempore. The question is on agreeing to the conference report.

Mr. THOMAS of Oklahoma. Mr. President——

The PRESIDENT pro tempore. The Senator from Oklahoma has the floor.

Mr. THOMAS of Oklahoma. We now have before us, and have had for some time, the conference committee report on the Interior Department appropriation bill. This bill was initiated in the House of Representatives. It was passed by that body, and in due time came to the Senate. In the Senate there were added 145 amendments. The bill was passed with those amendments and sent back to the House of Representatives. There, the honorable House of Representatives refused to accept the amendments, and requested a conference upon the disagreeing votes of the two Houses. The conference was granted. The conference committee prepared a report, and that report was submitted to this body first. It is here now for our consideration.

Mr. President, of the 145 Senate amendments the conferees accepted 16 and rejected 129. The Senate added an amendment providing for food, clothes, and medicine for the unemployed and for those in distress. The bill now comes back to this body with this item diverted to loans to corporations and to those having collateral. Now we are called upon to forget about the unemployed and the needy and think only about the corporations, the stock owners, and the holders of securities.

Mr. President, I am receiving numerous telegrams and letters from citizens of my State complaining that they are now unable to get the funds heretofore appropriated by the Congress for those in distress. They tell me through correspondence that the red tape—bundles of it, bales of it—is so onerous and so numerous that it can scarcely be unwound. The funds are available in theory. They are scarcely available in practice.

Mr. President, the Senate presumes to be a coordinate branch of the lawmaking power of this Government. As a Member of this body, I submit the inquiry: Are we a member, a coequal member, of the lawmaking body of this Government? We go through here the form of legislation. We have our committees appointed. Occasionally those committees meet; committees propose legislation; committees consider legislation. Then in this body we presume to act upon amendments, presume to pass bills, and send them to the other House of the Congress. Then if the bill be a House bill it goes to conference; and what happens? The conference committee brings back a report showing that the Senate has yielded in some instances on every amendment, in others on 99 per cent of the amendments, in others on 75 per cent of the amendments, and in practically every case the Senate yields on a vast majority of the amendments.

Mr. President, is the Senate never right? If that record is a justified one, what is the occasion for the Senate to meet? What is the occasion for the committees to deliberate? What is the occasion for the Senate to adopt amendments only to have them yielded in conference?

Mr. President, if this practice is to continue I respectfully suggest that our clerks provide themselves with a liberal quota of rubber stamps, and when a bill comes from the other branch of Congress let one clerk stamp the hour of its receipt, let another clerk stamp the letters "O. K." on the bill, and quickly dispatch it on its way back to the other branch of Congress.

What is the trouble, Mr. President? I wonder why our conference committees see fit to surrender upon practically every question. I have been told two stories about this particular bill. I have been advised in one instance that the committee, when it left this body and marched proudly across to the other end of the Capitol, was bearing aloft the white flag of surrender from the moment it left this historic hall.

On the other hand, I am advised that in the conference committee the distinguished Senator from Utah made emotional speeches for hours and for days supporting the contention of the Senate, and after he had spoken and used every argument at his command, had used every threat of which he is cognizant, when he became exhausted, he yielded and let the conferees on the part of the House have their way.

Mr. President, I do not know which of these two reports to believe, and in order that the Senate may be advised, I now respectfully request the distinguished Senator from Utah to give us a sample of the arguments he used before the conference committee in behalf of a single Senate amendment accepted in this report.

Mr. SMOOT. Mr. President, I want to say that I would not like to take up the time of the Senator, and therefore I decline to state what took place in the conference committee. It would not be fair to the Senator to take any part of his time. Not only that, but there is a rule against just such a thing as that requested by the Senator.

Mr. THOMAS of Oklahoma. Mr. President, if I have to violate rules in order to secure simple justice for a simple people, I gladly violate them.

Mr. COPELAND. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Oklahoma yield to the Senator from New York?

Mr. THOMAS of Oklahoma. I yield if it does not take me from the floor.

The PRESIDENT pro tempore. The Chair will protect the rights of the Senator from Oklahoma.

Mr. COPELAND. I am going to ask unanimous consent that the Senate proceed to the consideration of Calendar 1500, House bill 14049, which is the matter relating to the pavements in the District of Columbia. There was opposition on the part of several Senators, recently by the senior Senator from California [Mr. JOHNSON], who is now satisfied. If there is the slightest debate or delay, I shall withdraw the request at once.

Mr. SMOOT. Mr. President, I shall have to object.

The PRESIDENT pro tempore. Objection is made.

Mr. COPELAND. May I ask the Senator from Utah——

Mr. SMOOT. After the conference report is out of the way, I will assist the Senator in bringing his legislation before the Senate.

Mr. COPELAND. The District people are very anxious to make these assessments.

Mr. SMOOT. We are very anxious to get this conference report through.

Mr. COPELAND. It would take but a moment.

Mr. SMOOT. I must object.

The PRESIDENT pro tempore. Objection is made.

Mr. COPELAND. I thank the Senator from Oklahoma.

Mr. THOMAS of Oklahoma. Mr. President, what is the matter with the Senate? What is the matter without the country?

At this point I send to the desk and ask that same be read an Associated Press dispatch of date February 11, giving a statement of a high official of the Government as to the conditions in the drought-stricken area. The statement is very short, and I ask that it be read.

The PRESIDENT pro tempore. Without objection, the clerk will read, as requested.

The Chief Clerk read as follows:

SURGEON GENERAL SAYS SITUATION WILL BE WORSE

MEMPHIS, February 11 (A. P.).—Surgeon General H. R. Cumming, of the United States Public Health Service, went into one of Arkansas's drought-stricken counties to-day and said he found reason to believe conditions would become worse instead of improving in the near future.

Returning here to-night before leaving for Washington, he said his trip to St. Francis County impressed him with the magnitude

of the relief problem. "They are feeding 23,000 people over there in that county," he said. "From what they told me, conditions will become worse."

Mr. THOMAS of Oklahoma. Mr. President, following that statement I call the attention of the Senate to another Associated Press dispatch presuming to quote in part from a radio address of Col. Arthur Woods. I send this Associated Press dispatch to the desk and ask that the same be read.

The PRESIDENT pro tempore. Without objection, the clerk will read, as requested.

The Chief Clerk read as follows:

ECONOMIC CONDITIONS CALLED "STUPID" BY WOODS

American economic conditions were described as a "grave but also a stupid situation" last night by Col. Arthur Woods, chairman of the President's emergency committee for employment.

Speaking over a national broadcasting company network he said:

"On one hand we have millions of idle workers, many of them now desperately in need of the very commodities they might produce if they had work.

"On the other hand, we have idle plants the owners of which are eager to put these idle workers to work, and are steadily losing money because of their inability to do so.

"While these two groups stay separated employers, employees, and consumers alike are the victims of depression. No one profits by the situation. Everyone loses. And no one seems to know how to bring the two groups together."

Colonel Woods said the country is beginning to change from its old belief that business depressions are "like storms at sea—acts of God."

"We are beginning to understand they are not of this nature at all and should be attacked as being preventable and an intolerable curse on our social and economic system," he said.

Mr. THOMAS of Oklahoma. Mr. President, that is the most severe indictment that has been made against the present situation.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER (Mr. FESS in the chair). Does the Senator from Oklahoma yield to the Senator from Utah?

Mr. THOMAS of Oklahoma. I yield.

Mr. SMOOT. I want to call the Senator's attention to the fact that in the Interior Department appropriation bill there are appropriated $34,000,000, to be immediately available, for the building of roads through the forests and through the Western States. The Government is anxious and willing to begin that work to put the unemployed to work. Not only that, but there are other millions and millions of dollars for relief in the bill. That is one reason why I want to get the legislation through.

Mr. THOMAS of Oklahoma. Mr. President, in reply to the suggestion made by the distinguished Senator from Utah, I would say that I am just as anxious as he to get this legislation through; but in getting it through I do not desire to do substantial injustice to any of the citizens of the United States, and if this bill goes through in its present form it will do substantial injustice to 4,000 citizens of our country.

Mr. President, I was about to ask this question: What recommendation has been made to correct the things to which Colonel Woods refers? What effort has been made by the Congress to correct these economic wrongs? What suggestion even has been made?

The senior Senator from Alabama [Mr. HEFLIN] has a bill pending to regulate the stock exchange. The junior Senator from Oregon [Mr. STEIWER] yesterday proposed, in an address, an embargo against the Russian Government. Save one or two items like those, which have no chance of consideration, perhaps, at this session of Congress, what recommendation is pending, what bill is pending, save a few meager appropriations to give a few of our people temporary employment?

Something is wrong. What are the conditions existing to-day? Even those have not been surveyed, so far as I know, by the Congress of the United States.

Some few of our people to-day are rolling in unparalleled luxury. Some few, I said; but the rule, I will say, is that the people of the United States to-day are in distress, and in want.

In support of my statement that some of the people of the country are doing fairly well, I want to call the attention of the Senate to the condition of two banks in New York City.

On January 6, 1930, the National City Bank, of New York City, had total assets of $2,206,241,170. On the same date the Chase National Bank, of New York City, had total assets in the sum of $2,648,958,000. Two banks in one city had combined assets in the sum of $4,855,199,170, and on that date the money in circulation in the United States amounted to $4,492,603,809. In other words, these two banks alone had assets in the sum of $362,000,000 more than the entire amount of money in circulation throughout the entire United States.

Mr. SMOOT. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. SMOOT. Of course, the Senator knows that the greater part of the assets of those two banks is composed of deposits; that they do not belong to the bank; that they belong to the people of the United States. It is true that they have an immense amount of money, as the Senator has said, on deposit, but if demands were made upon them for the deposits by the owners of the money the banks could not pay them. The Senator knows that is not the bank's money. It is the people's money.

Mr. THOMAS of Oklahoma. Mr. President, I have submitted that information in support of my statement that while hard times prevail in some sections, that in some States to-day a majority of the people are in want and in need, that some cities can not take care properly of their unemployed, that the great mass of the people are not prosperous to-day, that these are the worst days in history, yet a few institutions in this country have enjoyed unparalleled prosperity.

Mr. President, let me call attention to another fact; and I want the distinguished Senator from Utah to understand what I am saying, because he is a financier, and I am sure he is able to appreciate, and perhaps can explain, the suggestion I am now about to make. During the month of January of this year the Federal reserve system took out of circulation the sum of $280,000,000. As evidence in support of that statement, I shall read from the statement of the Treasury of December 31, 1930. On that date there was in circulation the sum of $4,890,123,348. Thirty days later, January 31, 1931, scarcely two weeks ago, there was in circulation the sum of only $4,609,881,106. In these depressed times, during the month of January, when the soup houses were open everywhere, when pathetic appeals were coming to us for relief by the thousands, the Federal reserve system actually took out of circulation more than $280,000,000 and canceled the money.

Mr. President, let me call attention to some items in the report of the Comptroller of the Currency for 1930 submitted to this body recently. On page 119 of that report the total number of banks is given, the number being 24,079. The total resources of all the banks in the United States, as stated in this report, were $74,020,124,000. The total deposits were given as $59,847,195,000. The total cash in the vaults of all of those banks was given in the sum of $865,970,000. The total loans of the several banks amounted to $40,460,670,000.

What does that report show? It shows that the banks of America have on deposit the gigantic sum of approximately $60,000,000,000. At the same time that the banks have on deposit this gigantic sum, the report shows that the same banks have in their vaults only $865,000,000, a sum much less than $1,000,000,000. I wonder what would happen if quite a number of depositors of those many banks should suddenly desire their money? We have seen a sample of what happens. Look at Arkansas. The banks there had little money in their vaults. What little they had the people in Arkansas needed. When a depositor comes to the bank and presents his check, the bank must deliver to the depositor cash—either gold, silver, or paper—and when the bank vaults are depleted of gold and silver and paper but one thing remains to be done, and that is for the bank to close its doors. One hundred and thirty-five to 150 banks in Arkansas, having had their cash on hand depleted, closed their doors. What happened in Arkansas happened through-

out the South. It happened in my State. It happened in other States. It has happened here in Washington. Only recently, had it not been for the close proximity of the Federal Treasury, one of the great financial institutions of this city would have had to suspend operations.

Mr. President, not so long ago I appeared before one of the great committees of the Congress. I will say it was not a committee of this body. I made the statement there that the banks of the country had on deposit $55,000,000,000. I made the further statement that the banks of the country had in their vaults less than $1,000,000,000. Immediately I was taken to task. A Member of that honorable body of the Congress asked this question: "How can it be that the banks have on deposit $55,000,000,000 and yet have in their vaults less than $1,000,000,000 in money?" He did not understand. I tried to explain. I am not sure that he ever understood.

The $60,000,000,000 in the banks is not money. It is only credit. I can suggest a means here for any Member of the Senate who has collateral to convert that collateral into money. Let him go to his bank in Washington and give his bank a note for $1,000. The bank accepts the $1,000 note and immediately the cashier will give him credit on his bank pass book for $1,000. He will not have placed a penny in that bank and if he does not draw out the money to-night, then when the books of the bank are balanced the deposits of that bank will show that $1,000 was deposited this day. We call that "money." We use it for money. It is nothing more than credit. It is true that we have ample credit. It is likewise true that we have a dearth at this moment of actual cash or money. The record shows that the amount of money actually in circulation to-day is the least since 1914.

So much for the money question, Mr. President. What is the condition of the people to-day with regard to their indebtedness? No one can answer that question. The debts of the people are stupendous. If we could know the massed combined debt of all the people of the country, we would be shocked, we would be astounded. Does anyone here have any idea how much those total debts would amount to? We know that we have bank resources of $70,000,000,000 and we know that we have deposits of $60,000,000,000, but who knows about the debts?

Mr. President, at this time and for the want of more recent data I submit to the Senate a letter of date November 5, 1927, which gives information relative to the indebtedness of the people. I send the letter to the desk and ask that it be read.

The PRESIDING OFFICER. Without objection, the clerk will read, as requested.

The Chief Clerk read as follows:

DEPARTMENT OF COMMERCE,
BUREAU OF FOREIGN AND DOMESTIC COMMERCE,
Washington, November 5, 1927.

Hon. ELMER THOMAS,
United States Senate, Washington, D. C.

MY DEAR SENATOR: Receipt is acknowledged of your letter of November 1 requesting information upon the amount of bonds outstanding of several classes of public and private organizations. You also request estimates of probable current value of stocks of going concerns, present volume of installment contracts, and amount of private borrowing, as well as the value of our trade with foreign nations.

You realize, of course, that some of the desired information is impossible for us to secure. Again, some of the figures are merely estimates. We have exhausted practically every available source.

The statement of the public debt of the United States as of August 31, 1927, taken from the daily statement issued by the Treasury Department gives the following:

Bonds	$767,271,910
Liberty loans	11,582,204,700
Treasury bonds	2,790,788,650
Treasury notes	2,019,194,550
Certificates of indebtedness	677,842,500
Treasury savings certificates	288,894,972
Total interest-bearing debt outstanding	18,126,197,282

On page 212, Table No. 211, of the Statistical Abstract of the United States for 1926, the gross debt, less sinking-fund assets of all classes of Government organizations in the United States as of 1922, appears as follows:

States	$935,544,000
Counties	1,272,790,000
Incorporated places and all other civil divisions	6,481,406,000

No more recent total of the indebtedness of countries and minor civil divisions exists, but page 215 of the same publication reports our State indebtedness, less sinking fund assets, at $1,398,964,000 in 1925.

The Agricultural Yearbook for 1925, page 197, estimates the total agricultural loans outstanding at the end of 1924 at $8,000,000,000.

In a telephone conversation with the Federal Farm Loan Board the following totals were given as the farm-loan bonds outstanding as of September 30, 1927:

Federal land bank	$1,110,749,620
Joint-stock bank	579,730,500

The 1925 Interstate Commerce Commission report of Statistics of Railways in the United States, page 39, statement No. 21, gives the total amount of railway capital outstanding as of December 31, 1925, as $23,644,224,072. The funded debt of our railways on that date was $14,105,000,000.

Table 198, on page 199 of the Statistical Abstract of the United States, 1926, based on capital-stock tax returns, shows that 346,388 corporations reported their "bonded debt and mortgages" at $30,386,203,000. The table itemizes this figure by some 50 industrial groups. You will probably find that table of utmost value in your investigation. Please note that the figures were taken "from returns filed for year ended June 30, 1925, balance sheets being as of a date not earlier than December 31, 1923, nor later than June 30, 1924."

The annual report of E. H. H. Simmons, president of the New York Stock Exchange, shows that the market value of listings on the New York Stock Exchange as of January 1, 1927, was $75,543,769,606, which was an increase of $5,545,331,023 over the previous year.

The following excerpt is taken from page 87 of the Investment News of July 30, 1927:

"It is estimated that the total installment sales in the United States in 1926 approached $6,500,000,000, of which about one-half was for automobiles, new and secondhand. No such sum is outstanding at any one time, however, for down payments are large and monthly payments on the balance serve to keep the outstanding total down to less than half the full amount involved. The average amount of installment indebtedness outstanding at any one time is estimated at about $2,640,000,000, or less than 3 per cent of the national income of $90,000,000,000."

The Standard Trade and Securities Service, published and copyrighted by the Standard Statistics Co. (Inc.), 47–49 West Street, New York City, on November 22, 1926, issued one of their service bulletins on the business prospect entitled "Installment Buying Has Come to Stay." The following quotation from this bulletin may be of use to you:

"The volume of installment sales annually is now estimated at from six to ten billion dollars, of an annual retail sales total in all lines approximating some forty billions.

"We accept for our purposes the estimate of the American Bankers' Association, which places a valuation of about six and one-half billion dollars on partial-payment business. But since there is an average cash-down payment of about 26.6 per cent, and since the remaining debt is being paid off monthly, the total outstanding at any one time is only about 42½ per cent of the year's sales, or approximately two and three-fourths billion dollars."

A copy of the Balance of International Payments of the United States in 1926 is inclosed. On page 5 of the study you will find an analysis of the United States merchandise trade, by continents and by principal countries, in 1926 as compared with 1925. This survey contains other information that will probably be of use to you. Your attention is called to the estimates of private American investments abroad in recent years, on page 13, and to the estimate of foreign investments in the United States, on pages 14 to 15.

We are sorry to say that we have been unable to obtain any reliable information upon the amount of mortgages, either personal or real, not covered in other parts of this letter. Nor have we been able to obtain any estimate of private unrecorded borrowing.

A private source of information likely to be of value to you is the National Bureau of Economic Research (Inc.), 474 West Twenty-fourth Street, New York. In connection with its investigations of the total wealth and total income of the United States, that institution may have compiled indebtedness data of present use to you.

We hope that the above information will be of use to you and assure you that we will gladly do what we can to be of service to you in clarifying or elaborating it.

Yours very truly,

O. P. HOPKINS, *Acting Director.*

Mr. THOMAS of Oklahoma. Mr. President, the letter just read at the desk was of somewhat ancient vintage. I have a more recent tabulation, although perhaps it is only an estimate. According to the figures it sets forth, at this time we have outstanding approximately $16,000,000,000 in national bonds; the States, districts, cities, and counties have a total bond indebtedness of something like $7,000,000,-

000; the total farm loans against the farm lands of the country amount to approximately $8,000,000,000; the Federal land bank has loans in existence in the sum of $1,250,000,000; the joint land banks have loans in existence in the sum of $500,000,000; the total amount of the corporation bonds and mortgages is approximately $30,000,000,000; the installment accounts in existence are estimated to be $6,500,000,000; building and loan mortgages are estimated to be $6,000,000,000; and bank loans total $40,000,000,000. Of city mortgages we have no estimate; of personal loans, including loans on insurance policies, we have no estimate; of personal accounts we have no estimate; but the estimates we do have, Mr. President, total the gigantic sum of $115,250,000,000 and with the city mortgages added, with personal loans added, with personal accounts added, with indebtedness to life-insurance companies added it is safe to say that at this moment the total indebtedness of the people of the United States is far in excess of $125,000,000,000.

Mr. SHIPSTEAD. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. SHIPSTEAD. I want to call the Senator's attention to another factor in this indebtedness, namely, that with the prevailing low price level the producers of the country must produce a great deal more in order to pay the interest on the debt and the principal of the debt than at the time the debts were incurred under a high price level. For instance, a debt incurred when wheat was $1.50 a bushel is trebled when wheat is 50 cents a bushel. The farmer who incurred an indebtedness by mortgage when wheat was $1.50 a bushel must now raise three times more in order to pay the interest, and three times more in order to pay the principal of that mortgage than he had to raise at the time the debt was incurred. So for all practical purposes, in terms of purchasing power of the dollar, that debt is very much greater than it was at the time it was incurred.

In fact, Mr. Darling, a famous English banker, said that indebtedness, due to the inflation of credit all over the world, has become so overwhelming that unless some way is found by the rulers of the world whereby the debtors can find some practical way of paying their indebtedness, there will be an industrial revolution all over the world, which will also affect the United States. Mr. Keynes, the great English economist, says that the attack that has been made upon the factors of production by the reduction in the price level, by inflation of credit, and by legislation of various kinds for the benefit of industry, is threatening the rugged individualistic and capitalistic system; and he further says that unless the rulers of the world change their point of view the present system will give way to a far-reaching socialism.

I point to this, Mr. President, because we are now approaching the end of the present session of Congress, apparently in the belief that the present world-wide depression has come as "an act of God," and has no definite cause that could have been prevented, and the lowering of price levels and the increasing of debts that are already inflated have not received at the hands of the Congress and the President the attention which, in my opinion, they ought to have received.

Mr. THOMAS of Oklahoma. Mr. President, I thank the distinguished Senator from Minnesota for his contribution to this debate. It may be contended by some that discussions of this kind are out of order upon this bill, but, Mr. President, we are dealing with a subject that is not only nation-wide but world-wide. I make the statement here that the power of the Federal Reserve Board is not matched by any power upon this earth; the power of the governor of that board is not matched by the power of any individual who now lives or has ever lived. That board has its hands in the pockets of every man that lives, not only here but throughout the world. The American financial system is not only a system for America but it dominates other lands as well. What that board does is reflected throughout the earth. They can make money plentiful and make it cheap; they can make money scarce and make it dear. When money is cheap, commodities are high; and when money is high, commodities are low. That is the condition which we have to-day. We have the lowest circulation since 1914 and the lowest commodity prices since about that time.

Let me reinforce the statement of the distinguished Senator from Minnesota. I call the attention of the Senate to the market quotations. I use the figures of the New York Times, one of the most reliable journals of the country. I call attention first to commodity prices on June 30, 1914, when we had a low circulating medium comparable to what it is to-day, being something like $37 per capita; it was the lowest in years, and very low prices prevailed. Here they are: On that date wheat was selling on the exchange for 87⅝ cents a bushel; on that date corn was selling on the exchange for 68 cents a bushel; on that date cotton was selling on the exchange at 12.87 cents per pound; on that date oats were selling upon the exchange for 37⅜ cents per bushel.

Mr. President, on May 15, 1921, when we had the largest amount of money in circulation in our history, six and one-half billion dollars, what then were the prices? When money is scarce prices are low; when money is plentiful prices are high. I quote again from the figures of the New York Times. On May 15, 1920, wheat was selling for $3.22 per bushel—there were $6,500,000,000 in circulation and wheat was selling for $3.22 cents per bushel—on that date, May 15, 1920, corn was selling on the exchanges for $1.96 per bushel; on that date cotton was selling on the exchange for 40.25 cents per pound; on that date oats were selling for $1.06 per bushel.

Mr. President, in 1914, with a circulation of $37 per capita, prices were low; in 1920, with six and a half billion dollars in circulation, prices were high. How about to-day? On December 1, 1930, again we had about the same amount of money in circulation as in 1914, thirty-seven, thirty-eight, or thirty-nine dollars per capita. What about the prices on the exchange on December 1, 1930? Wheat was selling for 79⅝ cents per bushel. Corn was selling on December 1, 1930, for 79¾ cents per bushel. Cotton was selling on the exchange for 10.55 cents per pound. Oats were selling on the exchange for 39½ cents per bushel.

Mr. President, is there a relation between commodity prices and the amount of money in circulation? I submit these figures as positive proof that there is.

In 1914 and 1930 the amounts of money in circulation were comparable. Prices on the commodity exchanges were comparable. In 1920, with the largest amount of money in circulation in history, commodity prices were the highest in recent history; and with this record, during the month of January, 1931, the Federal Reserve Board took out of circulation $280,000,000.

What is that calculated to do, Mr. President? It can have but one effect—further to depress the level of commodity prices—and we are here in the Congress of the United States appropriating during this session $250,000,000 for the Farm Board to keep up prices, when that other Federal Agency—the Federal Reserve Board—has taken out of circulation $280,000,000, calculated to put prices down.

Mr. President, on January 1, 1921, there was in circulation the sum of $6,363,498,999. That is the largest amount of circulation we have ever had outside the Federal Treasury. When that gigantic sum of money was in circulation we had the highest commodity prices in our history. Everybody had work during those times. It is true that bread was high. It is true that clothing was high. It is true that everything was high; but every man had a job. Every woman who wanted to work had a job. There was no hunger in those days. Here in 1930 we had the lowest circulation since 1914; millions of our fellow citizens were out of employment; the Federal Reserve Board had the lowest amount of circulation in 16 years; and only last month they made it worse, as I have twice stated, by further reducing the volume of circulation more than $280,000,000.

Mr. President, on May 15, 1920, there was introduced in this body a resolution. At that time conditions were exactly the reverse of what they are now. At that time the country was prosperous. At that time everybody was employed. At

that time there was money everywhere. Commodity prices were high. At that time the then Senator from Illinois, Mr. McCormick, introduced in this body a resolution which I will read. It was Senate Resolution 363, and is as follows. Some Members upon this floor will remember that resolution.

Mr. SHIPSTEAD. What year was that?

Mr. THOMAS of Oklahoma. Nineteen twenty. [Reading:]

Resolved, That the Federal Reserve Board be directed to advise the Senate what steps it purposes to take or to recommend to the member banks of the Federal reserve system to meet the existing inflation of the currency and credits and consequent high prices, and what further steps it purposes to take or recommend to mobilize credits in order to move the 1920 crop.

Mr. President, I ask that there be printed in the RECORD at this point a transcript of the CONGRESSIONAL RECORD of the date when the resolution was discussed and finally acted upon.

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

Mr. THOMAS of Oklahoma. I also ask that following the resolution and the transcript there be printed in the RECORD a copy of the report submitted by the Federal Reserve Board in pursuance of the resolution.

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

The matters referred to are as follows:

[CONGRESSIONAL RECORD, 66th Cong., 2d sess., vol. 59, pt. 7, p. 7085, May 15, 1920]

FINANCIAL POLICY

Mr. McCORMICK. I offer a resolution and ask that it be read and lie on the table.

The resolution (S. Res. 363) was read and ordered to lie on the table, as follows:

"*Resolved*, That the Federal Reserve Board be directed to advise the Senate what steps it purposes to take or to recommend to the member banks of the Federal reserve system to meet the existing inflation of currency and credits and consequent high prices, and what further steps it purposes to take or recommend to mobilize credits in order to move the 1920 crop."

(Pages 7145–7146, May 17, 1920)

Mr. McCORMICK. Mr. President, I move that the Senate take up Senate Resolution 363, on which I desire to say only a word.

The VICE PRESIDENT. The Chair understands that it is a resolution coming over from a preceding day.

Mr. McCORMICK. It is.

The VICE PRESIDENT. Under the rules the Senator has a right to call it up, if there is no objection.

Mr. McCORMICK. I think there will not be any objection to the resolution.

Mr. GERRY. I ask that the resolution may be read.

The VICE PRESIDENT. It will be read.

The Assistant Secretary read Senate Resolution 363, submitted by Mr. McCormick on the 15th instant, as follows:

"*Resolved*, That the Federal Reserve Board be directed to advise the Senate what steps it purposes to take or to recommend to the member banks of the Federal reserve system to meet the existing inflation of currency and credits and consequent high prices, and what further steps it purposes to take or recommend to mobilize credits in order to move the 1920 crop."

Mr. KING. May I inquire of the Senator whether the resolution has been reported by the committee?

Mr. McCORMICK. It has not been referred to a committee. It is a Senate resolution. I recognize that there may be some question in the mind of the Senator from Utah as to the purpose of the resolution, but I do not believe he will have any objection to it after a word of explanation.

Mr. KING. Let me say to the Senator, if he will pardon me, that I do not know that I have any objection to it, and yet there are some recitations in it that may not be agreed to by many students of political economy and many members of the committee to which the resolution would properly go.

Mr. McCORMICK. What recitations, may I ask the Senator?

Mr. KING. That high prices are the result of the so-called inflation of credits and currency and the implication to be derived from the resolution that there is inflation as a result of the activities or lack of activities of the Federal Reserve Board.

Mr. McCORMICK. I do not think the last will be found in the resolution. It is indisputable that not only in this country but in every country there has been a vast increment in the total of currency and of credits. It is indisputable that there is a relation between the increment of currency and of credit and existing prices. The Senator surely recognizes that all the classic symptoms of impending financial crisis are manifest to-day. The principal hope of relief is in the Federal Reserve Board, and in the board advising the business world of steps proposed to meet the demand for credit when the period of crop moving comes.

While the distinguished Senator from Virginia, Mr. GLASS, was still Secretary of the Treasury, the Reserve Board, with his concurrence and, if I am not mistaken, following his advice, raised the bank rate. Subsequently, Congress legislated to vest in the Reserve Board and the member banks discretion as to the establishment of different rates.

Mr. GRONNA. Will the Senator yield?

Mr. McCORMICK. Certainly.

Mr. GRONNA. Will the Senator briefly outline what are the provisions of the resolution?

Mr. McCORMICK. The resolution calls upon the Reserve Board to inform the Senate what steps it contemplates taking to relieve the existing inflation and to mobilize credits against the time when we must move the crops of the country. The Senator very well remembers that in 1907, at this period of the year, there were manifest exactly the symptoms of economic and credit disorder which are present to-day, very much the same symptoms that were manifest in 1903. Unless, under the reserve system, the Reserve Board takes steps to forestall a credit stringency in the fall we shall have something approximating a panic.

In my judgment, announcement at this time of the contemplated steps will serve a most valuable purpose in relieving the apprehension of thousands of creditors in the country. Such announcement will tend to meet the very stringency which is threatened in the fall.

Mr. GRONNA. May I ask the Senator if the resolution simply asks for information?

Mr. McCORMICK. It asks for nothing more.

Mr. GRONNA. I certainly have no objection to that. I think it is very advisable that we should adopt such a resolution.

Mr. McCORMICK. The resolution asks for nothing more than information; in fact, I may say to the Senator that to-day there are gathering in Washington representative bankers from all over the country to confer with the reserve board and the Secretary of the Treasury about the grave situation now impending.

Mr. GRONNA. I rose only for the purpose of securing information. The Senator knows, of course, as well as I do, the danger of changing the monetary laws by piecemeal. In reference to rates of interest and what they will do, I think any man who has studied political science from any angle at all knows that the men who will get the advantage of a high rate of interest, or the concerns which will get the benefit of a high rate of interest are those which are making large profits. There is nothing which will harm the farming interests any more than to compel them to pay a high rate of interest. They will be obliged, if that be done, to cease operations, because their business does not pay a sufficient profit to enable them to pay high rates of interest.

Mr. McCORMICK. The Senator from North Dakota will learn, if he will examine the resolution, that there is no reference to rates of interest. Unless steps are taken to-day to mobilize the necessary credit resources, farmers will be hard put to it to find money this fall when it is necessary for their very lives.

Mr. GRONNA. We know that the men who are now getting money are the automobile manufacturers and others who can place the burden upon the other party.

Mr. McCORMICK. Great amounts of credit are being utilized in the manufacture of silk stockings, phonographs, and all kinds of nonessentials.

Mr. McCUMBER. Mr. President——

Mr. McCORMICK. I yield to the Senator from North Dakota.

Mr. McCUMBER. I should like to ask the Senator from Illinois why he has such an apprehension of a stringency in connection with the securing of money to handle the crops when grain receipts or warehouse receipts can be taken as security to the Federal reserve banks, deposited there, and any amount of money issued upon them, and no interest charged upon that money for six months. If a warehouse receipt is good for the cash—and it certainly is, if it covers wheat—why should there be the danger of inability to expand the currency when there is no interest charge for six months for such expansion?

Mr. McCORMICK. Mr. President, we may continue to expand the currency, as we have expanded it, without checking the increase in interest rates, which has been manifest all this year.

Mr. McCUMBER. The increase of interest rates is due to the demand for money.

Mr. McCORMICK. Precisely.

Mr. McCUMBER. But the information I wanted to obtain from the Senator was the basis of his fear that we could not get sufficient money in the fall; in other words, that we could not sufficiently expand our currency to meet the requirements of moving the crops.

Mr. McCORMICK. Doubtless we can expand the currency while prices and interest rates increase indefinitely.

Mr. McCUMBER. Does the Senator from Illinois assume that we will fail to utilize the power in the present banking laws to meet the requirements incident to handling the crops?

Mr. McCORMICK. I assume nothing. I want to learn from the Federal Reserve Board what plan of relief, if any, it has in contemplation.

Mr. McLEAN. Mr. President——

Mr. McCORMICK. I yield to the Senator from Connecticut.

Mr. McLEAN. Under the law there is, of course, a limit to the expansion of the currency. That limit is the gold reserve which is required. When the reserves of the Federal reserve banks are exhausted no more currency can be issued until the gold reserve is replenished.

Mr. KENYON. I desire to ask the Senator from Illinois, if I may, in connection with his resolution, to explain the rate of interest that is being charged by the reserve banks? What rate of interest are the Federal reserve banks charging?

Mr. McCORMICK. They are not charging a uniform rate of interest, as the Senator from Iowa knows.

Mr. KENYON. They are, I know, charging a very high rate of interest in some cases.

Mr. McCORMICK. They are seeking, I am told, to moderate activities in the production of nonessentials, or they are supposedly doing so.

Mr. KENYON. They have forced some particular banks to pay all the way from 10 to 13 per cent for money. That is reflected as to the farmer, and it is becoming a very serious situation in the sections of the country which the Senator and I represent.

Mr. McCORMICK. The resolution seeks for information as to the policy of the Reserve Board. That is what is most immediately necessary in the present situation.

Mr. KENYON. It never was intended, was it, that the Reserve Board should be engaged in building up banks or getting profits for banks? Its purpose was to serve a general public use.

Mr. SHERMAN. Will the Senator welcome information as to whether they expect to earn 102 per cent on their capital stock next year?

Mr. BORAH. Mr. President, what is before the Senate?

The VICE PRESIDENT. The resolution of the Senator from Illinois [Mr. McCORMICK].

Mr. BORAH. I do not desire to speak upon that if we can have it disposed of.

Mr. McCORMICK. Mr. President, can we not have a vote on the resolution?

The VICE PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to.

[Senate Document No. 280, 66th Cong., 2d sess.]

INFLATION OF CURRENCY AND MOBILIZATION OF CREDITS

LETTER FROM THE GOVERNOR OF THE FEDERAL RESERVE BOARD, TRANSMITTING IN RESPONSE TO A SENATE RESOLUTION OF MAY 17, 1920, CERTAIN INFORMATION CONCERNING THE EXPANSION OF CURRENCY AND THE MOBILIZATION OF CREDITS TO MOVE CROPS OF THE YEAR 1920

May 24 (calendar day, May 25), 1920.—Referred to the Committee on Banking and Currency and ordered to be printed

FEDERAL RESERVE BOARD,
Washington, May 25, 1920.

SIR: On May 17, 1920, the Senate adopted the following resolution:

"*Resolved*, That the Federal Reserve Board be directed to advise the Senate what steps it purposes to take or to recommend to the member banks of the Federal Reserve System to meet the existing inflation of currency and credits and consequent high prices, and what further steps it purposes to take or recommend to mobilize credits in order to move the 1920 crop."

In response the board desires to say that it has recognized for many months past that the expansion of bank credits in this country was proceeding at a rate not warranted by the production and consumption of goods. It has repeatedly admonished the Federal reserve banks that influence should be exerted upon the member banks to induce them to avoid undue expansion of loans and to keep their volume of outstanding credits within moderate bounds.

Beginning six months ago, the rates of discount on various classes of paper at the Federal reserve banks were advanced. During the latter part of January the present rates were put into effect. These advances, while undoubtedly checking credit transactions which otherwise would have been made, have not been entirely effective in bringing about the reduction in loans desired and which might normally have been expected during the early months of the year. Liquidation during these months is entirely natural and healthy, and is necessary in order that the banks may be prepared to meet the demands made upon them during the crop making and harvesting seasons, but there has been no such liquidation and, on the contrary, commercial loans have steadily increased. Thus it appears that the public has anticipated demands for banking credit which are usually made later on in the year. The average reserves of the Federal reserve banks are now a little over 42½ per cent, as against 45 per cent at the beginning of the year and about 51 per cent 12 months ago.

The Federal advisory council, which is composed of one member from each Federal reserve district, elected annually by the board of directors of the Federal reserve bank, is required by section 12 of the Federal reserve act to meet in Washington at least four times each year. The council is authorized "to confer directly with the Federal Reserve Board on general business conditions; to make oral or written representations concerning matters within the jurisdiction of said board; to call for information and to make recommendations in regard to discount rates, rediscount business, note issues, reserve conditions in the various districts, the purchase and sale of gold or securities by reserve banks, open-market operations by said banks, and the general affairs of the reserve banking system."

Upon receipt of a notice that the council would hold its regular meeting on May 17, the board extended an invitation to the three class A directors of each Federal reserve bank, who are the representatives of the stockholding banks, to come to Washington at the same time for conference with the Federal Reserve Board and the Federal advisory council. This conference was held on the 18th instant, and it was developed at the meeting that the present credit expansion is due in great part to the abnormally high prices of goods and commodities now prevailing throughout the country and to the congestion of foodstuffs and essential raw materials at or near points of production because of lack of transportation facilities.

The board is convinced that if the unsold portions of last year's crops can be brought to market before the new crop matures, the liquidation of credits which are now tied up in carrying the old crops will be sufficient to offset to a considerable degree the credit demands which will be made upon the banks in moving the crop of 1920.

At the conference above referred to the board's views were outlined by its governor substantially, as follows: The member banks should lean less heavily upon the Federal reserve banks and rely more upon their own resources, unnecessary and habitual borrowing should be discouraged, and the liquidation of long-standing, nonessential loans should proceed. Banks were cautioned, however, that drastic steps should be avoided and that the methods adopted should be orderly, for gradual liquidation will result in permanent improvement, while too rapid deflation would be injurious and should be avoided. The board pointed out the necessity for extending such credits as may be necessary to promote essential production, especially of foodstuffs, and that if for any reason it should prove impracticable to increase essential production there should be greater economy in consumption and more moderation in the use of credit. The problem of the banking system of the country is to check further expansion and to bring about a normal and healthy liquidation without curtailing essential production and without shock to industry, and, as far as possible, without disturbance of legitimate commerce and business. In order to effect this it seems necessary to distinguish between essential and nonessential loans, but the Federal Reserve Board feels it would be a most difficult task, which it should not undertake, to attempt by general rule of country-wide application to make this distinction. During the war there was a broad underlying principle that essentials must be "necessary or contributory to the conduct of the war," but notwithstanding the sharp outline of this principle, much difficulty was experienced by the various war boards in defining essentials and nonessentials. All the more difficult would it be for the Federal Reserve Board to make such a general definition in the present circumstances.

Section 13 of the Federal reserve act defines the eligibility of paper for discount by the Federal reserve banks and lays down a general rule that any paper maturing within the time prescribed and "issued or drawn for agricultural, industrial, or commercial purposes, or the proceeds of which have been used, or are to be used, for such purposes" is eligible. No expressed condition is made regarding the essential or nonessential character of the transactions giving rise to notes which may be offered for discount, and the Federal Reserve Board is not required, and properly could not be expected, generally to adopt such a criterion of eligibility. It is too much a matter of local conditions and local knowledge to justify at this time any general country-wide ruling by the board even if such a ruling were deemed helpful.

On the other hand, there is nothing in the Federal reserve act which requires a Federal reserve bank to make any investment or to rediscount any particular paper or class of paper. The language of both sections 13 and 14 is permissive only. Section 4 of the Federal reserve act, however, requires the directors of a Federal reserve bank to administer its affairs "fairly and impartially and without discrimination in favor of or against any member bank," and subject to provisions of law and the orders of the Federal Reserve Board to extend "to each member bank such discounts, advancements, and accommodations as may be safely and reasonably made with due regard for the claims and demands of other member banks." Thus the directors of a Federal reserve bank have the power to limit the volume and character of loans which in their judgment may be safely and reasonably made to any member bank.

The recent amendment to paragraph (*d*) of section 14 distinctly authorizes each Federal reserve bank on its own account, without reference to action taken by any other Federal reserve bank, to establish a normal discount or credit line for each member bank, and permits the imposition of graduated rates on discount lines in excess of the normal line. This amendment, however, does not repeal or modify sections 4 and 13, and a Federal reserve bank is still free to decline to discount any paper which in its judgment does not constitute a desirable investment for it or which in its opinion would not constitute a safe and reasonable investment within the meaning of section 4.

It is the view of the board, however, that while Federal reserve banks may properly undertake in their transactions with member banks to discriminate between essential and nonessential loans, nevertheless that discrimination might much better be made at the source by the member banks themselves. The individual banker comes in direct contact with his customers; he is better qualified than anyone else to advise the customer because of his familiarity, not only with the customer's business, but with the general business conditions and needs in his immediate locality. In making loans he is bound by no general rule of law as to the character of the purpose for which a loan is being asked. He is entirely free to exercise discretion and can make one loan and decline another as his judgment may dictate. He can estimate with a fair degree of accuracy the legitimate demands for credit which are liable to be made upon him, as well as the fluctuations in the volume of his deposits. He knows what industries sustain his community, and is thus qualified to pass upon the essential or nonessential character of loans offered him. He knows, or should know, what rediscount line he may reasonably expect of his Federal reserve bank, and he ought not to regard this line as a permanent addition to his capital. With knowledge of the limitations or penalties

put upon his borrowings from the Federal reserve bank the banker may be depended upon to use a more discriminating judgment in granting credit accommodations to his customers, and that judgment he must exercise if the present situation is to be remedied fundamentally.

It is true that under existing conditions the volume of credit required in any transaction is much greater than was the case in prewar times; but it is also true that the resources of the member and nonmember banks would be ample to take care of the essential business of the country and to a large extent of nonessentials as well if there were a freer flow of goods and credit. If "frozen loans" were liquefied, and if commodities which are held back either for speculative purposes or because of lack of transportation facilities should go to the markets, and if large stocks of merchandise should be reduced, the resultant release of credit would have a most beneficial effect upon the general situation. In the meantime everything must be done to expedite the release of these credits and to restrict nonessential credits in future.

While the problem of credit regulation and control is national and even international in its scope, yet in the last analysis it is merely an aggregation of individual problems, and the proper working out of the situation must depend upon the public and upon the banks which deal with the public. The public must be made to realize the necessity of economy in expenditures and in consequent demands for banking credit. The banks themselves are best able to impress the importance of this policy upon the public.

For the further information of the Senate the board quotes from the report of the Federal advisory council made to it on May 18, signed by James B. Forgan, president.

"The council has given consideration to the matters included in your communication of April 17 and begs to reply thereto in the following manner, following the order set out by you.

"(a) 'Causes of continued expansion of credits and of Federal note issues.'

"There are many contributing causes, of which the following may be regarded as paramount:

"1. We recognize, of course, that the first cause is the Great War.

"2. Great extravagance—national, municipal, and individual.

"3. Inefficiency and indifference of labor, resulting in lessening production.

"4. A shortage of transportation facilities, thus preventing the normal movement of commodities.

"5. The vicious circle of increasing wages and prices.

"(b) 'How can the reserve position of the Federal reserve banks be materially strengthened before the seasonal demand sets in next fall without undue disturbance of the processes of production and distribution?'

"By urging upon member banks through the Federal reserve banks the wisdom of showing borrowers the necessity of the curtailment of general credits, and especially for nonessential uses, as well as continuing to discourage loans for capital and speculative purposes, by checking excessive borrowings through the application of higher rates.

"(c) 'If steps can not be taken at this time leading to a more normal proportion between the volume of credits and the volume of goods, when can they be taken?'

"In our opinion, steps should be taken now, as outlined in answer to the last question.

"(d) 'What is the effect upon the general situation of the increased Treasury borrowings and what should be the policy of the Federal reserve banks in establishing rates of discount on paper secured by certificates of indebtedness?'

"It is obvious that the borrowings of the Treasury have the same effect upon the general credit situation as those of other borrowers. The council would suggest the wisdom of congressional relief from the burden of Government financing by a policy of rigid economy; the revision of the tax laws for the sake of a more equitable distribution of the burden without reducing the revenue; the enactment of the Budget system, the Budget to include provision for the gradual payment of the short-time obligations of the Treasury. These would of necessity preclude unwise appropriations, such as the proposed soldiers' bonus.

"In view of the large volume of Treasury certificates of indebtedness carried by member banks at the instance of the Treasury Department, we believe that rates established by the Federal reserve banks on paper secured by them should not be materially greater than the rates borne by the certificates."

The board feels assured that the banks of the country now realize the necessity of more conservatism in extending credits and of a reasonable reduction in the volume of credits now outstanding. The board will not hesitate, so far as it may be necessary, to bring to bear all its statutory powers in regulating the volume of credit, but wishes to point out that the more vital problems relating to the movement of the 1920 crop are physical rather than financial.

This was the unanimous view of those present at the conference on the 18th instant, at which the following resolution was adopted:

"The whole country is suffering from inflation of prices with the consequent inflation of credit. From reports made by the members of this conference, representing every section of the country, it is obvious that great sums are tied up in products which if marketed would relieve necessity, tend to reduce the price level, and relieve the strain on our credit system.

"This congestion of freight is found in practically all of the large railroad centers and shipping ports. It arises chiefly from inadequate transportation facilities available at this time and is seriously crippling business. We are informed that the per ton-mile of freight increased in three years—1916, 1917, and 1918—47 per cent, while the freight cars in service during the same period increased 1.9 per cent.

"A striking necessity exists which can only be relieved through the upbuilding of the credit of the railroads. This must come through adequate and prompt increase in freight rates. Any delay means the paying of greater cost directly and indirectly and places a burden on the credit system which in the approaching time for season expansion may cause abnormal strain. Even under the load of war inflation, high-price level, and extravagances the bank reserves would probably be sufficient if quick transportation could be assured during the time of the greatest strain: Therefore be it

"*Resolved*, That this conference urge as the most important remedies that the Interstate Commerce Commission and the United States Shipping Board give increased rates and adequate facilities such immediate effect as may be warranted under their authority and that a committee of five, representing the various sections of the country, be appointed by the chairman to present this resolution to the Interstate Commerce Commission and the United States Shipping Board with such verbal presentation as may seem appropriate to the committee."

Much will depend upon the restoration of the normal efficiency of railroad and steamship lines. If adequate transportation facilities can be provided, the board sees no occasion for apprehension in connection with the movement of crops now being grown.

Respectfully,

W. P. G. HARDING, *Governor*.

The PRESIDENT OF THE SENATE.

Mr. THOMAS of Oklahoma. Mr. President, the resolution to which I have just referred was introduced by the then Senator from Illinois, Mr. McCormick. It was a resolution complaining about inflation, complaining about high prices. He asked the Federal Reserve Board to advise the Senate what steps that board proposed to take to bring about deflation, to bring about a falling of prices.

The resolution came up a few days later. There was considerable discussion of the resolution. I shall not take the time to read it, as it has already been placed in the RECORD. At a later date Mr. McCormick called up his resolution and it was passed. The Federal Reserve Board were directed to advise the Senate what steps they had in mind, what steps they were taking, or what steps they proposed to take, to bring about deflation, to bring about a lower cost of living.

(At this point a message was received from the House of Representatives and some routine business was transacted, which appears elsewhere under proper headlings.)

Mr. THOMAS of Oklahoma. Mr. President, I hold in my hand the report made by the Federal Reserve Board. Here is the substance of that report. Here are the plans that they proposed:

First, they were going to have the Federal reserve banks located throughout the country restrict the loans to the member banks; in effect, refuse loans to member banks.

Second, they were going to have the member banks throughout the country stop making loans to individuals.

Third, they were going to have the member banks throughout the country commence calling upon their customers to come in and pay their notes.

Those are the three steps taken at that time to bring about deflation.

First, the 12 Federal reserve banks ceased to make further loans to their member banks.

Second, the member banks ceased to make further loans to their customers.

Third, not only did they cease to make further loans but they called in the loans that they had.

What was the effect? Why, everybody got notices when their notes became due that their loans could not be further extended. They must in some way get the money to meet their loans at the banks. That caused quite a commotion in some sections of the country. Men who had loans, not expecting them to be called, were suddenly confronted with the demand, "When your note becomes due you must come down and meet that note." That was the beginning of the deflation of 1920.

As these notes were paid to the member banks, the member banks in turn paid their notes to the Federal reserve banks, and the Federal reserve banks in turn paid off their indebtedness to the Federal reserve system; and as the result of that policy for the next 18 months there was collected,

taken out of circulation, and canceled on an average of approximately $100,000,000 per month, until the circulation was brought down to around five billions of dollars.

Mr. President, we have the same condition to-day, only reversed.

Mr. SHIPSTEAD. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Oklahoma yield to the Senator from Minnesota?

Mr. THOMAS of Oklahoma. I yield.

Mr. SHIPSTEAD. If the Senator will permit me, let us carry that out just a little further.

The country was told that agricultural prices broke at that time because, it was said, we did not have any foreign market; we could not export agricultural products. The Senator remembers that the agricultural market broke as the result of the process he has just outlined.

The American people were told, and to a large extent believed, that the agricultural market broke due to the fact that we had no export market, when the reports of the Department of Commerce on our export markets showed that out of that crop, when the price fell so sharply, we exported, of the 18 major agricultural products, more than we had ever exported out of any year's crop in the history of the United States.

For instance, the wheat market broke from over $2 a bushel to a little over $1, because they said we could not export anything. That was the news carried by the newspapers. That was the reason given even by the Federal reserve banking system themselves. The records show, however, that we exported that year 366,000,000 bushels of wheat, including flour—the greatest export of agricultural products that we had at any time in the Nation's history, far greater than in any year during the war. The world was empty for food. and we had it; but because of this manipulation of the credit system to which the Senator has referred the American agricultural industry did not get the benefit of the market created by the shortage of food all over the world, and it was not until the spring of 1925 that the world began to recover its normal production and surplus of food. We should have had the benefit of that market, and we would have had it if it had not been for this manipulation of the credit system in this country, and particularly driving at agriculture.

Mr. THOMAS of Oklahoma. Mr. President, I again thank the distinguished Senator for his statement.

Mr. President, I am honored at this time by having the chairman of the subcommittee in charge of this bill listen to what I say. Not only is he the chairman of the subcommittee having charge of this all-important bill, but he is chairman of the great Finance Committee of the Senate. He is a man who has been here for many years. He was here during the war. He was here when we had the least amount of money in circulation; he was here when we had the largest amount of money in circulation; and I am glad that he is still here to-day, Mr. President. If I make a misstatement, or draw a wrong conclusion, I will gladly yield for his correction.

Let me translate the figures I have just given into something that perhaps is more understandable.

In 1920 the total war debt was approximately $25,000,000,000. At that time wheat was selling for $3.22 a bushel. In 1920 we could have paid the entitre war debt of the Nation with 8,000,000,000 bushels of wheat. Since 1920 we have paid on the war debt 10 years. We have reduced the war debt from $25,000,000,000 down to $16,000,000,000. It would appear, on paper, that we have made a great reduction in the war debt. Have we, Mr. President? If we should pay the war debt to-day in wheat, how many bushels of wheat would it cost the people of America? Make the computation. If we should pay the war debt to-day it would take 12,000,000,000 bushels of wheat to pay what still remains. In other words, after paying $9,000,000,000 on our war debt, to-day it would cost us $4,000,000,000 more in wheat to retire the balance than it would have taken in 1920 to have retired the entitre debt as measured in wheat.

In 1920 cotton was selling for 40 cents a pound. At that time we could have paid the entire war debt for 125,000,000 bales of cotton. To-day, after 10 years of payment on the war debt, it would cost us 320,000,000 bales of cotton to pay the balance of the war debt. Have the cotton farmers of the Nation had their taxes reduced on account of that war debt? After having paid for 10 years, after having reduced the war debt $9,000,000,000, it would cost them now approximately three times the amount in cotton to pay the balance of the war debt that it would have cost them 10 years ago to have paid it in its entirety.

Mr. WHEELER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Oklahoma yield to the Senator from Montana?

Mr. THOMAS of Oklahoma. I yield.

Mr. WHEELER. I was going to suggest the absence of a quorum. I think the Senator is making a very able presentation of some of the causes of the present economic depression, and I think Members of the Senate ought to listen to his presentation. For that reason, if he will yield, I will suggest the absence of a quorum.

The PRESIDENT pro tempore. Under ordinary circumstances that suggestion could not be entertained, but business having intervened, the clerk will call the roll.

Mr. WHEELER. I appreciate what the President pro tempore says.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Dill	Kendrick	Sheppard
Barkley	Fess	King	Shipstead
Bingham	Fletcher	La Follette	Shortridge
Black	Frazier	McGill	Smith
Blaine	George	McKellar	Smoot
Blease	Gillett	McNary	Steck
Borah	Glass	Morrison	Steiwer
Bratton	Glenn	Morrow	Stephens
Brock	Goff	Moses	Swanson
Brookhart	Goldsborough	Norbeck	Thomas, Idaho
Broussard	Hale	Norris	Thomas, Okla
Bulkley	Harris	Nye	Townsend
Capper	Harrison	Oddie	Trammell
Caraway	Hatfield	Partridge	Tydings
Carey	Hawes	Patterson	Vandenberg
Connally	Hayden	Phipps	Wagner
Copeland	Herbert	Pine	Walcott
Couzens	Heflin	Pittman	Walsh, Mass.
Cutting	Howell	Ransdell	Waterman
Dale	Johnson	Reed	Watson
Davis	Jones	Robinson, Ark.	Wheeler
Deneen	Kean	Schall	Williamson

The PRESIDENT pro tempore. Eighty-eight Senators having answered to their names, there is a quorum present.

Mr. PHIPPS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Oklahoma yield to the Senator from Colorado?

Mr. PHIPPS. Just to submit a report on nominations.

Mr. THOMAS of Oklahoma. I yield for that purpose.

Mr. SMOOT. Mr. President, I object.

The PRESIDENT pro tempore. Objection is made.

Mr. GILLETT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Oklahoma yield to the Senator from Massachusetts?

Mr. THOMAS of Oklahoma. I yield.

Mr. GILLETT. I ask unanimous consent that there be printed in the RECORD——

Mr. SMOOT. I object.

The PRESIDENT pro tempore. Objection is made.

Mr. THOMAS of Oklahoma. Mr. President, just before the quorum call I was making a statement to the effect that, although we had retired something like $9,000,000,000 of our national war debt in the past 10 years, the value of that war debt still remaining, estimated in wheat and corn and cotton and oats, is much more now than it was 10 years ago.

Mr. WHEELER. Mr. President, may we have order in the Chamber?

The PRESIDENT pro tempore. The Chair can hear the Senator from Oklahoma very distinctly and is sorry the Senator from Montana can not. However, for the benefit of the Senator from Montana, the Senate will be in order.

Mr. WHEELER. I thank the Chair very much. I am glad his hearing is so good, but it is very difficult for a per-

son to speak when there are conferences being held on the floor of the Senate. I do not think it is fair either to the speaker or to those who want to listen to have conferences going on. Those desiring to hold such conferences should retire from the Chamber.

Mr. THOMAS of Oklahoma. I submit these figures for the consideration of the Senate and the country, to the end that they may throw some light upon our present economic condition, especially as to the amount of money in circulation.

I said at a former time that the Federal Reserve Board was the most powerful board in the Republic. I said that board was the most powerful board in the world Some time ago I introduced a resolution, and the same is now upon the desk of the Presiding Officer. I read the resolution, as follows:

Resolved, That the Federal Reserve Board be directed to advise the Senate what steps it has taken or proposes to take to meet the existing depression and the consequent unemployment and low prices.

Mr. President, I will not ask that the resolution be taken from the table at this time. I ask the distinguished Senator from Utah if at any appropriate time he will have any objection to the consideration of the resolution?

Mr. SMOOT. Mr. President, I will say to the Senator that I have been so crowded that I have not even read it. I will read the resolution, and after the Senator shall have concluded his remarks I will talk with him about it.

Mr. THOMAS of Oklahoma. Mr. President, yesterday was Lincoln's Birthday. He was our President not so many years ago. He was the President since the Indian problem developed. One of the last things President Lincoln ever said was that the Indians of the United States had the protection of the Constitution, the protection of our treaties, and the protection of the laws of the United States.

They do theoretically have the protection of the Constitution. They do theoretically have the protection of the treaties. Likewise, theoretically, they have the protection of the laws of our country. But I ask you sincerely, sir, have the remnants of our Indian bands the real protection of the laws and the real sympathetic consideration of the Bureau of Indian Affairs? I contend that the record demonstrates that while theoretically they have this protection, yet practically they are far from being protected.

I want to call the attention of the Senate to the three Indian tribes for whom I am speaking. I am not speaking for these tribes alone. They are only typical. We have hundreds of tribes of Indians in the United States. At one time we had a million Indian citizens in the country. To-day that number has dwindled until we have less than 300,000. The particular tribes embraced in the amendment are the Kiowas, Comanches, and Apaches. Those three tribes collectively embrace 4,045 Indians. Those Indians are citizens of the United States. At one time they roamed the western prairie. They were in undisputed control of that vast area extending west from the Mississippi to the Rockies. They are now not a rich people. One-half of them do not at this moment have either land or money. Where once they had vast estates and areas over which they could hunt and roam at will, under the supervision of the United States Government they have been forced onto smaller reservations and thence to still smaller reservations and thence to a still smaller reservation and at last to an allotment, and then under the policy of the United States Government that allotment has been dissipated until one-half of those three bands to-day have no land upon which they can camp and call their own.

Mr. President, these particular Indians have not had the advantages which other Indians have had. They have been associated with the white man for only 30 years. Thirty years ago in that southwestern country these 4,000 Indians had a large reservation. The reservation contained prairie land. The reservation contained rivers. The reservation contained woodlands. The reservation contained mountains. Their natural habitations are around mountains and along the rivers and in the shade. But through the policy of the Federal Government in 30 years' time these Indians have been reduced to dire poverty and now, with no land, with less than $300,000 in money to their credit in a sacred trust fund, their guardian, the great Government of the United States, is proposing to take $12.50 of their remaining less than $75 per capita of wealth and use it to maintain an Indian agency which has supervision over other Indians than these particular tribes.

Mr. President, I object to that policy. I objected earlier this session. The Senate heeded my objection. The Senate struck the item from the bill. It went to conference, and after the conference committee had presumably considered the item a report is returned to this body and, like Banquo's ghost, this item reappears to haunt 4,000 citizens of our country.

Last year I had the same trouble. I suggested to the Senator from Washington [Mr. JONES] that I intended to introduce an amendment proposing to change the source of this agency maintenance from the tribal fund to the Federal Treasury. I was advised that if I would not offer such an amendment at that time, then next year when the appropriation bill came before the Senate I would be offered assistance in trying to work out some satisfactory solution. I was not promised that the item would be eliminated, but when such a promise as that is made, so far as I am concerned, I have been accustomed to construe such implied promises to mean that the end which I sought would be granted.

Three years ago this same question came before the Senate. At that time I objected, and upon my objection the Senate took my viewpoint and struck the item from the bill. During the past three years approximately one-half million dollars of the sacred trust fund of these poor dependent people has been by force and over their protest taken from that fund and diverted. This trust fund is not the result of just an ordinary law, a law that applies to the white people, or a law that applies to competents. This law was created by sacred enactment of the guardian having in view its wards, and in that law it was written that this money should be used only for the particular benefit of the members of the Kiowa, Comanche, and Apache Indians and their unallotted children in Oklahoma. That is a restricted fund; and yet, notwithstanding the nature of the law, notwithstanding that the law was enacted to apply between the guardian and the wards, between the great Government on the one hand and the Indians upon the other hand, year after year the Congress for some reason which I can not explain has proceeded blindly, as it seems to me, without consideration, without an ounce of human sympathy, to loot this private trust fund, and here to-day it is before us again.

Mr. SWANSON. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Oklahoma yield to the Senator from Virginia?

Mr. SWANSON. I want to ask the Senator from Oklahoma a question.

Mr. THOMAS of Oklahoma. I am delighted, Mr. President, that the distinguished Senator from Virginia is enough interested in the bill even to ask a question. I yield to him.

Mr. SWANSON. For what is the $51,000 in the item to be expended? It is to be spent for the benefit of whom?

Mr. THOMAS of Oklahoma. Partially for their benefit and partially for the benefit of other tribes upon the same reservation. Let me explain briefly. Three years ago these Indians discovered that they had a claim against the Government. They initiated the claim and prosecuted it at their own expense, over the protest of the Department of the Interior and over the protest of the Attorney General, and finally won a sum of approximately $1,500,000.

Mr. SWANSON. I heard the Senator state the terms of the trust. It was to be spent for their benefit in Oklahoma?

Mr. THOMAS of Oklahoma. Yes. It is now proposed to take $51,000 of that sacred trust fund and spend it to maintain an Indian agency in Oklahoma, it is true, but an agency that supervises five or six other tribes of Indians—an illegal thing, an unjustifiable thing, an unconscionable thing.

Mr. SWANSON. The contention of the Senator from Oklahoma is that the Government ought to divide up the

cost of the agency among the other Indians who are to be supervised, and let them pay their share out of their funds or let the Government pay their part of it direct?

Mr. THOMAS of Oklahoma. The other Indians have no funds.

Mr. SWANSON. This fund is to be used in the maintenance of an Indian agency?

Mr. THOMAS of Oklahoma. Yes.

Mr. SWANSON. It is not to buy food for these Indians?

Mr. THOMAS of Oklahoma. No; nothing of the kind.

Mr. SWANSON. It is simply an agency to supervise them and other Indians?

Mr. THOMAS of Oklahoma. The Senator is correct.

Mr. SWANSON. And the contention of the Senator from Oklahoma is that these Indians would be willing to pay if they themselves were to be the beneficiaries of the expenditure, but not to pay for the other Indians?

Mr. THOMAS of Oklahoma. That has been my contention.

Mr. SWANSON. I want to get this thing straight. It has been before the Senate now for two days and I want to get it straight and see why the people in 23 drought-stricken States should be refused relief because of a contention over an item of this character. May I ask the Senator from Utah about it? What is the contention of the Senator from Utah as to why this request of the Senator from Oklahoma should not be granted?

Mr. SMOOT. These tribes of Indians have a trust fund and have had it for years.

Mr. SWANSON. I understand that, but how is the $51,000 to be spent?

Mr. SMOOT. In the past it has been taken and charged to that trust fund, and now the Senator from Oklahoma wants to transfer the item from the trust fund to be paid directly out of the Treasury of the United States.

Mr. SWANSON. I am now talking about that. Let us come right down to the point. The contention of the Senator from Oklahoma is that it is proposed to take a trust fund that was dedicated to feed and clothe these Indians, and to spend it for an Indian agency that is to take care of a great many other Indians than the members of the three tribes mentioned.

Mr. SMOOT. It applies only to these three bands of Indians, and it is so specifically stated in the bill.

Mr. SWANSON. Does it apply only to the Indians who are the beneficiaries of the trust fund?

Mr. SMOOT. It mentions them specifically. It says "Kiowa, Comanche, and Apache Indians, $51,000."

Mr. SWANSON. Are they the three tribes that are the beneficiaries of the trust fund?

Mr. THOMAS of Oklahoma. At a former hour I submitted a letter from the Bureau of Indian Affairs signed by Mr. Scattergood. It is a part of the record of my address to-day. There are no less than 10 Indian tribes supervised by the Kiowa Indian Agency located at Anadarko, Okla. These three tribes are to have $51,000 taken from their private trust funds to maintain that agency, but the record shows that the agency supervises the Caddos, the Wichitas, the Fort Sill Apaches and affiliated bands, constituting one-third of the total Indian population under the jurisdiction of that office.

Mr. SMOOT. Not under this fund. This fund goes to these Indians alone.

Mr. SWANSON. Let me make a suggestion. If the United States Government perverts this trust fund from the terms fixed in the trust, the United States Government is amply able to reimburse it. The Senator from Oklahoma then would have a claim against the Government equal to this amount. It seems to me to be right for the Senator from Oklahoma simply to serve notice to this effect: "I do not believe that this fund has been properly handled under the trust agreement." Most of us on this side of the Chamber voted for the Senator from Oklahoma because we like him and have esteem for him. We voted against the item and it was stricken out of the bill. I think everybody on this side of the Chamber stood with the Senator from Oklahoma. I know I did, and that will be shown by the RECORD if there was a yea-and-nay vote. But does the Senator from Oklahoma think it is right to prevent the bill going through, so far as drought relief is concerned, merely because of this item? Why not let the bill go through and let this other matter come up at a later time, because I will guarantee the Federal Government is able to reimburse the fund.

Mr. THOMAS of Oklahoma. Let me ask the Senator from Virginia a question. Let the Senator place himself in my position. If he represented 4,000 Indian wards of the Government, if over one-half of such wards had no land, no property save an undivided interest in a tribal trust fund of less than $300,000, making their total wealth in the sum of less than $75 per Indian, and if many of such Indian wards were aged, indigent, minors, sick, crippled, blind, insane, feeble-minded, would the Senator agree that Congress should take from the $75 per capita, their total wealth, the sum of $12.50 to be used for the maintenance of a general Indian agency having supervision over other tribes of Indians who contribute nothing to the support of such agency?

Mr. SWANSON. If the Senator wants to have my candid opinion, I would say I would fight it. I would be satisfied, however, that the Federal Government would correct any abuses, and I would not stand here and delay providing relief for 21 States, including my own State. There are some people in the State of the Senator from Oklahoma who are suffering, are there not? Are there not some people in Oklahoma who would secure relief on account of this emergency drought appropriation? It seems to me the Senate has stood by the Senator from Oklahoma; the amendment went to conference; the House insisted upon having its way about it, and I am satisfied that, in the long run, the injustice of which the Senator complains will be corrected by the courts. It does not seem to me the Senator is helping the Indians by telling people in 21 States, "We are not going to give you any relief until the injustice of which I complain shall be corrected." That is the view I take of it.

Mr. THOMAS of Oklahoma. That is the view of the distinguished Senator from Virginia. It may be unfortunate, Mr. President, that so many Indians live in my State, but these Indians are not the wards of Oklahoma; they are not my wards; they are the wards of the Government of the United States.

Mr. SWANSON. Mr. President, will the Senator permit me to interrupt him further?

The PRESIDING OFFICER (Mr. JONES in the chair). Does the Senator from Oklahoma yield further to the Senator from Virginia?

Mr. THOMAS of Oklahoma. I yield.

Mr. SWANSON. How much of the $51,000 does the Senator think ought to be paid by these Indians—none?

Mr. THOMAS of Oklahoma. Not a single dollar.

Mr. SWANSON. Does the Senator think it all ought to be paid out of the Treasury and not out of the tribal funds?

Mr. THOMAS of Oklahoma. The Five Civilized Tribes in my State, educated Indians, supervised from Muskogee, do not pay a dollar, all expenses being paid by the Federal Government.

Mr. SWANSON. Do I understand, then, that these Indians are discriminated against, and no other Indians pay out of their funds any such charges as are proposed in this case?

Mr. SMOOT. Wherever there is a trust fund belonging to the Indians the money for maintaining the Indian agency is taken out of those funds.

Mr. SWANSON. What does the agency do? Does it furnish food, clothing, and supplies?

Mr. THOMAS of Oklahoma. It does not.

Mr. SWANSON. Then, what is the object of having an agency?

Mr. SMOOT. They do furnish such things to the Indians. I can send for the report and show by it just exactly how the money is spent and what it is spent for.

Mr. THOMAS of Oklahoma. I am a member of the subcommittee of the Committee on Indian Affairs, which made

a survey of the Indians throughout the country. We found in my State and in other States that there is no clothing supplied by the Indian agencies save from the tribal funds of the Indians. The Indian who has no land, the Indian who has no money, is unrestricted; he is a county charge, and only has the Salvation Army and the Red Cross between himself and freezing and starvation. We found in Oklahoma that at places they did not even furnish medicine for the Indians. They were only presumed to furnish pills and castor oil, but the Indians did not have even those.

I am not fighting the $51,000 item alone; I am trying to get the attention, first, of the Senate; I am trying to get he attention of the Appropriations Committee of the Senate; I am trying to get the attention of the Bureau of Indian Affairs, of the Secretary of the Interior, of the Budget Bureau, and of the Great White Father.

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from Utah?

Mr. THOMAS of Oklahoma. I yield.

Mr. SMOOT. A Member of the House from Oklahoma was a conferee on this very bill.

Mr. THOMAS of Oklahoma. Mr. President, let me say in reply to that suggestion that I realize that Mr. HASTINGS represents a district in my State, and Mr. HASTINGS is himself an Indian. He gets much for his district. I do not criticize Mr. HASTINGS; he works with me as much as he can. He is on the committee, and takes care of his district, and I commend him for it; but, Mr. President, there are seven other districts in my State not represented on the committee.

Mr. SMOOT. I do not think that Mr. HASTINGS had only the interest of the Indians in his district at heart; I do not think that for a minute; and he agreed with the other conferees of the House that this item should be carried just as it has been carried in the past, and that the money should be taken out of the trust fund just as money is taken out of the trust funds of other Indians who have credits in the Treasury of the United States.

Mr. KING. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from Utah?

Mr. THOMAS of Oklahoma. I yield.

Mr. KING. I think the Senator from Oklahoma, in the very able addresses delivered by him a few weeks ago when this bill was under consideration in the Senate, was performing a duty not only to the people of his State but to the Indians of his State and to the Indians generally throughout the United States. I think in criticizing the policy of the Indian Department he is performing a duty to the whole American people. I think that the Indian Bureau for many years has been tyrannous, oppressive, and inefficient; it has wasted the substance of the Indians; it has imposed upon them inefficient, tyrannous, and often corrupt rule. The Indians have been robbed and plundered, and but few people have raised their voices in their defense.

A few years ago they had forty-odd million dollars in cash in their fund, while to-day the amount has been reduced, as I am advised, to approximately $24,000,000; and under the policy now being pursued by the Government within 25 years 90 per cent of the Indians will be landless and homeless and will be charges upon the Government that has robbed and despoiled them of their inheritance and of their property. Somebody must speak for the Indians. Valid amendments were adopted to this bill, but when it goes to conference substantially every one of those amendments dealing with the Indians is stricken out. I protest against the wrong that has been done to the Senate in this conference report, and I protest against the course of the Government and the Indian Bureau in dealing with these helpless wards of the Government.

Mr. THOMAS of Oklahoma. Mr. President, I did not desire to make this kind of a speech, but it is sometimes necessary to fight the devil with fire. Before this discussion closes I may draw upon my imagination. In imagination I am going to have the President sit down there in front of the Vice President's desk with his Budget Director at his side; I am going to have the Secretary of the Interior sit at an appropriate place with his assistant; I am going to have the conference committee of the House and Senate line the aisle; I am going to have a special chair built for the distinguished gentleman from Michigan, with a canopy over it; and then in imagination, Mr. President, I am going to have these Indians walk through this Chamber, in order that the Senate may see them. I know them; I can describe them. Does the Senate want to see that sight? If so, it may have the opportunity.

Mr. WHEELER. Mr. President——

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from Montana.

Mr. THOMAS of Oklahoma. I yield.

Mr. WHEELER. I hope when the Senator from Oklahoma does that he will bring in before the distinguished group the poor unfortunate Indians whom he and I visited in Oklahoma, Indians who are sick and lying in bed, and who have been without the help of a doctor, without food, without clothes, who are getting nothing from the Indian Bureau and nothing from charity and nothing from anybody else, while the Government of the United States is paying employees of the Indian Bureau out of Indian funds to look after them and to protect them and to see that they have medicine. I hope the Senator will not forget that.

I hope also that when he does what he suggests he will do he may be able to bring in some of the Montana Indians from the Rocky Boy Reservation, for which we tried to get an appropriation of $40,000 with which to build a road in order that some employment might be given to those Indians who are to-day hungry and cold, without food and without shelter, who, according to the testimony of their own superintendent, are using oil cans for stoves, who are suffering from tuberculosis, and whom the department has so neglected that they were unable to give them any proper attention. I hope the Senator will point out when he is doing that how this conference report turned down an appropriation in the sum of $40,000 to build that road, while at the same time or a short time previously the Congress of the United States appropriated a considerably larger sum than that with which to build a road to the President's summer home, in order that he might go there one way and come back another way. [Manifestations of applause in the galleries.]

The VICE PRESIDENT rapped with his gavel.

Mr. SMOOT. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from Utah?

Mr. THOMAS of Oklahoma. I yield.

Mr. SMOOT. The Senator from Montana knows, as well as does the Senator from Oklahoma, that the amendment under discussion at this moment would meet none of the conditions to which the Senator has referred.

Mr. WHEELER. Mr. President——

The VICE PRESIDENT. The Chair will inform Senators that, under the rule, the Senator from Oklahoma can yield only for a question. The Chair hopes Senators will observe that rule.

Mr. THOMAS of Oklahoma. Mr. President, as I said a while ago, I am not speaking merely for three tribes of Indians or because of an item of $51,000.

Mr. SMOOT. That is all that is involved in the amendment.

Mr. THOMAS of Oklahoma. Yes, Mr. President; but I am trying to soften the heart, if I may, of some of the leaders responsible for the treatment these Indian wards are receiving. I know these officials are not bad men, Mr. President; they are among the best we have; but for some reason they have forgotten the responsibility that the Government of the United States owes to and should maintain toward these helpless wards. The Indians get scant consideration in the Indian Bureau; they are tolerated there, but they are hardly welcome. There are 250 employees assigned by the Interior Department to the Indian Bureau, and yet last fall when the subcommittee visited the Western States and an in-

vitation was extended to the Commissioner of Indian Affairs and his assistant to accompany us, they were so busy they could not make the trip.

Oklahoma has one-half the Indians of the Nation. So far as I know, the Commissioner of Indian Affairs and his assistant have never visited a single Indian in that State.

A few years ago we appropriated in this bill money to provide the Indians with employment agencies. The Indian Bureau so far forgot their responsibility to one-half of their Indians that they spent some of that money in Minneapolis and some of that money in California, where Indians are scarce; and then they came here this year and asked that the amount be increased from $50,000 to $70,000, and made the statement that if additional money were given they would consider placing one employee at Kansas City to take care of the Oklahoma situation, 200 miles away! That is what I complain of.

Mr. President, I said a moment ago that less than 30 years ago these particular tribes were in undisputed possession of a large reservation. They roamed the prairies, and camped in the shade. The Wichita Mountains and Medicine Creek were their natural headquarters. Until the white man came, and the Indian Office began to manage their affairs, they were a prosperous, happy, and contented people.

How different to-day! Their reservation is gone. Their prairies are cut up into farms and fields. Their woodlands have been destroyed. Hundreds of these Indians, practically devoid of property, are wandering among their relatives and friends. Why? Because of the policies of their guardian, the Government of the United States.

Once these Indians were kings over the land between the Mississippi and the Rockies. But the white man came; and the Indian, a weaker race, felt the heavy hand of the conqueror. They were forced to relinquish their hunting-grounds, and to accept an area comprising portions of a number of present existing States. The white man was not satisfied. The Indians still had too much land; and again, surrounded by soldiers, with mounted cannon pointed at their camps, they were forced into a much smaller reservation. But peace for them was not to be. Because of these policies, they were forced into a still smaller reservation. The Government then induced them to sell to the white people all their reservations save individual allotments for the paltry sum of $4,000,000. Then, without the consent or even the knowledge of these Indians, the guardian began to spend their funds; and in this bill they have spent almost the last of their few remaining dollars.

For years the Government has taken $50,000 annually from this sacred trust fund, without their knowledge or consent, to maintain this general agency. For years the Indians did not know this money was being taken. When they learned of it they protested. Their protest has been made upon this floor. Their protest now is being made.

The distinguished Senator from Virginia states that perhaps these Indians have a claim against the Government. Is that the policy of the guardian toward his ward—to dissipate the ward's estate and then force the ward to bring a suit against the guardian to recover the property taken?

Mr. President, the remnants of trust funds now to the credit of these Indians are not the result of the sale of their lands. These funds are the result of a claim discovered, initiated, prosecuted, and financed by themselves against the guardian, over the protest of the Interior Department and even over the protest of the Attorney General. After they had discovered the claim and prosecuted it and won it, now the guardian steps in and appropriates it for other uses and for other purposes.

Mr. President, if this bill shall pass—and I presume it will—these three tribes will have left less than $300,000. There are 4,045 of these Indians. Is there a Member upon this floor having Indians in his State, Indians having no land and only $68.34 per capita left, who would permit a bill to go through the Senate taking from that meager fund the sum of $12.50 per capita to maintain an agency supervising Indians other than themselves?

Mr. President, if there is such a Senator here, he is not, in my opinion, worthy to be here.

Perhaps someone might question the statement just made. Let me read from the hearings of the distinguished chairman's own committee, the subcommittee of the Committee on Appropriations having in charge this bill. On page 41 Mr. Dodd, representing the Indian Bureau, testified as follows, speaking about these particular Indians:

> They have at this time, or had on June 30, $737,000 in the Treasury, with the amounts appropriated for 1931 and 1932, totaling $510,000.

That is the rate at which their fund is being depleted—$510,000 in two years. Then he says that the amount available for future use after 1932 is $237,000.

If those figures are correct, these Indians have but $58 between them and the Red Cross, between them and the Salvation Army, between them and the county in which they live. Does the Senator stand for that policy?

Mr. SMOOT. No; I would not stand for it, Mr. President. Not only that, but I want to say to the Senator that the statement that they would have to go to the Red Cross or some other agency the Senator knows is not in conformity with the policy of the Congress. The Senator knows that as soon as those trust funds were exhausted Congress would make a direct appropriation.

Mr. THOMAS of Oklahoma. Mr. President, the moment their land is gone—and their land is now gone for 2,100 of them—the moment their trust fund is gone, in another year, they become unrestricted. Then they will have neither land nor money. Then there will be nothing to restrict. Then, unrestricted—charity.

Reading further from this report, says Mr. Dodd:

> Their income is about gone. They have no definite tribal assets from which they have any set income, and within two or three years' time the Congress will have to make an outright gratuity appropriation for the support of the activities at that point.

Mr. SMOOT. And they will.

Mr. THOMAS of Oklahoma. But, Mr. President, we are taking the last few dollars of these poor, helpless Indians to support an Indian agency that supervises tribes other than the tribes being taxed. If there is a Senator upon this floor who approves of that policy, I yield now for him to make that fact known.

Mr. President, I have described at some length the financial condition of these Indians. What is their physical condition?

I said a moment ago that these Indians have only been associating with white people for less than 30 years. The country has only been opened there 30 years. Prior to that time they saw few white people; practically none except the soldiers at Fort Sill and a trader at Fort Sill and occasionally a cowboy or cattleman. They have had the benefit of association with the white race for less than 30 years. Few of the older Indians can speak the English language. Many of those of middle age can not speak the English language. Many of these Indians have never been in school. They have never even seen a school. Among the landless of these tribes poverty to-day reigns supreme. Having no land upon which to have a home, they are forced to camp along the streams or upon the lands of a relative or friend. Many of these Indians live in tepees and tents, in hovels, many without furniture, many without fire, to-day many without food; $12.50 is not much, Mr. President. It is nothing, apparently, to the distinguished Senator in charge of this bill; but to those poor people for whom I am speaking it is a fortune, and, based upon the Red Cross rating, it is no inconsiderable amount. At 2 or 3 cents a day $12.50 would keep those people alive for quite a while.

We are told here that if we will give the Indian Bureau time, they will correct these inequalities and injustices. They have had more than 100 years. They are spending now something in excess of $25,000,000 annually to supervise these Indians. They have some 240 employees in the Indian Office here. Scattered throughout America, how many they have I do not know. I doubt if they them-

selves have any adequate comprehension of the number, at least they do not know the number, of Indians they have under their jurisdiction.

Annual expenditure, $25,000,000; two hundred and forty and odd employees in Washington; agencies scattered throughout the Nation, each costing thousands; and yet, after 100 years, the Indian Bureau has no conception of the number of its wards. I will modify that; it has little conception of the number of its wards.

Perhaps the best agency is the agency at Muskogee, supervising the Five Civilized Tribes, the Creeks, the Seminoles, the Cherokees, the Chickasaws, and the Choctaws, embracing something like 100,000 Indians of the Five Civilized Tribes. That agency is not being supported by the tribes themselves. It is being supported by the Federal Treasury. Yet, when it comes to what the department calls the wild Indians, the blanket Indians, they make them pay their own expenses.

I submit at this point a telegram of date, February 5, from the superintendent of the Muskogee Indian Agency. I submit this in justification of the statement I have just made, that even the most extensive agency, the agency which superintends 100,000 of these wards, does not know the number of its wards, or even who they are. Here is the telegram, signed by Mr. Landman, the superintendent there:

Answering telegram this agency does not have names and addresses unrestricted members Five Tribes.

They may be full bloods, but if they have no land, if they have not a dollar, under the policy now being sponsored upon this floor, they are not Indians. On the other hand, if they have a few drops of Indian blood coursing through their veins, and do have an acre of land or a dollar in money, they are Indians. Does anyone here agree to that policy? Yet when I want this bill to go back to conference to do simple justice to simple people, the distinguished Senator from Utah, sponsoring the policy of the Indian Bureau, objects. I read further from Mr. Landman's telegram:

School department making survey and it is estimated names and addresses children of school age in Five Tribes will be available within a month.

After a hundred years of supervision, costing multiplied millions, they do not even now know of the school children under the supervision of that agency, and they would not be making this survey had not a committee of the Senate gone there last fall and developed these inattentions, there irresponsibilities. After we pointed out a few of their derelictions they presume to get busy, and they are now making a survey of the Indian children and a survey of the Indians under their jurisdiction, and, perhaps, as they say here, in a month we will have the information.

That relates to the Five Civilized Tribes. Then I submit, in justification of my former statement, a telegram from the superintendent of the Quapaw Agency at Miami, Okla. That is a rather large agency. If I am not mistaken, the distinguished Vice President, who now graces this Chamber, is supervised by that agency. I doubt if the Indian agency knows that he comes under its supervision. Evidently the superintendent does not know it. I now read the wire just received from Mr. Andrews, superintendent of the Miami Agency:

Your wire even date. No accurate list of names and addresses of unrestricted members of tribes on file here, and no census of Peoria or Miami Tribes has been carried for 10 years.

Mr. President, think of it, two tribes of Indians, the Peorias and the Miamis, full bloods though they may be, are not carried anywhere on the rolls of the Indian Office. They have been forgotten. They may be dead, so far as the guardian knows. They are lost. Listen to this:

Names of school children residing on this reservation can be furnished. Am endeavoring to compile accurate census of all tribes except Peorias and Miamis.

There is no intention to try to discover those two lost tribes. They are going west. Perhaps the rainbow has been reached. Says Mr. Andrews:

But have scores of letters returned undelivered, and am having great many new names reported of whom we have had no previous record.

That is an appalling situation, an agency maintained there for years, under the supervision of the Indian Bureau here in Washington, maintained at the expense of thousands of dollars, with thousands of employees, and they do not even know whom they are supervising. They are sending out letters now trying to get an accurate census, and having new names suggested of which they never knew before.

That is all the result of the committee of the Senate visiting that State not long ago. Had not that visit been made, these Indian agents, these Indian field clerks, these Indian employees, would have gone their usual way, exercising the privileges of Government employees, and enjoying the pension of the Government, without rendering a proper accounting in time and service. Mr. Andrews suggests that any list he now prepares will be incomplete.

Mr. President, I am simply trying to reach those who are responsible for these conditions.

I have just received at this moment two telegrams. I have not read them, but I will send them to the desk and ask that the same be read.

The VICE PRESIDENT. Without objection, the Secretary will read.

The legislative clerk read as follows:

OKLAHOMA CITY, OKLA., *February 13, 1931.*

Senator ELMER THOMAS,
Senate Office Building:

More power to you in your effort force Congress give some consideration to needs of Indian population of Oklahoma. In tour of State with Will Rogers last week I was more impressed with repeated reports of privations of Indians than any other one thing. At Lawton was reported many Comanches in hills too proud ask white man for help; slowly starving. Frank Rush reported pitiful conditions in and around Cache. Dr. F. B. Fite, at Tahlequah, reported scores of full-blood Cherokees squatting in their hovels in Sequoyah and Adair Counties. Houston B. Tehee made similar observations. Fact is field service is not reaching these desolate wards of Federal Government. It is crying shame of to-day we have done so little for Indian as we have in present emergency. Of vast importance to remember help must be given until May. No garden stuff will be available before that time. Grave danger in present emergency is our efforts to succor needy will be let down with coming of spring weather until new garden truck is in. Thousands are going to be on edge of starvation. Regards.

WALTER M. HARRISON.

NEW YORK, N. Y., *February 13, 1931.*

Hon. ELMER THOMAS,
United States Senate:

Secretary Hyde's telegram stating Red Cross is supplying medicine as well as food is directly contradicted by letter written on 4th instant by Doctor DeKleine, medical assistant, Washington headquarters American Red Cross, refusing donation $500 worth medicine for drought relief and stating, "We are not engaged in providing medical care." Am mailing you copy Red Cross letter, also copy recent press release by Hyde indicating he objects to loans for food and clothing to starving farmers because of the later burden of repayment.

MANUEL D. CASTRO.

Mr. THOMAS of Oklahoma. Mr. President, I know it is the policy of some of the responsible agents of the Government to absolve the Government from further responsibility in regard to these people. I have heard it said by those high up that there is no use in trying to save these Indian citizens, that there is no use in educating them, that they are hardly worth the effort.

Mr. President, Will Rogers is an Indian. Within the last two weeks he alone has raised a quarter of a million dollars to help people whom the Congress refuses to help.

If these Indians had a chance, they could be developed. They have had little chance to date. Only occasionally does an Indian have an opportunity. I now exhibit to the Senate another piece of mail which came to me within the last few days. It is a picture of a full-blood Chickasaw girl. One of the most prominent ladies in the congressional circle in Washington is sponsoring a concert to be held in Continental Hall, featuring this Indian citizen of my State, an Indian who has had a chance.

The prospectus, in addition to giving the picture of this Indian singer, contains numerous indorsements and testimonials from some of the leading papers of the Nation. I have not the privilege of knowing this young lady, and I have never heard her sing, but I know of her reputation.

I note, in a letter accompanying the prospectus, that there is to be given in this city very soon a concert by this lone Indian girl, down at Continental Hall. The proceeds of the concert are to be used in maintaining an Indian school in my State. The Government will not do it.

Mr. President, I think perhaps those who are doing me the honor of listening to what I am saying know that I am opposed to this conference committee report. I am centering my attention now upon one item and that one alone, and I am making of that item an example to set forth as best I may the condition of the Indian population of the United States.

These Indians do not all reside in my State. There are 300,000 of them. I have before me a list of the States in which we find Indians. These States are as follows: Arizona, California, Colorado, Florida, Idaho, Iowa, Kansas, Michigan, Minnesota, Mississippi, Montana, Nebraska, Nevada, New Mexico, New York, North Carolina, Oregon, Oklahoma, South Dakota, Utah—Utah, Mr. President—Washington, Wisconsin, and Wyoming, a total of 23 States in which we find 300,000 of the Nation's wards.

Mr. President, we seem to have plenty of money for the peoples of other lands. We have money for the Philippines, we have money for Haiti, we have money for Hawaii and Alaska, for our possessions scattered around the globe; but here at home sometimes we have not money from the Federal Treasury to support our own wards, but must tax them—I want to modify the word "tax"—we must rob them to support other agencies which this great Nation is apparently unable to support. I hold in my hand a clipping of date February 8, stating that in the Virgin Islands, Samoa, and Guam we have plenty of money to spend. I read from this clipping, as follows:

> Besides pointing to radio construction, sanitation system, hospitals, improved water supplies, and the like in this group, they point with pride to their management—

Speaking about the Navy Department spending Federal money—

> to their management of the other two islands under Navy's jurisdiction, Samoa and Guam, which they have operated successfully for 30 years.

Mr. President, that far-away country, an island of which 95 per cent of the people are colored, is supplied with money by us—and I am not disparaging the colored race. I am delighted that they are having this attention. I have never voted against an appropriation for the benefit of the colored race. I will come to that again later. While we have plenty of money for foreign peoples of a different color, yet here at home our policy is niggardly toward our own dependent people.

Mr. President, let me call attention again to what the conference committee have done. In the Senate we made 145 amendments to the bill. Of the 145 amendments, 69 related to Indians. Of the 69 but 10 were accepted in conference, and 7 were accepted with modifications, and 52 were absolutely rejected. Of the 10 accepted, the amendments were mostly clerical in their nature. For example, in amendment No. 14, relating to Navajo funds, it was accepted providing the words "immediately available." On amendment numbered 15 an amendment was accepted providing that a per capita payment should be made in October and March, only a clerical amendment. In amendment numbered 32, an amendment accepted, the words "and other educational purposes" were added, purely a clerical amendment. Amendment numbered 37 was of some consequence. It provides $15,000 for completing the Blackfeet boarding school. Speaking for those Indians I express my profound appreciation for the sympathy and consideration given them by the conference committee.

Amendment numbered 38 is another substantial amendment. It provides $85,000 for the construction of some additional buildings at the Pawnee Indian School. But the department favored this amendment and favored the other amendments to which I have invited attention. So far as I know, no amendment was agreed to by the conference that was not favored by the Bureau of Indian Affairs, a bureau manned and managed by gentlemen of the highest character, highest integrity, but gentlemen who have never visited any considerable percentage of their wards.

Amendment numbered 39 provides the sum of $6,500 for building schoolhouses in Arizona. I am profoundly appreciative of that consideration. Amendment numbered 40 simply reappropriates money from a former appropriation, and amendment numbered 42 likewise reappropriates some fund from a former appropriation. Then amendment numbered 57 struck from the bill the sum of $10,000 for home-demonstration work among the Indian tribes of the Nation.

Amendment numbered 69 increased the amount of money to be taken from the Chippewa trust funds of Minnesota. It is no trouble to get money from those trust funds where the Indians pay the bill, I presume, upon the theory that when the trust fund is gone they will be turned loose as unrestricted Indians. When they are turned loose they must shift for themselves. No longer are they considered Indians. No longer are they under the supervision of the Indian Bureau. Neither are they under the supervision of the local agencies. They can get no supplies whatever; they can not even get medicine, although the medicine consists only of pills and castor oil.

Those are the 10 amendments which our conferees accepted of the 69 presented to and approved by the Senate.

Mr. President, I am trying to give the Senate, and if not the Senate at least the RECORD, a clear view of the situation. The only purpose I have had in standing on the floor of the Senate all these hours is to make the RECORD. I am giving the reasons for my opposition to the conference report. I am trying as best I can to portray the conditions which face these helpless wards of the greatest and strongest and richest government in the world.

Mr. President, I am delighted that I still have the attention of the distinguished Senator from Utah [Mr. SMOOT], who is in charge of the bill. I am not criticizing him. I have the highest regard for him. I think there is no man in Congress who has more general information—I will make that stronger and say there is no man in Congress who has as much general information, valuable not only to the Senate but to the country—as has the distinguished Senator from Utah who is in charge of this bill. But on Indian questions I am afraid I would have to apologize for his lack of knowledge. In order that my fears may be tested I respectfully request the attention of the distinguished chairman of the subcommittee, who has the bill in charge, that I may ask him several questions.

My first question is, Does the Senator have any Indians in his State of Utah? Mr. President, I am asking the distinguished Senator from Utah the question. He may not answer. I shall not insist, but I am asking whether or not he has any Indians in his State?

Mr. SMOOT. Mr. President, I have no desire to prolong this filibuster. I want the conference report either defeated or accepted. I do not want to take any of the time of the Senate that it might be charged that I in any way took part in preventing this matter being brought to a vote. I have not any personal reason for refusing to answer any question the Senator may submit, but the Senator must know that there is not a Senator here who does not know that the Senator from Oklahoma is talking against time. Why should he ask me now to take part in his plan? I do not want to be disrespectful to the Senator, and he knows it. I do not want to be disrespectful to any Senator. I think my record here will demonstrate that fact. But let us not get into a kind of school performance here, asking questions and answering them.

Mr. THOMAS of Oklahoma. The Indian Bureau does not know. I am trying to get some information. If the Senator representing the sovereign State of Utah does not know, then who does know?

Mr. SMOOT. I do not want the Senator to take it as a personal matter.

Mr. THOMAS of Oklahoma. I am not taking it as a personal matter.

Mr. SMOOT. If I could do anything for the Senator I would do it. I tried to hold this item in the bill in conference. I could not do it. The House conferees would not yield, and it was either defeat the measure or else yield. It was of such little comparative importance—I mean for one year—whether we paid the $51,000 out of the trust fund, the money which the Indians have in the Treasury of the United States, or whether it should be paid out of the general fund. I am sure the Senator is aware of the fact. If that fund is exhausted, every dollar of maintenance in the future for these Indians will come out of the Treasury of the United States. Perhaps the $51,000 is not enough, but that is all we can do in the situation as it now exists. I want the Indians to be taken care of just as much as the Senator from Oklahoma does, but this item has been carried year after year in this amount. I shall not take any more time to discuss it.

Mr. THOMAS of Oklahoma. That is the difficulty with the situation. The Indian Bureau are in a groove. They have been in that groove for many years. They are doing to-day what they did yesterday. Yesterday they did what they had done the day before. The Congress is emulating that habit. We are in a groove. The justification for robbing the Indians this year is that we robbed them last year, and the year before, and the year before that.

Mr. FRAZIER. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from North Dakota?

Mr. THOMAS of Oklahoma. I yield.

Mr. FRAZIER. A few moments ago when the Senator from Virginia [Mr. SWANSON] asked the Senator from Oklahoma some questions in regard to the expenditure of the $51,000 for the maintenance of the Kiowa, Comanche, and Apache Bands of Indians, the Senator from Utah [Mr. SMOOT] seemed to think that this money was being spent only for those three bands of Indians, and that that is what is called for in the bill. I sent over to my office to get a copy of the hearings held before the House committee on the Interior Department appropriation bill in which this item is referred to on page 1187, under the headline of "State of Oklahoma."

Mr CRAMTON says:

The next amendment—

And he names the Indians and among them are the Kiowa, the Comanche, and Apache, the appropriation being $51,000.

Then on the following page, 1188, under the subtitle of "Kiowas," there is this statement, which I ask permission to read:

The Kiowa Agency——

Mr. THOMAS of Oklahoma. Mr. President, if I do not lose the floor, I yield in order that the Senator may read the extract.

Mr. SMOOT. I object to that, Mr. President. I have no objection to the Senator from North Dakota asking a question, but I do object to the Senator reading in the time of the Senator from Oklahoma.

The VICE PRESIDENT. The Senator from Utah objects, and the Senator from Oklahoma may yield only for a question.

Mr. SMOOT. I want the Senator from North Dakota to understand that I should have no objection under ordinary condition to consenting to the Senator reading what he desires to read, but can not the Senator see the situation in which we are placed? And we have got to get the bill through.

Mr. FRAZIER. Mr. President, will the Senator from Oklahoma yield further?

Mr. THOMAS of Oklahoma. I will yield for a question.

Mr. FRAZIER. I will read the extract in my own time when I get the floor later on.

Mr. SMOOT. I shall have no objection to the Senator doing that.

Mr. THOMAS of Oklahoma. Mr. President, I appreciate the interest the distinguished chairman of the subcommittee has in getting this bill through. I presume he thinks I am filibustering. I advised the Senate on yesterday that I did not care to speak, and I so advised the Senate this morning.

Mr. SMOOT. Mr. President, will the Senator yield to me?

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from Utah for a question?

Mr. THOMAS of Oklahoma. I yield.

Mr. SMOOT. The question I desire to ask the Senator from Oklahoma is this: The Senator knows, does he not, that I could not do what he asked me to do without taking the conference report back to conference, and I know what the House conferees would do. So it would be simply a waste of time to take the report back to conference. I think the Senator from Oklahoma believes that to be a fact.

Mr. THOMAS of Oklahoma. No, Mr. President.

Mr. SMOOT. I assure the Senator it is the fact.

Mr. THOMAS of Oklahoma. I am not disputing what the Senator says. I will state, however, that the country believes—and when I say "the country" I mean those who are affected by this amendment—the folk in my State believe that when it comes to Indian matters the Congress consists of one man, and that that man is the distinguished gentleman from Michigan, who, by the grace of his constituency, severs his connection with the Government at 12 o'clock noon on the 4th day of March next. Mr. President, to my certain knowledge the Indians throughout the United States have prayed long and fervently for that most welcome day. Their prayers have been answered, and on the 4th of March at noon there will be thanksgiving in the hearts of tens of thousands of those simple people that some power has removed from over them what they conceive to be an evil influence.

Mr. President, I asked the distinguished Senator from Utah a moment ago if he had any Indians in his State. He did not answer. He has, Mr. President. On the same page on which is found the amendment to which I object we find catalogued here—and that page is 66—reference to Indians in his own constituency:

Utah: Uinta and Ouray, $15,000.

That amount is taken from their private trust funds, and they have not much. If I were not afraid I should embarrass the Senator, I would ask him how much trust funds that tribe has? I will tell him. They themselves have only $217,564.87. That is only a per capita of $185 for Indians in the Senator's own State.

If I were not afraid of embarrassing the distinguished chairman of the committee, I would ask him how many constituents of his happen to have red skins? Not desiring to embarrass the Senator, I advise him. In the State of the Senator from Utah there are 1,165 Indians.

Mr. SMOOT. Mr. President, will the Senator from Oklahoma yield to me?

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from Utah?

Mr. THOMAS of Oklahoma. I yield.

Mr. SMOOT. I want the Senator from Oklahoma to know that I should treat the Indians of the State of Utah in no wise differently from the way in which I would treat the Indians in any other State in the Union.

Mr. THOMAS of Oklahoma. Yes, Mr. President, this policy of congressional robbery is not confined to my State, I will admit, though I am sorry to have to admit it. It is as extensive as the Nation, as extensive as the States in which we find these defenseless people. The Indians in the Senator's own State—1,165 of them—have the remnants of a trust fund in the amount of $217,564.87, which makes a per capita amount of $185. I notice in this bill, which provides $15,000 for the Utah Indians, that it takes $500 of the money of those Indians to support a State experimental farm in Utah. I presume the distinguished Senator from Utah, the chairman of the subcommittee having to do with this bill, and which has in its hands the property and money and even the power of life and death over these helpless people, approves of that item.

Mr. KING. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

The VICE PRESIDENT. The Senator can only yield for a question if there is objection.

Mr. THOMAS of Oklahoma. I yield.

Mr. KING. I want to suggest——

Mr. SMOOT. Is the Senator going to ask a question?

Mr. KING. Mr. President, if I may only ask a question, I will pretermit what I intended to say. I do not want to take the Senator from the floor by any technical ruling.

Mr. THOMAS of Oklahoma. Mr. President, the Government, by the force of its strong right arm, is taking from the pockets of these helpless people in the State of Utah the sum of $500 with which to maintain a State experimental farm. I ask the distinguished Senator what law authorizes that appropriation. I get no reply. I will advise him. There is no such law. That statement is not contradicted, and yet I am blamed for standing up on this floor pleading for people thus treated.

Mr. KING. Mr. President——

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from Utah?

Mr. THOMAS of Oklahoma. I yield for a question.

Mr. KING. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. KING. If a Senator occupying the floor directs a question with respect to conditions in Utah to a Senator from Utah, is it not proper for me to reply to that question without jeopardizing his right to the floor?

The VICE PRESIDENT. Without making a speech; yes.

Mr. KING. May I say to the Senator, then——

Mr. THOMAS of Oklahoma. I yield.

Mr. SMOOT. If the Senator is going to ask a question, then it is all right.

Mr. KING. I am about to answer a question propounded.

Mr. SMOOT. That is not in compliance with the rule.

Mr. KING. If the Senator wants to be so technical I will not jeopardize the right of the Senator from Oklahoma to the floor. I know there are some Senators here who want to deprive the Senator of the opportunity of completing his speech, and so I will not interrupt him at this time.

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. The Senator from Oklahoma has the floor.

Mr. THOMAS of Oklahoma. Mr. President, I do not want to be too hard on the distinguished chairman of the subcommittee. During eight years I have been unable to reach his heart and I have failed thus far this time; but when I get through he will know more about the Indian question than he has ever known, and I hope he will remember what he learns. He will know more about the Indians in his own State, Mr. President, than perhaps he has ever known. I should like to know whether or not the Indians of the Senator's own State realize that the remnants of their funds are being taken without color of law and diverted from their own use to the support of a State experimental farm? I do not know whether or not they know it. If they know it, I should like to know if they approve of that appropriation.

Mr. President, we are making some progress. I exhibit a book which has been published since the debate on this question started in the present Congress. The book quotes from some of the speeches made upon this floor, and is a summary and criticism and résumé of the activities to date of the subcommittee of the Committee on Indian Affairs which has engaged in making a survey of Indian problems and conditions throughout the Nation. The book was prepared by Robert Gessner, and its title is "Massacre." Mr. President, what an appropriate title!

The Indians are not only wards, they are citizens. Legally they are entitled to do anything and everything that any other citizen can do. Here I have a book of some 418 pages which gives a synopsis of the testimony taken to date relative to the Indian problem. Massacre! An appropriate title! The process under which our Indian population is being massacred is not a quick one. Many humanitarians have said that if the Government years ago should have destroyed every Indian citizen such Indians would have been better off. As it is they have been allowed to live. They were started west 100 years ago and more; they are still "going west," Mr. President. For many of them "the rainbow has been reached," and under the present policy of this Government those now alive will not live for long. Starvation and want stare them in the face.

Oh, there may be some Indians who have money. If they have I am glad of it, but they are few. Some few Indians have lands upon which oil has been discovered and have fortunes as some people regard fortunes, but where one Indian has a little money we find thousands and tens of thousands of Indians who have nothing.

The Indian race is not a rich race; it is a poor race; it is a race not qualified, not competent, to cope with the civilization of the strongest and the richest nation on the earth. If the policy now in vogue is continued when the Indians' lands are gone and their money is spent and they become unrestricted and they are set adrift, they can get no help from the Government; they must then wander and drift and die.

I have exhibited to you the book called "Massacre." I now exhibit to the Senate a 1-column news story printed in the New York World of Monday, February 9. This news story is in relation to the book that I hold in my hand. This book is the result of the activity of the Senate through its Indian Affairs Committee. This news story is a summary or criticism of the book. Even the book is of benefit. The news story is of benefit; and I now call attention to one or two paragraphs from this story.

The headlines are as follows:

Corruption seen in Indian funds. Sweeping charges made by Robert Gessner in new book. Attacks bureau chiefs. Exhaustion of tribal money in 20 years predicted.

I will place the entire article in the RECORD, Mr. President; and I now read one or two extracts therefrom. I am reading from the New York World news story:

The record of Charles J. Rhoads, appointed in 1929 as Commissioner of Indian Affairs after the forced resignation of Commissioner Burke and Assistant Commissioner E. B. Meritt, "is actually below that of Burke," he charges.

The book charges that while "approximately $30,000,000 of reimbursable charges have been heaped on the back of Indians unconstitutionally"—

Further:

Indians in the Northwest—

That is in the Senator's country—

Indians in the Northwest have been forced to subsist on horse meat gathered from city dumps.

I do not charge that to Utah. I do not know just what States "the Northwest" means in this article.

Reading further, Mr. President:

At the Indian Bureau's present speed of mismanagement, the Indians of America will be penniless by 1951.

In 20 years the wards of this rich Government will be landless and penniless; and yet here it is insisted that this policy, making it inevitable that they shall become landless and penniless, shall be pursued.

I send the article to the desk, Mr. President, to be inserted at the point indicated.

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

The article is as follows:

[From the New York World of Monday, February 9, 1931]

CORRUPTION SEEN IN INDIAN FUNDS—SWEEPING CHARGES MADE BY ROBERT GESSNER IN NEW BOOK—ATTACKS BUREAU CHIEFS—EXHAUSTION OF TRIBAL MONEY IN 20 YEARS PREDICTED

Sweeping charges of corruption and inefficiency in the Indian Bureau under the reform appointees of President Hoover, with starvation and an ever-increasing death rate among the American Indians as a result, are made by Robert Gessner, young graduate of Michigan University, in his book Massacre, published to-day after three years' investigation of conditions in the Indian reservations.

The record of Charles J. Rhoads, appointed in 1929 as Commissioner of Indian Affairs after the forced resignation of Commissioner Burke and Assistant Commissioner E. B. Meritt, "is actually below that of Burke," he charges.

The book charges that while "approximately $30,000,000 of reimbursable charges have been heaped on the back of Indians unconstitutionally" for bridge and road building for the benefit

of tourists and irrigation schemes designed for white men, Indians in the Northwest have been forced to subsist on horse meat gathered from city dumps. The average Indian income, says the book, even among the wealthy oil-owning Osages, has decreased from $13,200 to $1,540 a year, and the Indian death rate triples the rate of the general population.

INDIAN ESTATE SHRINKING

"At the Indian Bureau's present speed of mismanagement, the Indians of America will be penniless by 1951," Mr. Gessner writes, estimating that the Indian estate is shrinking at a rate of 4 per cent a year.

Citing instances of brutality in Indian schools, illegal leases of Indian lands, peonage, and broken governmental pledges taken from the records of the Indian Bureau, unofficial and official investigating agencies and testimony before the Frazier committee of the Senate, due to report within the next few months, Mr. Gessner asserts:

"The United States Government has done far more for negroes in 60 years, for Filipinos and Hawaiians in 30 years than has been done for Indians in a century and a half.

"When President Hoover appointed Charles J. Rhoads and J. Henry Scattergood, Philadelphia Quakers and humanitarians, Commissioners of Indian Affairs," he writes, "it looked like the coming of day for the Indians. The past year and a half, however, has proven these appointments to be a false dawn. The 'reform administrators' have not reformed the Indian Bureau. Instead of attacking the deeper administrative problems, instead of attempting to relieve and emancipate the Indian, they became puppets under the control of the bureau chiefs who are holdovers from the infamous régime of Albert Fall."

WILBUR'S PLAN DISCARDED

"Rhoads and Scattergood have completely discarded Secretary Wilbur's plan for reorganizing the bureau's irrigation and reclamation service; in their contrariness to the reports of engineers and other experts they have plunged into a renewed extravagant and, to some extent, unproductive spending."

The Indian Bureau, Mr. Gessner charges, has maintained a propaganda service as a "smoke screen to cover its own incompetency" with the "wealthy" Osage Indians, and the statement of former Commissioner E. B. Meritt that the per capita wealth of the Indian is $4,700 as its most effective arguments.

Sixteen tribes, he points out, have per capita annual incomes of less than $100, and of the 65 jurisdictions under the control of the Indian Bureau, only 2 are found by the scientific investigators of the institute (for Government research) to have per capita incomes of $500.

"It must be remembered," he goes on, "that not one dollar of a restricted Osage was or can be spent except under the supervision of the bureau. An Osage could not buy a $7,500 limousine or build a $50,000 mansion unless the Indian Bureau superintendent and his subordinates sanctioned the expenditure. A garage proprietor could not receive a $12,000 check for automobile repairs unless his bill was O. K.'d by an Indian Bureau official.

EXTRAVAGANTLY INSURED

"Nor is it credible that whole families of white professional guardians would be appointed to disburse moneys unless their commissions were satisfactorily split. Nor can the Indian Bureau be absolved of responsibility when Indians have been extravagantly insured, their insurance deeded to whites, and then found a few months later with bullets in their heads."

Commissioner Rhoads, he asserts, has authorized "emergency measures" by superintendents, thus reinstating corporal punishment forbidden by Commissioner Burke in 1929.

"The Indian death rate," he adds, "according to the United States census, has increased 62 per cent from 1921 to 1925, the last year in which the Census Bureau computed mortality percentages. Since that year a comparative census has been verily stifled. Reservations are fast becoming cesspools of disease to infect neighboring communities and tourists. Indians are rapidly becoming germ carriers, wandering about freely like flies."

Mr. THOMAS of Oklahoma. Mr. President, I now make the specific charge that under the present policy of this Government, as exercised through the Bureau of Indian Affairs and rubber-stamped by Congress, the Indian race is being destroyed physically.

I make the deliberate charge that the death rate is increasing.

I make the deliberate charge that the Indians' property is being dissipated.

I make the deliberate charge that the Indians' constitutional rights are being ignored.

I make the deliberate charge that the Indians are not properly educated.

I make the further deliberate charge that our Indian citizens, the wards of this rich Government, are not treated humanely.

On a former occasion it was asserted here that these Indians are rich. The facts do not so disclose.

Of all of our Indian tribes there are but two whose members have annual incomes of more than $500 per year. Those are the Osages in my State and the Klamath Indians of the far Western States.

Of all these tribes there are but nine that have as much as $300 annual income.

Of all these tribes there are but 43 that have as much as $200 annual income.

The Sioux Indians—a tribe embracing some 8,000 human beings, American citizens, wards of the Nation—have an annual income in the magnificent sum of $15.94 per Indian; and yet we were told that the Indian race is a rich race, a wealthy race!

In the State of Arizona we have a tribe of Indians by the name of Havasupai. Their annual income is $18 per year.

Then over in my neighbor's State—almost my neighbor's State—of New Mexico we have the poorest tribe in America, at Carson, N. Mex. The annual income of the members of that tribe is the magnificent sum of $15 per year. I presume these Indians can live on $15. That is all they have. Yet in this bill it is proposed to take $12.50 per capita of the total wealth of 4,000 Indians who have $68 apiece to maintain an Indian agency that supervises five or six other tribes besides themselves! In other words, if this bill passes, it will take from these poor people, to maintain this agency, enough money to support them for a year. That is a considerable sum, Mr. President.

The record shows that the land and money of the wards of the Government is at this time being dissipated at the rate of 4 per cent per annum. What does that mean? Why, it means that in at least 25 years there will be no land left; there will be no money left; and Indians without land or money automatically become unrestricted. They get out from under the jurisdiction of the Indian Bureau. They can not even get information. They never get humane treatment—I will say, almost never.

Mr. SHIPSTEAD. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. SHIPSTEAD. What is the use of having the Indian Bureau have charge of the Indians after they have not any more property?

Mr. THOMAS of Oklahoma. There would be no use; that is true. That may be the present method of getting rid of the Indian problem. If so, it could be denominated the sociological way of solving the Indian problem—dissipate their land, dissipate their money, turn them loose as paupers.

That is what is happening.

Mr. President, I send to the desk and ask to have read a short table, which shows the rate of decrease of the wealth of some of the Indian tribes of this Republic.

The PRESIDENT pro tempore. Without objection, the clerk will read, as requested.

The Chief Clerk read as follows:

[From A Survey of To-day's American Indian, by Robert Gessner]

(Page 75)

The following short table, the figures of which have been taken from the property values of the Indian Commissioner's report, proves that the increasing total wealth of the American Indian is a myth:

Agency	1922	1926	Decrease
			Per cent
Fort Apache	$12,894,485	$6,903,592	46
Western Navajo	2,808,791	331,070	88
Yakima	18,252,463	9,281,122	48
Turtle Mountain	3,585,731	1,401,343	60
Yankton	4,552,144	2,666,990	41
Flathead	10,605,406	6,326,413	30

Mr. THOMAS of Oklahoma. Mr. President, it is not pleasant to have to make this kind of a speech. It is most unpleasant. I dislike to have to criticize a great bureau of the Government; but if it must be done, the sooner the better.

I tried to work with the bureau. I tried to support them. I tried to defend them. I did the best I could; but when the time came that they would not extricate themselves from the groove they were in I could not follow any longer.

I am not following now, Mr. President. So long as I am here, unless the policy is changed, we will hear considerable about the Indian problem.

We do not need to speak for the multimillionaires of this Republic. We do not need to speak for the giant corporations. They are getting along all right. They will take care of themselves. I hold that government is not so much to take care of that class of our fortunate citizenship. Rather do I hold that government should be maintained to take care of those who can not take care of themselves.

These few remnants of those who once owned America, who once owned the very land that you now own, have no one to speak for them any more. The Indian Committee is doing the best it can. It does not get much sympathy. It gets little support. We bring in our amendments. The Senate agrees with us. They are attached to our bills. They go to conference, and that is the end.

Mr. President, let me call attention now to the Osage Tribe of Indians. A few years ago they were reputed to be the richest peoples in the world. They were wealthy then, Mr. President.

Only a few years ago the Osage Indian Tribe in Oklahoma, living in one lone county, 3,000 of them, had to their credit a quarter of a billion dollars—$250,000,000 in the bank account of one tribe of Indians living on one reservation. In the few years that are passed what do we find? How much of that money have they left? They have $20,000,000 left. In other words, the Indian Bureau has permitted its wards to spend $230,000,000 in these few years, because not a penny could have been spent without the approval of the Indian Bureau.

Let me read from the report of the subcommittee of the Senate Committee on Indian Affairs, now making a survey of the Indian problems throughout the United States. This book is called "Massacre." The book is bound in red, emblematic, I presume, of the red man. It would have to be emblematic of his skin; it could not be emblematic of his blood. His blood is not that red to-day in far too many cases. I read from page 69:

> Out of the 65 jurisdictions completely under the control of the Indan Bureau only two are found by the scientific investigators of the institute to have per capita annual incomes of more than $500. They are the Osages of Oklahoma and the Klamaths of Oregon.
>
> Let us briefly look at the supposed wealth of the Oklahoma Indians. This stronghold of Indian Bureau propaganda is being definitely blasted in the current hearings of the Senate investigating committee. There are approximately 150,000 Indians in Oklahoma, of which only 3,000 are Osages. The Senate committee has discovered thousands suffering in dire poverty; the Chickasaw, Choctaw, Cherokee, Creek, and Seminole Tribes have been found to be "broke." Of the much-advertised Osages, they are rapidly approaching the state in which they lived before oil was miraculously discovered on their arid soil; they are once more facing want. The revenue-producing capital was once above a quarter of a billion; it has since dwindled two hundred and nine millions, leaving an estimated total of only thirty millions.

The records I quoted a moment ago were from another authority. They differ to the extent of $10,000,000.

> Where annual incomes were once $13,200 they have now shrunk to a bare $1,540. The average monthly income of an Osage to-day is $125. "They are now riding in Fords," Senator W. B. PINE of Oklahoma told me, "and dilapidated ones at that."
>
> What happened to $209,000,000 of the principal, not to mention the interest? By what means was one of the wealthiest groups in America stripped of wealth? This sensational squandering was accomplished solely through the Indian Bureau. It must be remembered that not $1 of a restricted Osage was or can be spent except under the supervision of the bureau. An Osage could not buy a $7,500 limousine or build a $50,000 mansion unless the Indian Bureau superintendent and his subordinates sanctioned the expenditure. A garage proprietor could not receive a $12,000 check for automobile repairs unless his bill was O. K.'d by an Indian Bureau official. Nor could an undertaker for an $1,800 funeral, or for a $1,400 monument. A physician could not be made a health consultant of an Indian he has never seen nor has any intention of seeing, at a lordly salary, unless he was persona grata with the agency staff. Nor could numerous probate attorneys, supervising probate attorneys, clerks, fee clerks, and hundreds of bloodsuckers be listed on the pay roll dispensed from the Osage tribal fund, unless the Indians' protector saw fit to put them there. Nor is it credible that whole families of white professional guardians would be appointed to disburse moneys unless their commissions were satisfactorily split. Nor can the Indian Bureau be absolved of all knowledge and responsibility when Indians have been extravagantly insured, their insurance deeded to whites, and then found a few months later with bullets in their heads.

Mr. President, I made the statement a moment ago that the death rate among the Indians throughout the entire United States was increasing. If that is true, it is an alarming statement; it is a distressing situation. If that is true, it is an indictment of the Indian Bureau. Is is more than that, it is an indictment of the Congress of the United States. Here we are in the Senate, a coordinate branch of the Congress, with the membership tied and helpless, if we are to believe the reports of the distinguished Senator having the conference report in charge.

As I said a while ago, at one time there were a million Indian citizens in the Republic. To-day there are scarcely 300,000. From 1920 to 1924 the death rate increased 48 per cent. In 1921 the rate of deaths per thousand was 17.5 per cent. In 1922 the rate of deaths per thousand was 19.2 per cent. In 1923 the rate of deaths per thousand was 22.5 per cent. In 1924 it had mounted to the appalling figure of 25.9 per cent.

Mr. President, that death rate is twice the death rate among the white population. If those figures are accurate, they are a terrific indictment against the guardian of the Indians, the Government of the United States.

Why has not the Government acted? The distinguished Senator in charge of the conference report tells us that we are tied, that we are shackled, that we are impotent, that we are sterile.

Mr. SHIPSTEAD. Mr. President, may I ask the Senator a question?

Mr. THOMAS of Oklahoma. I yield.

Mr. SHIPSTEAD. Does the Senator believe for a minute that it was ever the intention of these bureaucrats who have been guardians of the Indians that they should so conduct their affairs that they should get fat and live long?

Mr. THOMAS of Oklahoma. Mr. President, I said a while ago that the gentlemen in charge of the Indian Bureau are elegant gentlemen so far as I know, they are men of scholarly attainments, they are of the highest integrity; but they are on a pension. They have yet, in my opinion, failed to realize the responsibility of the great position they are appointed to fill. There is no milk of human kindness running through the caves of the Interior Department where the Indian Bureau hibernates. It is as cold to an Indian there as if they had a refrigeration system made up of the briny tears of the thousands of Indians living and dead.

I asked the question, Why has not the Government acted? Quoting again from the book to which I have just referred, I will answer the question in the language of the book:

> Seventy years ago that question was answered by Edwin M. Stanton, Secretary of War in Lincoln's Cabinet. In 1862 Bishop H. B. Whipple, of Minnesota, went to Washington on behalf of the Sioux Indians, and upon hearing of his arrival Secretary Stanton said to General Halleck: "What does the bishop want? If he came here to tell us our Indian system is a sink of iniquity, tell him we all know it. Tell him the United States never cures a wrong, never reforms an evil until the people demand it. Tell him that when the hearts of the American people are reached the Indian will be saved."

That was in 1862, almost a hundred years ago. The condition of these people is worse to-day than it was then.

Mr. President, I am not speaking to the Senate; I am only asking that those who are here will do me the courtesy to maintain a respectful quietude. The hearts of the policy-making bureaucrats in the Indian Office have not been touched. I do not know of what tissue their hearts are made. They must be devoid of the milk of human kindness. For a hundred years the prayer of these simple people has been that they might go their way and have reasonable consideration at the hands of the Government, but their prayers have not been answered, and while I fear that my voice, humble as it is, will fall on deaf ears, I can not refrain from exercising it.

Mr. President, there is one place to which we can appeal if the Congress fails to respond, and that is to the women of the country. Already they have been appealed to. The National Federation of Women's Clubs is a nation-wide

organization. The National Federation of Women's Clubs has a special committee which tries to look after the Indians of the country, to understand their problems and to make some report. This organization is soon to have a meeting in one of the far southwestern States. Already the chairman of the welfare division of that great national organization is in the West making a survey for herself, so that in April, when the National Federation of Women's Clubs meets in that far southwestern country, a report may be made. In frankness let me say that I am making the record for that organization. I have failed here perhaps, but this problem will be reopened and we will hear much more about it.

Let me quote again from the book to which I have just referred. On page 236, Maj. Gen. Hugh L. Scott, formerly Chief of Staff of the War Department, referring to the condition among the Indians, is quoted. General Scott for many years served among the Indians. Perhaps of all of our citizens now living, General Scott is the best posted and has the most information about all of the Indians living and dead. He understands the sign language. While he can not converse with them in words, he can talk with any Indian by means of the sign language. He is their friend. Here is what General Scott said:

> It is inconceivable to me that Congress would allow such conditions to continue if the facts were fully impressed upon it.

Some may wonder why I have occupied so much time of the Senate. On three former days I occupied eight hours. I have occupied four hours to-day, not because I wanted to do so but because I see no other chance, save through publicity, for any substantial relief for these people for whom, in my feeble way, I now presume to speak.

Further, General Scott is quoted as having said:

> The people who are on my mind are the superannuated, the lame, the blind, who are unable to learn anything. They have had a very insufficient ration given them at many agencies that keeps them undernourished and makes them prey of every passing disease.

Listen, Mr. President, to the next statement from General Scott. His words can not be taken lightly:

> I believe that many have died prematurely in the past from these causes.

If that is true, Indians, American citizens, the wards of the Government, have died through the criminal neglect of the agencies of this Government. Listen to his next statement:

> I note that this ration is being made adequate by the issue of horse meat at the Fort Belknap Agency.

I do not like to have to bring these things before the public. I have not much more than started, but I realize I can not continue indefinitely. But when one's constituency is at stake, where should one surrender? I have not surrendered. As long as I can stand here I shall not surrender.

Mr. President, away back yonder Helen Hunt Jackson wrote a book upon the Indian problem entitled "Century of Dishonor." In that book the author said:

> There is but one hope of righting this wrong. It lies in an appeal to the heart and conscience of the American people. What the people demand Congress will do. It has been—to our shame be it spoken—at the demand of part of the people that all these wrongs have been committed, these treaties broken, these robberies done by the Government.

Mr. President, who is responsible for this condition? The people are paying for the service. Are the Indians getting it? It is costing the taxpayers of the United States a sum in excess of $25,000,000 a year to maintain an organization having for its purpose the supervision of our Indian wards. What are these wards getting for that money? Over in our neighboring country of Canada, just yonder to the north, they have almost one-half as many Indians as we. We have less than 300,000. Canada has slightly in excess of 100,000. In Canada the Indian problem is largely solved. In Canada 101,000 Indians, or thereabouts, are getting along very satisfactorily on an expenditure of a little more than $3,000,000, while in the United States, with an expenditure of more than $25,000,000, our Indians are starving.

Mr. President, I am not going to abuse the permission I received on yesterday. I hold it to be pertinent that the annual report of the Bureau of Indian Affairs for the year ending March 31, 1928, of the Dominion of Canada be placed in the RECORD at this time. I am going to ask that the clerk read such parts of the report as are indicated. It is not long.

The PRESIDING OFFICER (Mr. FESS in the chair). Without objection, the clerk will read.

The Chief Clerk read as follows:

REPORT OF THE DEPUTY SUPERINTENDENT GENERAL

OTTAWA, *November 1, 1928.*

Hon. CHARLES STEWART,
Superintendent General of Indian Affairs, Ottawa.

SIR: I have the honor to submit the report of the Department of Indian Affairs for the year ending March 31, 1928.

INDIAN HEALTH SUPERVISION

All matters appertaining to the health of Indians are conducted by the Department of Indian Affairs. The department staff has recently been strengthened by the addition of a medical director and the creation of a definite medical branch, which is expected to prove of great value in supervising and coordinating the various health activities.

The outstanding event of the past year was the epidemic of influenza which swept the basin of the MacKenzie River during the month of July. The disease, which was of a very severe type, broke out at Fort Smith and spread to the Great Slave Lake and down to Aklavik with great rapidity. This vast region is inhabited by scattered bands of Indians whose needs are ministered to by Indian agents and doctors at Fort Smith, Fort Resolution, and Fort Simpson, and by missionaries and church establishments at these and other points. At Hay River there is a mission school, and at Fort Smith, Fort Simpson, and Aklavik are small mission hospitals. The doctor at Fort Smith was out of the country on leave of absence, but was at once replaced by a doctor from Edmonton. The doctor at Fort Resolution and the mission personnel at that point and at Hay River looked after the Indians about the Great Slave Lake. The doctor at Fort Simpson followed the epidemic down the river to Aklavik. All the workers were handicapped by lack of drugs and supplies, owing to the fact that the year's supplies had been burned in a warehouse fire at Edmonton, where they were collected for shipment by the first boat of the season. Emergency supplies were sent in. Accounts of the epidemic which have reached the department tell of whole settlements stricken at once, so that there were not enough well persons to care for the sick or bury the dead; of mission workers carrying on though suffering from the disease themselves; and, in one or two cases, of isolated families or small settlements being completely wiped out. The reports of the workers are modest in the extreme as to the services they rendered, but an officer of the department who was in the country at the time pays a glowing tribute to their devotion and self-sacrifice. The toll of death was heavy, and many widows and orphans are left.

It is difficult for those who have no intimate acquaintance with the primitive Indians of the remote parts of the North to realize their attitude toward a widespread outbreak of a dangerous disease such as influenza. They become discouraged and hopeless, and their fear and fatalism prevent their cooperation with those whose advice and help would assist their recovery.

Tuberculosis

During the summers of 1926 and 1927 a committee of experts under the auspices of the Canadian Tuberculosis Association carried out for the department a survey of tuberculosis among the Indians of British Columbia and presented a very valuable report. Their findings agree with those of investigators in other parts of the country and with the observations of departmental physicians. Tuberculosis is about five times more common among Indians than among the general population. Several factors contribute to its prevalence. In many tribes tuberculosis has been comparatively recently introduced and the resistance possessed by the white race has not yet been acquired. The food supply which would produce in the individual the robust health to enable him to resist invasion by the disease and to cast it off after invasion is not available, nor have the Indians learned in many cases to make good use of the supplies to be had. Living conditions are far from ideal and ignorance prevails as to the method of spread of contagion. With the exception of a few tribes the Indians have not the background of education and experience which would enable them to take full advantage of the knowledge of public health available at the present day.

The problem is a very serious one, but the outlook is not hopeless. Bands of Ontario Indians, who were expected to disappear from this cause some 50 years ago, are now rapidly increasing. The Blackfoot Tribes of Alberta, whose numbers were greatly reduced following their infection in the latter quarter of the last century, are now holding their own. The solution of the problem depends as much on the improvement of economic conditions as on medical attendance and public-health instruction. The department is using every recognized method of combatting the disease and the situation has shown a definite improvement in recent years. With somewhat increased funds at its disposal there is reason to hope for more rapid progress in the future.

Diseases of the eye

Trachoma is reported from time to time as existing among Indians. The committee which investigated tuberculosis in British

Columbia also interested itself in eye conditions, and from this and other sources of information, it may be stated that this eye disease is very rare among Canadian Indians, if, indeed, it exists at all. There is, however, a condition which is prevalent in the mountains and foothills, and occasionally appears elsewhere, which is of importance. It consists of an acute inflammation of the eye, with a small ulcer on the eyeball, and often leads to impairment of vision. It occurs chiefly among undernourished children, and is probably to a large extent a deficiency disease. The department is devoting special attention to its treatment.

Hospital services

In the more remote districts and at certain large reserves the department maintains hospitals for the use of Indians alone. During the past year new units have been opened at the Six Nations Reserve in Ontario, at the Peigan Reserve in southern Alberta, and at Ile-a-la-Crosse in northern Saskatchewan, where the hospital is a joint enterprise between the department and the government of Saskatchewan.

The new hospital on the Six Nations Reserve at Ohsweken was opened on October 16, 1927, by their excellencies, the Governor General and the Viscountess Willingdon, who graciously gave permission that the institution should be known as the Lady Willingdon Hospital. This hospital has already proven its worth, and is used by the Indians to its fullest capacity. A new unit is under construction at the Blood Reserve in southern Alberta, where a very successful work has been carried on for many years under great difficulties. The department requires a high standard of service from its hospitals, and they are considered to be equal in quality to any other institutions of similar size.

In many places hospitals are maintained by church organizations, and the department cooperates by furnishing some equipment and supplies, and in some cases by providing grants of money for building and upkeep. In all parts of the country the services of local hospitals and sanatoria are available for Indians, and a very large use is made of these institutions. Indians are rapidly overcoming their old distrust of hospital treatment, and hospitals are more and more welcoming them as patients. It is becoming increasingly apparent that Indians are as hopeful subjects for modern treatment as white people. Rates paid for hospital care vary in accordance with local conditions and with any other assistance which the department gives to institutions.

Doctors' services

In some remote places the department employs full-time physicians, and in several instances these doctors furnish the only medical service available for the white population as well as Indians. Seven such positions are maintained, and in four other cases the position of Indian agent is filled by a doctor. For the most part, however, the needs of the Indians are served by the employment of a physician, on part time or on call, who resides near the reserve. There are over 250 doctors so employed. The services of specialists in surgery and eye, ear, nose, and throat diseases are retained in large centers for the benefit of Indians in the surrounding country.

There are certain districts, where the Indians are of such primitive and nomadic habits and live over such an extended area that it is impossible to do more than send a doctor once a year to visit them when they are collected to meet the department official who pays the annuity money. The doctor accompanies the paying officer, treats cases of disease, vaccinates the Indians, and gives them simple talks on health and sanitation. In northern Quebec a doctor has been employed for several summer seasons to patrol the transcontinental railway, and his work has resulted in a considerable improvement in habits of living among the Indians of the region. Some of the journeys made by these doctors involve great hardship.

Field nurses and matrons

The department has maintained for some years a staff of four traveling nurses in the prairie Provinces and of one in Nova Scotia. These nurses make periodical visits to reserves and schools. Their duty is to instruct the Indian women in the care of children and home making in general, to examine school children for defects, and to report cases of defect or illness to the Indian agent and physician. In some instances these nurses have been able to hold very successful clinics to which the Indian mothers bring their babies for inspection and advice. In British Columbia two resident nurses are maintained, and in Alberta one. The work of these nurses is very satisfactory, and it is hoped that it will be possible to extend the service. On one reserve where infant mortality was unusually high, an enormous improvement followed the installation of a resident nurse.

In places where the number of Indians is not large enough to justify the employment of a more highly skilled worker, the services of a neighbor white woman are retained as a field matron. These women have usually the advantage of the advice of a physician, and in some cases of visits from the traveling nurses. Some of them possess considerable nursing experience, but their main function is to give instruction and advice in housekeeping and the care of children.

The department is also making a beginning in the way of cooperation with the various provincial and voluntary organizations which maintain district public-health nurses. In some cases the assistance of the department makes it possible for a district nurse to be employed in a municipality to the mutual advantage of both the Indians and the white people there.

Medical care of school pupils

Every residential school, except a very few where such service is not available, has the advantage of the regular oversight of a physician, and in many cases the pupil's health is cared for by a resident nurse. Pupils in day schools are examined by agency physicians and traveling nurses. This service is capable of further development, and it is hoped that it may soon be possible to have a system of regular inspection of every Indian school pupil. All candidates for entrance to residential schools are examined before admission, particularly for the presence of active tubercular disease. Drugs and surgical supplies are furnished to principals of residential schools, and a considerable expenditure is made for the remedy of physical defects such as eye conditions and diseased tonsils and teeth, which would tend to retard the studies of the pupils or make them subject to the invasion of tuberculosis.

Communicable diseases

Epidemics of communicable disease arise from time to time on Indian reserves. The department has, during the past year, devised a set of regulations for the control of these diseases which promises to be of great advantage. Constant effort is put forth to keep vaccination against smallpox up to date, and a beginning is being made toward immunization against diphtheria.

Although the department is sometimes handicapped in the beginning of an epidemic by the reticence of the Indian in such matters, it has an advantage over white communities in the matter of the possibility of enforcing regulations once the outbreak is discovered. In a recent outbreak of smallpox practically every Indian was vaccinated within one week after the diagnosis was established, a procedure which would be difficult to carry out in any white Canadian community. The services of traveling nurses are of value in epidemics, as they are at once available for duty in such emergencies anywhere in the district which they cover.

The Department of Indian Affairs has no reason to feel ashamed of its medical service from a remedial standpoint. No appeal for medical treatment from a Canadian Indian goes unheeded, and no expense is spared to give the sick Indian the benefit of the best medical and hospital care available. There is, however, a vast field of preventive medicine which would yield a rich harvest in improved health and economic efficiency of Indians. It is the aim of the department to greatly extend the preventive side of its effort, but such action must await the provision of increased funds, and, to some extent, the awakening of interest in Indian health, on the part of both the Indians themselves and the general public, in the one case toward the support of the Government in making increased expenditure, and in the other toward the realization of the need for improvement.

FARMING AND STOCK RAISING AMONG THE PRAIRIE INDIANS

Farming

The spring was somewhat late, and the seeding of wheat at many points was not completed until after the 15th of May. The area under crop has shown an increase of 1,867 acres over the previous year. The seed went into the ground in good shape, and up to the middle of August the indications were for the heaviest crop in our farming history. However, about that time we had a succession of frosts, which injured the crops throughout the whole farming area in Saskatchewan and northern Alberta. The grade of the grain has, of course, been reduced considerably by this, but at the time of writing it is not known just what the extent of the damage has been. There have been between 75 and 85 threshing outfits at work at the present time, and notwithstanding the loss sustained by frost it is estimated that the Indians will harvest considerably over a million and a quarter bushels of grain. The oat and barley crops are fair.

The former, however, is not as heavy as was expected; but the Indians will have a good supply of feed for their animals during the coming winter. During the summer the Indians prepared a large amount of summer-fallow; this work has been well done, and is quite equal to that of the white farmers. As years go by there is a decided improvement in the manner in which the Indians are attending to this branch of the work. The amount summer-fallowed in the three Provinces this year was 33,815 acres, an increase of 6,310 acres over last year. In addition to this they broke 5,848 acres, which was well done, and this has brought their total area under cultivation up to 105,312 acres. The Indians during the past year have purchased a large number of horses and increased their farming equipment considerably, and on many of the reserves they now have good working outfits. The horses are of a better type and are receiving better care at the hands of the Indians than ever before.

Cattle

The cattle herds have increased considerably during the past year—between two and three thousand head. On some reserves the increase has been greater than on others, and this is due to the fact that the Indians at these points are giving closer supervision to their cattle. The herds of the Indians are now among the finest in western Canada, and their cattle bring the highest prices on the Winnipeg and other markets. In one carload of cattle from an Indian reserve, the steers netted $205 each. This, of course, is an enormous price, and shows that the cattle must have been exceptionally fine. The increase in calves this year will amount to between five and six thousand head. It is, of course, impossible to give the exact number, as an actual count can not be made at this time, but it is known that the calf crop is most satisfactory.

During the past season the department purchased between 50 and 60 thoroughbred bulls at the various sales conducted under

the auspices of the provincial department of agriculture, and they are the finest that can be procured. Ninety per cent of the Indians' cattle are of the Shorthorn breed, which seems best adapted to their requirements. The Indians have sold in the neighborhood of 1,500 head of steers and cows during the summer and fall, and in addition to this they have provided beef for their own needs on all reserves throughout western Canada, and still their herds are increasing. There was a time not very long ago when it was necessary to let contracts for large quantities of beef to outsiders, but this is now a thing of the past, as in future the Indians will be able to provide their own beef.

EDUCATION

During the past few years there has been an encouraging increase in the attendance of Indian children at the schools maintained by the department. For the fiscal year 1927–28 there was an enrollment of over 15,000, and the percentage of attendance was a record one. The following table shows the increasing nature of Indian educational work. More pupils are attending and they are attending more regularly:

Fiscal year	Enrollment	Average attendance	Percentage of attendance
1915–16	12,799	8,080	63.13
1916–17	12,178	8,285	68.03
1917–18	12,413	7,878	63.46
1918–19	11,952	7,601	63.59
1919–20	12,196	7,649	62.71
1920–21	12,558	8,074	64.29
1921–22	13,021	8,668	66.56
1922–23	13,723	9,106	66.35
1923–24	13,872	9,188	66.23
1924–25	14,222	9,879	69.46
1925–26	14,782	10,598	71.69
1926–27	14,710	10,541	71.66
1927–28	15,018	10,866	72.35

A total of 340 Indian schools were in operation during the year—77 residential, 251 day, and 12 combined white and Indian day schools. In Part II of this report will be found a list of these schools, showing the names of principals or teachers, locality, enrollment, and attendance. Compared with the previous year there was an increase of one day school.

Further efforts were made during the year to increase the efficiency at both residential and day schools. Closer supervision, better-qualified instructors, more intensive vocational training, and better buildings were the aims of the department. Parliament provided a record appropriation of over $2,000,000, and it was possible to make many improvements in connection with both personal services and physical equipment. At Caughnawaga a large brick building was erected for the important day-school activity there. This school is now on a par with a good city public school. A staff of 14 sisters and 4 lay teachers are engaged in Caughnawaga village. In addition there is a separate school for Protestant children. The old main building at the Onion Lake Roman Catholic and St. George's Indian residential schools, in Saskatchewan and at Lytton, British Columbia, respectively, were replaced by modern schools fully equipped for the maintenance and training of Indian children. At St. Philips, Saskatchewan, a small residential school was erected near the site of the old Roman Catholic boarding school, which was closed in 1913. Arrangements were made for the establishment of a much-needed Indian residential school at Shubenacadie, Nova Scotia. A site with the necessary farm was secured and a suitable staff engaged.

Whenever opportunity offered, better-qualified teachers were secured and the department insisted that suitable vocational instructors were employed by those managing the residential schools. At these latter institutions special attention to the training in farming and in the manual and domestic arts was given by the department's inspectors and agents.

More regular attendance and better teachers and equipment have had an interesting effect on the academic standing of the pupils. The following table shows the percentage of the total enrollment that was reported as in grade 5 and higher:

Fiscal year	Total enrollment	Enrollment in grade 5 and up	Percentage
1910–11	11,190	780	6.97
1911–12	11,303	828	7.32
1912–13	11,144	734	6.58
1913–14	11,714	766	6.54
1914–15	12,468	834	6.69
1915–16	12,799	897	7.01
1916–17	12,178	955	7.84
1917–18	12,413	903	7.27
1918–19	11,952	878	7.34
1919–20	12,196	889	7.29
1920–21	12,558	929	7.39
1921–22	13,021	1,046	8.03
1922–23	13,723	1,187	8.65
1923–24	13,872	1,187	8.56
1924–25	14,222	1,322	9.29
1925–26	14,782	1,468	9.93
1926–27	14,710	1,664	11.31
1927–28	15,018	1,957	13.03

Mr. THOMAS of Oklahoma. Mr. President, I have had this report read to give the Senate the benefit, if they care to use it, of the method in which the Canadian Indians are being supervised by the Canadian Government. I have had only a very small portion read. The parts that I desire to go in the RECORD are marked, and I will submit them as a part of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

Of the 1,957 pupils who were in the higher grades during the year, 65 were studying high-school work. These students were enrolled in Indian schools. In addition, there are approximately 140 Indian young men and women attending collegiates, business schools, colleges, and universities. Of these 110 are receiving some assistance from parliamentary appropriation for Indian education.

The cooperation of the churches in the management of Indian residential schools was as follows for the year 1927–28:

Roman Catholic, 42 residential schools, enrollment	3,822
Church of England, 20 residential schools, enrollment	1,508
United Church, 13 residential schools, enrollment	1,300
Presbyterian, 2 residential schools, enrollment	165
Total	6,795

The expenditure for Indian education from parliamentary appropriation for the fiscal year ended March 31, 1928, amounted to $2,033,375.10, as follows:

Expenditure for year 1927–28—Indian education vote

	Day schools	Residential schools	Ex-pupils	Special salaries and travel	Tuition	Freight, express, etc.	Stationery	Miscellaneous	Total
Nova Scotia	$15,147.15	$11,004.20			$12,103.95		$312.98		$38,568.28
Prince Edward Island	620.66				74.50		26.53		721.69
New Brunswick	21,769.29			$995.10	608.17		1,931.53		25,304.09
Quebec	115,714.04				3,716.39	$2.50	2,711.04		122,143.97
Ontario	45,803.03	217,888.55		125.00	5,874.44	511.36	9,514.33	$366.05	280,082.76
Manitoba	64,045.76	185,242.44	$180.09		237.97	838.79	4,141.11		254,686.16
Saskatchewan	36,739.56	427,798.30	43.98		1,170.00	984.46	5,343.99	1,030.57	473,110.86
Alberta	1,328.13	261,112.83	1,177.85		16.00	781.85	4,334.54	4,452.16	273,203.36
British Columbia	52,618.81	447,670.46	72.33	2,519.30	555.04	469.03	6,920.24	310.10	511,135.31
Northwest Territories	1,022.00	31,919.85				265.78	1,132.45		34,340.08
Yukon	3,855.00	16,411.96				220.46	11.12		20,498.54
	358,663.43	1,599,048.59	1,474.25	3,639.40	24,356.46	4,074.23	36,379.86	6,158.88	2,033,795.10
Less amount refunded from vote 535 re Flat Increases									420.00
									2,033,375.10

The expenditure shown above was augmented by the contributions made by certain Indians whose tribal funds have for many years been used to meet the cost of schools upon their reserves. During the past year the total expenditure from this source has been $62,215.18. The table following gives the details of the charges.

The contributions from the interest account of the trust funds were for current expenses, salaries of teachers, minor repairs, and tuition grants. The expenditure from capital was for repairs to day-school buildings on the Six Nations reserve and for a new classroom and teacher's residence at the Dokis Indian Day School.

It is of interest to note that this statement will not be found in any future report. Parliament has provided appropriation for the fiscal year 1928–29 to meet the charges heretofore borne by Indians. Free education for the Indians was definitely imposed by treaty in some Provinces and by usage in others, and as the only exceptions to the general rule were made in the case of Indians of the Provinces of Ontario and Quebec who were fortunately in possession of

tribal funds it seems discrimination to refuse to extend to them the bounty of the government in this regard. It has therefore been decided that in future the education of these Indians shall be carried on without cost to them, thus completing a system of free education to all the Indian wards of the Crown in Canada.

* * * * * * *

BUILDINGS

The following is a summary of the buildings erected in 1927–28.

Indian residential schools

Indian residential schools were erected at Lytton, British Columbia; Onion Lake, Saskatchewan; Kamsack, Saskatchewan; and a site was purchased for the new Indian residential school at Shubenacadie, Nova Scotia.

Day schools

A large day school was erected at Caughnawaga, Province of Quebec.

Water-supply system, etc.

A water-supply system was installed at the Guy Indian residential school, at Sturgeon Landing, Saskatchewan.

Minor alterations were carried out to buildings and mechanical plants at several Indian residential schools.

Hospitals

A new hospital was erected for the Indians at the Six Nations reserve.

Agents' residences, barns, outbuildings

An agent's residence was erected at The Pas, and teachers' residence at St. Regis.

Outbuildings were built at Duck Lake, Saskatchewan; Fraser Lake, British Columbia; at the Coqualeetza Institute, Sardis, British Columbia; and a barn was erected at the Mohawk Institute, Brantford, Ontario.

Additional houses were built for the Indians on the new reserve at Sydney, Nova Scotia.

* * * * * * *

ONTARIO

Occupations: The Indians in the western and central parts of Ontario engage largely in farming. The reserves generally are well suited to this purpose and the activity of the department's field agents has resulted in a steady improvement both in the methods of operation and the results achieved. The success achieved by the returned soldiers of this Province has been especially creditable and they are rapidly developing prosperous communities.

During the summer months Indians find a profitable source of income as guides and canoe men. Many are employed at various industries and trades, while railway and navigation companies employ a large number. As a rule they are excellent bushmen and many find employment in the various lumber camps. There is still an excellent market for snowshoes, canoes, and moccasins, and these are usually manufactured by the other members of the community.

The women also have many sources of income; some are employed as domestics; others support themselves by making baskets and fancy work. In certain districts berry picking is an important item and furnishes considerable income.

Dwellings: A great majority of the Ontario Indians have comfortable farmhouses which compare very favorably with those of their white neighbors. Many own houses of brick and stone, but in the outlying and more remote districts the old log houses are in the majority. In the more settled districts the Indians have followed the examples of the whites and both houses and farm buildings are comfortable and of excellent construction.

New Ontario. In the remote parts of Ontario hunting and fishing are still the chief sources of livelihood. While fur has been very scare, the price has been correspondingly high. Fishing, however, has not been as successful this year, owing to the scarcity of the market and the low prices. Acting as guides and canoe men during the summer months adds considerably to their income. While agriculture is not carried on to any extent, most of the bands grow considerable crops of potatoes and vegetables. They are, of necessity, more or less nomadic and consequently live in tents most of the year. This condition will greatly change as civilization progresses.

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PRINCE EDWARD ISLAND

Occupation. But few of the Indians of Prince Edward Island are farmers. The principal industries are basket making and fishing. The oyster fisheries, which had been a complete failure for some years, are again profitable and have added somewhat to the income of the Indians.

MANITOBA

Agencies. The following agencies are included in the Province of Manitoba: Fisher River, Clandeboye, Norway House, Griswold, Portage la Prairie, and Manitowapah, Pas, and Birtle.

Tribal origin. The majority of the Indians of Manitoba belong to the Ojibewa race, which is of Algonkin stock. Bands of Swampy Crees are found at the Norway House and Fisher River Agencies and in the York factory district; these are also of Algonkin stock. The Indians located at the Griswold Agency are Sioux; there are also Sioux at the Birtle and Portage la Prairie agencies. There is a band of Chipewyans at Fort Churchill; this tribe is of Athapascan stock.

Occupations: The reserves in Manitoba suitable for extensive agriculture are mainly within the Birtle, Griswold, and Portage la Prairie Agencies. On some reserves during the last two years the crops have not been up to the standard, and the Indians have somewhat lost heart in their farming operations, but generally speaking progress has been satisfactory.

In the northern agencies the occupations are mostly hunting and trapping, but fishing has been becoming a more and more important factor during the past four or five years, and considerable income has been derived therefrom. While fur has been scarce the price has been high and the market for fish has increased. All of the northern Indians are expert guides and canoe men, and many find employment in this way or with the transport or fur companies.

In the southern and more settled districts many of the younger people seek employment as day laborers, and owing to the high wages have been fairly prosperous. The Indian women make needlework, baskets, etc., for which there is a ready market.

Dwellings: In recent years the Indians have adopted more sanitary methods of living. Their houses are more comfortably furnished and of better construction than formerly. In the north the nomadic life of the Indians does not permit of other than the old-fashioned log house, but even these are being greatly improved, and in some cases are being replaced by suitable frame dwellings.

SASKATCHEWAN

Agencies: The following agencies are included in the Province of Saskatchewan: Assiniboine, Battleford, Carlton, Crooked Lake, Duck Lake, Moose Mountain, Onion Lake, Pelly, Qu'Appelle, and Touchwood Hills, File Hills, and Isle à la Crosse.

Tribal origin: The most numerous tribes among the Saskatchewan Indians are the Ojibewas, Swampy Crees, and Plain Crees, which all belong to the great Algonkin stock. In addition to these, Sioux Indians are found at the Assiniboine, Moose Mountain, Qu'Appelle, and Carlton Agencies, and on the Moose Woods reserve. In the Onion Lake Agency there is a band of Chipewyans, who are of Athapascan stock. There are also a few Chipewyan Indians in the Isle à la Crosse district.

The principal occupation of the Indians of Saskatchewan is mixed farming and stock raising. The close supervision which the department has had over these Indians has tended to greatly improve their method of farming and consequently their crops and income derived from them have greatly increased. Most of the Indians are well provided with good quality of machinery. As a rule they have good stock and suitable houses. In the outlying districts, however, hunting and trapping are still the main sources of income and will so remain until civilization encroaches upon the hunting grounds.

Dwellings: The dwellings of the Indians on the reserves where farming is carried on are now mostly of frame construction. The outbuildings, however, are generally of logs, but even there there has been some improvement.

ALBERTA

Agencies: The following agencies are included in the Province of Alberta: Blackfoot, Blood, Edmonton, Hobbema, Peigan, Saddle Lake, Sarcee, Stony, and Lesser Slave Lake.

Tribal origin: The Alberta Indians are of Algonkin stock, with the exception of the Sarcees near Calgary and the Beavers and Slaves in the Lesser Slave Lake Agency, who are Athapascan, and the Paul's Band in the Edmonton Agency, who are Iroquoian, and the Stonies, who are of Siouan stock. The Algonkin Indians of Alberta are subdivided into Blackfeet Nation, comprising the Indians of the Blackfeet, Blood, and Peigan Agencies, Plain Crees found in the Lesser Slave Lake, Saddle Lake, and Hobbema Agencies, and a band of Ojibewas at Moberly Lake, in the Lesser Slave Lake Agency.

The principal occupations of the Indians of Alberta are farming and stock raising. Almost all the reserves in the settled districts of the Province have large herds of horses and cattle.

In the northern parts of the Province hunting and trapping are still almost the sole sources of income; there is practically no farming carried on, and the construction of steamers on the Peace and Athabasca Rivers, and of the railways to Peace River Crossing and Fort McMurray, have greatly lessened the wages of the Indians with the trading companies and transports. However, the price of fur has been even higher than in past years.

Dwellings: In the southern part of the Province the dwellings and farm buildings are of excellent construction and quality. Almost all the reserve where extensive farming is carried on boast of up-to-date modern dwellings, comfortable and well constructed. In the northern parts of the Province the majority of the Indians continue to follow their primitive nomadic mode of life, and many of them still live in tents and tepees during the greater part of the year.

BRITISH COLUMBIA

Agencies: The following agencies are included in the Province of British Columbia: Babine and Upper Skeena, Bella Coola, Cowichan, Kamloops, Kootenay, Kwawkewith, Lytton, New Westminster, Okanagan, Queen Charlotte, Stikine, Stuart Lake, Vancouver, West Coast, Williams Lake, and Skeena River.

Tribal origin: The Indians of the Bella Coola, Cowichan, Kamloops, Lytton, New Westminster, Vancouver, and Okanagan Agencies belong to the Salish Tribe. The Kootenay Tribe is located in the agency of the same name. The Kwakiutl-Nootka Tribe is located at the Kwawkewith and West Coast Agencies; the Haidas, in the Queen Charlotte Islands; the Tlingits, in the Stikine; and the Tsimshians, in the Skeena River Agency. The Indians of the Babine, Stuart Lake, and Williams Lake Agencies belong to the Athapascan race.

In addition to these there are about 3,000 nomadic Indians in the Province who can not be correctly classified according to linguistic stock or tribal origin.

Occupations: The occupations of the Indians of British Columbia vary with their habitat. The Indians situated along the coast earn their livelihood principally by fishing. In many instances they own their own motor launches, nets, and gear, while others are supplied by the various canneries. Many of the women are also employed in the canneries or in the hop fields, and make a very steady income.

The Indians of the Queen Charlotte Islands own and operate their own small plant for rendering the oolachan or candle fish. In the inland parts of the Province some farming operations are carried on and particularly in the irrigated districts grain, fruits of all kinds, and vegetables have been raised with success.

These Indians have been making marked progress in this regard and are now well equipped with modern machinery.

The Kootenay, Kamloops, Okanogan, and New Westminster Indians own large herds of horses and cattle. While the Indians in the northern and remote parts of the Province still depend upon hunting and trapping for their livelihood, the agents report a marked improvement in their manner of living.

Dwellings: Except for the more remote districts, the Indians have built comfortable and modern dwellings and outbuildings. Their progress in this respect has been perhaps more rapid than that of any other Indians of the Dominion.

NORTHWEST TERRITORIES

Agencies: The department has now three agencies in the Northwest Territories, namely, Fort Simpson, Fort Smith, and Fort Resolution.

Tribal origin: The principal tribes found in the Far North are the Slave, Hares, Loucheux, Sicannies, Dogribs, Yellow-knives, Chipewyans, and Caribou Eaters. All these tribes are of Athapascan stock. There are a few Crees in the neighborhood of Chipewyan. These are of Algonkin stock. The most northerly tribes are the Takudah, who extend to the Mackenzie Delta; and the Copper Mines, who are located along the Copper Mine River. The territory occupied by these two last-mentioned tribes is contiguous to that inhabited by the Eskimos.

These Indians depend entirely upon hunting and trapping for a livelihood. The department in 1921 made a treaty with the Indians along the Mackenzie River, thus bringing under the supervision of the Dominion Government practically the only Indians in Canada with whom treaty had not been made.

Occupations: A few have been induced to raise small plots of potatoes. They own no horses or cattle, transportation being almost entirely by canoe along the great waterways, or by dogs in winter. They catch and preserve large quantities of whitefish for their own use and for consumption by their dog trains in winter.

YUKON

Tribal origin: The Forty Mile, Blackstone, and Moosehide Bands belong to the Takudah Tribe. There is a band of Slavies at Lansing Creek who migrated from Fort Good Hope, on the Mackenzie River; another band of Slavies, called Nahanies, is located at the headwaters of the Pelly River. All these Indians are of Athapascan stock. At Mayo, Selkirk, Little Salmon, and Carmacks there are bands belonging to the tribe known as Stick Indians. Bands belonging to the Tlingit Tribe are found at Whitehorse, Teslin Lake, Champagne Landing, and Carcross.

Occupations: Hunting, trapping, and fishing are the chief occupations of the Yukon Indians, and they have been fairly successful during the past year. The women also derive some revenue from the sale of moccasins and curios of various kinds, while the men are expert at making toboggans and snowshoes. Practically no farming is carried on owing to climatic conditions, but some of the Indians cultivate patches of potatoes and other vegetables.

FINANCIAL

At the close of the 12 months ended March 31, 1928, capital of the Indian trust fund, which at the end of the preceding year amounted to $12,860,953.69, had increased to $13,203,366.84.

The amounts expended from the consolidated revenue fund were as follows: Voted by Parliament for the purposes of the department, $3,977,791.50, and annuities by statute, $220,209.

On March 31, 1928, the balance to the credit of the Indian savings account for the funding of the annuities and earnings of pupils at industrial schools was $206,977.98. Deposits and interest during the 12 months aggregated $37,456.53, and withdrawals, $37,042.14.

GENERAL

In 1924 a complete census was made by the department of the Indians and Eskimos of Canada, which was published in the annual report. This was the first census that had been made since 1916, and it shows slight increase in the Indian population as compared with previous records. A recapitulation of this census will be found in Part II of this report, which follows herewith, and therein also will be found statistics with regard to grain, vegetable, and root production; land, private and public buildings, and property; livestock and poultry; general effects; value of real and personal property and progress during the year; sources and value of income; schools; Indian lands; civil government; appropriation accounts and Indian trust fund.

I have the honor to be, sir, your obedient servant,

DUNCAN C. SCOTT,
Deputy Superintendent General of Indian Affairs.

Mr. THOMAS of Oklahoma. I desire to call attention to just one or two points in this report.

In Canada the Government is erecting buildings, boarding schools and day schools, and hospitals to take care of its Indian population. In America we are debating whether or not we shall do that. We are debating here whether or not we shall turn these Indians loose, force them into the public schools, or continue the policy of the boarding school, so that the orphaned Indians at least, and the poor Indians, can have the benefit of an education.

On page 16 of this report I find the following:

INDIAN RESIDENTIAL SCHOOLS

Indian residential schools were erected at Lytton, British Columbia; Onion Lake, Saskatchewan; and Kamsack, Saskatchewan; and a site was purchased for the new Indian residential school at Shubenacadie, Nova Scotia.

DAY SCHOOLS

A large day school was erected at Caughnawaga, Province of Quebec.

A large amount of money is spent for water-supply systems and for hospitals by the Canadian Government. As I said a moment ago, the Canadian Government takes care of approximately 100,000 Indians, has numerous schools and hospitals, and maintains those Indians for a total expenditure of a little more than $3,000,000, while in America, with less than 300,000 Indians, we are spending this year $28,000,000, and we have to get a part of that from these poor, defenseless Indians who are now impoverished.

Mr. President, I said a moment ago that we were treating some of our other people much better than these wards. This identical bill carries items for the colored race—and, as I said a moment ago, I am not complaining about that. I approve of it. Take Howard University, for example, in the city of Washington: This bill carries, for salaries alone for Howard University, $450,000. It carries $225,000 for equipment for Howard University. It carries, for class rooms for Howard University, $260,000. For an underground system of transmission of heat, it carries $225,000. Then they are planning to build a library here that costs $800,000, and this bill carries $400,000 of that sum. So, for the colored race in Washington this bill carries the sum of $1,560,000; and yet, when we ask for $51,000 to take care of 4,000 Indians, we are met with an abrupt refusal.

Here in the city of Washington we have a Freedmen's Hospital—and I quite approve of it. This bill carries $392,060 for that hospital. Fifty per cent of that, however, is charged against the District of Columbia, and only 50 per cent comes from the Federal Treasury. I make the statement now that the United States Government has done more for the colored population in 60 years, has done more for the Filipinos and the Hawaiians in 30 years, than it has done for its Indian wards in 150 years. Of that policy I most decidedly disapprove.

Mr. President, I shall hold the floor but a few more moments. I realize the proprieties of this occasion. Let me call the attention of the Senate briefly to the condition of a few of the tribes of the Nation.

The Cherokees of North Carolina, 3,000 of them, are herded together in one of the poorest sections of that State. On a mountain area embracing 50,000 acres, 3,000 human beings are forced to live and make enough money somehow to keep soul and body together.

Take the Catawbas of South Carolina. There are 175 remnants of one of the powerful races of the Republic. In South Carolina the Catawbas are herded together on less than a section of land. In fact it is not land, Mr. President; it is a rock pile, growing nothing but shrubbery. If what little land is there should be plowed, the first rain that would come would wash away the soil; and there on that rock pile in South Carolina 175 remnants of the Catawba Indian race are passing the last days of their existence.

Take the Seminoles of Florida, Mr. President—500 of them living in Florida along with the alligators in the Everglades of that great State.

I could go on indefinitely; but there will be another time. I am sorry that there are not more Members upon my side

here than I find now; but for those few faithful who are here I want to call the attention of my colleagues to the policy of the leader of the Democratic Party.

During the political campaign of 1928 the Democratic nominee for the Presidency, Gov. Alfred E. Smith, enunciated and published his pledge to the Indians, as follows:

1. The Indians shall have an accounting for all their moneys.

They are not having it now. They have not had it in the past. They were promised that by the Democratic candidate for President two years ago.

2. Their money shall be used according to their wishes and not otherwise.

How different that policy from the policy now in force. The policy now in force is to take the money of these Indians without their consent, without their knowledge, and use it for purposes from which they get no benefit.

3. The control of the Indian Bureau over Indian funds and Indian life shall be curbed.
4. The Indians shall be given schools at their homes.

How different from the policy now in force, Mr. President? When we ask for schools in which the Indian population can enter, we are given this answer: "If these Indians want to go to school, let them search the nearest white school in their neighborhood, and enter that school."

At this point let me say that my State is made up of former citizens of your States. The children in my State are the sons and daughters of your former constituents. We have schools for them; and yet the policy of this humanitarian Bureau of Indian Affairs seeks to force these Indian children into those schools, along with the children of your former friends and constituents.

I am not complaining of the Indian child. He is not to blame. He can not get into these schools. He has not the clothing. Why, Mr. President, thousands and tens of thousands of Indian children in my State never saw a schoolhouse. If they live close to a school, they can not enter. To-day they are barefooted. They have no hats, and they have only such clothing as they can provide for themselves. And what a spectacle. Indians living in tepees, Indians living in tents, Indians living in hovels without floors and without furniture. Can the children from those homes enter the white schools?

I intended a while ago to have these poor little fellows march through here. I will not embarrass the Senate by doing that. It would be a pathetic spectacle, these little fellows of school age, without clothing, without food, their eyes affected by trachoma, with scabby faces, their hair filled with a class of menagerie. Yet the Indian Bureau wants those children forced into the white schools of Oklahoma, to spread and carry a disease for which they are not responsible.

Further says Governor Smith:

The Indians shall be given all their constitutional rights.

They do not have them now. Says Governor Smith:

No more putting Indians in jail by the superintendent.

Says Governor Smith:

No more interference with the Indians' religious observances.

Says Governor Smith:

A day in court for all Indians in every matter of life and property.

Says Governor Smith:

No more confiscation of Indian property.

I commend that program to the Senator in charge of this conference report. I commend that to those who have charge of the destiny of this unfortunate race.

Mr. President, a few days ago I introduced a simple Senate resolution. I did not ask for its consideration by the Senate. I had it referred to the Committee on Indian Affairs, and I want that committee when it can to take up the resolution and consider it, and if the committee agrees with my interpretation of a humane policy for our wards, I want the committee to report out this resolution, with such amendments as the committee sees proper to suggest. If that can be done before we adjourn, it will at least afford the Indian Bureau some suggestions for improvement in a most responsible service of the Government.

I ask that the resolution may be printed in the RECORD at this point.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas the Supreme Court in the exercise of the judicial power conferred by the Constitution has held, uniformly, that—
1. The Indians of the United States are the wards of the Nation;
2. The power of the Federal Government over the Indians is necessary to their protection;
3. It is the duty of the Federal Government to protect the Indians collectively and individually;
4. The Federal Government, as the guardian, should be lenient toward its wards, the Indians; and
5. The Indians should be developed through teaching and treatment into useful and productive members of society; and

Whereas the Congress in the exercise of the legislative power conferred by the Constitution has enacted legislation providing:
1. For the supervision of the Indians under a Bureau of Indian Affairs in the Department of the Interior.
2. For the appropriation of funds for the following purposes:
(a) General support and civilization, including education.
(b) Relief of distress and conservation of health.
(c) Industrial assistance and advancement and general administration of Indian property.
(d) Extension, improvement, operation, and maintenance of existing Indian irrigation systems and for development of water supplies.
(e) Enlargement, extension, improvement, and repair of the buildings and grounds of existing plants and projects.
(f) Employment of inspectors, supervisors, superintendents, clerks, field matrons, farmers, physicians, Indian police, Indian judges, and other employees; and

Whereas it is deemed appropriate that the Senate Committee on Indian Affairs outline a policy to be followed in dealing with our Indian wards: Therefore be it

Resolved, 1. That the Bureau of Indian Affairs be requested to secure or prepare and furnish to the Senate Committee on Indian Affairs a complete and accurate census of all Indians, restricted and unrestricted, in the United States, such census to show the following:
(a) Name.
(b) Age.
(c) If attending school, location of school.
(d) Occupation.
(e) Name of tribe.
(f) Restricted or unrestricted.
(g) Amount and description of property.

2. That the Bureau of Indian Affairs be requested to see that every Indian child of school age, under reasonable rules and regulations, attends school.

3. That the Bureau of Indian Affairs be requested to provide approved school facilities for every Indian child of school age, in either day public schools or Indian boarding schools; and shall provide high-school and college facilities for such Indians as may desire a higher education: *Provided*, That such schools and colleges shall provide approved courses in vocational training.

4. That the Bureau of Indian Affairs be requested to see that every Indian is prepared and equipped to make a living in some gainful occupation, trade, or profession, and that one of the major activities of each local agency shall be to instruct and encourage Indians in farming, stock raising, and trades through and by which he or she can become self-supporting.

5. That in the management of the business affairs of the several tribes the Bureau of Indian Affairs is requested to confer and work with the governors, chiefs, attorneys, accredited delegations, agents, and business committees representing the tribes whose business is affected.

6. That the Bureau of Indian Affairs and the Department of Justice be requested to render the various tribes having suits pending in the Court of Claims every possible assistance to the end that such suits may be prepared and tried at the earliest practicable date.

7. That the Bureau of Indian Affairs be requested to provide employment agencies in localities where the Indians may know, take advantage of, and be served by such agencies.

8. That the Bureau of Indian Affairs be requested to provide hospital facilities within reasonable distances of the several Indian tribes: *Provided*, That in the hospitalization, education, and general assistance to the Indians no distinction shall be made because of the amount of property they may own.

9. That the Bureau of Indian Affairs be requested to employ and retain in the Indian Service only such persons as are competent, efficient, and sympathetic toward the Indian race.

10. That the Bureau of Indian Affairs be requested to prepare its budget request for sufficient funds to carry into effect this declared policy.

Mr. THOMAS of Oklahoma. Mr. President, I have now occupied five hours, perhaps entirely too much time. I am not through, but I do enter a motion—and I will call it up later—that the conference report on the Interior Department appropriation bill be referred back to the Senate conferees,

with instructions to insist upon amendment No. 64 in order that simple justice may be secured for an unfortunate people.

Mr. McKELLAR. Mr. President, on last Saturday when the conference committee of the two Houses, of which committee I am a member, reported out the Interior bill containing the farm relief provision, I declined to sign the conference report. That action was based on the firm belief that the proposed compromise relief measure was wholly inadequate to meet the situation in the drought-stricken areas. I have not changed that belief.

Like the farm bill, sponsored by President Hoover a year and a half ago, like the $45,000,000 appropriation bill now being administered by the Secretary of Agriculture and championed by the President, I believe this bill, championed by the President, will also be wholly insufficient to meet the needs of these people. I think it will do the poor people in the drought-stricken areas very little good. Only indirectly can the starving and suffering profit by it. If the proposed compromise were an original proposition, I would certainly vote against it. It does not meet my approval. It does not meet the situation that we have in the drought-stricken areas. It is wholly inadequate. Like all of Mr. Hoover's dealings with the farmers, he gives them only the husks. Apparently the farmers are anathema to him.

But, Mr. President, the first paragraph of the proposal does provide for extending the $45,000,000 act to cattle, and that may be of some benefit to the dairying interests in my State and in other States. In parts of my State the dairying interests have been very hard hit by the drought, and while I feel that this measure will not be of much advantage to them, still it might be of some advantage to them, and I have not the heart to vote against a measure that may be even of a very slight benefit to them in their unhappy and stricken condition.

As to that part of the bill which provides a fund of $20,000,000 to be loaned on good security to farmers in the drought-stricken areas, I think it will be of very small benefit, if any, to the farmers who really need it. Whether it will be of any benefit to them will depend upon the regulations issued by the Secretary of Agriculture.

The act itself is so worded that it would permit Secretary Hyde by regulation to make it a meaningless act, if he so desires. On the other hand, he might make it of some value if he sets up liberal regulations. I hope he will not hit us again as he did in his regulations under the $45,000,000 act.

I want to read now a telegram I received from Memphis, Tenn., addressed to me:

MEMPHIS, TENN., *February 11, 1931.*

Hon. K. D. McKELLAR,
Senate Office Building:

Have had experience with dozen farmers applying for Government loans to make crops, all badly in need, in starving condition. Have met in each instance with refusal to afford adequate relief from Government agency. Situation here is very serious, the present loan machinery entirely inadequate to such extent that the offers made are ridiculous. Immediate relief is imperative. In my opinion, the whole of the drought area is in similar condition.

B. J. SEMMES.

Mr. President, since I prepared the statement I have just made, the Borah resolution, calling upon Secretary Hyde to state how he would administer the act, has been passed, and the Secretary's telegram in reply was received. I ask at this point leave to insert as a part of my remarks the Borah resolution and the telegram of Secretary Hyde.

The VICE PRESIDENT. Is there objection?

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

Senate Resolution 446

Resolved, That the Secretary of Agriculture be requested to advise the Senate as soon as practicable:

First. Whether he understands that the second paragraph or subdivision of the amendment to the Interior Department appropriation conference report relating to drought relief included in its terms food, clothes, and medicines.

Second. Whether he understands that a fair and sympathetic interpretation of said amendment would cover food, clothes, and medicines.

Third. Is there any prohibition therein which precludes the use of money secured by loans thereunder being used for the purchase of food, clothes, and medicines?

[Telegram]

LOUISVILLE, KY., *February 12, 1931.*

PRESIDENT OF THE SENATE,
Capitol:

My attention has been called to the resolution of inquiry directed to me regarding the proposed amendment to joint resolution No. 211, for relief of farmers in the drought-stricken areas approved December 20. As I have already indicated, it is not my understanding that the reason for this legislation is to provide loans for food but for purposes beyond those already made by the joint resolution referred to which may be necessary to secure a crop and where the emergency for such assistance exists. The provision of food, medicine, and clothes by gift is the major purpose of the Red Cross, who are now generously meeting this need and are able to do so. Their services are particularly necessary to the great numbers of tenants and others who have no security to offer for loans and to whom the creation of a debt for food would be a hopeless burden. On the other hand, it is my understanding that the major purpose of the additional legislation is in effect to restore the weakened credit situation and that when loans under any part of the amendment are made to those who have the securities indicated for that purpose and for making the next crop and for rehabilitation from drought, there could be no prohibition against the proceeds of such loans being used for food or other supplies if they were necessary to effect the purpose. I am confident that the organization and relief by the combined agencies will adequately care for the drought sufferers. Fair and sympathetic interpretation of authority granted to the Department of Agriculture would be only natural in view of its close contacts and particular interest in those affected. The department will certainly give such administration.

ARTHUR M. HYDE,
Secretary of Agriculture.

Mr. McKELLAR. Mr. President, much of the Secretary's telegram is wholly beside the point at issue, and necessarily puts the Secretary in the very awkward attitude of believing one way and reluctantly agreeing to another way. However, a statement is made that there can be no prohibition against the proceeds of such loans being used to purchase food or supplies. While his reply is not very encouraging, still I will stick to my determination to take a chance and vote for the conference report.

Mr. President, from the first I have taken the position that if the Government intended to lend money for the purchase of food, we should use the word "food" in the act. I offered such an amendment in the conference committee, and I was informed that the proposal had to be taken verbatim and without any change. I think it is indefensible legislation for the Congress not to say what it means when there is exact language to be employed. Think of a man in the President's chair, the greatest office in all the world, insisting that a relief measure can contain a provision making it possible for money appropriated to be used for the purchase of feed for animals, but that none of the money can be used to purchase food for the relief of human beings. It is a position unworthy of the high office he holds.

However, there is a possible hope that if the bill passes some good may be done to some persons in the drought-stricken areas, and their plight is so pitiful that I am loath to stand in the way of any measure even tending to help them, even promising to help them, and while I know my vote in favor of the conference report is an indefensible vote from any standpoint of proper legislation, yet because of my sympathy for those in the drought-stricken areas I am going to vote for it.

The vote I am going to cast in favor of this measure is the most embarrassing vote I have ever cast in this body, and I only vote for it because I hope, though I agree that there is little ground for the hope, that some of the unfortunate ones in the drought-stricken areas in Tennessee and other States may be either directly or indirectly benefited by the hard-hearted, parsimonious grants contained in the proposal.

I shall now take occasion to compare the President's niggardliness, if I may so term it, his parsimony, his hardness of heart, against the suffering and the poor in the drought-stricken areas this very year, and his generosity and munificence in his dealings with Government funds toward the great, powerful, rich interests of this country this very year.

The President has approved thirty-five millions of dollars for a construction fund to the great rich shipping trusts to build more ships with at nominal rates of interest.

After sinking a portion of our fleet he recommends $51,600,000 for building new warships and thirty million for repairing three old warships. While he seems bent against the farmers, he recommends an increase of $14,400,000 in the compensation of the civil-service employees of the Government.

He recommends $92,000,000 for tax refunds, largely war taxes, by so-called accident paid 12 years ago, to those great concerns and individuals who made so much money out of the war.

He recommended, first, $150,000,000 for the Farm Board, much of which is being used by the Farm Board to gamble on future markets in farm products, and later on another hundred million for the same purpose.

He recommends $11,975,000 for the Interstate Commerce Commission to aid the great railroad corporations of the land.

He recommends $1,000,000 for the National Advisoy Committee for Aeronautics, whatever that is.

He recommends two million for the Porto Rico Hurricane Commission.

He recommends $4,000,000 for an utterly useless Shipping Board.

He recommends twenty-six millions for reclamation of arid lands, when he claims that our farmers are producing more now than they ought to be producing.

He recommends two millions for erecting buildings in foreign countries for the Diplomatic Service.

He recommends $36,600,000 for carrying foreign mails, a very large part of which is used in subsidies to ship concerns which need no help, and seven millions of which is used for carrying air mails.

He recommends twenty millions to the great aircraft companies in this country for carrying air mail, most of it gratuities.

I recapitulate these sums:

Construction fund for the shipping trusts	$35,000,000
For building and repairing warships	51,600,000
Compensation for civil-service employees	14,400,000
Additional tax refunds	92,000,000
Farm Board, first appropriation	150,000,000
Farm Board, second appropriation	100,000,000
Interstate Commerce Commission	11,975,000
National Advisory Committee for Aeronautics	1,000,000
Porto Rico Hurricane Commission	2,000,000
Shipping Board	4,000,000
Reclamation	26,000,000
Building program in foreign countries	2,000,000
Foreign mail service	36,600,000
Aircraft companies for mail service	20,000,000
Repairing old ships	30,000,000
Total	596,575,000

Mr. President, the above recapitulation shows these enormous sums which the President of the United States this year has recommended to be paid to the great rich corporations and individuals of the country, who need no help—nearly $600,000,000 freely given to the powerful interests of the country, which need no help, with no limitation and no restriction—but when it comes to feeding the hungry and starving, the President of the United States refuses to recommend a dollar. After throwing $600,000,000 of the people's money into the laps of the rich, he is afraid to recommend a dollar for the starving on the ground that it might mean a dole.

Thus it seems to me that our President is willing to recommend these gratuities, these enormous sums, to the great prosperous, rich interests of the country. I beg to say they can not be called "doles" out of the Treasury, whatever else they may be called. Instead of doles, it is enormous wealth, to be given to the favored few, but not a dollar for the starving. They are grants of great wealth out of the Federal Treasury to the favored few; but when it comes to helping the hungry and starving in the drought-stricken area, the cause of which distress is an act of God, the President assumes an entirely different course. Under this administration ours is a government of special interests, by special interests, and for special interests—and the people be damned.

Mr. President, I do not vote for this measure in compromise of the relief of the drought-stricken regions in compromise of the question as to whether we have an extra session, in compromise to the clerks' salary matter, or in compromise of any other matter.

I want it distinctly understood when I vote for this conference report that I do not approve the President's plan of not feeding hungry men, women, and children. I think he is wholly wrong in his position. I think it is the Government's duty to prevent human hunger where it is due to an act of God and without their fault. I wholly disagree with the President's position that it is all right for the Federal Government to furnish food to hungry stock and hungry cattle and all wrong to furnish food to hungry human beings. I wholly disagree with the President in his position that it is all right for the Federal Government to furnish food to starving people of foreign nations but all wrong for the Federal Government to furnish food to starving Americans.

But the President now says, through his Secretary of Agriculture, that this $20,000,000 may be used for human food. Of course it is made only an indirect measure of relief. It has to be borrowed by the well-to-do farmers and they can advance it to their suffering tenants. Of course this is an indirect method and a method that will probably be costly to the tenants, and yet a great many of them will be thus enabled to get food while they make another crop, and I just have not the heart to vote against even such a plan of help.

We must bear in mind, Mr. President, that this is the President's plan. If he does not see that hungry people get relief in the indirect method he has chosen, then the burden is upon him and not us. We are not to blame. We have pointed out to him the right way. He has refused to take that way. If his way fails, as it failed in the farm-relief plan, and as it has failed up to date in the administration of the $45,000,000 stock-relief plan, then he, and not we, must take the consequences. I say again, the burden is on him.

Mr. President, the truth is, in my judgment, that the President is not looking to the interest of these drought-stricken people, but he is looking at this matter solely and alone to what he conceives to be to the best interests of the big income taxpayers of the country. They are, no doubt, telling him, certainly some of the great newspapers are telling him every day, that if we ever begin the system of the Government feeding the hungry, then the income taxpayers' taxes may be constantly increased. The President takes their views; there seems to be no doubt but that he is looking solely to their interest. Apparently he has no concern for the hungry men and women. The rich income taxpayers are his only concern. He has shown that in his every position. Many years ago, when the packers got too large a stock of meats during the war, he went to their rescue. A year and a half ago, when the Wall Street gamblers got in trouble, he came to their rescue. Recently, when the railroads of the country felt the pinch of competition, he went to their rescue with a proposal of consolidation, and now when the great rich classes of our people who pay income taxes get frightened at a prospective increase of taxes, the President goes back on his record of charity dispensing of his early history, and comes to the rescue of the big income taxpayers.

Mr. President, if we ever get back to normal in this country, human rights must be put above property rights. The Federal Government's first duty is to preserve the lives of its citizens. It has no more right, when it can prevent it, to let its citizens die from hunger in times of great national disasters, without fault of their own, than it has to let the lives of its citizens be taken by a foreign foe in war without national defense. A government that will not protect the lives of its citizens from war, pestilence, famine, or disaster is not worthy to live. Mr. President, Mr. Hoover has come over here from Great Britain and is undertaking to establish an unrepublican, an undemocratic, and an un-American doctrine, namely, that the American Government will

protect its stock, its cattle, and its hogs from hunger and starvation, but that it owes no duty to its men or its women or its children to protect them from hunger and starvation.

Mr. President, I vote for this conference report not because I can defend it, because I can not; not because I believe it will be really effective, because I do not; but I vote for it because I know the people in the drought-stricken regions are starving and because it may directly or indirectly help some poor, suffering citizen pull through the ordeal through which he or she is now passing.

We in the Senate have done our best to make the relief better, over the desperate fight the President is making not to give any relief. I have not the heart to refuse those stricken people even this petty and ill-given crumb, which an ill-disposed and groveling-to-the-rich President is willing so grudgingly to bestow.

Mr. President, the question of an extra session has been projected into the debate. Personally I would like to be at home during the next nine months. But I am not one of those Members of Congress who believe that Congress being in session is a menace to the best interests of the country, or that it is a menace to returning prosperity if prosperity is returning in this country. On the contrary, I believe that the fact that Congress is in session will do more toward putting the country back on a normal basis than anything else.

Further than that, Mr. President, I fear for my country if Congress shall not be called in extra session after the 4th of March. Already the President of the United States has by public announcement sought the consolidation of some of the most important railroads in our country. If that consolidation becomes effective during the next nine months, instead of helping the unemployment situation it will probably put countless thousands of working men and women out of employment. I do not believe anything more hurtful to the business interest of this country could occur at this time than for the consolidation of these railroads into four great combinations of railroads.

Again, the President has appointed a Power Commission of men who think as he does on the power question, and who knows, in this nine months while Congress is away, that every kilowatt of power in the great streams of America belonging to the people of America may not be given over to the great power interests in this country?

Here we have the Comptroller of the Currency recommending that branch banking be adopted. Who knows what orders may be given on this subject during the interim of Congress that will be hurtful in the extreme to the great banking interests and consequently to all the people of this country?

Again, here is the Muscle Shoals matter left up in the air to do nobody but the power companies any good. Who knows but in the nine months interim that the Power Trusts may not most successfully fasten its tenacles upon that great enterprise, already built and ready for use?

Here are the Postmaster General and the Interstate Commerce Commission undertaking to raise the rates on parcel post, contrary to the best interest of the plain people of this country who use parcel post; contrary to the interest of the Government itself, because it will drive business away from the Government and into the hands of the express companies; and who can say what damage will be created in this particular while Congress is away?

Mr. President, it seems to me that if there ever was a time in the history of this Republic when the Congress ought to be in session, now is that time.

Mr. President, I do not join in any criticism of my distinguished associates from Arkansas, Senators ROBINSON and CARAWAY, as to their attitude in reference to this proposal. On the contrary, they have my sympathy. I live just across the river from Arkansas, and I know how hard hit that State is. Her people, without any fault of their own, from what is commonly called an act of God, are in a helpless plight. These Senators know that plight. I have no doubt these Senators feel that this proposal is the best they could get, and while there may be, and I think is, ground for difference of opinion about it, yet there can be no difference of opinion about the sincerity and the singleness of purpose of these Senators to obtain from an unwilling President the best they could get for the stricken people in the drought-stricken regions.

Mr. President, I shall vote for the conference report with many misgivings. If the bill is administered like the $45,000,000 bill, it will be money spent to little or no purpose; but if Secretary Hyde means what he said and will make his regulations so that a real lending of the money beneficial to the people may be had, then it may do some good, and on that theory I shall vote "yea" when the roll is called.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H. R. 10576. An act to authorize exchange of lands with owners of private-land holdings within the Chaco Canyon National Monument, N. Mex., and for other purposes;

H. R. 13522. An act authorizing the Secretary of the Navy, in his discretion, to deliver to the Governor of the State of Florida, as custodian for such State, upon his request, the silver service set presented by the State of Florida for the U. S. S. *Florida*, now out of commission;

H. R. 15930. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 16116. An act to adjust the boundaries and for the addition of certain lands to the Bryce Canyon National Park, Utah, and for other purposes; and

H. R. 16744. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

INTERIOR DEPARTMENT APPROPRIATIONS—CONFERENCE REPORT

The Senate resumed the consideration of 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. 14675) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1932, and for other purposes.

Mr. FRAZIER. Mr. President, while the Senator from Oklahoma [Mr. THOMAS] was speaking he made the statement that the $51,000 in the appropriation bill for the general support and administration of the Kiowa, Comanche, and Apache Indians of Oklahoma was to be taken from the funds of the three tribes of Indians named. The Senator from Utah [Mr. SMOOT], who has charge of the bill, the chairman of the subcommittee, seemed to think that no other Indians were included in that item, and doubted the statement of the Senator from Oklahoma. I telephoned over to my office and obtained a copy of the hearings before the House committee on the Interior Department appropriation bill, and under the heading "Appropriations for Oklahoma" and the subhead "Kiowa," I find the following statement:

The Kiowa Agency has jurisdiction over a number of reservations in central Oklahoma and is inhabited by approximately 5,400 Indians of the Apache, Kiowa, and Comanche Tribes, the Wichita, Caddo, and affiliated bands, and the remainder of the Fort Sill Apaches who were not removed to the Mescalero Reservation in New Mexico. The various reservations under this jurisdiction comprise 496,336 acres of allotted land, and the Indians have attained a comparatively high degree of civilization. They have approximately $830,000 of tribal funds to their credit, with estimated receipts during 1931 of approximately $86,000.

The amount requested for 1932 is $51,000 as compared to $60,000 in the 1931 act. The $9,000 decrease is occasioned by the fact that we are requesting a specific gratuity appropriation for the operation of the Kiowa Hospital during 1932, this institution having heretofore been operated partly from tribal-support funds and partly from the general medical appropriation. The enlargement of the hospital to a capacity of about 100 will be completed within the year, and since it serves Indians belonging to other than the Kiowa Tribe, its operation should not be made a charge upon their funds.

And therefore the Indian Bureau has asked for an appropriation of $9,000 in this bill this year out of a gratuity fund to take charge of this hospital.

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Utah?

Mr. FRAZIER. I yield.

Mr. SMOOT. I agree with the Senator as to that, and the very statement which the Senator has read confirms me in the position which I have taken.

Mr. FRAZIER. Oh, no; Mr. President.

Mr. SMOOT. Just a moment. All there is in this item of $51,000 for the Kiowa, Comanche, and Apache Indians is this: If the amount is taken out of the Treasury of the United States, it will be taken out of the Indian funds now in the hands of the Government of the United States, but it will affect, if taken out of those funds, only the Indians mentioned in the bill. That is what I said.

Mr. FRAZIER. The Senator is entirely mistaken.

Mr. SMOOT. What other funds are there in the Treasury of the United States belonging to these Indians other than those mentioned in the bill?

Mr. FRAZIER. That is not the situation.

Mr. SMOOT. But that is the situation.

Mr. FRAZIER. If the Senator will allow me, I will try to explain to him, and I think he will understand it.

Mr. SMOOT. All right, but that is what the bill provides.

Mr. FRAZIER. Mr. President, the item in the bill reads:

Kiowa, Comanche, and Apache, $51,000.

The so-called justification for this appropriation states in plain language that:

The Kiowa Agency has jurisdiction over a number of reservations in central Oklahoma and is inhabited by approximately 5,400 Indians of the Apache, Kiowa, and Comanche Tribes; the Wichita, Caddo, and affiliated bands; and the remainder of the Fort Sill Apaches.

Mr. SMOOT. Right there will the Senator yield?

The VICE PRESIDENT. Does the Senator from North Dakota yield further to the Senator from Utah?

Mr. FRAZIER. I yield.

Mr. SMOOT. The last-named Indians have no interest whatever in the fund in the Treasury of the United States.

Mr. FRAZIER. I know they have not, but still this money is being used for the agency that has charge of those Indians.

Mr. SMOOT. What I said was that so far as the funds of the three tribes are concerned, and so far as the bill itself also is concerned, the amendment adopted by the Senate to which the House would not agree if it should be agreed to would affect only the funds of the three tribes of Indians named.

Mr. FRAZIER. Of course, it would only affect the funds of those three.

Mr. SMOOT. That is what I said.

Mr. FRAZIER. As I understood the Senator from Utah in his former discussion, he was trying to persuade the Senator from Oklahoma and others of us that this appropriation had nothing to do with any except the three bands of Indians, although the agency has control of three other bands of Indians.

Mr. SMOOT. The amount of the fund has no relation whatever to any other Indians. It has to do with the tribal funds in the Treasury of the United States.

Mr. FRAZIER. Yes; tribal funds belonging to the three bands of Indians.

Mr. SMOOT. That is what I said. The amount of $51,000, if the Senate amendment should be agreed to, would come out of the Treasury of the United States; and if it should not be agreed to, and the provision should remain as adopted by the House, it would come out of the funds of the three tribes of Indians.

Mr. FRAZIER. Of course.

Mr. SMOOT. That is all I said.

Mr. FRAZIER. Well, Mr. President, the Senator is giving an entirely different explanation than the one I understood him to give at the time he made his previous statement, and that is what the Senator from Oklahoma has been contending for; that it is unfair to take this money from these three bands of Indians for the support of an agency that has charge not only of these three bands but also of three other bands of Indians.

Mr. SMOOT. That is what I said.

Mr. FRAZIER. Yes; and that is what the Senator from Oklahoma has been arguing here for some time. Therefore I wanted to read the so-called justification in the hearings for this item in order to confirm the statement made by the Senator from Oklahoma.

Mr. President, when this bill was before the Senate on January 21 I offered an amendment, being amendment numbered 58, which provided "that no part of the moneys appropriated by this act" should be used for the expenses of Herbert J. Hagerman, of New Mexico. I made a very brief statement on the amendment at that time, in which I said:

Mr. President, there is a duplication in many of the appropriations for the Indian Bureau. In this particular instance there is an appropriation out of the Northern Pueblo fund of $6,500 for salary for Mr. Hagerman and $2,500 for expenses as a sort of general superintendent for a tribe in New Mexico and Arizona.

I made the statement that there was a duplication. I want to say, Mr. President, that that statement and other statements I made at that time, to which I will refer later on, caused a good deal of discussion and considerable newspaper comment, and a day or two afterwards the junior Senator from New Mexico [Mr. CUTTING] called me up at my office and said that Mr. Hagerman and Commissioner Rhoads would like to see me. I told him I would be glad to talk with them at any time. So the junior Senator from New Mexico came to my office with the Commissioner of Indian Affairs, Mr. Rhoads, and Mr. Hagerman, and we talked the matter over for some little time. Both the commissioner and Mr. Hagerman wanted me to reconsider the remarks I had made and thought that I should make a public apology. I told them I wanted to go into the matter a little further before I would make any statement in regard to it. I thought that my statements were correct with the possible exception of one made in regard to Mr. Roosevelt asking for Mr. Hagerman's resignation as Governor of New Mexico, which I will explain later on.

After the interview with those gentlemen some newspaper reports came out, including one in the New York Times signed by Mr. La Farge, which referred to several statements I had made, or was supposed to have made, commented on them, and made some absolutely erroneous statements. So after talking with other members of the Subcommittee on Indian Affairs, who have been investigating Indian conditions, we decided to call a hearing on this particular matter and to give Mr. Hagerman, the Indian Bureau, and anyone else who desired to make any statement on the matter a chance to testify. A hearing was called, which began on January 30 last.

It developed in that hearing that there was quite a lot of duplication in Mr. Hagerman's work. Under the old ruling he merely had charge of the Navajo Tribe, but later on he had charge of some of the other Indians of New Mexico. However, his last appointment, and the work for which this year's appropriation covers, is as a sort of district commissioner for the four States of Arizona, New Mexico, Utah, and Colorado. In those four States each Indian reservation has its own superintendent of agency. Besides that there are other men who cover those same districts from the Indian Bureau. In addition to Mr. Hagerman as general superintendent or district superintendent or commissioner, there are in the same district local superintendents, a district superintendent of health, a district superintendent of irrigation, a district superintendent of education, and a district superintendent of agriculture. In addition to that, the Indian Bureau sends out inspectors from Washington to the various sections of the country in which these reservations are located. They also send out auditors and other officials from the bureau. So I believe I am perfectly safe in saying that there is, without any doubt, a great deal of duplication.

In this particular instance I want to say what I neglected to say when I started in in regard to the hearing, that the subcommittee has not had a meeting since the hearings were

held, and what I am saying is not the report of the subcommittee by any means but is my own personal interpretation of what took place at the hearing. I think there is no question that at the hearing it was established that there was a great deal of duplication. Of course, Mr. Hagerman has had charge of the sale of oil leases and gas and mineral leases on some of the reservations, but superintendents of the various reservations have also at times, as I understand, sold oil leases, and there is no reason that I can see why they should not be authorized to sell them.

Mr. Hagerman was appointed a special commissioner to negotiate with the Navajo Indians in January, 1923. When Mr. John Collier, who is secretary of the Indian Defense Association, testified at the hearing under oath he stated that Mr. Hagerman was appointed by Secretary Fall. Mr. Hagerman, who had been informed that he might ask questions at any time, immediately stated that that was an untrue statement, or something to that effect.

Mr. Hagerman states:

When Mr. Collier states in the first instance I was appointed by Secretary Fall, he states an untruth. I was appointed in the first instance by Commissioner Burke on the 6th day of January, 1923.

* * * * * * *

Senator WHEELER. Then you were appointed by the Secretary of the Interior, because, after all, the Secretary of the Interior is supposed to run the department.

Mr. HAGERMAN. He stated an untruth when he stated I was appointed by Secretary Fall, because I was appointed by Commissioner Burke.

Of course, Mr. President, no official documents were introduced to show that he was appointed by Mr. Burke; but, according to other information that we have, of course it is a common custom, even though an appointment is made by the Commissioner of Indian Affairs, that it must be at least approved by the Secretary of the Interior, because the Indian Bureau is under the Secretary of the Interior; and the first paragraph of Department Regulations relating to the Navajo Tribe of Indians, under date of April 24, 1923, shortly after Mr. Hagerman's appointment, states:

There shall be designated by the Secretary of the Interior one commissioner of the Navajo Tribe, who shall be the agent in charge of the Navajo Reservation.

This provision was made later by the Secretary, if it was not at the time of Mr. Hagerman's appointment, a few months before that. I give this particular incident just to show that Mr. Hagerman was very particular about statements that some of the witnesses made, and frequently referred to them as untruths, at least four or five times. I will refer to them later on.

PRESIDENT ROOSEVELT AND HAGERMAN

The next statement I made at the time the amendment was offered was:

Mr. Hagerman is an ex-Governor of the Territory of New Mexico. He was removed from office by President Roosevelt as soon as Roosevelt came into office.

I was under a wrong impression there; but upon looking up the situation it really looks worse than I had thought it was at the time I made the statement.

Mr. Hagerman was appointed as Governor of the Territory of New Mexico when President Roosevelt came into office. About a year and a half later, or not quite that, I think—at least, a little over a year—a letter, which was introduced in the record, was written by President Roosevelt to Mr. Hagerman which made certain specific charges; and it seemed that before that he had written Mr. Hagerman asking for his resignation as Governor of the Territory of New Mexico. There was also introduced in the record a reply to President Roosevelt's letter by Mr. Hagerman. He made no particular defense, further than saying, in substance, that, inasmuch as Mr. Roosevelt was President of the United States he acknowledged his authority, and therefore he had sent in his resignation. That may not be anything against Mr. Hagerman; but that is the fact of the situation, as borne out by the testimony received before our subcommittee.

I also stated, according to information I have—and I believe it is authentic—that the first deal of ex-Governor Hagerman was with the Navajo Indian oil lease. That was a lease for what was known, I believe, as the Rattlesnake lands. It was the Rattlesnake structure. I have forgotten the exact title of it. I stated that the lease was made for $1,000, and that within a year's time the identical lease was sold for a million dollars to the Continental Oil Co.

The reason for Mr. Hagerman's appointment at that time, as I understand, was because there were certain oil lands in the northwestern corner of the State of New Mexico on the Navajo Indian Reservation, and some oil companies had been investigating there, and there had been one lease, I think, known as the Hogback structure, which had been given to the Midwest Oil Co., and a test well had been put down. Other companies were doing some exploring there, and they wanted to get some more of the land, apparently, under those leases; and so Mr. Hagerman was appointed as a special commissioner to deal with the Navajo Indians. His appointment was in January of 1923, at the time Mr. Fall was Secretary. Whether Mr. Fall appointed him or Mr. Burke, as Commissioner of Indian Affairs, appointed him makes no particular difference as I see it, but the fact is that he was appointed.

A set of regulations was drawn up, dated January 27, 1923—"Regulations Relating to the Navajo Tribe of Indians, Department of Indian Affairs, Office of Indian Affairs." It is signed by Charles H. Burke as commissioner, and approved January 27, 1923, by F. M. Goodwin, Assistant Secretary. This provides, among other things, for the organization of a Navajo tribal council, which I mentioned in my remarks on this amendment.

It seems that Mr. Hagerman went out there shortly after his appointment on the 5th or 6th of January, I believe, and started this organization work. Afterward there was another set of regulations adopted, dated April 24, 1923; the same year, only from January to April later. These regulations were undoubtedly for the purpose of forming a Navajo tribal council and looking toward the leasing of this land. The second item in the regulations reads:

The commissioner to the Navajo Tribe shall have supervision over each of the superintendencies located on said reservation and be charged with the general supervision and administration of affairs of the Navajo Tribe and do and perform such other duties as may be directed by the Commissioner of Indian Affairs or the Secretary of the Interior.

3. There shall be created a continuing body to be known and recognized as the Navajo tribal council, with which administrative officers of the Government may directly deal in all matters affecting the tribe.

Then it goes on with the provisions under which this tribal council shall be selected, and so forth.

Paragraph No. 7 reads:

The Indians of the said six superintendencies, after not less than 10 days' notice and at the time and place designated by the commissioner of the Navajo Tribe—

That was Mr. Hagerman at this time—

shall meet for the purpose of electing the principal delegates and alternates as herein specified.

Paragraph No. 8 reads:

In the event that the Indians of any superintendency shall fail or neglect, at the time specified, to elect any delegate or alternate delegate as herein provided, then the Secretary of the Interior shall appoint such delegate or alternate delegate for the Indians of such superintendency, and such delegate and alternate delegate so appointed by the Secretary of the Interior shall be admitted into all meetings of the tribal council and be a member of said tribal council until such time as the Indians of such superintendency shall regularly elect such delegate and alternate delegate.

In other words, these regulations provided that if these various bands of Navajo Indians did not, within 10 days after the notice was given them, elect their delegates to their tribal council, then the Secretary of the Interior would appoint delegates who would be members of the tribal council. Of course, that is nothing unusual in the management of Indian affairs; and yet the result is that that Navajo Council was to be absolutely under the control and domination of the Indian Bureau, with Mr. Hagerman out there as special commissioner in charge of it; and that was not controverted, either, in the hearings, because the regulations bear

it out, and also afterwards, as I shall refer to later, resolutions adopted by the tribal council.

Mr. KING. Mr. President, will the Senator yield for a question?

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from Utah?

Mr. FRAZIER. Yes; I am glad to yield.

Mr. KING. I ask the Senator whether or not the Navajos, like all other tribes, for many, many years, perhaps going back to the time when America was discovered, had their own councils, and whether or not the Navajos at the time of the promulgation of these regulations had councils of their own choosing?

Mr. FRAZIER. Mr. President, it is my understanding that they did have tribal councils, and had had from time immemorial.

Mr. KING. I ask the Senator another question: Was not this a scheme for the purpose of crushing or destroying or rendering moribund the council of their own choice, the one with which they had dealt for a century or more, so far as we know, and to supplant it by one that would be dictated, that would be named directly or indirectly by the Interior Department and be under the thumb of the Interior Department and Mr. Hagerman?

Mr. FRAZIER. I think that statement is correct. Of course, the record——

Mr. BRATTON. Mr. President, will the Senator yield for a question?

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from New Mexico?

Mr. FRAZIER. Yes; I am glad to yield.

Mr. BRATTON. Mr. President, let me ask the Senator whether, in the course of his hearings, which covered a week or 10 days' time, and were given wide newspaper publicity throughout New Mexico, any of the Navajo Indians advised the Senator, the chairman of the committee, that they had been imposed upon or crushed through the establishment of this tribal council.

Mr. FRAZIER. I do not recall any direct communications with the Navajo group. There were several telegrams from what were known as the Pueblos in the Senator's State, but I do not recall any directly from the Navajos. In fact, there were one or two from the Navajos stating that they were satisfied with Mr. Hagerman's administration.

Mr. BRATTON. The Senator keeps in mind, of course, that the Pueblo and the Navajo Indians are separate tribes, and have no connection.

Mr. FRAZIER. I understand that.

Mr. BRATTON. And that the Navajo tribal council does not relate to the Pueblo Indians in any wise.

Mr. FRAZIER. I understand that.

Mr. BRATTON. And bearing that in mind, I ask the Senator whether, in the course of his hearings, covering more than a week, and attended with wide newspaper publicity throughout the State, the Navajo Indians, those affected by the council, conveyed any protest or any statement to the Senator that Governor Hagerman had imposed upon them through the establishment of this council?

Mr. FRAZIER. No; I think there was no statement from the Navajos along that line at all. From my knowledge of the situation out there, I do not suppose it had ever come to their attention, because I made a trip through there two or three years ago, and we had to drive across the desert for miles before we could find any Navajos. I do not think they had any daily newspapers reaching them.

I was going to say that testimony was introduced to show that these various tribes of the Navajos elected their own delegates. Of course, I suppose they understood that unless they did elect their delegates within the 10 days' time they would be appointed anyway, so that they might as well elect some one, and they elected their delegates and alternates.

Other paragraphs of the same regulations read as follows:

17. The tribal council shall meet at such time and place as may be designated by the commissioner of the Navajo Tribe after the notice in writing for the consideration of such matters as may be brought before it.

18. At the request of five members of the tribal council, such commissioner for the Navajo Tribe may, in his discretion, convene the council for the consideration of such matters as may be brought before it.

19. No meeting of the tribal council shall be had without the presence of the commissioner for the Navajo Tribe, and such officer shall see to it that the action of the tribal council as finally voiced on matters brought before it are properly made of record.

20. The Secretary of the Interior reserves the right to remove any member of the tribal council upon proper cause shown and to require the election or appointment of some other delegate to take the place of the member so removed.

21. There shall be appointed by the commissioner of the Navajo Tribe a secretary, whose duty it shall be to keep a record of the proceedings of such meetings. A certified copy of the record of the proceedings of all council meetings shall be forwarded to the Commissioner of Indian Affairs at Washington, D. C.

22. The commissioner of the Navajo Tribe shall keep the original record of the proceedings of the tribal council meetings in his office.

Mr. President, these regulations not only provided that the Indians must elect the members of their tribal council within 10 days or they would be appointed by the Secretary of the Interior, but they provided that their meetings should be called by the commissioner in charge out there. They provided that no tribal council should meet unless the commissioner was present. Of course, Mr. Hagerman is not to blame. He was only carrying out the orders from headquarters. I do not know that he had anything to do with the drawing of these regulations. If he did, at least he did not admit it. These regulations are signed by E. B. Meritt, acting commissioner, and were approved April 24, 1923, by Hubert Work, as Secretary.

I mention these things to show that this Navajo tribal council which was organized there, started by Secretary Fall, was a bureau organization. There is no denying that; no one can deny it, as I see it, because of the way the regulation which provided for that council was promulgated.

On July 7, 1923, the tribal council had been elected and they had a meeting. They adopted resolutions, some of which are rather interesting.

Mr. KING. Mr. President——

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from Utah?

Mr. FRAZIER. I yield.

Mr. KING. Was Mr. Hagerman, or some other representative of the bureau, there, and if so, what part did he take in the proceedings?

Mr. FRAZIER. I do not know what part they took, but as I read the regulations the Indians are forbidden to have a council meeting unless the commissioner is there, and the commissioner was Mr. Hagerman at that time.

The resolutions of the Navajo tribal council are as follows:

RESOLUTION OF THE NAVAJO TRIBAL COUNCIL

Whereas oil has been discovered on the eastern part of the Navajo Treaty Reservation in the State of New Mexico, many applications have been filed for leases on tracts adjacent thereto and on other parts of the reservation, and it is necessary that some plan of letting mining privileges be adopted that will protect the interests of the Navajo Indians;

Whereas under the proviso of section 3 of the act of February 28, 1891 (26 Stat. 795), lands within the Navajo Treaty Reservation may be leased for mining purposes by authority of the council speaking for the Indians;

They had a council at that time. They were not functioning as the Secretary of the Interior and the department wanted them to function, and so they organized a new council, a bureau council. I continue reading:

Now therefore be it resolved by the duly elected members of the Navajo Tribal Council, speaking for the Navajo Indians, this 7th day of July, 1923, that the Department of the Interior be authorized to lease tracts of tribal land for oil and gas mining purposes as follows:

Of course, no one thinks that the tribal council drew up these resolutions. Oh, no; even Commissioner Hagerman did not claim that, but he did say that the matter had been discussed with the Indians through the interpreters, and they understood what these resolutions were; and that is undoubtedly the case. The first proviso was:

1. That the commissioner to the Navajo Tribe be authorized to sign on behalf of the Navajo Indians all oil and gas mining leases which may be granted covering tracts on the treaty part of the reservation.

The commissioner was to do everything for the Navajo Indians. He organized their tribal council, and would not let them meet unless he was present. That is, the department would not. And now they give him power of attorney to sign all their contracts for them.

Again I say that this was not Mr. Hagerman's fault, in all probability. I do not know whether he had anything to do with the drawing of these resolutions or not, but he was carrying out the orders of the department. I want to say right here that in all the investigations we have made we have not found one employee of the Indian Bureau who had enough honest interest in the Indians to stand up and fight against any order of the department he felt was wrong, or any action by any of the Government employees which he thought was unjust to the Indians; we did not find a single employee, whether he was Indian or white man, who had the courage of his convictions to fight for the welfare of the Indians who was not dismissed from the service. Of course, Mr. Hagerman stated that he was simply carrying out the instructions of the department, and he undoubtedly was.

Paragraph 2 of these resolutions reads:

2. That the Secretary of the Interior be authorized and requested under such terms and conditions as he may prescribe in each case to grant one lease of not exceeding 4,800 acres on each oil dome or structure where there is no approved lease, this lease to be an exploration lease and the lessee to be required to proceed at once to drill in order to determine whether there is paying production thereon, all applications for such leases to be filed with the commissioner to the Navajo Tribe and transmitted by him to the Secretary of the Interior with his report and recommendation.

Senators will observe that these leases were for large tracts, 4,800 acres in a tract, and the lessee was required to begin to drill at once. Under those regulations any small, independent oil man was barred from bidding on a proposition of that kind. The wells were quite deep, as I understand it, and it therefore cost a good deal of money to put down a well. Since the lessee was required to drill at once, the lessee must of necessity be some one who was in the oil business, and had a lot of money.

Mr. President, some oil leases were sold on the 15th of October, 1923. I stated that a lease had been sold for $1,000, and afterward resold for a million. On October 23 that sale was made, after being duly advertised. An oil auctioneer was imported from Oklahoma, as I remember it—anyway, they said he was a very efficient oil salesman—to sell these various leases which were offered for sale under the terms promulgated by the Secretary of the Interior.

It developed that Mr. Hagerman was there, as well as Mr. Burke, who was Commissioner of Indian Affairs at that time. The sale was made at Santa Fe, N. Mex. The property was out in a corner of the State, some little distance from there.

A statement was made by Mr. Collier, and made by others also, to the effect that some of the people who bid at those sales were friends of Mr. Hagerman.

It seems that on the Hogback structure, which was about 9 miles from the so-called Rattlesnake structure, there had been some preliminary work done by the Mid-West Oil Co. They had succeeded in getting an agreement with the old Navajo council for the sale of this particular structure, had gotten the approval of the local agents, and had also gotten the approval of the Secretary of the Interior. They had done some work there and had struck oil on the structure known as the Hogback, about 9 miles away from the Rattlesnake structure.

Mr. President, reference was made during the hearings by Mr. Hagerman that the geologist's report was adverse to this particular structure known as the Rattlesnake structure, that the general impression was that it was no good or likely to be no good. I have an Associated Press dispatch which appeared in the Evening Star of January 29, 1931, from Santa Fe, N. Mex., reading as follows:

"WORTHLESS" OIL LAND BRINGS MAN MILLION FOR HALF INTEREST—NEW YORKER WHO TRIED TO VOID BID FOR LEASE ON NEW MEXICO PROPERTY NETS FORTUNE

SANTA FE, N. MEX., January 29.—A New Yorker, who tried to void his bid for the lease on the Rattlesnake oil lands in New Mexico with the assertion the land was worthless, has realized more than a million dollars from the sale of half his holdings.

The story of the auction sale, in which E. S. Munoz bought the lease for $1,000, has been revived with attack on former Gov. H. J. Hagerman of New Mexico by Senator LYNN J. FRAZIER of North Dakota.

The latter charged in the Senate Hagerman "pulled off a deal"—

Those were not exactly my words, but they can take it that way if they want to do so—

whereby the oil lease, situated on Indian lands, was sold on one bid and brought its purchaser "millions of dollars." Frazier moved that the salary of Mr. Hagerman, special Indian commissioner, be stopped.

Witnesses to the sale, conducted in Santa Fe, recalled to-day Munoz offered $1,000 "just to get the bidding started." The auctioneer pleaded in vain for a higher bid and then knocked the tract down to Munoz. Munoz endeavored to sell the land to a Denver company at the price he had paid and was refused. New Mexico business men likewise were adamant.

Munoz was said to have offered to give the losers in a poker game at Santa Fe a share each in the division of his Rattlesnake Dome oil property.

A few months later it was reported he divided $250,000 with those friends when an oil company, working on a contract, brought in the first well.

The Rattlesnake has turned out to be the most valuable in the Navajo Indian country. It eventually will net a large sum to the Indian tribe through royalties.

This story emanating from Santa Fe is in Mr. Hagerman's favor. The facts remain, however, that the lease was sold for $1,000 and then later on resold for at least $1,000,000 or more. It seems that Mr. Munoz was president of a railroad company and not an oil man, but after buying the lease he immediately organized an oil company.

I have in my hand a photostatic copy of the report from the Bureau of Mines under date of October 13, 1923. The reply of Mr. Meritt acknowledging receipt of the report was dated October 20, and the report is stamped "received October 15, 1923." The letter or memorandum accompanying the report reads:

Memorandum to Commissioner Burke, Office of Indian Affairs.

Attached is a report on the development of the Hogback field by Kenneth B. Knowles, the Bureau of Mines' engineer, who is now stationed at Shiprock, N. Mex. I thought you would be interested in this report, particularly that portion of it relating to well No. 2, as your office recently asked the Bureau of Mines for information on this well.

The report tells something about the general situation there. It tells where they could get water when a well was drilled on the Rattlesnake structure and gives some general information about the geological situation; states that oil was found in what is known as the Dakota sandstone. Then they tell about well No. 2 that had been drilled on the Hogback. The Midwest Oil Co. had had one well there and then put in a second well. The report then proceeds:

The well was put under a 48-hour test. For the first 24-hour period it produced 1,250 barrels of oil; the second 24 hours, 1,179 barrels. Mr. J. W. Stuart and Mr. Weber personally gave me these figures. This information, of course, was given to me as confidential, and I would like to have it kept as such.

Then he states that well No. 2 was closed up, which was just a few days or perhaps three weeks before the leasing of what was known as the Rattlesnake structure and some other structures by the Indian Bureau.

Mr. WHEELER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from Montana?

Mr. FRAZIER. I yield.

Mr. WHEELER. I just came into the Chamber, but I understand the Senator is talking about the Rattlesnake structure in New Mexico?

Mr. FRAZIER. Yes.

Mr. WHEELER. The Senator will recall when the testimony was given before the committee by the assistant commissioner, as they called him, Mr. Hagerman, he said there was a very pessimistic geological report on the structure.

Mr. FRAZIER. Yes; I recall that.

Mr. WHEELER. Subsequent to the time of the giving of his testimony the Senator has been furnished with a copy of the report which was furnished to the Bureau of Indian Affairs, showing that instead of being a pessimistic report on the Rattlesnake structure, in fact it is a very optimistic report. Is not that correct?

Mr. FRAZIER. That is substantially correct.

Mr. WHEELER. Does the Senator know whether or not, when leases were advertised for bids, the report was called to the attention of the people of the United States, and particularly in the advertisement in the Oil Journal, and whether or not it was called to their attention that oil had been struck 9 miles away on an almost identical structure?

Mr. FRAZIER. According to the testimony of Mr. Hagerman it would not seem that it was called to the attention of the bidders or that it was known. However, there was placed in the record a statement from some oil journal out there giving practically the same story that was told here about well No. 2 on the Hogback, and that it had developed this enormous amount of oil in the 2-day test, and that it produced some of the best oil ever struck in that part of the country.

Mr. KING and Mr. BRATTON addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from North Dakota yield; and if so, to whom?

Mr. FRAZIER. I yield first to the Senator from Utah?

Mr. KING. I did not quite understand the Senator when he said it was not known. I am not sure that the Senator meant to convey the idea that it was not known to the Bureau of Indian Affairs as early as September, so they did not disclose it to the public when they advertised the sale of the oil, and Mr. Hagerman said that the reports were pessimistic whereas the fact is they were optimistic. Did the Senator mean to state that Hagerman did not know or that the Indian Bureau did not know or that the public did not know of the fact that oil had been discovered a few miles away in a geological structure of exactly the same character?

Mr. FRAZIER. I stated that Mr. Hagerman did not give any information in his testimony that I recall, but that in some oil journal, published, I believe, at Denver, there was a statement about well No. 2 on the Hogback structure. Mr. Collier also introduced a statement in the record taken from a hearing on some bill before the House Committee on Indian Affairs giving a statement from a geological report that the Hogback structure and the Rattlesnake structure were practically the same; that is, the Rattlesnake structure was practically a part of the same structure.

Mr. CUTTING. Mr. President——

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from New Mexico?

Mr. FRAZIER. I yield.

Mr. CUTTING. Is not the question of the date the real essential point? The information I have shows the lease made on October 15.

Mr. FRAZIER. Yes; that is the correct date.

Mr. CUTTING. If the lease was made on October 15, is it the Senator's theory that Commissioner Hagerman had before him a report which was dated October 20?

Mr. FRAZIER. I do not think he had this report by any means, although in the report the writer refers to a letter of date September 28.

Mr. CUTTING. But, Mr. President, if the Senator will yield to me further, I think the September report was about the Hogback structure and not about the Rattlesnake structure. Everyone knew at the time that the Hogback structure was producing oil in great quantities.

Mr. FRAZIER. The report is on the Hogback structure, and the report is dated October 13; Mr. Meritt's acknowledgment of it was October 20. The date when this report was stamped "Received by the Commissioner of Indian Affairs" was October 15. I want to read the conclusion of this same report by Kenneth B. Knowles——

Mr. BRATTON. Mr. President, will the Senator yield?

Mr. FRAZIER. I am glad to yield.

Mr. BRATTON. Do I understand the Senator to say that the report relating to the Hogback structure was sent to the Commissioner of Indian Affairs on October 15?

Mr. FRAZIER. On October 13; that is the date it was sent, but it was stamped, "Received October 15."

Mr. BRATTON. Is that the only report which was transmitted to the Commissioner of Indian Affairs shortly before these leases were made?

Mr. FRAZIER. It is the only one I have been able to get hold of.

Mr. BRATTON. Let me call the Senator's attention to the unjust implication in the observations just made by the Senator from Montana [Mr. WHEELER]. He implied that Governor Hagerman should be subjected to criticism because he failed to give publicity to that report prior to the sale. The sale was made in Santa Fe, N. Mex., on October 15.

The Senator says that the report was mailed by the Bureau of Mines on October 13 and acknowledged by the Bureau of Indian Affairs on October 20, so that it was utterly impossible for Governor Hagerman to give publicity to that report and any implication or insinuation that he should be criticized for not doing so, it seems to me, is without foundation and is palpably unjust to Governor Hagerman. If the report had been received 30 days or so prior to the sale, giving ample opportunity to accord it publicity, and it was not given publicity, to the detriment of the Indians, such conduct would be reprehensible and should be condemned; but, Mr. President, it seems to me that when the conceded facts are borne in mind, namely, that the report was mailed by the Bureau of Mines October 13 and was acknowledged by the Commissioner of Indian Affairs October 15——

Mr. FRAZIER. It was stamped "Received October 15" and was acknowledged on October 20.

Mr. BRATTON. Very well; it was received on the very day on which the leases were auctioned at Santa Fe, pursuant to a notice already given. It seems to me that that fact absolves Governor Hagerman of any implication of improper conduct.

Mr. WHEELER. Let me say——

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from Montana?

Mr. FRAZIER. I yield to the Senator from Montana.

Mr. WHEELER. Let me say to the Senator from New Mexico that I understood the Senator from North Dakota to say that the report was received prior to the sale. However, I now understand that that is incorrect, and, if the facts are as the Senator from New Mexico has stated them, of course we can not hold Governor Hagerman responsible for not giving publicity to the report that was sent to the Indian Bureau, and I would not want to have it understood that I was criticizing him on that account.

Let me ask the Senator from North Dakota this question: Does he know at what time oil was struck on the Hogback structure, which was similar to the Rattlesnake structure?

Mr. FRAZIER. As I have said, Mr. Collier read into the hearings a statement from a geological report that was inserted in a hearing before a committee of the House on some bill that was pending two or three years later, which statement was to the effect that the Rattlesnake structure was practically a part of the Hogback structure.

Mr. CUTTING. Mr. President, will the Senator yield to me?

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from New Mexico?

Mr. FRAZIER. I yield.

Mr. CUTTING. I think I can answer the question asked by the Senator from Montana. An oil well on the Hogback structure was brought in on September 25. Wide publicity had, of course, been given to that, and the bidders at the sale knew about it. The question is whether or not the Rattlesnake structure was sufficiently similar to the Hogback structure to cause the implication that it would be an equally valuable one. That is the question involved in these geological reports.

Mr. WHEELER. Let me say to the Senator from New Mexico that my recollection of the report that was submitted by the geologists of the Bureau of Mines is that it is stated in the report that the Rattlesnake structure was almost identical with the other structure, and my understanding is that all these structures are a part of a larger structure known as the Hogback structure.

Mr. BRATTON. Mr. President, if the Senator from North Dakota will yield——

Mr. FRAZIER. I yield.

Mr. BRATTON. I know that the Senator from Montana wants to be entirely accurate in his recitation of the facts. It is my understanding that although the Hogback structure and the Rattlesnake structure resemble each other in character, they are in fact about 9 miles apart. In that respect it is hardly accurate to say that they are virtually the same structure.

Mr. COUZENS. Mr. President, will the Senator from North Dakota yield to me in order that I may suggest the absence of a quorum?

Mr. FRAZIER. I yield.

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

The PRESIDING OFFICER (Mr. McNARY in the chair). The absence of a quorum being suggested, the clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Fess	King	Sheppard
Barkley	Fletcher	La Follette	Shipstead
Bingham	Frazier	McGill	Shortridge
Black	George	McKellar	Smith
Blaine	Gillett	McMaster	Smoot
Blease	Glass	McNary	Steck
Borah	Goff	Morrison	Steiwer
Bratton	Goldsborough	Morrow	Stephens
Brock	Gould	Moses	Swanson
Brookhart	Hale	Norbeck	Thomas, Idaho
Broussard	Harris	Norris	Thomas, Okla.
Bulkley	Harrison	Nye	Townsend
Capper	Hatfield	Oddie	Trammell
Caraway	Hawes	Partridge	Tydings
Carey	Hayden	Patterson	Vandenberg
Connally	Hebert	Phipps	Wagner
Copeland	Heflin	Pine	Walcott
Couzens	Howell	Pittman	Walsh, Mass.
Cutting	Johnson	Ransdell	Waterman
Dale	Jones	Reed	Watson
Davis	Kean	Robinson, Ark.	Wheeler
Dill	Kendrick	Schall	Williamson

The PRESIDING OFFICER. Eighty-eight Senators having answered to their names, there is a quorum present.

Mr. FRAZIER. Mr. President, I want to give the further conclusions of this geological report.

On the last page of the report, Mr. Knowles states:

> In a letter report of September 28 I arbitrarily assumed that everything above the contour on which No. 3 is located was in productive territory.

And so forth. He calls attention to the fact that he had given a letter report to the commissioner on the 28th of September.

The conclusion of this geologist's report read as follows:

> The Hogback Dome in my estimation is certainly worthy of further exploitation and development, and I see no reason for pessimism in connection with further development there.
>
> The other structures which will be for sale, although they are in the exploratory class, are equally as good as Hogback from the standpoint of geology, with possibly the exception of the beautiful mountain anticline. Development will be slow at first on account of their isolated position, but I believe that within the next three or four months all of them will have test wells under way, which will determine the value of northwestern New Mexico as an oil-producing territory.

Mr. President, it is true that this report is dated just two days before the sale up there in New Mexico; but Mr. Haggerman stated in his testimony that he had been out through that territory, as naturally he would have been, on numerous occasions. If he did not know what the geologists thought about the situation, it seems to me he was derelict in his duty; and he must have known of this well No. 2 on the Hogback structure that on the 28th of September had produced, in a test there, over 1,200 barrels per day.

When something was said in the testimony about Mr. Hagerman's selling these leases to some of his close friends, he denied that they were close friends of his, although from some of the evidence we had it would seem that some of them at least were quite friendly. He stated to the Senator from Montana [Mr. WHEELER], upon inquiry as to where these men lived, that they lived in Albuquerque. I asked him how far Albuquerque was from these oil structures, and he said, "About 500 miles." I thought at the time that that sounded like a long distance, although I know there are a lot of wide-open spaces in the State of New Mexico; but upon consulting the map later on I found that the State from one corner to the other is approximately 500 miles. The city of Albuquerque, however, is in the northwest quarter of the State and the oil structure is in the northwest corner, a distance straight across of probably 150 or 160 miles.

Mr. CUTTING. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from New Mexico?

Mr. FRAZIER. I do.

Mr. CUTTING. I am sure the Senator realizes that in our western territory you can not cover country as the crow flies. The actual distance by road from Albuquerque to the Rattlesnake structure, I suppose, would be something like 300 miles, although it is much less than that in a straight line. It is necessary to go to Galiup, at the extreme western end of the State, and get around the mountains, and go from there up to the structure.

Of course, 500 miles is an exaggerated figure, but I do not think it is so exaggerated that a man might not offhand believe that that would be an approximation of the distance.

Mr. FRAZIER. Of course, I appreciate the explanation of the Senator from New Mexico, but Commissioner Hagerman had undoubtedly traveled this road a good many times and knew the distances out there. I mention this simply because Mr. Hagerman was so particular that everyone else who testified should stick so closely to the truth. As I said, he contradicted as untrue, several times, some of the statements made by Mr. Collier.

Mr. President, when this oil lease was made for $1,000 this Rattlesnake structure contained, according to their report, 4,080 acres of land. It was leased for $1,000. According to the reports of oil journals that were introduced as evidence at the hearings, dated at the same time or within a few weeks of that time, there was an overproduction of crude oil at that time; the prices were very low; and on the back of one of these magazines was a graph showing what the situation was, and stating that it was impossible to get a fair price for crude oil and advocating that drilling should be slacked up.

This lease of the Indian oil lands was sold at a time when there was, without any doubt, an overproduction of crude oil. The lease of a little over 4,000 acres was sold at less than 25 cents per acre, which was exceptionally low at any time; and one of the oil journals commenting on it afterward said that it was sold for an extremely low price. The Senator from Oklahoma [Mr. PINE], who was a member of the committee and knows a good deal about the oil industry, made the statement in the committee at the hearings that if he had been in charge of a sale of that kind for the Indians he would not have sold at that particular time, when there was a depression in oil prices, over 4,000 acres of what might be termed a "semiproven" field for less than 25 cents an acre. Of course it was brought out by Mr. Hagerman and the Commissioner of Indian Affairs that the Indians received quite large amounts in royalties. They received 12½ per cent royalty; and it was brought out that the Indians received quite a large royalty from the wells on these leases at that time. It was also shown that some of the other leases sold at that time as high as, I think, $46,000, and that no oil was struck on some of the other leases in the same section of the State.

At any rate, however, this particular lease was sold for $1,000. It afterwards was resold for something like a million dollars or more, and sold at a time when there was an overproduction of crude oil. It seems to me that Mr. Hagerman, acting for the Indian Bureau and the Indians, should be held accountable for a sale of that kind under

those conditions, and that, whether it was his fault or not, the fact remains that the Indians' property was sold for a great deal below what it should have been sold for, as matters turned out.

I made another statement, at the time I offered this amendment to cut out Mr. Hagerman's salary, that it was my belief that Mr. Hagerman was a political "fixer" down there between the Indian Bureau and the State. Exception was taken to that by some of the newspapers and some of the people who appeared before our committee; and the State Senate of New Mexico adopted very strong resolutions condemning me for the statement I had made, and also lauding Mr. Hagerman. That convinced me that Mr. Hagerman was more of a politician than I thought he was. When a State legislature will go to the trouble of passing a resolution for one of their citizens, it means, of course, that that citizen is very strong in politics.

The Senate of New Mexico passed a resolution or a memorial back in March, 1929, saying, referring to some pending legislation here, I think:

> Whereas heretofore several million acres of the most valuable portions of our public domain have been donated to the Indians of New Mexico; and
>
> Whereas such lands so donated are exempt from taxation, thereby eliminating sources of possible revenue in support of our State government, thus creating additional hardships and burdens for our taxpayers: Be it
>
> *Resolved, etc.,* That the Senate and Congress of the United States be, and are hereby, requested to make no further grants or donations from the public domain to the Indians within the State of New Mexico—

And so forth, showing that the State legislature down there, or the State senate, at least, is opposed to the public lands of that State being allotted to the Indians. Under the existing laws the department has authority to allot public lands to the Indians down there, and the State senate is opposing it.

It developed in the course of our hearings that Mr. Hagerman had been appointed to what was known as the Pueblo Lands Board back in 1925, I believe. The Pueblo Lands Board was a board, the appointment of which was authorized by an act of Congress to determine upon the amount of compensation due to the Pueblo Indians of New Mexico for land that was on their reservation, and had been squatted upon by white settlers, or by people some of whom were Mexican settlers—Mexicans who had lived there for years, as I understand, and might be called Spanish-Americans, I presume.

It seems that some of these Mexicans, or residents there who were formerly from Mexico, would go out on the Indian reservation and build a little shack and start farming. Some of those places were on irrigated districts, and the land was quite valuable. Sometimes white people went out there, sometimes getting the consent of the Indians and sometimes not getting the consent of the Indians. The Pueblo Indian Reservation is owned as tribal property and not by individual Indians, and of course they did not get the permission of the Pueblo Council by any means when they squatted on this land. The members of this board were appointed, one by the President, one by the Attorney General, and one by the Secretary of the Interior. Mr. Hagerman was appointed by the Secretary of the Interior to represent him on this land board. They were to determine upon the amount of compensation due to the Indians from these settlers, and also to determine whether or not the settlers had a right there. The act, as I recall its provisions, provided that if the taxes had been paid all these years, the individual squatter might retain his land, and pay a just price to the Indians; and this was to be determined by the board.

At the same time he was on this board, of course he was representing some of these other Indians. He also tried to form what might be termed "a bureau council of the Pueblo Indians." The Pueblos have what is known as an All-Pueblo Council, and have had it for a number of years. Mr. Hagerman tried to form what was known as the United States Pueblo Council, but it seems that he was unable to do so; at least they have apparently not functioned, although this bill carries $300 for the expenses of this United States Pueblo Council.

The junior Senator from Utah offered an amendment to strike out $300 for the expenses of that tribal council. It was adopted by the Senate, but it was one of the 119 amendments which the Senate put on from which the Senate conferees receded to the House conferees. Although it was admitted at the hearing that there had been no meeting of this United States Pueblo Council, or "bureau council," as I call it, since 1928, apparently they had no success in getting the Indians together under a council of that kind. They had their own tribal council, and they object to being put into a council which is to be run by the bureau.

It developed that some of these compensations awarded to the Indians were very fair, and some of them apparently were rather low. They had a board of appraisers go out and appraise these lands, and Mr. Hagerman testified that they had held councils and put the proposition up to the Indians, although it seemed generally admitted that they did not discuss the appraisements with the Indians—that is, the amount the appraisers had suggested or recommended—but that they had gone into secret session and passed upon the value of the lands or the compensation that was due the Indians, and that was final, although there were some of the cases taken into court, and sometimes the local courts there in the State had referred them to this land board. Appeals are now pending in the Federal courts in some of the cases, as I understand it.

After about a year and a half Mr. Hagerman resigned, or, at least, was not commissioner of the Navajos, but acted upon this board. Then, as I remember, about a year ago he was appointed again as a commissioner for the whole southwest territory, comprising four States, acting both on the board and as a special commissioner. The Commissioner of Indian Affairs and Mr. Hagerman also stated that he drew only one salary during all this time, however, although he was a commissioner of the Indians out there and was sitting on the lands board as a judge of the value of their property and the amount of compensation they should have for the land that was taken away from the Indians.

It also developed that Mr. Hagerman was president of what is known as the New Mexico Taxpayers' Association. That was organized, I think, before he became connected with the Indian Bureau.

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Utah?

Mr. FRAZIER. I yield.

Mr. KING. I would like to ask for information who represented the Indians in this appraisement. As I understood the Senator, Mr. Hagerman was appointed by the Secretary of the Interior; an appointment was made by the President, and the appointment of another person by the Attorney General. Those three were to ascertain the value of the lands which white people claimed and determine what compensation should be paid to the Indians for the lands of which they had been dispossessed.

I would like to know whether Mr. Hagerman and his associates were representing the Indians, or whether they were representing the purchaser, to wit, the Government. Who protected the Indians in that controversy? It was a controversy between the Government on the one hand, the white settlers on the other, and Indians, if it is a triangular controversy, as it probably is. It seems to me that the Indians were left without any protection. If Mr. Hagerman was supposed to represent the Indians, then I ask the Senator upon what theory did he ignore the appraisements which were made by the subordinates of the board who were appointed to ascertain the value of the lands? Why, when the board recommended $80 as the value of the land, was it cut down to $35 or less? Who protected the Indians?

I will ask the Senator, while I am on the floor, if it is not a fact that Mr. Hanna, one of the ablest lawyers and one of the finest citizens in the State of New Mexico, as well as another gentleman—I think Mr. Cornell—have not recently reported to the Senator's committee that the method of arriv-

ing at the appraisement was secret and that they, representing the Indians, had no opportunity, or at least did not have full opportunity, to present to this commission the claims of the Indians and to oppose methods which were being adopted by Mr. Hagerman and his associates in arriving at the value?

Mr. FRAZIER. Mr. President, Mr. Hagerman stated that he represented the Indians, and of course, having been appointed by the Secretary of the Interior, naturally he would represent the Indian Bureau.

Mr. BRATTON. Mr. President, will the Senator from North Dakota yield?

Mr. FRAZIER. Yes; I am glad to yield.

Mr. BRATTON. I know the Senator from North Dakota wants to be entirely accurate, and to do no injury to anyone. In the proceedings before the Pueblo Lands Board, involving the value of lands taken from Indians, Governor Hagerman sat as a member of the board. If the Senator from Utah will give me his attention——

Mr. KING. I am listening.

Mr. BRATTON. The Indians were represented by an attorney named Mr. Fraser, whose home is in Denver.

Mr. FRAZIER. And who was appointed by——

Mr. BRATTON. Who was appointed by the Attorney General, as I recall. At any rate, he was appointed to represent the Indians. I think his salary is $9,000 a year. He goes from Denver to New Mexico and represents the Indians in proceedings before the Pueblo Lands Board, involving the value of lands taken from the Indians. He has appealed from some of the decisions. He is an able lawyer, competent to handle any business intrusted to his care.

Let me say in this connection that I think I speak accurately when I say that four appeals have been taken from awards of the Pueblo Lands Board fixing the value fixed upon Indian lands. Those appeals went to the United States district court. The United States district court affirmed the values fixed by the Pueblo Lands Board in three cases, and increased the value by $7,000 in the fourth case.

I think that answers the question of the Senator from Utah so far as representation of the Indians is concerned, and likewise so far as the review by the courts of the value fixed upon Indian lands is concerned.

Mr. FRAZIER. There is an appeal still pending, is there not?

Mr. BRATTON. I think one or two of the cases, probably two, are now pending in the circuit court of appeals.

Mr. FRAZIER. Was there not also another attorney representing the Indian Bureau in those cases?

Mr. BRATTON. Yes; my recollection is that Mr. Cochran represented the Indian Bureau. Judge Hanna, to whom the Senator from Utah has already referred, participated in the proceedings on behalf of the Indians, my understanding being that his employment came from the Indian Defense Society, of which society Mr. Collier is secretary.

Mr. CUTTING. Mr. President, will the Senator from North Dakota yield to me?

Mr. FRAZIER. I yield.

Mr. CUTTING. I would like to ask my colleague whether it is not his understanding that this board was acting in a judicial capacity?

Mr. BRATTON. Undoubtedly.

Mr. CUTTING. Rather than as advocates of anyone.

Mr. BRATTON. As far as the board was concerned, Governor Hagerman did not act as a partisan of the Indians. The board was composed of a representative of the President, a representative of the Attorney General, and a representative of the Secretary of the Interior. Governor Hagerman was named by the Secretary of the Interior, and he, with the other two members thus appointed, sat in a judicial capacity to determine, first, title to the lands; that is to say, whether the Indians had lost the title by long occupancy and payment of taxes by settlers, and if so to fix the value of the lands thus lost. In consequence of such determination Congress then appropriates money with which to reimburse the Indians. So that the board sat in a judicial capacity affecting two aspects of the property—first, the title to the land; and, secondly, the value of the land. Throughout that inquiry, let me say to the Senator from Utah, Mr. Fraser was there, having been designated by either the Department of Justice or the Bureau of Indian Affairs—I think the Department of Justice.

Mr. Cochran was there representing the Bureau of Indian Affairs. The firm of Hanna & Wilson, one of the ablest firms in New Mexico, represented the Indians pursuant to employment by the Indian Defense Society. The Indians were ably represented by legal talent in all those cases—Governor Hagerman sat in a judicial capacity.

Mr. KING. Mr. President, will the Senator from North Dakota yield to me?

Mr. FRAZIER. I yield.

Mr. KING. My understanding is that those numerous lawyers to whom the Senator has just referred, except Judge Hanna, were not protecting the Indians at all, but they were there either in behalf of the whites or in behalf of the Government.

Mr. BRATTON. Does the Senator say that it is his understanding that Judge Hanna was there representing white settlers?

Mr. KING. No; I said "except Judge Hanna." I was about to say that I have a copy of a telegram from Judge Hanna dated February 4, just a few days ago, in which he says:

ALBUQUERQUE, N. MEX., *February 4, 1931.*

JOHN COLLIER,
37 Bliss Building, Washington, D. C.:

Have no knowledge or slightest recollection of our office ever being notified of any hearing upon compensation question or awards, and we were never notified of any desire for briefs upon subject to be filed with board, nor do I know of any time when Indians were given any opportunity to present any evidence except possibly at hearings when some question might be asked casually about value of particular property. No special effort was ever made to go into question of compensation or awards in any formal judicial manner. On the contrary, it has always been difficult and practically impossible to find out anything about awards until report of board was handed down. We have always felt board was not pursuing correct course in the secrecy preserved in connection with such investigations. We have even found it difficult to gain any information any time and have never been furnished, but in fact have been refused information concerning appraisals until after board had reached its conclusions. You have authority to use this statement from me, which I believe entirely correct and consistent with facts.

R. H. HANNA.

I have another telegram from Mr. Dudley Cornell. I am not sure what his relations were.

Mr. BRATTON. He was associated with the firm of Hanna & Wilson for a long while.

Mr. KING. His telegram reads:

From my experience with Pueblo Islands Board, compensation awards fixed as follows: Board appointed three qualified appraisers for each Pueblo to report upon market value all claims. During hearings upon adverse possession occasional questions asked regarding value. At time of preparing report board would go into secret session to fix compensation, and my information is this feature of report was left to Hagerman. In no instance did I receive notice of special hearing upon compensation. In no instance was I invited to attend meeting of board at which compensation award was established. In no instance did I have any intimation of what compensation figure would be until fixed by board report.

That is signed by Dudley Cornell.

The Indians were led to believe, according to my information, that Mr. Hagerman was to represent them. It seems no one was representing them on the question of awards. From the report as it was made, as I read it, they have not been justly dealt with in this proceeding.

Mr. BRATTON. Mr. President, will the Senator yield further?

Mr. FRAZIER. Certainly.

Mr. BRATTON. I do not know what the policy of the board was with reference to fixing values in secret conference. If they did so, it would not suggest to me any improper conduct. It would rather accord with judicial procedure.

Mr. KING. It would suggest to my learned friend improper conduct if they had denied any opportunity to Judge

Hanna, representing the Indians, to present evidence of value.

Mr. BRATTON. Oh, certainly.

Mr. KING. He states in his telegram that he had no opportunity to present any evidence of value.

Mr. BRATTON. That would be improper conduct. Let me say this, in reply to the observation just submitted by the Senator from Utah: Judge Hanna is one of my closest friends in New Mexico. No abler nor more reputable man ever lived anywhere than Judge Hanna. I associate with him frequently when in the State. This is the first intimation I have had that he was dissatisfied with the procedure followed in reference to the values fixed on Indian lands.

But let me suggest to the Senator from Utah that the act creating the Pueblo Lands Board places every safeguard around the Indians so far as correcting grievances is concerned. It authorizes an appeal to the United States district court. In this connection the Senator from North Dakota observed a while ago that some cases had been lodged in the courts of the State and that one or two are now pending in the United States court. The Senator is slightly in error about that. All of these cases went to the United States district court; none of them went to a State court.

Mr. FRAZIER. Yes; it was the local United States court.

Mr. BRATTON. Yes. The act creating the board expressly authorizes an appeal to the United States district court and thence to the circuit court of appeals, and so on, thus giving the same safeguards that are ordinarily accorded white litigants. Four of these cases have been appealed on the question of values. In three instances the values fixed by the board were upheld. In the fourth instance the value was increased about $7,000.

Mr. KING. Mr. President, will the Senator from North Dakota yield further to me?

Mr. FRAZIER. I yield.

Mr. KING. I would like to ask the Senator from North Dakota, as well as the Senator from New Mexico, if my information is right or wrong to the effect that the district court held—I think in contravention of the law—that after the suit was brought or after an award was made the persons who were occupying the land in hostility to the title of the Indians, if they went and paid the back taxes for a number of years, had met the requirements of the law as if they had paid the taxes as they annually accrued, and were awarded judgment against the Indians? Is it not a fact that the Attorneys General have refused to prosecute the appeals, the Indians believing that the ruling is erroneous; that the Indians are now losing the right of appeal; that suits are being rushed through the courts by the Attorney General or representatives of the Department of Justice under this ruling; that no appeals are being prosecuted by the Attorney General and no stipulation being entered into that no rights be waived or no advantages be claimed in behalf of any other prospective litigant while this matter goes to the Supreme Court of the United States; and that the Indians now have been compelled to go out and hire counsel themselves to prosecute appeals to the Supreme Court of the United States against this ruling?

Mr. BRATTON. Mr. President, will the Senator from North Dakota indulge me to answer the Senator from Utah?

Mr. FRAZIER. I yield.

Mr. BRATTON. The board, of which Governor Hagerman is a member, held that the settler, in order to acquire title, must pay the taxes currently as they become due from year to year, thus giving the Indians every advantage. Some of the settlers appealed from that decision of the board. The United States district court held that the settler might make payment or payments of taxes at any time before the suit was filed; that he might pay the accumulated taxes running over 5 or 10 or 15 years, but in order to acquire a title which could be maintained in a suit the settler must have paid the taxes before the suit was filed. That determination was made by the United States District Court of New Mexico, and in doing so that court reversed the ruling of the Pueblo Lands Board. The Government appealed from that decision to the United States Circuit Court of Appeals at Denver, Mr. Fraser, as I recall the facts, taking the appeal.

The Circuit Court of Appeals at Denver unanimously affirmed the judgment of the United States District Court of New Mexico, thus likewise holding that if the settler had paid all of the taxes against the land at any time before the suit was filed, he had a title which he could assert and upon which he could prevail so far as that issue was material.

Mr. Fraser was in the act of applying to the Supreme Court of the United States for a writ of certiorari to review that determination by the circuit court of appeals when the Solicitor General directed that the application be not presented because, in his opinion, the local court in New Mexico and the circuit court of appeals were correct.

Judge Hanna, as well as his partner, Mr. Wilson, being anxious to have the question reviewed, and believing that the courts were wrong, talked with me about the matter when I was in New Mexico during the Christmas holidays. Upon returning to Washington thereafter I myself interviewed the Solicitor General, and we discussed the matter at some length. He adhered to his position, saying that he thought the decision of the circuit court of appeals was obviously correct, and that, accordingly, to present a petition for a writ of certiorari to the Supreme Court would require that he take a position before that court and urge a proposition of law which he did not believe was correct, and that he would not do that. So the application was not made.

The decision of the circuit court of appeals was not reviewed, and the Indians, through the firm of Hanna & Wilson, are taking steps to get a test case to the Supreme Court of the United States and have it reviewed.

Let me say in frankness to those interested in the matter that, based upon a cursory examination of the legal proposition involved, I think the court was right. I think that, under the act creating the Pueblo Lands Board, if a settler pays the total tax due at any time before the suit is filed, he complies with the law in that respect.

I stated that to the Solicitor General. He asked me the direct question whether I thought the decision was correct. I told him that I thought it was, but that the Indians, being a semihelpless people, believed otherwise, that their counsel believed otherwise, and that they desired to have the Supreme Court of the United States review the question, and, in view of that fact, I thought the Department of Justice should submit the petition for the writ of certiorari, and that if the court denied it, such action would settle the whole question. But the Solicitor General took the view which I have already outlined, and there is much soundness in that position. It would require him to assert a legal proposition in which he had no faith. I think the Senator from Utah will agree with me that there was much force in that position, although I thought the Solicitor General took a rather large responsibility in view of the fact that these Indians were partly helpless.

Mr. KING. May I make this suggestion to the Senator from New Mexico? The Government of the United States occupies a position of guardian for the Indians. There is no question, as I understand the fact, that the Indians own these lands which are being claimed by the whites——

Mr. FRAZIER. I think there is no doubt about that at all.

Mr. KING. And that the whites have squatted upon the lands and occupied some of them for a number of years, claiming title by adverse possession. I have never been able to believe that the statute of limitations should run against the Indians or against the Government, or that the white settlers there should acquire title by proscriptive right or by usage. I think that doctrine is unjust and unfair, just as much as it would be if applied to the Government itself. Certainly if the Government permitted white people to settle upon Indian lands, lands which they had inherited, lands which they had occupied for, perhaps, centuries, and did not protect the Indians but allowed white people to go there and then set up claim and suit for title, it seems to me it would be the duty of the Government to resist to the very extreme the claims of the white people in protection of the Indians.

If it were felt that equities had arisen in behalf of the whites, then it was the duty of the Government to protect the Indians and to pay them for all of the property which they had lost by reason of the hostile possession of the property by the whites.

Now, the whites having claimed this property and gotten a bill through Congress to enable them to secure title to that which they claim, I think it was the duty of the Government and the duty of the Department of Justice to avail itself of every legal technicality and every legal remedy to see that the rights of the Indians are preserved. I do not think because of the decisions of the two courts to which my dear friend from New Mexico has referred, because those decisions have been adverse to the contention of the Indians, that the Indians should be debarred from the right of seeking a writ of certiorari and having the judgment of the Supreme Court of the United States.

Mr. BRATTON. Mr. President, will the Senator yield further?

Mr. FRAZIER. I really should like to proceed and finish.

The PRESIDENT pro tempore. The Senator from North Dakota has the floor.

Mr. FRAZIER. There is no question but what the Indians were well represented. They had as one of the judges on this judicial board, and of course that is what it was, Governor Hagerman, who was not only commissioner for the Indians most of the time that he acted on the board but also a judge on the board and appointed by the Secretary of the Interior to both positions. They were also represented by an attorney from the Attorney General's office, and the Attorney General also had appointed one of the members of the judicial board. Of course they were well represented. They were also represented by another attorney appointed by the Bureau of Indian Affairs. In fact, they were so well represented by attorneys from the Bureau of Indian Affairs and representatives of the Interior Department and the Department of Justice on the judicial board that they apparently were not satisfied with all the findings.

The act passed by Congress gives them the privilege of appealing cases to the courts, but they do not have any money with which to take the cases to court. As the result of an investigation which was conducted by a semiofficial Government board a few years ago it was estimated that the total income of the Pueblo Indians was only $30 a year. They do not have any tribal funds or any other money with which to hire attorneys, but through an organization friendly to the Indians attorneys were hired and paid for.

I mentioned the fact that Mr. Hagerman was president of the New Mexico Taxpayers' Association. He testified that he was getting no salary for that position, but that he did receive $50 a month for expenses. He also admitted that the largest contribution came from the Santa Fe Railroad Co., which is very much interested, apparently, in the New Mexico Taxpayers' Association. He has been the president of that association while he held these other positions.

Of course, the Taxpayers' Association of New Mexico is interested in seeing that as much taxable property is put on the tax rolls of the State of New Mexico as possible in order to help operate the government of that State. I do not know whether or not that had anything to do with his attitude on this judicial board—probably not—but, nevertheless, he was president of the Taxpayers' Association all these years and receiving $50 a month for expenses from that association.

During the time Mr. Hagerman was in charge of those Indians there had been several what I think might be termed scandals on some of the reservations. On the Leupp Reservation of the Navajos a number of discrepancies were disclosed and there was quite a "mix up." The superintendent, as I recall, was charged with the misuse of Government funds, and some of the other officials there complained about him. The result was that the superintendent was removed without any prosecution, and those who complained about him were also dismissed from the service.

There was also some trouble stirred up in regard to the school at Phoenix, Ariz. We held some hearings as to the situation there before the subcommittee here at the Capitol. Some of those teachers in that school were let out of the service because they had complained about conditions there. I do not know whether Mr. Hagerman had anything to do with that or not, but he was at the time commissioner for those Indians.

I have here the copy of an affidavit by quite a noted writer—Mr. Dane Coolidge—in regard to conditions down there. Mr. Dane Coolidge is a Stanford University graduate, the author of more than 30 novels of western history and adventure. He was formerly the field collector of the British Museum and United States Geological Survey, and a collaborator with Mrs. Coolidge in her noteworthy book, The Navajo Indians, recently published. He tells about what he terms the "kid catching" among the Navajos.

Little children from the age of 6 to 7 up are taken to the Government boarding schools, which are sometimes on the reservation and sometimes away from the reservation. It seems that the method there has been to send out one of the Government officials—a policeman, a farmer, or a clerk, or some one else—to get these little children and bring them to the schools by force, if their parents would not send them in without that method being used. Oftentimes the children were mistreated and so homesick that they would run away and would go home. The policeman would go out after them. In one of the hearings had at Riverside, Calif., I think it was, it was testified by the Indians that it was customary for a policeman to be sent out from the school at Riverside to gather the children. He had a sort of Ford truck, at least, a truck body on a Ford chassis, and when an Indian boy or girl ran away, as they did frequently, he would be sent out, and would catch those children, if he could, out on the desert, and would tie them up, hand and foot, and throw them, as a hog might be thrown, into the back of that Ford truck, and take them back over the desert to the school. Mr. Coolidge has much to say along that line. I want to read just one or two paragraphs from his affidavit.

> In the fall the Government stockmen, farmers, and other employees go out into the back country with trucks and bring in the children to school. Many apparently come willingly and gladly; but the wild Navajos, far back in the mountains, hide their children at the sound of a truck. So that the stockmen, Indian police, and other mounted men are sent ahead to round them up.

These are all Government employees.

> The children are caught, often roped like cattle, and taken away from their parents, many times never to return. They are transferred from school to school, given white people's names, forbidden to speak their own tongue; and when sent to distant schools are not taken home for three years.

And sometimes it is longer than that, Mr. President. I am not going to read very much of this affidavit, but it says further:

> The heartbreak and misery of this compulsory taking of children was never more fully exemplified than in my recent visit to Lees Ferry, Ariz., where old Jodie, or Joe Paiute, lives. He is the last of his people in that part of the country, and he and his wife had 10 children. But as they came of school age they were taken from him, and of the first eight all but one died in school. One daughter survived and was sent to Riverside. But, like all of them, she was given a white person's name, her Indian name was not adequately recorded, and though he had tried to find where she is, the school has lost all track of her.

Mr. President, that is the way a department of the Government is treating these wards of the Nation, the American Indians.

The affidavit further states:

> While working for me, Jodie informed me that the truck was soon coming to take his little boy and girl, the last two children of 10. His wife, he said, sat and cried all the time, and he asked me what he should do. I told Jodie, and I will tell the world, that a mother has a right to her children. They are hers; and since the others had all died or been lost, he could take these and his little band of sheep and hide far back in the mountains.
>
> Poor old Jodie said nothing, and I suppose by this time his children are shut up in school; and every year in that school, as in most others, there are epidemics of influenza and other diseases. Very likely his last two will die. In special cases like that I think the Government should relent and allow them to

grow up wild. And in all cases where the parents object or the children are afraid to go I think the child catchers should be called off.

Mr. President, I think Coolidge's conclusions are substantially correct; I think the child catchers should be called off.

Mr. FESS. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. HEBERT in the chair). Does the Senator from North Dakota yield to the Senator from Ohio?

Mr. FRAZIER. I am glad to yield.

Mr. FESS. I know very little about this problem, but I have been impressed with what the Senator has read and I have a great deal of sympathy with what he says. I am wondering what should be the Government's policy with reference to the education of the Indians. If we appropriate money with which to build school houses and make education a part of our system, where should we draw the line as to the attendance at school of the Indian children?

Mr. FRAZIER. Mr. President, we have a great many Indian schools that are doing excellent work. The subcommittee of the Committee on Indian Affairs visited a number of these schools and where we found the superintendent of the reservation and the teachers in the school were honestly interested in the Indians and kindly disposed toward them, there was no trouble with the Indian children at all.

Mr. FESS. Then, the attitude of the teachers toward the children and the administration of the school have much to do with conditions?

Mr. FRAZIER. They have a great deal to do with it, I think.

Mr. FESS. Wherever there is an apparent unfriendly attitude it ought to be remedied.

Mr. FRAZIER. I think it should be.

Mr. FESS. I was wondering whether the criticism is not directed against the policy of undertaking to educate the Indians as we have been doing. I am asking the questions in order to obtain information; I do not know about the conditions.

Mr. FRAZIER. As I stated on the floor on a previous occasion, I visited one of the day schools in Arizona. The school happened to be located in a little Indian village. It had three rooms, as I recall, and the children there seemed to be well satisfied. They were clean and neat, they had their own luncheon, which was cooked by the older children; they semed to like their teachers and the superintendent and were getting along very nicely. The children were not afraid; they were just as pert and as bright as any white children in the same grade that one could find. However, in other schools we visited the children looked as if they were afraid to say their souls were their own, and I could not help but pity them—little children taken away from their parents at the age of 6 or 7 years to a boarding school and not allowed to go back home for three or four years unless their parents were able to pay their railroad fare or go for them with a car and bring them back during the vacation period in the summer.

The same method of compelling these children to go to school is still in force. Only a few weeks ago, during the present school year, I had telegrams from the State of Arizona, where some Indian boys had run away from the school, and one of them was attending a high school. The superintendent of the Indian school sent an official over there and took that boy out of high school and took him back to the Indian school without saying a word to anyone. Some of the older boys were working in a railroad shop, and the school officials took them out of the shop and took them back.

I took up the matter at once with the department and was informed that they had corrected the situation and told the superintendent to let the boys stay in this neighboring high school, and let these older boys who had gone out and were working in the shop stay there, too.

Mr. KING. Mr. President, will the Senator yield for a question?

Mr. FRAZIER. Yes.

Mr. KING. I will ask the Senator if it is not a fact that the Indians themselves, and those who are greatly interested in the Indians and evince an intelligent interest in the Indians and in their welfare, believe that the boarding school has proven an injury rather than a benefit; and that, while they believe in education, they think that it should be had through the day school rather than this method of kidnaping little children, taking them three and four and five hundred miles away, as has been done in many instances, and keeping them almost prisoners, separating them from their families, so that in many instances they are never reunited?

Mr. FRAZIER. I think it is commonly believed now, and in the department, too, that the day schools, where they are at all possible, are the best thing for the Indians, at least for small children, and that perhaps in cases where the older children can be sent away to school it is best to send them to boarding schools; but there is a great deal still to be done in cleaning up the situation in the school system.

During our hearing there came to the subcommittee a franked envelope from the "United States Department of the Interior, Office of Indian Affairs, Washington, D. C., official business," postmarked at Washington. It contained a page of the New York Times with the article I have previously referred to by Mr. La Farge, and was supposed to have been sent from some one in the Indian Bureau. The Senator from Montana [Mr. WHEELER] called this to the attention of the commissioner and Mr. Hagerman in this language:

Senator WHEELER. It has been called to my attention, Mr. Hagerman, or Mr. Commissioner, that you have sent out some copies of this story that appeared in the New York Times. Did you send out many of them?

Mr. HAGERMAN. Which story do you refer to?

Senator WHEELER. The story by La Farge.

Mr. HAGERMAN. Not a single one; no, sir.

Senator WHEELER. Not a single one?

Mr. RHOADS. Nor did I.

Senator WHEELER. Well, one was received under Government frank.

Mr. RHOADS. Can you tell where it was sent from?

Senator WHEELER. It was sent from Washington. [Exhibiting envelope and newspaper clipping.]

Mr. RHOADS. Was it sent from the Interior Department?

Senator WHEELER. Yes.

Mr. RHOADS. Was there any indication who it was sent by?

Senator WHEELER. I think so, but I will not press it if there was only one sent.

Senator FRAZIER. The envelope is marked "Washington—January 28—9 p. m.—1931."

Mr. HAGERMAN. I repeat, I did not send out a single one.

Mr. RHOADS. Nor did I, and I certainly never sent one out under Government frank.

Mr. La Farge also denied sending any out.

Later on, a telegram was received from the man who received this letter at Albuquerque, N. Mex., stating that the Senator from Montana was privileged to use the envelope and the letter, and so forth, if he desired to do so. It developed that this franked envelope, in addition to the statement from the New York Times, contained a letter in longhand, with the words printed at the top of the letter:

Department of the Interior, Office of Indian Affairs, Washington. Office of the Assistant Commissioner.

The letter was under date of January 28, 1931. The letter is written to the editor of a paper out there at Albuquerque, and reads:

I thank your paper very much for the nice editorial that you had when Frazier went after me in the Senate. It was very kind of you, and so many people in New Mexico and elsewhere, to come to my defense. I inclose to-day's editorial page of the New York Times with a letter from Oliver La Farge which you may not have seen.

Will be back next week and see you.

Sincerely yours,

H. J. HAGERMAN.

The address, I may say, is written in longhand, too, and looks very similar to the writing of the letter. According to this telegram, the letter was sent out by Mr. Hagerman to this editor; but he denies sending it out. This is a trifling thing, Mr. President, and does not amount to anything. A representative of the Government, of course, is privileged to

use a franked envelope, and I suppose is privileged to put in a clipping from a newspaper, too. I have stated here several times, however, how Mr. Hagerman was so particular that everyone make exact statements of the facts, and how he denied some things that he afterwards had to admit he was wrong in denying; yet he makes the statement that he did not send out a single one of these statements in a franked envelope or in any other way, although we have the evidence that he did in the form of the franked envelope with the name of this editor in longhand, and the letter in longhand signed by Mr. Hagerman. I do not know why he perjured himself.

I think the statements I made when this amendment was offered here and adopted by the Senate to strike out Mr. Hagerman's salary were substantially correct, with the single exception of the statement in regard to Mr. Roosevelt firing him from office as soon as Roosevelt went into office. That was incorrect, as I stated before, because he was appointed by Roosevelt and fired a little over a year after his appointment, or forced to resign, at least, which amounts to the same thing.

The Rattlesnake oil lease was sold for $1,000, and resold again. Whether or not Mr. Hagerman was to blame for that I am not in position to say. Whether or not there was any crooked work about it I am not in position to say, and I never have charged that there was crooked work; but I do say, and I repeat, that it seems to me Mr. Hagerman was derelict in his duty in the interest of those Indians in selling 4,080 acres of what might be termed a semiproven oil field for less than 25 cents an acre, when, according to all the evidence, the price of crude oil was very, very low on account of overproduction. I think, too, that Mr. Hagerman was derelict in his duty in looking after the welfare of the Indians down there because of the scandals that have gone on from time to time during the time he has been commissioner to those Indians.

I think, also, that my statement that Mr. Hagerman was a political "fixer" is correct. As I stated, he is also president of the New Mexico Taxpayers' Association, which, of course, is a political organization. He also admitted that he was president of some cattle company. I do not suppose that amounts to anything, but it developed that he was president of a cattle company also.

It seems to me that whether Mr. Hagerman was to blame for conditions down there, or whether he simply carried out the instructions of the Indian Office, makes but little difference. The bad conditions have existed all the time he has been commissioner to those Indians, and still exist in many instances, at least. He was very particular to call attention to any misstatement that Mr. Collier might make, or anyone else, and yet he denied sending out this franked envelope containing the letter and also the clipping.

I do not know whether there is any need for me to say any more. I realize the fact that this conference report will undoubtedly be adopted. I believe it should go back to the conferees for further consideration. As I stated before, it does not seem like a fair representation on the part of the conferees of the Senate on this measure when they receded from 119 amendments, the House receded from only 16 amendments, and they compromised on 10.

Some of these amendments are of great importance to the Indians at least. The amendment that the Senator from Oklahoma [Mr. THOMAS] spoke about is of great importance. The amendment that I offered and that was adopted on this particular matter of cutting out the salary of a man who, in my estimation, is duplicating the work of others in the Interior Department, is a very important amendment. As I pointed out, there is a superintendent on each one of those agencies; there is a health officer, and an overseer of the farmers, and an educational overseer, and also men sent out from the department.

The money by which Mr. Hagerman is paid comes out of a fund known as the Northern Pueblo fund. It is true that it is a gratuity appropriation; and yet, as was pointed out in our hearings, if there ever comes a time when the Indians go into the Court of Claims to establish any claim against the Government, as it is quite likely they will, the money that the Government has expended in the running of their agency will be deducted from any judgment they might get against the Government as a set-off against the Indians. So it seems to me that this amendment should stay in the bill; and when the pending motion of the Senator from Oklahoma comes up for a vote I am frank to say that I shall vote to send the conference report back to the conferees.

Mr. President, I have taken a good deal more time than I expected or intended to take. I think, however, I must say just a few words more about some statements in the House a few days ago on this subject.

On February 4, in the legislative body at the other end of the Capitol, a bill having to do with the Indians of Wisconsin was under discussion. The Congressman from Michigan who is chairman of the subcommittee having charge of these Indian appropriations, and chairman of the conferees of the House on this measure, made some statements that seemed to me rather unwarranted; and I want to call attention to one or two of his statements.

Among other things, he said:

> I will make this statement—there are men on the floor who, if they care to, can confirm the statement—that in the political campaign of 1928, in certain Western States where there were many voting Indians, the field representatives of a certain legislative body that sits in Washington, not the House of Representatives, while on Government pay were engaged in political work in that campaign among those Indians with reference to the election of Senator and President.

Mr. President, the Representative from Michigan undoubtedly refers to R. T. Bonnin and W. W. Liggett, who were hired by the subcommittee of the Committee on Indian Affairs and commenced work on May 16, 1928, each of them, and their work with the committee terminated on September 30, 1928. I questioned both of those employees very carefully, and each of them stated that he did not campaign for anyone or mix in politics while he was out on the committee work. After September 30, however, Mr. Bonnin, I think, did some campaigning in the State of South Dakota, and Mr. Liggett, I believe, did some campaigning in the State of Montana; but that was after they were off the committee pay roll. I am frank to say that I think the Congressman from Michigan knew that when he made the statement.

The Congressman from Michigan made another statement in regard to this Mr. Hagerman matter. He said:

> Let me illustrate what this group does and how they work and how far they can go sometimes.
>
> Two or three weeks ago, when the Interior Department appropriation bill was pending in another branch of this Congress, an amendment was offered providing that none of the money in that bill could be used to pay the salary of Herbert J. Hagerman, and a statement was made in behalf of that bill which caused grief to the thousands of friends of Herbert Hagerman all over this country, because the charge was made and put in the permanent RECORD of this Congress that he had not honestly administered his trust.

Then he went on to state about the hearings that were being held. He said:

> I do not know what the committee that held the hearings will do about it, whether they will do what the State Senate of New Mexico asked them to do, what the Eastern Indian Association asked them to do, what various associations of high purpose have asked them to do, and exonerate Herbert Hagerman; but whatever that committee does, the facts developed have exonerated Herbert J. Hagerman.

He continued along that line.

Mr. GLASS. Mr. President, will the Senator yield?

Mr. FRAZIER. I am glad to yield.

Mr. GLASS. Will the Senator yield to permit me to make a unanimous-consent request?

Mr. FRAZIER. I would rather the Senator would wait until I get through. I am almost through.

The PRESIDENT pro tempore. The Senator declines to yield.

Mr. FRAZIER. In this statement I have read——

Mr. WHEELER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from Montana?

Mr. WHEELER. I wish the Senator would yield to the Senator from Virginia just for a moment, until he makes a request for unanimous consent. It will take only a moment, and it will not interrupt the Senator.

Mr. FRAZIER. It would probably have to result in a roll call, and I am almost through.

I want to repeat that the statement this Congressman made about representatives of the subcommittee of the Committee on Indian Affairs campaigning in a Western State while on the pay roll is absolutely false. The statement is made by the same Congressman who a few days ago referred to a Member of this body in pretty strong terms, to say the least; and that was not the first time.

I wanted to call this to the attention of the Senate, because it seems to me rather unfair that statements of that kind should go unchallenged. There are other statements here along the same line which I do not care to take the time to read.

Mr. President, I want to say again that I shall vote, when the time comes, to send this conference report back to the conferees.

Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks a statement prepared by Judson King, director of the National Popular Government League, on this particular subject.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

PRESIDENT LINCOLN'S 19 SILVER-HEADED CANES

It is one of the picturesque instances of the Civil War that the Pueblo Indians of New Mexico were adherents of the Union cause and rendered important service in the vast arid area of the Southwest by furnishing shelter, protection, food, fodder, and horses to the Union scouts, messengers, and troops, for which they took no money.

It is not romancing to say that this was their contribution to the cause of human liberty. The Pueblos are peaceful agricultural Indians, who had evolved far beyond predatory savagery. They were against slavery and stood by their principles at considerable risk to themselves.

The significance of all this was not lost upon President Lincoln. In gracious recognition he presented in 1863 to the governor-chief of each pueblo—19 in all—a silver-headed cane, and accompanied it with a pledge that the land rights, liberties, religions, and customs of the Pueblo Tribes would forever be respected by the Government of the United States, and that the treaties made with them would remain inviolate. In selecting canes as a symbol of good will, President Lincoln showed singular tact. Since 1680 these pueblos, as a part of New Mexico, had been under the dominance of Spain, and it was the custom of the Spanish sovereigns to send canes as tokens of good will.

To this day these Lincoln canes have remained well-nigh sacred mementos among Pueblos. They are carefully guarded and handed down from one elected governor to another, and each as he presides over tribal councils holds the cane as his insignia of authority, exactly as our Supreme Court Justices don black robes as they go on the bench. Lincoln's name is revered among them, and it is touching frequently to find his portrait hung on the walls of their humble homes.

SECRETARY FALL'S "LEGISLATIVE VILLAINY"

Sixty years after, in 1923, national attention was directed to the fact that Lincoln's pledge had not been kept; that the Pueblos' lands—especially the irrigated lands—had been overrun by white settlers to such an extent that all tribes were suffering and some facing starvation because they had not enough acreage left to sustain them, and that Albert B. Fall, then Secretary of the Interior, with the aid of Harry M. Daugherty, Attorney General, was attempting to railroad a bill through Congress—the Bursum bill—which would confiscate the lands occupied by the whites.

The American Indian Defense Association, through the leadership of its efficient executive, Mr. John Collier, led the fight against this iniquity. The National Federation of Women's Clubs, stirred to action by Mrs. Stella Atwood, took a hand. Several scientific associations joined in, pointing out that the Pueblo civilization antedated the Egyptian pyramids and that the cultural status of these Indians was unique and of priceless value from the viewpoint of ethnology alone.

At a forum dinner of the Popular Government League in Washington, the toastmaster, the late Herbert Quick, famous novelist and economist, declared Fall's bill "a piece of legislative iniquity." The chief speaker, the distinguished author, Mrs. Mary Austin, who lives in New Mexico, made an eloquent plea for the protection of these Indians and startled her audience with such information as "Four or five thousand years before we thought of it, the Pueblo Indians had achieved a competent form of representative republican government in which there were no rich and no poor, no unprotected widows, no institutionalized orphans, no prisons, and no prostitutes."

The Bursum bill went down in disgrace—a blot upon Fall's escutcheon well-nigh equal to that of Teapot Dome.

Instead, on June 7, 1924, Congress passed the Pueblo land act, to be administered by a land board charged with the duty under specific directions of examining into each of these disputed land claims in order that justice might be done Indians and whites alike.

Spanish Americans who had acquired title to lands purchased from the Indians and which had been honestly acquired and cultivated since 1902 were to remain in possession. Indians whose lands had wrongfully been taken from them were to have the lands returned. The Government, as recompense for its negligence, agreed that each dispossessed Indian or white man should be given the value of the land he was forced to relinquish. The Government was to institute a friendly suit to establish the legal status of the board's findings.

Note here a remarkable thing. The Pueblos knew that according to the decisions of the United States Supreme Court no State title to a single acre of Pueblo land was valid and that they could have ousted every settler and reclaimed every acre of their land granted in the days of Abraham Lincoln.

But they did not do this. They held it would be an act of injustice to their neighbors, especially to the natives who had been living side by side with them for generations. They had traded back and forth, sold land back and forth, and many Spanish Americans had a moral right to the lands they had honestly acquired in friendly fashion from the Indians. Moreover, these natives were as needy as the Indians themselves, and there was no Federal Government even theoretically looking out for them.

Hence this case was not the familiar one so common in other States of white men robbing Indians in the good old way. This view of the case was taken by Congress, by disinterested, intelligent students of the situation, and was heartily espoused by the Indians themselves and their friends.

I am unaware of a single instance in American history where our white Christians have equaled the generosity of these Pueblo Indians and failed to cash in on legal titles once in their possession. If there is one, I should like to be informed. This act is a demonstration of the innate sense of justice possessed by these Indians as significant in its ethical import as was their rejection of slavery in Lincoln's time.

WORK OF ANOTHER EXPERT COMMISSION JUNKED

For six years the Pueblo Land Board has been at work. During that time Mr. Collier's organization has furnished attorneys and legal fees for the Pueblos at a cost of over $50,000, contributed by progressive people of the Nation. In respect to the division of land, the work of the board has been fairly satisfactory. Not so as to compensation to the Indians for lands awarded to the whites, as we shall see later.

But now, incredible as it may seem, the Hoover administration, through the action of Attorney General Mitchell and Solicitor General Thacher, is attempting to ditch all this good work. If their efforts succeed the Pueblos will be reduced to as deplorable a status as they would have occupied under the iniquitous Bursum bill.

I shall not go into the technical details of this betrayal. They are set out in the inclosed leaflet, issued by the American Indian Defense Association, and are again stated in a remarkable article in the Nation of February 4, entitled "The Plight of the Pueblos," by Nathan R. Margold, an able attorney of New York City and who is legal adviser on Indian affairs to the Institute for Government Research.

I quote a few sentences from Mr. Margold's keen analysis which discloses the administration's part in this matter.

"In obedience to the provisions of the Pueblo land act, the Attorney General, on behalf of the Pueblo of Taos, brought suit in the United States District Court in New Mexico to oust the settlers whose claims to titles the board had found invalid. The district court differed with the board and adopted a construction of the act under which most of the invalid claims became or could easily be made valid. * * * The Government attorneys in charge of the case recommended that an application be made to the Supreme Court of the United States to review the case by certiorari. The papers were prepared, but five days before the expiration of the period allowed for such an application the Attorney General (Mitchell) and the Solicitor General (Thacher) summarily directed their subordinates not to file the papers. This was a bitter blow to the Indians, who are accustomed to defeat in the lower courts and final victory in the Supreme Court of the United States."

Under Mitchell's orders the cases are being rushed through the lower courts where they will all be lost or, as Mr. Margold puts it, the Indians of the different Pueblos "are being led to judicial slaughter." If the holdings of only a few persons were at stake, the situation would not probably be serious enough to challenge national attention.

This is not the case. Tens of thousands of acres are at stake which have been awarded by the land board to the Indians, and whose livelihood and well-being are imperiled if lost to them.

INDIAN DEFENSE ASSOCIATION NEEDS HELP

Notwithstanding the defection of the Department of Justice the Indians are not without means of legal redress, as described by Mr. Collier on page 4 of his pamphlet. The American Indian Defense Association, whose funds are depleted from its many other activities in several States, will be unable to meet the emergency thus thrust upon it and is in need of $10,000 for immediate legal purposes. I trust those interested in justice to the Indians will help in this crisis.

SUPERSPECIAL INDIAN COMMISSIONER HAGERMAN

After 10 years of corruption a man grows so weary in writing accounts of the irregularities—to use a modest term—of high officials in handling the property of American people or of the Indians that he is moved to apologize for calling attention to one more. It was noted above that one of the conditions on which the Pueblo Indians accepted the land act of 1924 was the pledge of Congress to reimburse them for the value of lands awarded to the natives; further, that this portion of the land board's work was unsatisfactory.

To put much in a nutshell, it appears that the amount of money, roughly, due the Indians is around $1,500,000, but the board has recommended approximately only $500,000, thus beating the Indians out of $1,000,000.

Some of Mr. Hoover's thrift items compare favorably with those of Coolidge in entirely ignoring the Nation's honor.

Bull Moosers will recall Hagerman as the governor who was summarily fired after a year in office by President Roosevelt back in 1907 for alleged irregularities, among other things, in handling a land grant. It has always been maintained, even by some fair-minded political opponents of Hagerman, that he was framed for political reasons and that Roosevelt made a gross blunder. But Hagerman's official activities in the past several years, partially brought to light in hearings before Senator FRAZIER's committee last week, seem to indicate that Roosevelt's hunting instincts were not far wrong.

It is to be noted that the man who rescued Hagerman from the political oblivion into which Roosevelt had thrust him was none other than Albert B. Fall, Harding's Secretary of the Interior, who, through his subordinate, Burke, appointed him special agent over the Navajo Reservation back in 1923, where he was empowered to make oil leases. In 1926, under the Coolidge administration, he was given an extra job on the Pueblo land board, and a year ago, under the Hoover administration, a new job was created and he was made commissioner general over Indian reservations in New Mexico, Arizona, Colorado, and Utah, where he wields tremendous power with respect to the property and welfare of one-third of the Indians of the entire United States.

STAR-CHAMBER JUSTICE

It appears from the sworn testimony before the Senate's Indian Committee hearings, with Hagerman present, last week, that although the Indians and their attorneys were present at open hearings when the land board was looking into the various claims their appearances ended there and the decisions were made in secret.

The chief counsel for the Indians was Judge R. H. Hanna, of Albuquerque, former chief justice of the New Mexico Supreme Court—a man whose ability and integrity are unquestioned. Hagerman's methods were thus described in a telegram from Judge Hanna, placed in the records:

"Have no knowledge or slightest recollection of our office ever being notified of any hearing upon compensation question or awards, and we were never notified of any desire for briefs upon subject to be filed with the board. * * * It has always been practically impossible to find out anything about awards until report of board was handed down. We have always felt that board was not pursuing correct course in the secrecy preserved. * * * We have been refused information concerning appraisals until after board had reached its conclusions."

Add to this the facts established at the hearings that in fixing compensation to the Pueblos for lands awarded to the whites, the land board disregarded the reports of its own appraisers and frequently cut the awards to half the amounts recommended, and that thousands of acres were decreed out of Pueblo ownership without any compensation whatever.

A summary of the hearings reveals 10 major charges made against Mr. Hagerman under oath, which were either admitted by the gentleman and his witnesses or not controverted. There is space for but one or two more.

NAVAJO OIL LEASES

As before stated, Mr. Hagerman, by appointment of Secretary Fall, was head agent of the Navajo Tribe from 1923 to 1928. Passing over numerous abuses and scandals which occurred in this reservation during this period, which Mr. Hagerman did nothing to correct, testimony of a startling nature was introduced concerning his handling of Navajo oil lands, about which we are quite likely to hear more in the not distant future. Under regulations promulgated by Fall, a new tribal council was created, easily controllable, and this new council shortly voted Hagerman power of attorney to sign all the oil leases in the name of the Navajo Tribe.

Now there was an exceedingly valuable oil field on the reservation, known as the "Hogback," which was producing oil. But near by was another field, the Rattlesnake. It belonged to the same geologic formation, but there was a systematized rumor among oil men that it was of little value and Mr. Hagerman stated in his sworn testimony that the geological evidences had not been persuasive as to oil.

It appears that at what is charged to be an unfavorable time Hagerman put this "Rattlesnake" lease up for auction and sold it for $1,000. The lease shortly after resold to the Continental Oil Co., a subsidiary of Standard Oil, for over $1,000,000. In due time several enormously valuable gushers were struck on this field.

It appears further that the gentlemen who bid for the lease for $1,000 were personal friends of Mr. Hagerman, and that truth is established notwithstanding his denial that friendship had anything to do with the transaction.

DID FALL, BURKE, AND HAGERMAN KNOW?

To friends of the Indians and others there has always been a mystery surrounding this lease. Oil-field grabbers were powerful enough to be a determining factor in the nomination and election of Harding. Followed the appointment of Fall, also interested in oil, as Secretary of the Interior. Fall pulls Hagerman out of retirement and gives him dictatorial powers over the property of the Navajo Indians, on whose reservations exist valuable oil fields. Fall smashes the old tribal council, whose consent is necessary to make oil leases legal; sets up a new one dominated by Hagerman. The Rattlesnake episode follows.

Hagerman disclaims knowledge that the Rattlesnake would be productive, but presents no report of the geological survey which would substantiate his belief. The sudden discovery of oil on the Rattlesnake, which made the $1,000 lease worth $1,000,000 overnight, has always been attributed to good luck.

But within the last few days the Senate Indian Committee has unearthed from the files of the Indian Bureau, hidden there since the days of Commissioner Burke, a report by Geologist Nowels, of the Bureau of Mines, which contains unreserved statements as to bright prospects of oil to be found in the Rattlesnake field.

The document was delivered to Commissioner Burke on October 13, 1923, but the text shows that it was written somewhat earlier. It was early well known that the geological formation of the Hogback and Rattlesnake structures were identical. He recites these facts and noted the discovery of high-grade oil in large quantities on the Hogback, then under lease, and then goes on to say:

"The other structures which will be for sale, although they are in the exploratory class, are equally as good as Hogback from the standpoint of geology, with the possible exception of the beautiful mountain anticline."

The Rattlesnake field, of course, was among these "other structures." An oil well which Nowels described as "the best grade of crude oil I have ever seen," was brought in by the Midwest company on September 25, 1923, on the Hogback and started flowing at 1,250 barrels a day, but the Midwest closed the well and kept the fact a secret. On October 13 the report was delivered to Burke, and on October 15 the Rattlesnake lease was made, which quickly passed to the Continental Co.

QUESTIONS

Undoubtedly Senator FRAZIER's Indian Committee in its investigation of Indian affairs will take steps to determine what use was made of the Bureau of Mines report completed prior to the date when the Rattlesnake structure was auctioned, and also an earlier report by the same geologist of the same tenor, but less definite. The question arises whether these reports or the substance thereof were made available to all parties, or only a favored few, and why they have been kept secret?

In probing other oil activities of Mr. Hagerman the committee will doubtless inquire how it happens that he testified before the Senate Indian Committee on March 10, 1926, that the Navajo Indian tribe were satisfied with a pending bill providing that 37½ per cent of Navajo oil royalties should be diverted to the States, when, as a matter of fact, the bill had never been presented to the Navajo council for its information or action.

They may also want to know the reasons why Mr. Hagerman established an espionage over the Navajo Indians at that time (which still exists), especially in respect to their property.

The most interesting and significant organization working for the welfare of the Indians is one established by the Indians themselves, the National Council of American Indians, with headquarters in the Bliss Building, Washington, D. C., whose president is Mrs. Gertrude Bonnin. She is a full-blood Sioux, a woman of broad culture and a wonderful orator. Mrs. Bonnin in the presence of Mr. Hagerman testified before the Senate committee last week that in 1923 she and her husband, Capt. R. T. Bonnin, secretary of the council, tried their best to communicate with the officials of the Navajo Tribe concerning this 37½ per cent robbery. No answers were received, but later she was called to the office of Indian Commissioner Burke here in Washington, who exhibited her letters and rebuked her for endeavoring to find directly from the Navajo Indians themselves what they actually wanted done about this oil lease. The letters had been intercepted and sent to Mr. Burke, all of which is in violent conflict of the freedom the American people suppose the Indians possess.

WHAT WILL PRESIDENT HOOVER DO WITH PRESIDENT LINCOLN'S CANES?

It is incidental that this bulletin is issued during Lincoln week but none the less appropriate. The Pueblo Indians, to whom he presented those canes as a token of good faith, are in dire distress. Their confidence has been abused, their faith shattered. Not only the Pueblos but most of the tribes over the Nation have received similar treatment in one way or another.

It is still possible for President Hoover to do justice to the Pueblos and other tribes. During his campaign he pledged a new day for Indians. It would be well for him to ponder over the symbolism of those Lincoln canes after he has made his radio address to-day, February 12.

Mr. CUTTING obtained the floor.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. CUTTING. For what purpose?

Mr. WHEELER. To suggest the absence of a quorum.

Mr. CUTTING. I prefer not to yield for that purpose at the present time. I am going to be very brief.

Mr. WHEELER. Let me say to the Senator that the Senator from Virginia [Mr. GLASS] wanted to make a request for unanimous consent, so that we could perhaps all agree upon a certain time to vote upon this report. I think it would save time, and I hope the Senator will yield for that purpose.

Mr. CUTTING. I yield for that purpose.

The PRESIDENT pro tempore. The clerk will call the roll.

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

Ashurst	Dale	King	Schall
Barkley	Fess	La Follette	Sheppard
Bingham	Frazier	McGill	Shortridge
Black	George	McKellar	Smith
Blaine	Glass	McMaster	Smoot
Blease	Goldsborough	Morrow	Steiwer
Borah	Hale	Moses	Stephens
Bratton	Harris	Norbeck	Swanson
Brock	Hatfield	Norris	Thomas, Idaho
Brousard	Hawes	Oddie	Thomas, Okla.
Capper	Hayden	Partridge	Townsend
Caraway	Hebert	Patterson	Vandenberg
Carey	Johnson	Phipps	Walsh, Mass.
Connally	Jones	Ransdell	Watson
Copeland	Kean	Reed	Wheeler
Cutting	Kendrick	Robinson, Ark.	

The PRESIDENT pro tempore. Sixty-three Senators having answered to their names, there is a quorum present.

Mr. GLASS and Mr. ROBINSON of Arkansas addressed the Chair.

The PRESIDENT pro tempore. The Senator from New Mexico has the floor. Does he yield; and if so, to whom?

Mr. CUTTING. I yield first to the Senator from Virginia.

Mr. GLASS. Mr. President, it would seem more appropriate, perhaps, for the Senator from Arkansas to make the unanimous-consent request I had in mind, which was to appoint a definite hour to-morrow for a vote on the pending conference report, if that was the purpose of the Senator from Arkansas in asking the attention of the Senator.

Mr. ROBINSON of Arkansas. Mr. President, I ask unanimous consent that when the Senate completes its business to-day a recess be taken until 11 o'clock to-morrow; and that at not later than 2 o'clock to-morrow the Senate proceed to vote on the motion to recommit the conference report on the Interior Department appropriation bill; and if that is not carried, on the motion to agree to the conference report, without further debate.

The PRESIDENT pro tempore. Is there objection to the unanimous-consent agreement proposed by the Senator from Arkansas?

Mr. WHEELER. Mr. President, I suggest that the Senator include in the agreement that debate be limited on the part of any Senator to 30 minutes. Otherwise some one Senator might get the floor and talk from 11 o'clock until 2.

Mr. ROBINSON of Arkansas. I think that is a fair suggestion, and I add to the request that no Senator on to-morrow shall speak more than once or longer than 30 minutes on the pending motion or on the motion to agree to the conference report.

Mr. JOHNSON. Mr. President, I just came into the Chamber. What is the time fixed for the vote?

The PRESIDENT pro tempore. To meet at 11 o'clock to-morrow, to vote at 2, and that no Senator shall speak more than once or longer than 30 minutes.

Mr. ROBINSON of Arkansas. As I stated the request, the vote was to be taken at not later than 2 o'clock. I thought debate might be exhausted before 2 o'clock and we would want to vote, and I think there is no objection to that provision.

The PRESIDENT pro tempore. The proposal is to meet at 11, no Senator to speak more than once or longer than 30 minutes on either the question to recommit or the question to agree to the conference report, and that at not later than 2 o'clock the vote shall be taken on the final disposition of the conference report.

Mr. ROBINSON of Arkansas. That is it.

The PRESIDENT pro tempore. Is there objection?

Mr. CUTTING. Mr. President, reserving the right to object, do I lose the floor?

The PRESIDENT pro tempore. No; the Senator would not lose the floor. Is there objection to the unanimous-consent request proposed by the Senator from Arkansas? The Chair hears none, and the unanimous-consent request is entered into.

The agreement was reduced to writing, as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered (by unanimous consent), that when the Senate completes its business to-day it take a recess until 11 o'clock a. m. to-morrow; that no Senator shall speak more than once or longer than 30 minutes upon the pending motion to recommit or the question of agreeing to the conference report upon 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, and that at not later than 2 o'clock p. m. on that day the Senate proceed to vote without further debate on the pending motion to recommit and, if that be not carried, on the motion to agree to the conference report.

BIRTH CONTROL—ADDITIONAL MEMORIALS

Mr. CAPPER. I am in receipt of a letter from St. Agnes Branch, No. 978, Ladies Catholic Benevolent Association, of Leavenworth, Kans., protesting against the enactment of the so-called birth control bill, being Senate bill 4582, to amend section 305 (a) of the tariff act of 1922, as amended, and sections 211, 245, and 312 of the Criminal Code, as amended. The letter is short. I ask that it be printed in the RECORD and referred to the Committee on the Judiciary.

There being no objection, the letter was referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

LEAVENWORTH, KANS., *February 7, 1931.*

Senator A. CAPPER,
Washington, D. C.

HONORABLE SENATOR: The members of St. Agnes Branch protest the passage of the bill amending the tariff act and the Criminal Code, introduced by Senator GILLETT, of Massachusetts, as we believe this amendment will be a great danger to public health and morals, especially of our young people. We ask that this protest be printed in the CONGRESSIONAL RECORD, and trust you will use every effort to defeat this amendment.

Thanking you for your consideration and attention to this matter, we remain,

Yours truly,

ST. AGNES BRANCH, No. 978,
By CLARA M. BERGMAN, *Recorder.*

Mr. BLACK presented a letter in the nature of a memorial, which was referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

BIRMINGHAM, ALA., *February 6, 1931.*

Hon. HUGO BLACK, *Senator.*
Hon. GEORGE HUDDLESTON, *Representative.*
Hon. LISTER HILL, *Representative.*
Hon. W. B. OLIVER, *Representative.*

GENTLEMEN: St. Paul's Altar Society of Birmingham, Ala., an organization of more than 200 women, wish to hereby protest the passage of bill to amend tariff act (1930) and Criminal Code, known as Senate bill 4582, which is to be given public hearing before subcommittee of the Judiciary Committee of the Senate on February 13.

We feel that the passage of such amendments would mean great danger to public health and morals, especially of our young people, and an increase in obscenity should present Federal restrictions be removed. Also there would be an added burden on State authorities in seeking to meet the increased traffic of contraceptics, the sale of which is now forbidden, and the spread of immoral literature and advertisements, which certainly must follow.

We request that this protest be printed in CONGRESSIONAL RECORD.

Sincerely, MRS. ANGELA M. LUCAS, *President.*

Mr. BARKLEY presented a telegram in the nature of a memorial, which was referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

BARDSTOWN, KY., *February 11, 1931.*

Hon. ALBEN W. BARKLEY,
Senate Office Building, Washington, D. C.:

Four hundred men and women of Bardstown, Ky., strongly protest passage of the bill S. 4582.

THOMAS STOCKER, Jr.,
Grand Knight, Knights of Columbus.
GERTRUDE BOONE,
Regent, Daughters of Isabella.
NORMA G. CONWAY,
Secretary.

ADDITIONAL REPORTS—COMMITTEE ON MILITARY AFFAIRS

Mr. REED, from the Committee on Military Affairs, to which were referred the following bills, reported them each with an amendment and submitted reports thereon:

S. 229. An act for the relief of August R. Lundstrom (Rept. No. 1602); and

H. R. 2694. An act conferring the rank, pay, and allowances of a major of Infantry, to date from March 24, 1928, upon Robert Graham Moss, late captain, Infantry, United States Army, deceased (Rept. No. 1603).

Mr. PATTERSON, from the Committee on Military Affairs, to which was referred the bill (H. R. 11268) for the relief of Mary C. Bolling, reported it without amendment and submitted a report (No. 1604) thereon.

Mr. CAREY, from the Committee on Military Affairs, to which was referred the bill (H. R. 566) for the relief of Charles Smith, reported it without amendment and submitted a report (No. 1605) thereon.

He also, from the same committee, to which was referred the bill (H. R. 504) for the relief of James Earl Briggman, reported it with amendments and submitted a report (No. 1606) thereon.

Mr. BLACK, from the Committee on Military Affairs, to which was referred the bill (H. R. 4269) for the relief of William L. Wiles, reported it without amendment and submitted a report (No. 1607) thereon.

Mr. HARRIS, from the Committee on Military Affairs, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

H. R. 318. An act for the relief of William S. McWilliams (Rept. No. 1608);

H. R. 783. An act for the relief of Mary Neaf (Rept. No. 1610);

H. R. 1526. An act for the relief of Thomas J. Hayden (Rept. No. 1612);

H. R. 2505. An act for the relief of William Parish (Rept. No. 1609); and

H. R. 2729. An act for the relief of Anna E. Stratton (Rept. No. 1611).

Mr. BROCK, from the Committee on Military Affairs, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 3867. An act for the relief of William J. Clark (Rept. No. 1614); and

H. R. 2584. An act for the relief of Thomas F. Sutton (Rept. No. 1613).

Mr. PARTRIDGE, from the Committee on Military Affairs, to which were referred the following bills reported them each without amendment and submitted reports thereon:

H. R. 780. An act for the relief of George Selby (Rept. No. 1615); and

H. R. 4876. An act for the relief of Joseph Bratten (Rept. No. 1616).

REPORT OF POSTAL NOMINATIONS

As in executive session,

Mr. PHIPPS, from the Committee on Post Offices and Post Roads, reported favorably sundry post-office nominations, which were placed on the Executive Calendar.

ASSESSMENT WORK ON MINING CLAIMS

Mr. ASHURST. Mr. President, I rise to inquire of the Senator from Nevada [Mr. ODDIE], chairman of the Committee on Mines and Mining, what progress, if any, his committee is making with respect to the bill relating to the suspension of annual assessment work on mining claims?

Mr. ODDIE. Mr. President, last year I asked the Department of the Interior, for a report. This year I asked them to submit another report. Last year they submitted an adverse report, and I have recently received a letter from the Secretary of the Interior inclosing another adverse report. I think it might be just as well to have the report printed in the RECORD, because it will be notice to the mining industry generally.

Mr. ASHURST. Yes; let it be printed in the RECORD.

Mr. ODDIE. I ask unanimous consent that the report may be printed in the RECORD.

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

The report is as follows:

THE SECRETARY OF THE INTERIOR,
Washington, February 7, 1931.

Hon. TASKER L. ODDIE,
Chairman Committee on Mines and Mining,
United States Senate.

MY DEAR MR. CHAIRMAN: In response to your request of February 3 for a report on S. 5211, which is a bill proposing to suspend requirements of annual assessment work on mining claims during the assessment years 1931 and 1932, I transmit herewith a memorandum on the subject that has been submitted by Acting Commissioner Havell of the General Land Office.

After a review of the proposed measure, I agree with Mr. Havell.

Very truly yours,

RAY LYMAN WILBUR, *Secretary.*

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, February 6, 1931.

MEMORANDUM FOR THE SECRETARY

I have by reference from the department a letter from Hon. TASKER H. ODDIE, chairman of the Committee on Mines and Mining, United States Senate, requesting report on S. 5211, a bill which proposes to suspend the requirement of annual assessment work on mining claims during the assessment years of 1931 and 1932.

Measures of similar character have been enacted from time to time, the last ones during the World War and immediately thereafter, when the moving reason was the shortage in labor. This is not the condition now, and while the prices of some minerals are below normal I am not convinced that this fact, nor do I know of any other condition which warrants the enactment of the bill. The requirement of annual assessment work in order to hold a mining claim is structurally a part of our mining system. The expenditure of $100 per annum in the improvement of the mine or development of the claim is visible notice on the ground that the claim has not been abandoned. It tends to discourage speculative locations and to encourage development of claims into mines. It is an assurance against nonresident owners holding indefinitely, valuable mineral deposits without contributing to the support of the local communities where the claims are located. To relieve such claimants from annual assessment work is to take from the residents of the locality the revenue they would gain from employment to perform the assessment work on the claims in the locality.

Furthermore, attention should be given to the fact that the bill applies to all unpatented mining locations, which includes the oil-shale placer-mining locations held under the provisions of section 37 of the mineral leasing act of February 25, 1920 (41 Stat. 437). There are now pending before Congress certain bills which relate more or less immediately to assessment work on these claims.

In view of these conditions I do not favor the bill, and recommend that it be not enacted.

A similar bill, H. R. 15549, was the subject of office memorandum to you, dated January 5, 1931.

THOS. C. HAVELL, *Acting Commissioner.*

RECESS

Mr. SMOOT. Mr. President, will the Senator from New Mexico [Mr. CUTTING] yield to me at this time to enable me to move a recess until to-morrow?

Mr. CUTTING. I yield to the Senator from Utah for that purpose.

Mr. SMOOT. I move that the Senate take a recess until 11 o'clock to-morrow morning.

The motion was agreed to; and the Senate (at 7 o'clock and 5 minutes p. m.) took a recess until to-morrow, Saturday, February 14, 1931, at 11 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate February 13 (legislative day of January 26), 1931

JUDGE OF THE POLICE COURT, DISTRICT OF COLUMBIA

Isaac R. Hitt, of the District of Columbia, to be a judge of the police court, District of Columbia. (He is now serving in this position under an appointment which expires March 18, 1931.)

APPOINTMENT IN THE OFFICERS' RESERVE CORPS OF THE ARMY

GENERAL OFFICER

To be brigadier general, reserve

Brig. Gen. Thomas Edward Rilea, Oregon National Guard, from February 13, 1931.

HOUSE OF REPRESENTATIVES

FRIDAY, FEBRUARY 13, 1931

The House met at 12 o'clock noon.

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

Let our hearts, singing the song of gratitude, be our grace to Thee, our Heavenly Father. Bless us this day with that satisfaction that comes to one who has been faithful to his task. Crown our lives, O God, with the fruits of the Spirit—with happiness that radiates in the eye, that blushes in the face, and that ripples with innocent laughter; with peace which belongs to the tranquil stars; with long-suffering that lends fortitude to patriots and endurance to heroes. Bless us with these treasures and let them break into voice and action, making our characters an inspiration. Let devotion to duty with knowledge of our country's needs become a contagion among us, emancipating our fellow citizens until their faith in our Government may always see the best glimmering through the worst. Hear us, blessed Lord God, and Thine shall be the praise. Amen.

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House is requested:

S. J. Res. 226. Joint resolution authorizing the distribution of the judgment rendered by the Court of Claims to the Indians of the Fort Berthold Indian Reservation, N. Dak.

ORDER OF BUSINESS—THE PRIVATE CALENDAR

Mr. TILSON. Mr. Speaker, it was expected that the Navy Department appropriation bill would be finished yesterday. Consideration of that bill has been drawn out somewhat longer than was expected, and it is apparent that at least the greater part of to-day will be consumed in concluding consideration of this bill.

I therefore ask unanimous consent that on to-morrow, Saturday, it may be in order to consider the Private Calendar, beginning where the last call left off, the bills to be considered in the House as in Committee of the Whole, and only those bills that are not objected to to be considered.

Mr. BANKHEAD. Reserving the right to object, Mr. Speaker, and I shall not object, I would like to ask the majority leader if he is in a position now to give us any information as to when it is likely the so-called bonus bill will be up for the consideration of the House and under what guise it will come up.

Mr. TILSON. I am not able to inform the gentleman. The bill has not been reported to the House, and until it is reported it seems to me that it would be a little premature to attempt to inform the House as to when it will be considered.

Mr. BANKHEAD. It may be a little premature, but I thought perhaps the gentleman might give us an inkling of what is running through his mind about it.

Mr. TILSON. I make it an invariable rule to wait until bills are at least reported and on the calendar——

Mr. BANKHEAD. That is a pretty sound rule, but there are some exceptions to it.

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

Mr. TILSON. Yes.

Mr. GARNER. In case the House should dispose of the Navy bill to-day in time for us to give some consideration to the Private Calendar, does not the gentleman think he had better ask unanimous consent that we may go on with the Private Calendar to-day?

Mr. TILSON. I shall be very glad to do that. I hope to use all the time possible on the Private Calendar.

Mr. GARNER. I wish the gentleman would include that in his request, so that we may take the balance of to-day, after finishing the Navy bill, to consider bills on the Private Calendar.

Mr. TILSON. If there is no objection, I am willing to include that in my request.

The SPEAKER. The gentleman from Connecticut asks unanimous consent that it shall be in order at the conclusion of the Navy appropriation bill to-day to consider bills on the Private Calendar, beginning at No. 599, bills unobjected to, in the House as in Committee of the Whole, and that it shall be in order also to continue with the Private Calendar to-morrow. Is there objection?

Mr. CRAMTON. Reserving the right to object, Mr. Speaker, if the gentleman will yield, the conference report on the Interior bill is awaiting action in another body. The conditions are not such as to be very encouraging as to our having any early opportunity to act upon the bill in the House. Personally, I should very much like to see the House have such an opportunity to-day, or certainly to-morrow, because there is not only the drought-relief legislation, but there is $19,000,000 of money immediately available for construction throughout the country which would, of itself, be an important relief measure. If we should have an opportunity to bring up that conference report for action in the House to-day or to-morrow, the granting of the request of the gentleman has made would not interfere with that?

Mr. TILSON. The gentleman understands that that bill has reached the privileged stage in its consideration, so that it would be in order at any time.

Mr. CRAMTON. And this request would not displace privileged matters?

Mr. TILSON. It would not and could not.

Mr. MICHENER. Mr. Speaker, reserving the right to object, in view of the fact that the Private Calendar is lengthy and everyone should be given an opportunity to have his bill at least called, why can we not meet at 11 o'clock to-morrow, if that is the unanimous desire of the House?

Mr. STAFFORD. Mr. Speaker, that puts too much of a burden on Members who consider these respective bills. We have been very considerate. The request of the gentleman from Connecticut [Mr. TILSON] has been broadened so as to include whatever part of to-day may be available for that purpose, and certainly to-morrow we will make good headway by beginning at 12 o'clock.

Mr. MICHENER. Will the gentleman promise us that we will make good headway and that if he is going to object to a bill that he will object to it and not talk about it?

Mr. STAFFORD. I have no control over the attitude of those Members of the House who wish to expatiate upon the position of the Members who are doing what they believe is their duty.

Mr. MICHENER. Will the gentleman control himself?

Mr. STAFFORD. So far as controlling myself, if the gentleman has ever been here at an evening session he knows that I have not taken any more time than necessary in the consideration of these bills.

Mr. BLANTON. Mr. Speaker, reserving the right to object, and I shall not object, I want to ask the gentleman whether or not by reason of our arranging to use to-morrow on the Private Calendar the gentleman expects to run longer than the usual adjournment hour this evening?

Mr. TILSON. We must not lose any time at all.

Mr. BLANTON. But the gentleman is not contemplating running beyond the usual adjournment hour this evening?

Mr. TILSON. Not at all.

The SPEAKER. Is there objection?

There was no objection.

MAKE THE PROTECTIVE TARIFF POLICY OF THIS COUNTRY EFFECTIVE

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD in connection with H. R. 16739 pending legislation, on making the protective-tariff policy of the country effective.

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

There was no objection.

Mr. PITTENGER. Mr. Speaker, during the last session of Congress a tariff law was enacted having for its purpose

the protection of the American farmer, the American laborer, and the American industries.

If the benefits of that tariff act are to be made effective, some changes should be made at this session of Congress.

We should not be misled by the viewpoint of the international bankers, who would have free trade with Europe in order that European countries might meet their obligations to the international bankers.

We should not be misled by American manufacturers who have established factories in Europe and who now hope to have those products thrown upon the American market to compete with the products of American labor.

The dairy industry of the United States has a real grievance. It is now suffering both because of the existing provisions of the tariff law, admitting foreign oils free of duty to the United States, and because of a ruling of the Commissioner of Internal Revenue, who held that palm oil can be used as an ingredient in the manufacture of oleomargarine, so as to give it a yellow color to make it look like butter and avoid payment of the 10-cent per pound tax.

There is now pending before Congress a bill by Congressman BRIGHAM to partially remedy this situation. That bill ought to pass.

There is also pending a bill, H. R. 16739, introduced by Congressman ANDRESEN, of Minnesota, which seeks to amend the tariff act of 1930 by placing, under proper conditions, a tariff on imported vegetable oils, fats, and other substitutes. Palm oil, coconut oil, and other vegetable oils and fats should not be permitted to enter the United States free of duty. If we are to give adequate protection to the dairy industry of the United States, both bills should be enacted into law at this session of Congress.

Rulings of various departments should not be permitted to change the law and destroy its purpose and effect. If the only way that such rulings can be avoided is by new legislation, then certainly every friend of agriculture should support these measures.

I quote the following resolutions sent to me in a letter to show the seriousness of the situation in connection with the dairy industry:

MINNESOTA STATE FAIR,
STATE AGRICULTURAL SOCIETY,
St. Paul, Minn., February 6, 1931.

Hon. WILLIAM A. PITTENGER,
Representative from Minnesota in Congress,
Washington, D. C.

DEAR MR. PITTENGER: At a recent annual meeting of the Minnesota State Agricultural Society the following resolution was passed, which I am pleased to hand you herewith for your consideration:

"Whereas the Federal Internal Revenue Department has ruled that the admixture of refined palm oil with oleomargarine is not a coloring of such oleomargarine within the meaning of revenue regulations imposing a tax upon colored oleomargarine, so called; and

"Whereas the admixture of such palm oil actually does so color oleomargarine that it may be sold in perfect imitation of butter without payment of a tax; and

"Whereas the dairy industry is depressed and it is expert opinion that the sale of oleomargarine colored with palm oil has directly contributed to a loss of several cents a pound in the sale price of butter; and

"Whereas the price of butter automatically tends to establish prices on all other dairy products: Therefore be it

"*Resolved*, That the Minnesota State Agricultural Society, in annual convention assembled, hereby urges and petitions the United States Internal Revenue Department to speedily rescind the ruling to which reference has heretofore been made and that the Congress of the United States enact such legislation as may be necessary to effectually prohibit the sale of oleomargarine colored in any manner whatsoever without the imposition of the customary tax of 10 cents a pound; and be it further

"*Resolved*, That the Secretary be instructed to transmit a copy of this resolution to the United States Internal Revenue Department and to all Members of Congress from the State of Minnesota."

Yours truly,

RAYMOND A. LEE, *Secretary*.

Before this Congress adjourns pending legislation having to do with this subject should be passed, or every effort should be made to have the ruling of the Internal Revenue Department rescinded.

It is our duty to see that the bill reported by the Committee on Agriculture, making effective the tax on palm oil, becomes a law, as well as the bill of Congressman ANDRESEN providing for tariff on vegetable oils.

IMPORTATION OF RUSSIAN TIMBER PRODUCTS AND ORES

Mr. Speaker, there are other measures pending which have to do with the tariff problem. Section 307 of the tariff act of 1930 prohibits the importation of convict-made goods.

Section 337 of this tariff act is intended to prevent unfair methods of competition in the importation of goods to the United States from foreign countries.

Here again, Treasury regulations or lack of them has proved to be of serious consequence. Immediately upon the passage of the tariff act of 1930, Soviet Russia started in on a program of "dumping" lumber and timber products and manganese ores on the American market.

I am not interested in the desire of our international bankers and other internationalists who would like to see this practice continued.

I am, however, interested in seeing that the purpose of the tariff act of 1930 is not defeated by regulations of our own Government or by unfair practice in foreign countries.

Our own people, locally interested in lumber and timber products, should have the protection against unfair methods of foreign countries. Our people in the United States, interested in the production of manganese ores, are entitled to the same consideration.

There is now pending in the House bills introduced by Congressman KNUTSON of Minnesota and Congressman KENDALL of Pennsylvania, which have for their purpose an embargo against entry into the United States of goods and articles of merchandise from foreign countries, produced by convict labor or forced labor. If the American wage earner is to be protected, and if our industries are to go ahead along right lines, the principle embodied in these bills should be enacted into law.

I will not here enter into a long discussion of Soviet Russia and their methods of mass production or their labor problems. It is sufficient to say that, in that country, there are thousands of political prisoners and other victims of the governmental régimé who are virtual slaves and who are compelled to labor long hours in the production of lumber, timber products and manganese ores for shipment to America, where they are thrown on the American market to the disadvantage of American labor and American industry.

When they can not compete fairly, they engage in the practice of "dumping" their products on our shores at prices which do not take into account the cost of production. The effect of this practice is to paralyze our industries, throw men out of work, and drive down and force down the American standards of living.

I do not believe that Russian convict-made goods should compete with American labor and American industry.

Our first duty is not to the soviet 5-year program which contemplates the use of convicts in the production of lumber and other articles of export for shipment to the United States. Our first duty is to our own people and, before this Congress adjourns, legislation embodied in the Knutson and Kendall bills should be enacted.

OTHER TARIFF MATTERS

In this brief discussion I am not overlooking the problem faced by the producers of crude oil in the United States. I refer to Oklahoma, Montana, Texas, and other sections where the people interested in crude oil are unable to produce the same and sell it in competition with oil imported from foreign countries. Let us be consistent, those who believe in a protective tariff, and give these people relief.

The copper mining industry is similarly situated and the American producers of copper are not able, I am told, at the present time, in view of the large importations from foreign countries, to continue in business. There ought to be a tariff on this product that will protect the American workmen and producer of this metal.

My attention has also been called to the fact that the fishing industry of this country is face to face with a similar situation. Canadian fish are now being shipped to the United States to the detriment of our local fishermen and, if the principle of a protective tariff is sound, action ought to be taken along these lines for the protection of our own people.

CONSTRUCTION OF CERTAIN PUBLIC BUILDINGS

Mr. ELLIOTT. Mr. Speaker, I call up the conference report on the bill H. R. 16297, an act to amend the act entitled "An act to provide for the construction of certain public buildings, and for other purposes," and ask unanimous consent that the statement may be read in lieu of the report.

The SPEAKER. The gentleman from Indiana asks unanimous consent that the statement may be read in lieu of the report. Is there objection?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 16297) entitled "An act to amend the act entitled 'An act to provide for the construction of certain public buildings, and for other purposes,' approved May 25, 1926 (44 Stat. 630), and acts amendatory thereof," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 6.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, and 4, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 3, and concur therein with an amendment as follows: In lieu of the matter proposed by said amendment insert:

"SEC. 2. That the provisions contained in the act of May 25, 1926, as amended by the act of February 24, 1928, limiting the amount that may be expended annually in any one of the States, Territories, or possessions of the United States to $10,000,000 be and the same are hereby further amended so as to increase the amount that may be expended in any one of the States, Territories, or possessions of the United States to an amount not to exceed $20,000,000 annually from the date of the passage of this act until December 31, 1933, after which time the amount which shall be expended in any one of the States, Territories, or possessions of the United States shall not exceed the sum of $15,000,000 annually."

That the House recede from its disagreement to the amendment of the Senate numbered 5, and concur therein with an amendment as follows: In lieu of the matter proposed by said amendment insert, on page 3, line 6, after the word "cost," "*Provided*, That this provision shall not apply to any contract entered into prior to the approval of this act, nor to any contract entered into after December 31, 1933."

RICHARD N. ELLIOTT,
FRITZ G. LANHAM,
Managers on the part of the House.

CLAUDE A. SWANSON,
W. H. MCMASTER,
SIMEON D. FESS,
A. R. GOULD,
HENRY F. ASHURST,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 16297) entitled "An act to amend the act entitled 'An act to provide for the construction of certain public buildings, and for other purposes,' approved May 25, 1926 (44 Stat. 630), and acts amendatory thereof," submit the following written statement explaining the effect of the action agreed on by the conference committee and submitted in the accompanying conference report:

Amendments 1 and 2 are merely clarifying amendments to which the House managers agreed.

On amendment No. 3: Instead of repealing the clause in the public buildings act approved May 26, 1926, as amended, providing not more than $10,000,000 annually could be expended in any of the States, Terirtories, or possessions of the United States was amended to provide that not more than $15,000,000 could be expended in any such Territory during any one year. The House managers disagreed to this and agreed to the same with an amendment making the limit that could be expended annually in any of the States, Territories, and so forth, $20,000,000.

The fourth amendment provides that when the lowest responsible bid pursuant to advertising, exceeds the estimated limit of cost fixed by Congress, that the Secretary of the Treasury is authorized in his discretion, to enter into contracts for the construction of such buildings in an amount not exceeding 5 per cent in excess of such estimated limit of cost, while the House bill authorized him to enter into such contracts in an amount not exceeding 10 per cent in excess of such estimated limit of cost.

Amendment No. 6 was disagreed to because the matter contained in said amendment was taken care of otherwise.

RICHARD N. ELLIOTT,
FRITZ G. LANHAM,
Managers on the part of the House.

Mr. ELLIOTT. Mr. Speaker, I yield three minutes to the gentleman from New York [Mr. LAGUARDIA].

Mr. LAGUARDIA. Mr. Speaker, the entire House and the country is very much interested in this program. The Treasury Department has a big job to perform. I want to state in this matter of public buildings the Treasury Department should consult the wishes of the people concerned, should consult the locality in which these buildings are to be located. It would be most unwise if the Treasury Department ignored the local wishes and local conditions.

I want to say a word of warning to the Secretary of the Treasury and his department that I hope there will not be an undue display of nepotism and favoritism. I think the Secretary will understand exactly what I refer to and to whom I am alluding.

It is a big undertaking, and they should be very careful not to display too much favoritism.

Mr. BOYLAN. Why not tell the House and let us know something about it?

Mr. SABATH. Will the gentleman yield?

Mr. ELLIOTT. I yield.

Mr. SABATH. I notice that the limit has been increased from $15,000,000 to $20,000,000 for any one locality. Is that for the purpose of starting the post office at Chicago, for which we secured an appropriation 22 years ago and the office has not been started yet? What I want to know is whether the limit of $20,000,000 will be high enough so that we will not again delay the construction of the Chicago post office?

Mr. ELLIOTT. Our information is that it is. That is the reason why the conferees agreed to an amendment raising it from $15,000,000 to $20,000,000, so that it would take care of these large post offices.

Mr. SABATH. The authorization for the Chicago post office was $21,500,000.

Mr. ELLIOTT. But they would not build it all in one year.

Mr. SABATH. I do not know when they will build it. This is the third site they have agreed upon, and the Lord knows how many more they will select.

Mr. ELLIOTT. The limitation is high enough so that they can build the Chicago post office without any interference. That is my information from the Treasury Department.

Mr. LANHAM. Will the gentleman yield?

Mr. ELLIOTT. I yield.

Mr. LANHAM. I would like to say further in reply to the gentleman from Illinois that this provision authorizes an expenditure of $20,000,000 per annum in any one State or Territory, and the limitation on such amount of expenditure is two years or a little more. We have increased the amount from $15,000,000 to $20,000,000 per annum for these two years, designed especially to take care of the necessary projects in three of the largest of the States—Illinois, New York, and Pennsylvania—in which the work already contemplated and the work in course of construction will require

a little more than $15,000,000 a year. We have the assurance of the Treasury officials in charge of construction that this provision will give them ample funds to take care of the post office at Chicago and also those in New York and Pennsylvania.

Mr. SABATH. I appreciate the action of the House conferees, as I am greatly interested, that this new Chicago post-office building, so badly needed, be started. Not only because of the great need for it but also because it will give employment to a few hundred of those thousands of unemployed. I observe that the gentleman from Texas is well posted, and I am mighty glad to receive the information. I have been laboring to obtain a new post office in my city for 22 years. I was informed three years ago that we were going ahead. We authorized the purchase of a site, which I opposed not only because I believed that the purchase price was too high but also that the site was not suitable. Two years later the Government, nevertheless, purchased it; and we were made to believe that plans were being prepared and that the work on the building would shortly be started. When after a month of waiting the Illinois delegation called on the Postmaster General, demanding a reason for the long delay, they were informed that the site acquired and handsomely paid for was not suitable and that a new site—over the Pennsylvania Railroad tracks—was being considered. This was last year. Since that time we have been informed that an agreement has been entered into to build the post office over the railroad tracks but have been unable to determine what the deal is. Rumors have it, however, at a price far above its value. In view of this, can the gentleman inform the House what has been agreed upon between the Treasury Department and the Post Office Department as to the price fixed or agreed upon for the so-called air rights in Chicago?

Mr. LANHAM. I can not tell the gentleman that, of course. That is a detail of construction and not of legislation, with which I am not familiar. I can say to the gentleman that we have the assurance of the departmental authorities that this provision increasing this amount to $20,000,000 for the time specified in the conference report will enable them to carry on the contemplated work.

Mr. SABATH. In view of the position that the Postmaster General has taken before the Senate Blaine committee the other day, wherein he refuses to give any information to that committee in regards any of the leases or purchases, how can a humble Member of the House or the membership of the House secure any information relative to any unreasonable contracts or purchases which the department makes for public-building sites?

Mr. LANHAM. This is an entirely different matter. We are dealing here with funds for construction that are primarily in the hands of the Treasury Department.

Mr. CLARKE of New York. Mr. Speaker, I demand the regular order.

Mr. SABATH. This is the regular order. We want some information. We do not believe in voting millions and millions of dollars away and not being able to ascertain at any time to whom it goes and whether these contracts are excessive, and in many instances criminal.

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

Mr. SABATH. Yes.

Mr. LANHAM. As to the very complaint that the gentleman is making, the conference report, as the bill will be affected by it, is very much more restrictive than the bill as it passed the House originally.

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

Mr. SABATH. Yes, if I have the floor.

Mr. BLANTON. I imagine that when that committee in another body gets through with this pugnacious Postmaster General he will probably be in a more lenient mood to give out information to Congress and its Members.

Mr. SABATH. Let us hope so; and if not I—yes, we—will find a way to obtain it. In fact, I am slowly but gradually obtaining a great deal of information as to some of those leases to which I called attention two years ago and again last year on the floor of the House, and also as to the purchase at a fabulous price, against the protest of the west-side Chicago Members, of the now abandoned site. The underlying reasons for originally purchasing it at a fabulous price and those for abandoning it and agreeing to build it over the railroad tracks, I am satisfied, will be interesting not only to the committee and the House but also to the country.

I advise the Postmaster General not to be too hasty and overpositive as to some of the charges against his predecessors and against some of the high and influential officials in the Republican Party, as in the near future he will be obliged to do a great deal of retracting and explaining not only as to those out of service but even as to some activities during his administration.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

On motion of Mr. ELLIOTT, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

MARINE CORPS RESERVE AVIATION

Mr. MAAS. Mr. Speaker, I ask unanimous consent to extend my remarks on the pending appropriation bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. MAAS. Mr. Speaker, there seems to be some misunderstanding by the Appropriations Committee in regard to the Marine Corps Reserve. In the report on the naval appropriations bill, the following reference was made:

> Marine Corps Reserve aviation: Owing to lack of funds or possibly to a leaning toward other reserve activities, or possibly both, Marine Corps Reserve aviation, apart from training units on active duty, practically is at a standstill. The committee feels that some encouragement should be given to this branch within the funds carried in the bill, which show no change over the current year. Until some disposition to do this is manifested, the committee would be disposed to oppose any increase in Marine Corps Reserve funds. Assigned men afford a reservoir of the best sort for an emergency, and as their number expands less need would seem to exist for a reserve force other than officers except in aviation.

This statement could only have been made under a misapprehension of the facts. The Marine Corps Reserve aviation has been given increases in funds annually since 1929. In 1928 no provision was made for reserve aviation. Again in the fiscal year 1929 no money was appropriated exclusively for aviation, but in that year $64,000 of the money appropriated for Marine Corps Reserve was for aviation. In the fiscal year 1930 the Marine Corps Reserve aviation was given $133,000 and $18,000 quartermaster funds. In 1931 it is planned that the same amount will be available for reserve aviation.

On the other hand, in the fiscal year 1929, after deducting the aviation funds, the line Marine Corps Reserve had available for training men $118,000 and $60,000, quartermaster funds. With this money they trained in summer encampments 1,103 officers and men. In the fiscal year 1930, after increasing the fund available for reserve aviation, the line reserve again had available for training $118,000, with increase to $90,000, quartermaster funds. In this year, however, the reserves, as a result of economies within the organizations, such as training closer to each organization's headquarters and each enlisted reservist furnishing his own shoes, were able to train 2,046 officers and men, or nearly twice as many as in 1929.

It is planned to train for the fiscal year 1931 2,800 officers and men, still with the same appropriation as that available in 1929 and 1930.

Aviation reserve has been encouraged, and properly so. It seems, however, that the line reserve has not only been developing and growing, but that the growth has been fostered by patriotism and love of the service rather than by increased appropriations. It would appear that encouragement through recognition of these facts is due the Marine Corps Reserve.

The statement of the committee report that assigned men afford a reservoir of the best sort and that as their number expands less need would seem to exist for an enlisted reserve force is clearly in error, in that the number of assigned men is not expanding. In this class fall those who are dis-

charged from the regular service after serving their enlistment period. No training is given after their discharge, but assigned men draw $25 per year. Inasmuch as discharges from the service are, as a whole, constant, and when it is appreciated that assigned men are subject to call in an emergency for only four years after their discharge, it is plain that no expansion can be expected in the number of assigned men.

Washington, D. C., is headquarters for a Marine Reserve Regiment which has earned for itself a splendid reputation. I have heard that it is possible that this regiment may be expanded to a brigade. Having a profound regard for the citizen army which spends its summer encampments in the field under canvas, I sincerely trust that the Marine Reserves will expand as much and train as many officers and men as possible under existing appropriations.

It is obviously impossible to increase the activities of the aviation branch of the reserve year by year out of the same sized appropriation unless the line activities are curtailed in proportion. I most ardently join in urging an expansion of the aviation reserve of the Marine Corps, but I think there should be increased appropriations for the purpose and that it should not be done at the expense of other most necessary reserve activities.

To do so means that line units will be built up, just to be disbanded. This is destructive of morale and wastes a most valuable reserve force.

I wonder if the committee and Congress realize the full significance of the work being done in the Marine Corps Reserve. It is not just the usual type of haphazard two weeks' training.

Something entirely new has been created that I believe to be the most valuable contribution to national defense since the national-defense program was adopted, right after the war.

It is the organization of volunteer regiments, complete in every detail, ready on 24 hours' notice to take the field as a self-sustaining, efficient, and trained force. Every man and officer in the regiments is a reservist. The enlisted men not only buy their own shoes but voluntarily pay $3 a year dues to belong. The officers assess themselves $10. This all goes for the regiment. The first regiment was formed here in Washington.

The enlisted men are students, young lawyers, business men, and, for the most part, officer material. In time of emergency a large part of the regiment could be sent to officers' training camps and many immediately commissioned as officers. These reserve officers and men receive no retainer pay but drill voluntarily and are paid only for their two weeks' active duty. What is most important is that when they do train, it be under field conditions and as a complete unit. Should a national emergency arise, some of these regiments, if we provide for the expansion of the program, could at once take over the guarding of navy yards and thereby release for immediate front-line duty the marines at these stations. Other regiments could fill in as the reserves in the field for replacements in the line. It will provide the finest possible source of material for the officers' training camps.

Incidentally it is the cheapest efficient and effective military defense plan ever devised in this country.

The efficiency and proficiency of the two regiments now in existence—and they are less than a year old—is astounding. At the end of their two weeks' training period the marine reserves compared favorably to a surprising degree with regular marines.

The Washington regiment should be expanded into a brigade, and if that is satisfactory there should be other brigades. We are getting what we most want and need in this country in defense—a well-trained, effective, civilian force, immediately available for duty at an absolutely rock-bottom minimum of cost. There is no militarism about this. It is pure patriotic defense. I think this regimental and brigade Marine Corps Reserve plan offers the real solution to our national-defense problem. It should be encouraged and stimulated.

I think Congress and the public owes a debt of gratitude to the men who conceived and worked out this plan. Particularly is credit due to Lieutenant Colonel Staley, a reservist, who has worked untiringly and with unbelievable energy to make this regimental plan a success, and do it on almost nothing. I believe he should be made a brigadier general and permitted to demonstrate the possibilities of this type of reserve organization on a brigade basis. Colonel Turrill, the regular officer in charge of reserves in the Marine Corps, I believe has done more for national defense in fostering and supporting this plan than anyone now realizes. He ought to receive the distinguished-service medal for his work and contribution to the cause.

These two splendid officers have been whole-heartedly supported and encouraged by General Fuller, the Commandant of the Marine Corps, whose quiet, keen vision has foreseen what this will mean to the general cause of national defense.

Gentlemen, by all means—and I can not urge it too strongly—encourage and expand Marine reserve aviation, but do it hand in hand with the line reserve, and do not expand one at the sacrifice of the other. They are both too important to our present security and possible future protection.

REDUCED STREET-CAR FARE FOR SCHOOL CHILDREN

Mr. McLEOD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 12571) to provide for the transportation of school children in the District of Columbia at a reduced fare, with Senate amendments thereto, disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from Michigan asks unanimous consent to take from the Speaker's table the bill H. R. 12571, with Senate amendments thereto, disagree to the Senate amendments, and ask for a conference. Is there objection?

There was no objection.

The SPEAKER appointed the following conferees: Mr. ZILHMAN, Mr. McLEOD, and Mrs. NORTON.

ADDRESS OF PRESIDENT HOOVER

Mr. CLARK of Maryland. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix by inserting therein the President's Lincoln Day address delivered over the radio yesterday.

The SPEAKER. Is there objection?

There was no objection.

Mr. CLARK of Maryland. Mr. Speaker, under leave granted me this day to extend my remarks in the RECORD, I am including the Lincoln Day speech of President Hoover, delivered over the radio last evening, in which he called to the attention of the country the importance of observing constitutional processes in the further development of our Nation.

What makes this subject so important at this time is that a certain group of intelligent, prominent, and highly financed citizens, who have been organized and operating for some time, are carrying their organization and money from State to State disseminating the dangerous doctrine that no State is under any legal or moral obligation to support the Constitution of the Union, and therefore any State might ignore the eighteenth amendment and withdraw its support. And they actually finance elections for this purpose.

I am going to ask you to hear some of the reasoning back of this false, highly perilous, and rebellious doctrine.

This group seeks to give the impression to the public that there is in Washington a great supergovernment controlled by Congress and that this supergovernment wrote the eighteenth amendment into the Constitution and is trying to force the States to support it and enforce it.

The truth is, as we all know, that all Congress did was to adopt a resolution submitting this amendment to the States of the Union for consideration. It was for the States to say whether it should or should not be written into and become a part of the Constitution—not the constitution of Congress, as there is no such thing, but the Constitution of the Union of the States. The States made the Constitution

and only the States can unmake, amend, or modify any part of it. The eighteenth amendment was sent by the States to Congress as their mandates and Congress has no legal or moral authority to change or depart from the directions or requirements of such mandates. Under our coordinate departmental system of government there is no superior power lodged in the States or elsewhere to compel Congress to enforce the Constitution, just as there is no power lodged in Congress to compel the States to enforce it, but it is nevertheless a duty the violation or nullification of which strikes at the very root, foundation, and existence of our Government.

Then this group says to the people, "Congress enforces the Harrison narcotic law, the Mann white-slave law, the Dyer autotheft law, and other statutes; why, therefore, should Congress expect the States to enforce the eighteenth amendment?"

The least we can say of this argument is that it is a deliberate attempt to exploit the uninformed, who have not had occasion to distinguish between a Federal statute and a constitutional amendment. Federal statutes are made by Congress and enforceable only through Federal agencies, while constitutional amendments, being made by the States, are necessarily binding on the States, and when not self-executory, the States provide for the method of execution as done in the eighteenth amendment. Every State knew when it ratified this amendment and sent its mandate to Congress that concurrent enforcement by the State was necessary to make it effective, and the amendment so provided. For any State to back away from its own action and its own self-imposed responsibility is a violation of obligation to the Union of which it is a part. And any State executive who teaches such violation of such obligation stultifies himself and fails to cover his oath.

When this group says to the people, "There is no way for Congress or any other agency in Washington to compel a State to support or enforce the Constitution or the eighteenth amendment and, therefore, there is no legal or moral obligation upon the State to do so," it is teaching a most dangerous doctrine. What they say is true, that a State can not be compelled to act, but I dispute the statement that there is no obligation on the part of a State to observe or be bound by the Constitution of the Union. It is also true that Congress can not be forced to pass the appropriation bills that it is now passing, or for the Congress to compel the President to perform any of his constitutional or executive duties, but what would happen to our country if these officials were to refuse to perform such duties merely because they can not be compelled to perform them?

Then this group puts its lawyers in the front trenches and they say to the people, "Police powers do not belong in the Constitution, and if they are put there they can not be self-executory; so all you have to do is to refuse to support or enforce it, and then when Congress withdraws enforcement this part of the Constitution will sleep by nullification."

Can not a school child see what is going to eventually happen to orderly constitutional government if this group of nullificationists continues to sell our blood-bought institutions down the river of constitutional defiance so much sought by communist planners?

When these nullification arguments are given to the States this group knows that this constitutional amendment was made by the States, and that the States went one step farther than in the thirteenth amendment by imposing upon themselves—that is, upon each State—the obligation of concurrent enforcement. The reason is clear to them, but they deliberately keep the truth from the people. They knew that unless the States concur that enforcement is largely impossible, by necessity, and nullification is largely unavoidable unless the Federal forces invade every State and set up complete enforcement machinery therein that would cost at least $300,000,000 annually. No such duplication of enforcement within the States was intended in the mandates sent to Congress.

When this group brings its nullification organization and its ill-gotten and ill-used wealth into a State for the avowed purpose of urging it to break faith with or repudiate the Union of which it is a part and possibly bring on such a condition as confronted us in 1860 with respect to the slavery question, every such State should arise in resentment and drive it out, with a polite invitation to stay out.

Back of all this false and rebellious propaganda is, of course, a cleverly conceived plan, for political and other reasons, to destroy the confidence of the public in both the law and those managing or in charge of its enforcement.

I have no objection to a change in any law, constitutional or statutory, to conform to changed sentiment, but let the sentiment be real and not artificially developed by false propaganda and criminal wealth.

This has always been a country in which genuine progress has relied upon constitutional processes, and I commend to the Nation a careful reading of President Hoover's Lincoln day address yesterday emphasizing this fact.

The President's speech follows:

By the magic of the radio I am able to address several hundred public gatherings called this evening throughout our country in celebration of the birth of Abraham Lincoln.

It is appropriate that I should speak from this room in the White House where Lincoln strived and accomplished his great service to our country.

His invisible presence dominates these halls, ever recalling that infinite patience and that indomitable will which fought and won the fight for those firmer foundations and greater strength to government by the people. From these windows he looked out upon that great granite shaft which was then in construction to mark the country's eternal tribute to the courage and uncompromising strength of the founder of this Union of States.

Here are the very chairs in which he meditated upon his problems. Above the mantelpiece hangs his portrait with his Cabinet, and upon this fireplace is written:

"In this room Abraham Lincoln signed the Emancipation Proclamation of January 1, 1863, whereby 4,000,000 slaves were given their freedom and slavery forever prohibited in these United States."

It was here that he toiled by day and by night that the Union created by the fathers might be preserved and that slavery might be ended.

Most of the business of this room in Lincoln's time was concerned with the conduct of war against destructive forces. From here he could oft hear the sound of approaching cannon, and yet the thought that he should desert his place, this city and this house, never entered into his considerations. Lincoln was a builder in an epoch of destruction. It was his assignment by Providence to restore the national edifice, so badly shattered in its social and economic structure that it had well-nigh failed. His undying idealism and inflexible resolve builded a new temple of the national soul in which our succeeding generation have since dwelt secure and free and of a richer life.

And if Lincoln could to-day resurvey the scene of his country he would find a Union more solidly knit and more resolute in its common purpose than ever in its history. He would find the States of the South recovered from the wounds of war, inspired by the splendid leadership of a new generation to a brilliant renaissance of industry and culture.

He would indeed find the consummation of that great moving appeal of his inaugural in which he said: "The mystic chords of memory stretching from every battlefield and patriot grave to every living heart and hearthstone all over this broad land will yet swell the chorus of the Union when again touched, as surely they will be, by the better angels of our nature." It was indeed a great prophecy.

If Lincoln were living he would find that this race of liberated slaves, starting a new life without a shred but the clothes in which they stood, without education, without organization, has to-day by its own endeavors progressed to an amazingly high level of self-reliance and well-being. To Lincoln it would have been incredible that within a lifetime the millions of children of these slaves would be graduating from the public schools and colleges, that the race could have builded itself homes and accumulated itself a wealth in lands and savings; that it should have carried on with success every calling and profession in our country.

While the dramatic period of Lincoln's life was engrossed with these tremendous problems, yet he was a man of many interests. He was a believer in party government. He realized, as we also must realize, that fundamentally our whole self-government is conceived and born of majority rule, and to enable the majority to express itself we must have party organization. Lincoln led in founding the Republican Party and he gloried in his party. His tradition has dominated it to this day. It was and is a party of responsibility; it was and is a party of the Constitution.

While many of the issues of that time are dead and gone, some of our present problems were equally vivid in his day. You will find Lincoln addressing the country in strong and urgent support of the protective tariff with vivid declamation against the party opposing that policy. You will find him advocating Federal Government aid in internal development of waterways, rivers and harbors, and transportation. You will find him pounding at the public mind against nullification and for adherence to constitutional processes of government. No stronger statement has ever been made than that of Lincoln upon obedience to law as the very foundation of our Republic.

In Lincoln's day the dominant problem in our form of government turned upon the issue of States rights. Though less pregnant with disaster, the dominant problem to-day in our form of government turns in large degree upon the issue of the relationship of Federal, State, and local government responsibilities. We are faced with unceasing agitation that the Federal Government shall assume new financial burdens, that it shall undertake increased burdens in regulation of abuses and in the prosecution of crime.

It is true that since Lincoln's time many forces have swept across State borders and have become more potent than the State or local community can deal with alone either financially or by jurisdiction. Our concept of Federal, State, and local responsibilities is possible of no unchangeable definitions and it must shift with the moving forces in the Nation, but the time has come when we must have more national consideration and decision of the part which each shall assume in these responsibilities.

The Federal Government has assumed many new responsibilities since Lincoln's time, and will probably assume more in the future when the States and local communities can not alone cure abuse or bear the entire cost of national programs, but there is an essential principle that should be maintained in these matters. I am convinced that where Federal action is essential then in most cases it should limit its responsibilities to supplement the States and local communities, and that it should not assume the major rôle or the entire responsibility, in replacement of the States or local government. To do otherwise threatens the whole foundation of local government, which is the very basis of self-government.

The moment responsibilities of any community, particularly in economic and social questions, are shifted from any part of the Nation to Washington, then that community has subjected itself to a remote bureaucracy with its minimum of understanding and of sympathy. It has lost a large part of its voice and its control of its own destiny. Under Federal control the varied conditions of life in our country are forced into standard molds, with all their limitations upon life, either of the individual or the community. Where people divest themselves of local government responsibilities they at once lay the foundation for the destruction of their liberties.

And buried in this problem lies something even deeper. The whole of our governmental machinery was devised for the purpose that through ordered liberty we give incentive and equality of opportunity to every individual to rise to that highest achievement of which he is capable. At once when government is centralized there arises a limitation upon the liberty of the individual and a restriction of individual opportunity. The true growth of the Nation is the growth of character in its citizens. The spread of government destroys initiative and thus destroys character. Character is made in the community as well as in the individual by assuming responsibilities, not by escape from them. Carried to its logical extreme, all this shouldering of individual and community responsibility upon the Government can lead but to the superstate where every man becomes the servant of the State and real liberty is lost. Such was not the government that Lincoln sought to build.

There is an entirely different avenue by which we may both resist this drift to centralized government and at the same time meet a multitude of problems. That is to strengthen in the Nation a sense and an organization of self-help and cooperation to solve as many problems as possible outside of government. We are to-day passing through a critical test in such a problem arising from the economic depression.

Due to lack of caution in business and to the impact of forces from an outside world, one-half of which is involved in social and political revolution, the march of our prosperity has been retarded. We are projected into temporary unemployment, losses, and hardships. In a Nation rich in resources, many people were faced with hunger and cold through no fault of their own. Our national resources are not only material supplies and material wealth, but a spiritual and moral wealth in kindliness, in compassion, in a sense of obligation of neighbor to neighbor, and a realization of responsibility by industry, by business, and the community for its social security and its social welfare.

The evidence of our ability to solve great problems outside of government action and the degree of moral strength with which we emerge from this period will be determined by whether the individuals and the local communities continue to meet their responsibilities.

Throughout this depression I have insisted upon organization of these forces through industry, through local government, and through charity, that they should meet this crisis by their own initiative, by the assumption of their own responsibilities. The Federal Government has sought to do its part by example in the expansion of employment, by affording credit to drought sufferers for rehabilitation, and by cooperation with the community, and thus to avoid the opiates of government charity and the stifling of our national spirit of mutual self-help.

We can take courage and pride in the effective work of thousands of voluntary organizations for provision of employment, for relief of distress that have sprung up over the entire Nation. Industry and business have recognized a social obligation to their employees as never before. The State and local governments are being helpful. The people are themselves succeeding in this task. Never before in a great depression has there been so systematic a protection against distress; never before has there been so little social disorder; never before has there been such an outpouring of the spirit of self-sacrifice and of service.

The ever-growing complexity of modern life, with its train of evermore perplexing and difficult problems, is a challenge to our individual characters and to our devotion to our ideals. The resourcefulness of America when challenged has never failed. Success is not gained by leaning upon Government to solve all the problems before us. That way leads to enervation of will and destruction of character. Victory over this depression and over our other difficulties will be won by the resolution of our people to fight their own battles in their own communities, by stimulating their ingenuity to solve their own problems, by taking new courage to be masters of their own destiny in the struggle of life. This is not the easy way, but it is the American way. And it was Lincoln's way.

The ultimate goal of the American social ideal is equality of opportunity and individual initiative. These are not born of bureaucracy. This ideal is the expression of the spirit of our people. This ideal obtained at the birth of the Republic. It was the ideal of Lincoln. It is the ideal upon which the Nation has risen to unparalleled greatness.

We are going through a period when character and courage are on trial, and where the very faith that is within us is under test. Our people are meeting this test. And they are doing more than the immediate task of the day. They are maintaining the ideals of our American system. By their devotion to these ideals we shall come out of these times stronger in character, in courage, and in faith.

PENSIONS

Mr. KOPP. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 16626) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and so forth, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, with Senate amendments thereto, and concur in the Senate amendments.

The SPEAKER. The Clerk will report the bill and the Senate amendments.

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

Page 1, line 8, strike out "$30" and insert "$20."
Page 2, line 15, after "month," insert "in lieu of that he is now receiving."
Page 3, strike out lines 5 to 8, inclusive.
Page 6, line 24, strike out "$24" and insert "$20."
Page 10, line 8, strike out "$12" and insert "$24."
Page 10, line 8, after "month," insert "in lieu of that he is now receiving."
Page 21, strike out lines 22 to 25, inclusive.
Page 22, line 3, strike out "$30" and insert "$20."
Page 23, line 5, strike out "$20" and insert "$12."
Page 24, line 14, strike out "$2" and insert "$6."
Page 25, line 3, strike out "$20" and insert "$12."
Page 26, line 15, after "respectively," insert ", in lieu of that she is now receiving."
Page 26, line 22, strike out "$20" and insert "$12."
Page 28, line 8, strike out "$12" and insert "$20."
Page 29, line 7, strike out "$20" and insert "$12."
Page 34, strike out lines 1 to 3, inclusive.
Page 34, line 18, strike out "$24" and insert "$17."
Page 36, line 14, strike out "$30" and insert "$20."
Page 38, line 2, strike out "$12" and insert "$20."
Page 39, line 7, after "respectively," insert ", in lieu of that she is now receiving."
Page 39, after line 7, insert:

"The name of Emilio DuBois, late of Ninety-first Observation Squadron, United States Army, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

"The name of John L. Tenney, late of Geronimo Campaign of 1886, and pay him a pension at the rate of $12 per month.

"The name of Frank C. Goings, late of Company I, Second Regiment United States Infantry, and pay him a pension at the rate of $12 per month.

"The name of Guy McLean, late of Company C, First Regiment United States Cavalry, and pay him a pension at the rate of $12 per month.

"The name of John J. Powers, late of Fortieth Company, United States Coast Artillery, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

"The name of Robert C. Hambrick, late of Company F, Twenty-seventh Regiment United States Infantry, and pay him a pension at the rate of $17 per month.

"The name of Maude Corn, widow of Lee B. Corn, late of Company F, Texas Frontier Battalion, and pay her a pension at the rate of $20 per month.

"The name of Lynn G. Pierce, late of Company F, Second Regiment Nebraska National Guard, and pay him a pension at the rate of $12 per month.

"The name of Bramble B. Ownby, late of Captain Black's company, New Mexico Territorial Militia, and pay him a pension at the rate of $12 per month.

"The name of Frank A. Benedict, late of W. A. Clark's company, Montana Volunteer Infantry, and pay him a pension at the rate of $12 per month.

"The name of Mary Riggen, widow of Loring W. Riggen, late of Company F, Fortieth Regiment United States Volunteer Infantry, and pay her a pension at the rate of $20 per month.

"The name of Robert S. Cox, dependent father of Robert B. S. Cox, late of Company L, Tenth Regiment United States Volunteer Infantry, and pay him a pension at the rate of $20 per month.

"The name of William H. Wheeler, late of Company F, Eighth Regiment United States Infantry, and pay him a pension at the rate of $10 per month.

"The name of Truman H. Wilkinson, late of Company A, instruction, General Service, United States Army, and pay him a pension at the rate of $12 per month.

"The name of Sophie Alexander, widow of Lee Alexander, late of Troop L, Fifth Regiment United States Cavalry, and pay her a pension at the rate of $20 per month.

"The name of Henrietta E. J. Hammer, widow of Paul E. B. Hammer, late of Capt. Peter Isaacson's company, Utah Militia Infantry, and pay her a pension at the rate of $20 per month.

"The name of Jacob E. Peterman, late of Company A, Eleventh Regiment United States Infantry, and pay him a pension at the rate of $12 per month.

"The name of Milan Swearinger, late of One hundred and twentieth United States Coast Artillery, and pay him a pension at the rate of $12 per month.

"The name of Little Hawk, late United States Indian scout, United States Army, and pay him a pension at the rate of $12 per month.

"The name of Antoine De Rockbrain, late United States Indian scout, United States Army, and pay him a pension at the rate of $12 per month.

"The name of Arnold Iron Shell, late of Company I, Sixteenth United States Infantry, and pay him a pension at the rate of $12 per month.

"The name of Lyman J. Collings, late of John B. Boyd's company, Arizona Militia, and pay him a pension at the rate of $12 per month.

"The name of Mace Wise, late of United States Navy, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

"The name of William F. Glispin, late of Company K, Ninth Regiment Massachusetts Infantry, and pay him a pension at the rate of $20 per month.

"The name of Clyde C. Forman, late of Company G, Twenty-ninth Regiment United States Infantry, and pay him a pension at the rate of $12 per month.

"The name of Mary L. Ickes, widow of Waldo S. Ickes, late of One hundred and ninth Company, United States Coast Artillery Corps, and pay her a pension at the rate of $12 per month.

"The name of Espy G. Goodpasture, late of Company K, Seventeenth Regiment United States Infantry, and pay him a pension at the rate of $12 per month.

"The name of Harrison Brainard, late of Troop A, Fourth Regiment United States Cavalry, and pay him a pension at the rate of $12 per month.

"The name of Timothy Joseph Long, late of the United States Navy, and pay him a pension at the rate of $12 per month.

"The name of Edward W. Alfred, late of Company D, Eleventh Regiment United States Infantry, and pay him a pension at the rate of $17 per month.

"The name of James Ormond, late of Troop H, Sixth Regiment United States Cavalry, and pay him a pension at the rate of $12 per month.

"The name of Joseph Gorman, late of One hundred and twentieth Company United States Coast Artillery, and pay him a pension at the rate of $12 per month.

"The name of Pauline Levy, dependent mother of George Levy, late of Company E, Third Regiment Mississippi Volunteer Infantry, and pay her a pension at the rate of $20 per month.

"The name of Berma Yearkey, late of One hundred and nineteenth Company United States Coast Artillery, and pay him a pension at the rate of $12 per month.

"The name of Nancy C. Gray, widow of Thomas C. Gray, late of the United States Navy, and pay her a pension at the rate of $12 per month.

"The name of William T. Conley, late of Company A, Sixth Regiment United States Infantry, and pay him a pension at the rate of $12 per month.

"The name of John J. Lewis, late of Company I, Eighteenth Regiment United States Infantry, and pay him a pension at the rate of $10 per month.

"The name of George C. Salyers, minor child of George Salyers, late of Seventy-first Company United States Coast Guard Artillery, and pay him a pension at the rate of $12 per month, and $2 per month additional as a minor child under 16 years of age.

"The name of Margaret McWilliams, widow of Joe McWilliams, late of Company L, Twenty-eighth Regiment United States Infantry, and pay her a pension at the rate of $12 per month.

"The name of Owen B. Ragland, late of Company C, Battalion of Engineers, United States Army, and pay him a pension at the rate of $12 per month.

"The name of Jennie C. Hughes, dependent mother of Charles Wesley Hughes, late of the United States Navy, and pay her a pension at the rate of $20 per month.

"The name of William R. Holt, late of Company H, Thirteenth Regiment United States Infantry, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

"The name of Simon R. Ditzler, alias Harry William Lewis, late of the United States Marine Corps, and pay him a pension at the rate of $12 per month.

"The name of William S. Peach, late of Company F, Twenty-first Regiment United States Infantry, and pay him a pension at the rate of $12 per month.

"The name of Neal Whaley, late of Company E, Thirteenth Regiment United States Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

"The name of Vernon C. Young, late of Company G, Twelfth Regiment United States Infantry, and pay him a pension at the rate of $12 per month.

"The name of Albert E. Akins, late of Ninth Regiment United States Coast Artillery, and pay him a pension at the rate of $12 per month.

"The name of Aubrey L. Collins, late of the United States Navy, and pay him a pension at the rate of $12 per month.

"The name of Luchen N. Patterson, late of Combat Train, First Battalion, Seventeenth Regiment United States Field Artillery, and pay him a pension at the rate of $12 per month.

"The name of Daisy Ballard, dependent mother of Caldwell C. Ballard, late of Company B, Fourth Regiment Tennessee National Guard Cavalry, and pay her a pension at the rate of $12 per month.

"The name of Ronald S. Niven, late of the United States Navy, and pay him a pension at the rate of $12 per month.

"The name of John Joseph Barry, late of the United States Navy, and pay him a pension at the rate of $12 per month.

"The name of Hattie Bolton, dependent mother of Thomas L. Bolton, jr., late of Company K, Twelfth Regiment United States Infantry, and pay her a pension at the rate of $20 per month.

"The name of Fred Faulkner, late of Sixty-ninth Company United States Coast Artillery, and pay him a pension at the rate of $10 per month.

"The name of James Blankenship, late of Company A, First Regiment United States Infantry, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

"The name of William G. Hill, late of the United States Navy, and pay him a pension at the rate of $8 per month.

"The name of Charles B. Goddard, late of Battery B, Fifth Regiment United States Coast Artillery, and pay him a pension at the rate of $12 per month.

"The name of George A. Worrall, late of Company K, Tenth Regiment United States Infantry, and pay him a pension at the rate of $17 per month.

"The name of Catherine M. Allen, widow of William Allen, late of Battery H, Second Regiment United States Artillery, and pay her a pension at the rate of $12 per month.

"The name of Truman B. Gosnell, late of Company K, Second Regiment Nebraska National Guard Infantry, and pay him a pension at the rate of $12 per month.

"The name of Simmins G. Blount, late of Company B, Second Regiment Georgia Volunteer Infantry, and pay him a pension at the rate of $12 per month.

"The name of George W. Lewis, late of Captain Burdges company, Idaho Volunteers, and pay him a pension at the rate of $20 per month.

"The name of Benjamin H. Thayer, late of the United States Navy, and pay him a pension at the rate of $17 per month.

"The name of Thomas H. Lynch, late of the United States Navy, and pay him a pension at the rate of $10 per month.

"The name of Mary J. Pearce, widow of James Pearce, late of Capt. Willis Coplan's company, Iron Military District, Militia of Territorial Utah, and pay her a pension at the rate of $12 per month.

"The name of Samuel Hollenbeck, late recruit, Fourteenth United States Infantry, and pay him a pension at the rate of $12 per month.

"The name of David H. Black, late of Troop I, Sixth Regiment United States Cavalry, and pay him a pension at the rate of $10 per month.

"The name of Bert Partridge, late of band, Sixth Regiment United States Cavalry, and pay him a pension at the rate of $17 per month.

"The name of John F. Martin, late of Medical Department, United States Army, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

"The name of Nellie Trapp, widow of James McF. Trapp, late of Company G, Fourteenth Regiment United States Infantry, and pay her a pension at the rate of $20 per month.

"The name of Catherine Murray, widow of Arthur Murray, late of General Service, United States Army, and pay her a pension at the rate of $12 per month.

"The name of John Shuler, late of One hundred and first Company, United States Coast Artillery, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

"The name of Ernest M. Brazil, late of Battery M, Third Battalion, United States Engineers, and pay him a pension at the rate of $12 per month.

"The name of Polk W. Nunnally, late of Company F, Second Regiment Georgia Volunteer Infantry, and pay him a pension at the rate of $12 per month.

"The name of Emory Leonard Downey, late of the United States Marine Corps, and pay him a pension at the rate of $20 per month.

"The name of Wesley S. Walden, late of Company I, Tenth Regiment United States Infantry, and pay him a pension at the rate of $17 per month.

"The name of Sarah Lancaster, dependent mother of Gilbert Lancaster, late of Company M, Twenty-sixth Regiment United States Infantry, and pay her a pension at the rate of $12 per month.

"The name of George W. McElroy, late of Company B, Fourth Regiment United States Infantry, and pay him a pension at the rate of $12 per month.

"The name of Frederick G. Craco, late of Troop E, Fifth Regiment United States Cavalry, and pay him a pension at the rate of $10 per month.

"The name of Albert I. Merrill, late of Company I, Eighth Regiment United States Infantry, and pay him a pension at the rate of $10 per month.

"The name of Elmer E. Hall, late of Nez Perce Indian War in 1877, and pay him a pension at the rate of $12 per month.

"The name of Frank Fog, late of Company B, Indian scout, United States Army, and pay him a pension at the rate of $6 per month.

"The name of John Parent, late of Troop C, Mounted Service, United States Army, and pay him a pension at the rate of $12 per month.

"The name of Elizabeth D. Wise, widow of Commander Frederick M. Wise, late of the United States Navy, and pay her a pension at the rate of $75 per month in lieu of that she is now receiving.

"The name of Albert E. Sullivan, late of the United States Navy, and pay him a pension at the rate of $12 per month.

"The name of Edward E. Bailey, late of the United States Navy, and pay him a pension at the rate of $20 per month.

"The name of Amanda Kurtz, widow of Louis Kurtz, late of Company L, Third Regiment Missouri Infantry, and pay her a pension at the rate of $20 per month.

"The name of Elizabeth Bridgman, widow of Samuel N. Bridgman, late captain in commissary of subsistence, United States Volunteers, and pay her a pension at the rate of $30 per month.

"The name of John Adams, late of Battery E, Sixth Regiment United States Artillery, and pay him a pension at the rate of $20 per month.

"The name of Bear Dog, late of uprising of Indian Wounded Knee, and pay him a pension at the rate of $12 per month.

"The name of Eagleman, late of uprising of Indian Wounded Knee, and pay him a pension at the rate of $12 per month.

"The name of Ralph J. Gipson, late of Service Company, Seventeenth Regiment United States Infantry, and pay him a pension at the rate of $12 per month.

"The name of Edith Young Knight, widow of John T. Knight, late assistant quartermaster general United States Army, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

"The name of Ann Monaghan, dependent mother of Charles P. Monaghan, late of Company A, Ninth Regiment United States Infantry, and pay her a pension at the rate of $20 per month.

"The name of William O. Thompson, late of Capt. James B. Blaine's company, New Mexico Militia Volunteers, and pay him a pension at the rate of $12 per month.

"The name of Lee Jordon, late of Company E, First Regiment United States Infantry, and pay him a pension at the rate of $12 per month.

"The name of Victoria Kessel, widow of Leon J. Kessel, late of Company L, Twenty-first Regiment United States Infantry, and pay her a pension at the rate of $20 per month.

"The name of Vivian N. Garrett, late of Company D, Eighth Regiment United States Infantry, and pay him a pension at the rate of $20 per month.

"The name of Golden S. Briggs, widow of Raymond Briggs, late of Company M, Sixteenth Regiment United States Infantry, and pay him a pension at the rate of $12 per month.

"The name of William H. Ferguson, late of Company A, Seventh Regiment United States Engineers, and pay him a pension at the rate of $17 per month.

"The name of Frank P. Card, late of the United States Navy, and pay him a pension at the rate of $12 per month.

"The name of Celia Kneller, widow of Albert Kneller, late of Company F, Twenty-second Regiment United States Infantry, and pay her a pension at the rate of $20 per month.

"The name of Frank E. Crane, late of Company I, First Regiment New Mexico Cavalry, and pay him a pension at the rate of $20 per month.

"The name of Margarito Barela, late of Company A, First Regiment New Mexico Cavalry, and pay him a pension at the rate of $12 per month.

"The name of Archibald H. Dixon, alias Richard A. Stacey, late of Troop E, Sixth Regiment United States Cavalry, and pay him a pension at the rate of $20 per month.

"The name of Christ O. Severeide, late of Company B, Sixth Regiment United States Infantry, and pay him a pension at the rate of $12 per month.

"The name of Anderson M. Cox, late of Capt. H. J. Maxom's Company F, Third Regiment Green Meadow Home Guards, and pay him a pension at the rate of $12 per month.

"The name of William Hibbard, late of Company H, Twenty-third Regiment United States Infantry, and pay him a pension at the rate of $12 per month.

"The name of John Mohrherr, late of Troop D, Sixth Regiment United States Cavalry, and pay him a pension at the rate of $12 per month.

"The name of Brings Three White Horses, late of uprising of Indian Wounded Knee, and pay him a pension at the rate of $12 per month.

"The name of Lorenzo D. Sheets, late of Battery F, Second Regiment United States Artillery, and pay him a pension at the rate of $8 per month.

"The name of Charles E. Walters, helpless child of William Walters, late of Troop D, Nineteenth Regiment Kansas Cavalry, and pay him a pension at the rate of $20 per month.

"The name of Nellie L. Walters, helpless child of William Walters, late of Troop D, Nineteenth Regiment Kansas Cavalry, and pay her a pension at the rate of $20 per month.

"The name of James Alfred Johnson, late of the United States Marine Corps, and pay him a pension at the rate of $17 per month.

"The name of Kate Merritt Ramsay, widow of Martin McMahon Ramsay, late paymaster, United States Navy, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

"The name of Richard S. Blackwell, late of Capt. James Clark's company, Oregon Volunteers, and pay him a pension at the rate of $12 per month.

"The name of Louis E. Janis, late of Forty-fourth Motor Transport Company, Quartermaster Corps, United States Army, and pay him a pension at the rate of $12 per month.

"The name of Emma F. Meyer, widow of Frederick Walter Meyer, late of Fourth Battery, New York Light Artillery, and pay her a pension at the rate of $12 per month.

"The name of Thomas Turner, late of Company F, Eleventh Regiment United States Infantry, and pay him a pension at the rate of $10 per month.

"The name of Emma L. Marheine, widow of Toney Marheine, late of Company L, First Regiment Tennessee Volunteer Infantry, and pay her a pension at the rate of $12 per month.

"The name of Amanda B. Whitfield, former widow of Lewis Bartholomew, late of Company F, First Regiment United States Infantry, and pay her a pension at the rate of $12 per month.

"The name of George B. Cummings, late of Battery A, Second Regiment United States Artillery, and pay him a pension at the rate of $12 per month.

"The name of Ruth L. Retan, helpless child of Lee H. Retan, late of Company G, Thirty-third Michigan Volunteer Infantry, and pay her a pension at the rate of $20 per month.

"The name of Mary E. Kendall, helpless child of James F. Kendall, late of the United States Marine Corps, and pay her a pension at the rate of $20 per month.

"The name of John M. Lovelace, late of Quartermaster Corps Department, and Company M, Forty-fourth United States Infantry, and pay him a pension at the rate of $12 per month.

"The name of Lucille E. Hanigan, widow of Col. Henry A. Hanigan, late of First Regiment United States Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving and $6 per month additional for each child under 16 years of age."

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, this is the first bill reported by the Committee on Pensions where the committee is asking to agree to all of the Senate amendments without a conference. It has been the practice, or was the practice some years back, when the Senate added a number of amendments to an omnibus pension bill, for the House to ask for a conference and thresh out the differences in conference. What examination, if any, by the House committee, has been made as to these various Senate amendments, which I believe run to 127?

Mr. KOPP. Before this bill was acted upon by the Senate we had a conference. That is, our law examiner went over all of these bills and eliminated many of them that did not follow the House rules.

Mr. STAFFORD. That is, so far as the paragraphs relative to the House bills are concerned.

Mr. KOPP. Also as to the Senate bills.

Mr. STAFFORD. My inquiry is as to what investigation the House committee has made as to the Senate amendments.

Mr. KOPP. I am speaking of the Senate amendments. Of course, we acted on our own bills, and the law examiner considered all of them, but he also made a report on the Senate bills and objected to all those that did not comply with our rules.

Mr. STAFFORD. Then the committee has taken action on the Senate amendments?

Mr. KOPP. It has.

The SPEAKER. Is there objection?

There was no objection.

The Senate amendments were concurred in.

ADJUSTED-SERVICE CERTIFICATES

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on a new bill to permit additional loans on adjusted-service certificates, and to embody in my remarks a statement prepared by the Veterans' Bureau as to the amount of money that the veterans of each State will be permitted to borrow in the event the bill is enacted into law.

The SPEAKER. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD and to include therein a statement prepared by the Veterans' Bureau. Is there objection?

There was no objection.

Mr. PATMAN. Mr. Speaker, the Committee on Ways and Means, after hearings lasting several days on H. R. 3493, a bill providing for the payment in cash now of the face value of the adjusted-service certificates, which was introduced by me on May 28, 1929, and many other bills of a similar nature introduced by other Members of the House, has agreed upon and submitted with a favorable report a bill introduced by Mr. HAWLEY, chairman of the Committee on Ways and Means, by direction of his committee, February 12, 1931, H. R. 17054, which provides:

That section 502 of the World War adjusted compensation act, as amended, is amended by adding at the end thereof two new subdivisions, to read as follows:

"(l) For the purpose of this section the loan basis provided in subdivision (g) shall at no time be less than 50 per cent of the face value of the certificate, and in no event shall the rate of interest on any loan made after this subdivision takes effect exceed 4½ per cent per annum, compounded annually. If at the time of application to the Administrator of Veterans' Affairs for a loan the principal and interest on or in respect of any prior loan under this section have not been paid in full by the veteran (whether or not the loan has matured), then, on request of the veteran, the administrator shall (1) pay or otherwise discharge such unpaid principal and so much of such unpaid interest (accrued or to accrue) as is necessary to make the certificate available for use as security for the new loan, and (2) deduct the same from the then existing loan basis of the certificate.

"(m) Loans made by the Administrator of Veterans' Affairs under this section may at his option be made out of the adjusted-service certificate fund created under section 505."

SEC. 2. Section 507 of such act, as amended, is amended to read as follows:

"SEC. 507. All amounts in the fund shall be available for payment by the administrator of adjusted-service certificates upon their maturity or the prior death of the veteran for payments under section 502 to banks on account of notes of veterans and for making loans authorized by section 502, as amended."

SEC. 3. There is authorized to be appropriated such amounts as may be necessary to provide for the making of loans to veterans by the Administrator of Veterans' Affairs under the World War adjusted compensation act, as amended.

SEC. 4. This act may be cited as the "emergency adjusted compensation act, 1931."

NO LOAN UNTIL CERTIFICATE 2 YEARS OLD

There is no doubt about this act allowing a veteran to borrow 50 per cent of the face value of his certificate provided it has been issued more than two years. However, this section construed in connection with section 502 (d) of the old law which provides that two years must expire from the date of the issuance of the certificate before application can be made for a loan by using the certificate as security, it is probable that the new act will be construed in a way that will deny loans on those certificates that have been issued within the last two years. This section of the law should be made plain. It should provide that the 50 per cent of the face value may be borrowed regardless of the date of issuance of the certificate. It is hoped that this amendment will be agreed to in the Senate if not in the House.

LOANS WILL BE EXPEDITED

Gen. Frank T. Hines, Administrator of Veterans' Affairs, has informed me that he will ask Congress, immediately after the passage of this act, to provide additional help for the Veterans' Bureau in order that loans may be made by the bureau at the very earliest possible moment. General Hines has assured me that every effort will be made to expedite the granting of these loans if the new act becomes a law. Under the new act a veteran who has borrowed on his certificate through the Veterans' Bureau may pay the amount due thereon and secure the return of his certificate and obtain a loan through his local bank. If there is much delay experienced by veterans in obtaining loans through the Veterans' Bureau, this course may be pursued without much, if any, delay. If a loan is obtained through a bank, the interest charged shall not exceed 4½ per cent per annum.

AMOUNT THAT MAY BE BORROWED

Under the present law veterans who obtained their certificates at the earliest possible date, January 1, 1925, have been permitted to borrow up to 22½ per cent of the face value to date. Under the new act, if enacted, the veteran who has borrowed $225 on a $1,000 certificate will be permitted to borrow at once on an average of $275 additional at 4¼ per cent interest.

Many veterans have certificates for $1,575. To date these veterans, where their certificates were obtained January 1, 1925, have been permitted to borrow an average of $354. Under the new act they will be permitted to borrow $787.50 if no loan has been extended, or $433.50 additional if the limit has been borrowed to date.

CASH PAYMENT IN FULL PREFERRED

Of course, I am not agreeing to the passage of this measure in its present form. I much prefer full cash payment and there is no reason why the certificates should not be paid in cash now. However, I shall not oppose the passage of this bill in the House even under the "gag rule" which will not permit amendments; but I shall hope that the Senate will amend the bill so as to provide for full cash payment or strike out the interest, and I have reasons to believe that there is much sentiment in the Senate for such an amendment and a strong probability of its passage. We must admit that the proposed act will grant substantial relief to the veterans of the World War and anything that will grant substantial relief we can not oppose, but it should not retard our efforts to get full cash payment.

AMOUNTS VETERANS OF EACH STATE MAY BORROW

The following table discloses the number of adjusted-service certificates in each State and their full face value. This statement was prepared by Gen. Frank T. Hines and shows the amount that would be paid to the veterans in each State if my bill (H. R. 3493) were enacted into a law. The veterans of Texas hold certificates of the aggregate value of $146,196,028. Under the proposed act offered by the committee these veterans will be permitted to borrow one-half of that sum, less, of course, any amount that has been borrowed heretofore. The amount that has been borrowed heretofore is not so very large, not over 10 per cent of the face value on an average, but possibly larger in a few States.

Adjusted-service certificates in force December 1, 1930, showing State of residence

Residence	Number	Amount
Alabama	48,862	$45,536,468
Alaska	1,357	1,369,518
Arizona	10,519	11,298,522
Arkansas	42,076	38,688,879
California	191,038	207,481,950
Colorado	32,914	32,868,428
Connecticut	42,415	45,878,847
Delaware	4,751	6,162,830
District of Columbia	27,146	27,732,736
Florida	37,325	36,976,981
Georgia	56,327	53,753,575
Idaho	12,894	12,668,040
Illinois	242,954	240,350,378
Indiana	92,296	90,730,556
Iowa	77,365	71,557,306
Kansas	54,970	53,411,195
Kentucky	61,417	58,204,508
Louisiana	51,577	47,590,744
Maine	20,699	20,542,767
Maryland	46,148	47,590,744
Massachusetts	131,996	141,745,095
Michigan	127,246	129,761,814
Minnesota	82,455	81,486,311
Mississippi	35,290	32,868,428
Missouri	106,208	102,713,837
Montana	17,306	17,461,352
Nebraska	38,683	38,688,879
Nevada	2,715	3,081,415
New Hampshire	11,876	12,325,661
New Jersey	111,298	117,436,154
New Mexico	9,840	9,586,625
New York	360,699	374,905,504
North Carolina	61,417	59,231,646

Adjusted-service certificates in force December 1, 1930, showing State of residence—Continued

Residence	Number	Amount
North Dakota	15,609	$15,064,696
Ohio	175,429	180,433,973
Oklahoma	64,471	60,943,543
Oregon	33,932	35,265,084
Pennsylvania	250,759	265,001,699
Rhode Island	20,020	21,227,526
South Carolina	34,272	32,868,428
South Dakota	22,056	20,200,388
Tennessee	56,667	55,465,472
Texas	142,855	146,196,028
Utah	13,912	13,695,178
Vermont	7,805	8,559,487
Virginia	60,739	62,997,820
Washington	54,292	57,862,128
West Virginia	41,737	39,716,017
Wisconsin	85,170	80,459,172
Wyoming	10,858	10,956,143
State not given	339	342,379
Panama	339	342,379
Philippine Islands	3,393	4,108,554
Porto Rico	13,573	6,505,210
Hawaii	8,483	7,874,728
Virgin Islands	339	342,379
Guam	339	342,379
Samoa	60	74,641
Canal Zone	3,054	4,108,554
France	1,357	1,711,897
Belgium	339	342,379
Italy	5,429	4,793,312
Germany	339	342,379
Austria	339	342,379
British Isles	1,357	1,711,897
Northern Russia and Siberia	1,357	1,369,518
Other parts of Europe and Asia	3,393	3,081,415
China	1,018	1,369,518
Japan	102	106,405
South America	339	342,379
Canada	4,072	4,108,554
Cuba	339	684,759
Santo Domingo (Haiti), Dominican Republic	339	342,379
Mexico	679	684,759
New Zealand	25	31,019
Australia	67	71,163
India	81	85,196
Central America	116	142,005
West Indies	130	135,105
Newfoundland	15	15,546
Azores	29	33,350
Africa	67	81,789
Oceania	5	4,860
Grand total	3,393,914	3,424,575,640

Mr. SABATH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by embodying a resolution which I have received from the Common Council of the City of Chicago in regard to the matter of which the gentleman has just spoken.

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

There was no objection.

The resolution is as follows:

Whereas bills are pending before the House of Representatives and the Senate of the United States providing for the payment at this time of the adjusted-service certificates, commonly known as the "soldiers' bonus"; and

Whereas it is common knowledge that a large number of the men who would be entitled to receive money if such bills were to become laws are now unemployed and in destitute circumstances because of the present financial condition; and

Whereas we are of the opinion that the payment at this time of the adjusted-service certificates would relieve economic conditions throughout the country to a very considerable degree by putting in circulation a large sum of money, and would serve a better purpose and meet a greater need than would their payment at any future time; and

Whereas the relief at this time of ex-service men, and the resulting stimulation of economic conditions, is a most worthy undertaking: Therefore be it

Resolved, That the city council of the city of Chicago favors the payment at this time of the full face value of the adjusted-service certificates; and be it further

Resolved, That a copy of this resolution be sent to each Member of Congress and the United States Senate from Illinois, urging them to employ their influence to accomplish the enactment of Federal legislation that will make possible the payment in full at this time of the adjusted-service certificates.

STATE OF ILLINOIS,
County of Cook, ss:

I, Patrick Sheridan Smith, city clerk of the city of Chicago, do hereby certify that the above and foregoing is a true and correct copy of the certain resolution adopted by the city council of the city of Chicago at a regular meeting held Monday, the 9th day of February, A. D. 1931.

Witness my hand and the corporate seal of the said city of Chicago this 10th day of February, A. D. 1931.

[SEAL.] PATRICK SHERIDAN SMITH, *City Clerk.*

NAVY DEPARTMENT APPROPRIATION BILL

Mr. FRENCH. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 16969) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1932, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 16969, the Navy Department appropriation bill, with Mr. LEHLBACH in the chair.

The Clerk read the title of the bill.

Mr. FRENCH. Mr. Chairman, on yesterday when the committee rose the Clerk had read the bill as far as the Bureau of Aeronautics, having just completed the items under "Public works, yards and docks." I have an amendment which would be in order at this point, but a more satisfactory place to insert the amendment would be on page 33, following line 7. I therefore ask unanimous consent to return to that paragraph in order that I may offer the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Idaho [Mr. FRENCH]?

There was no objection.

The Clerk read the amendment, as follows:

Amendment offered by Mr. FRENCH: Page 33, after line 7, insert a new paragraph, as follows:

"For completing the public works and public utilities projects authorized and appropriated for in part by the first deficiency act, fiscal year 1931, $3,379,000."

Mr. FRENCH. Mr. Chairman, the reason for offering this amendment at this time is that a few days ago Congress passed the first deficiency appropriation bill. As the Members will recall, the bill carried provision for certain naval shore construction work, totaling $4,420,000. In many of those items the amounts appropriated for the fiscal year 1931 will not complete the work unless additional money shall be provided. The President has submitted to the Congress estimates for the completion of the projects indicated in the first deficiency appropriation bill, and the message of the President was read to the House yesterday.

The items referred to in the amendment I offer are in line with the Budget estimates as indicated in the message of the President.

The amendment was agreed to.

The Clerk read as follows:

BUREAU OF AERONAUTICS

AVIATION, NAVY

For aviation, as follows: For navigational, photographic, aerological, radio, and miscellaneous equipment, including repairs thereto, for use with aircraft built or building on June 30, 1931, $1,079,300; for maintenance, repair, and operation of aircraft factory, air stations, fleet air bases, fleet, and all other aviation activities, accident prevention, testing laboratories, for overhauling of planes, and for the purchase for aviation purposes only of special clothing, wearing apparel, and special equipment, $13,377,531, including $259,000 for the equipment of vessels with catapults and including not to exceed $192,000, to be transferred to and made available to the Bureau of Mines on July 1, 1931, for the procurement of helium; for continuing experiments and development work on all types of aircraft, including the payment of part-time or intermittent employment in the District of Columbia or elsewhere of such scientists and technicists as may be contracted for by the Secretary of the Navy, in his discretion, at a rate of pay not exceeding $20 per diem for any person so employed, $2,000,000; for drafting, clerical, inspection, and messenger service, $918,169; for new construction and procurement of aircraft and equipment, including not to exceed $807,400 for the Naval Reserve, $11,800,000, of which amount not to exceed $8,000,000 shall be available for the payment of obligations incurred under the contract authorization for these purposes carried in the Navy appropriation act for the fiscal year 1931; toward the construction of the rigid airships as provided in the act authorizing construction of aircraft, etc., approved June 24, 1926 (U. S. C., Supp. III, title 34, sec. 749a), and subject to the contractural conditions stipulated as to such rigid airships in the act making appropriations for the Navy Department and the naval service for the fiscal year 1929, $1,675,000; in all, $30,850,000; and the money herein specifically appropriated for "Aviation" shall be disbursed and accounted for in accordance with existing law and shall constitute one fund: *Provided*, That in addition to the amount herein appropriated and specified for expenditure for new construction and procurement of aircraft and equipment the Secretary of the Navy

may, prior to July 1, 1933, enter into contracts for the production and purchase of new airplanes and their equipment, spare parts and accessories, to an amount not in excess of $7,700,000: *Provided further*, That no part of this appropriation shall be expended for maintenance of more than six heavier-than-air stations on the coast of the continental United States: *Provided further*, That no part of this appropriation shall be used for the construction of a factory for the manufacture of airplanes: *Provided further*, That the Secretary of the Navy is hereby authorized to consider, ascertain, adjust, determine, and pay out of this appropriation the amounts due on claims for damages which have occurred or may occur to private property growing out of the operations of naval aircraft where such claim does not exceed the sum of $500: *Provided further*, That no part of this appropriation shall be expended in any manner whatsoever by or for the use of a total number of commissioned line officers of the Navy above the grade of lieutenant commander which exceeds the total number of such officers assigned to aviation duty on February 9, 1931.

Mr. FRENCH. Mr. Speaker, I offer a committee amendment.

The Clerk read as follows:

Amendment offered by Mr. FRENCH: On page 39, line 1, after the amount, strike out the remainder of the paragraph.

Mr. FRENCH. Mr. Chairman, permit me to say a few words in explanation of the committee amendment.

The amendment proposes to strike from the bill language that the committee inserted which sought to prevent an increase in the number of officers above the rank of lieutenant commander detailed to aeronautical duties. The committee feels that the tendency indicated in this direction at this time in the Bureau of Aeronautics is an exceedingly dangerous one. It will be apparent to those who will examine the committee hearings that there is not a unanimity of opinion in the Bureau of Aeronautics, commencing with the Assistant Secretary of the Navy for Aeronautics and running through the responsible administrative officers of the bureau, touching the number of officers of the higher grades adequate for the different commands. However, we have considered the question with the members of the legislative committee, the chairman and the ranking Member on the Democratic side; we have considered the question with officers of the Navy Department, and, through Representative OLIVER of Alabama, a member of the committee, we have had an understanding with the Chief of the Bureau of Navigation, Admiral Upham, in view of which it seems desirable that something of a freer hand than the language itself would permit should be granted to the department.

The committee does not desire to hamper expansion where expansion actually is needed. On the other hand, it is the duty of the Congress to see to it that just because there is tremendous enthusiasm in a bureau we should not permit that particular enthusiasm to carry us beyond the bounds of good, sound judgment. We understand that the members of the legislative committee themselves are in accord with the subcommittee that has framed the bill in desiring that the higher grades of the officers in the Bureau of Aeronautics be limited in the degree suggested by the understanding.

Mr. WOODRUFF. Will the gentleman yield?

Mr. FRENCH. I yield.

Mr. WOODRUFF. I am very glad the gentleman from Idaho [Mr. FRENCH] has taken this very sensible position regarding the proviso in this bill. I direct the attention of the committee to the things that are now being done in the Navy which will necessitate, in a short time, the assignment of additional officers above the rank of lieutenant commander to the air service.

At the present time we are constructing two large lighter-than-air ships, each of which must necessarily, with the complement of men it requires to operate, have assigned to it officers having rank higher than lieutenant commander. We are building aircraft carriers. We are about to construct at least one 10,000-ton cruiser with a fly-on deck, which, if proven satisfactory, will be followed by the construction of many others of the same type; a cruiser which will carry 36 planes. Necessarily, in the air service on vessels of that size there must be men in command with rank higher than that of lieutenant commander.

I want to thank the chairman of the subcommittee handling the bill for the very sensible and patriotic stand he has taken in regard to striking this proviso from the bill. [Applause.]

Mr. BRITTEN. Mr. Chairman, I ask unanimous consent that I may extend my remarks in the RECORD at this particular point by saying something, not necessarily directed to the amendment but about aviation in the Navy.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. BRITTEN. Mr. Chairman, I respectfully call attention to the provision in the bill at the top of page 39, which reads as follows:

Provided further, That no part of this appropriation shall be expended in any manner whatsoever by or for the use of a total number of commissioned line officers of the Navy above the grade of lieutenant commander which exceeds the total number of such officers assigned to aviation duty on February 9, 1931.

This provision would, in fact, limit the number of line officers of the rank of commander and above in aviation to 39, the number of such officers now assigned to that duty. This number is far short of the number required to fill out the present organization. The shortage is shown in the following table:

	Employed now	Should be employed now	Expected numbers needed June 30, 1932	Shortage at present	Shortage as compared with requirements by June 30, 1932
Rear admirals	3	4	4	1	1
Captains	9	17	18	8	9
Commanders	27	46	49	19	22

Mr. Chairman, one would conclude from the fact that the provision was written into the bill by the committee that they considered that the number of senior officers being assigned to aviation was getting beyond the proportion of such officers in the Navy as a whole. Such is far from being the case. Approximately one-seventh of the total enlisted personnel is included in the aeronautic organization; therefore, if the number of senior officers included in that organization was of the same percentage, one-seventh of each of the three upper grades should also be included, but at the present time there are included only one-twentieth of the rear admirals, one twenty-fifth of the captains, and one-fifteenth of the commanders.

What effect would this provision have? The Navy Department, since aviation became of an importance of reasonable proportions, has appreciated the necessity of having adequate numbers of officers of suitable rank for administrative purposes. It has taken a considerable number of captains, commanders, and lieutenant commanders from general-service duties and assigned them to aviation training. Despite the lowering of standards required to qualify them as naval aviators, quite a number of these senior officers failed to complete the course. When these assignments were made it was recognized to be to the best interests to keep the numbers down as small as possible and yet obtain a sufficient number to carry on until officers of the more junior grades, with experience in aviation, reached higher rank by virtue of promotion as these officers by virtue of their long experience in aviation would be especially qualified for administrative duties. The time has arrived when such officers are passing up into the higher grades in very appreciable numbers; probably about six officers will be promoted from lieutenant commander to commander between this date and June 30, 1932. If this provision remains in the bill, these officers, who are badly needed, will have to be detached from aviation duties or else other senior officers, also badly needed, will have to be detached to make room for them, because the provision does not permit any increase in numbers.

Mr. Chairman, if this provision is accepted this year its proponents will make every effort to make it continuing, and the result will be little short of disastrous. Not only will the aeronautic organization be hopelessly short of administrative officers, but the whole distribution of naval officers will

be thrown out of balance. The Navy Department will not be permitted to assign officers where they are needed, and will have to assign them where they are not really needed. What business directorship would ever force such a plan upon its management? Why should Congress endeavor to force upon the Secretary of the Navy such definite restrictions upon his authority to assign naval officers wherever he deems to be to the best interests of the Navy and of the country, and why should these restrictions be applied in the case of aviation only? That is the one branch of the Navy which is growing, which should grow, and the Secretary of the Navy should not be hampered in his assignment of experienced officers to watch over and administer to it.

There must have been a fear on the part of at least some members of the committee that, due to the disproportionate number of junior officers in aviation as compared to such officers in the Navy as a whole, it would eventually result in a disproportionate number of senior officers. The number of officers in each grade in the line of the Navy is based on the total number of officers, and promotion is also so based. There is not now and there never should be any system of promotion in the line of the Navy based on the number of such officers assigned to any particular branch.

Further, there is no restriction against officers once assigned to aviation being later assigned back to general duties, and such has been the practice in so far as it could be carried out without interference with efficiency. This practice will no doubt be followed more extensively when the requirements for aviators have been met. That such requirements, particularly in the higher grades, have not yet been met is obvious to anyone who is familiar with the situation.

Mr. Chairman, it is gathered from the report of the committee that the above proviso was introduced for the following reasons:

(a) The Navy is pinched for line officers because of its policy of drawing its aviators from the Naval Academy.

(b) College graduates educated at own expense are ready and willing to serve as reserve officers.

(c) The present distribution of officers in aviation is not in accord with the distribution by ranks in the line generally.

Mr. Chairman, the Navy Department objects to the above proviso and the general recommendations of the committee regarding the use of reserve officers on the following grounds:

(a) The remarkable expansion of aviation in recent years has been responsible for drawing so heavily from the junior ranks. The officers had to be taught to fly, and it is necessary to teach them young. Hence, the large proportion of influx has been from the junior ranks, but this condition will remedy itself as aviation becomes older.

(b) College graduates are now most anxious to join naval reserve aviation, but if it were not so difficult for them to find employment in civil life this desire might very logically dwindle.

(c) College graduates may make excellent fliers, but their real usefulness in a peace-time organization ceases there. They have not received the intensive education for their profession that the Naval Academy graduate has received. If this has no bearing on the case, then there is no justification for the existence of the Naval Academy.

(d) The demands of aviation are not vastly different from the demands of shipboard duty. It is just as essential that aviation officers be educated to their profession as it is that ships' officers be so educated.

(e) Reserves are trained as such in order to form a large civilian organization from which, in time of emergency, officers may be drawn to augment the peace-time strength of the Naval Establishment. It is essential that the nucleus of the war-time organization be regular officers, specifically trained and educated to their profession. If these regulars be replaced by reserves in the peace-time organization the nucleus ceases to exist and the efficiency of the proposed war-time structure would be immeasurably impaired. Our whole policy in relation to reserves has and should continue to be one of training. It is vital to the welfare of our country that these reserves be trained as efficiently and in as large numbers as is reasonable, but their function as reserves fails to exist when they replace regular officers, and there is little question but what this move would destroy the present high state of efficiency of naval aviation.

Mr. Chairman, restricting expansion in the grades above lieutenant commander in aviation would be most detrimental to the best interests of the service.

(a) First, because, whether so meant or not, it would result in the loss from aviation of those officers of long flying experience advancing to the grade of commander. There would thus be thrown away the capabilities and experience of those officers gained through long association with the problems of aviation, just when the value of those officers may greatly benefit aviation.

(b) Second, because at the present time with but 39 officers in aviation above the grade of lieutenant commander we are grossly underofficered in the higher ranks. Junior officers are now occupying responsible positions which, after the personnel expands in keeping with the expansion of aviation in general, will be occupied by officers of higher rank and more experience. In other words, conditions will remedy themselves as soon as sufficient time elapses to achieve stability.

(c) Third, because this proviso limits unduly the constitutional powers of the President to order officers to such proper naval duties as may seem desirable to him.

Mr. Chairman, I congratulate the gentleman from Idaho for agreeing to strike from the bill this unnecessary provision because the proposed restriction against the assignment of any additional line naval officers above the rank of lieutenant commander for aviation duty would be a very serious blow to naval aviation. There are now only 39 line officers above the rank of lieutenant commander assigned to aviation duty. This number is inadequate to meet the needs of the present organization, and this number would be hopelessly short of the needs as additional carriers and flight-deck cruisers are added to the fleet.

It is required by law that the commanding officers of all aircraft carriers and tenders shall be qualified aviators or aviation observers. In addition to these a great many senior aviation officers are required in the Fleet Aeronautic Organization in administrative positions and in command of important squadrons and wings. Likewise, it is highly desirable that commanding officers of flight-deck cruisers and executive officers of carriers and tenders be senior officers who have had extensive aviation experience. Aviation officers of senior ranks are required to command air stations and aviation bases on shore.

Mr. Chairman, naval aviation is parallel to other branches of the service—gunnery, seamanship, engineering. There is no more reason for employing reserve aviators to fill positions in the Regular Navy in peace time than there is for filling positions of deck officers, gunnery officers, radio officers, and so forth. "Reserve" means, and should mean, a reserve for war. The peace-time Navy should have its required complement of regulars and a sufficient reserve for augmentation and replacements in war. The reserve should consist of civilians enrolled and trained, but not on continuous duty, or used to fill positions that should properly be occupied by regulars. They should be used in addition to the numbers of regular aviators required by the peace-time Navy.

The Committee on Appropriations has recommended in this bill a substantial increase in Naval Reserve officers on active aviation duty. In this proposal I heartily concur. They should be assigned to active duty in the fleet for training for a period of one or two years and then released to an inactive status. These reserves on active training duty should be in addition to the proper complement of regular personnel. Furthermore, the reserve aviators employed on active duty would be junior officers, and therefore would not affect the number of regular naval aviators required in the senior ranks.

Mr. Chairman, I would like to call to the attention of the House a few outstanding achievements of naval aviation.

In 1908:

Two naval officers, Lieut. G. C. Sweet and Naval Constructor McIntee, assigned by Bureau of Equipment as observers at the test of the Wright plane at Fort Myer, Va.

In 1910:

Capt. W. I. Chambers, United States Navy, assistant to the aide for material in the Bureau of Equipment, attended the aviation meets at Belmont Park, N. Y., and at Halethorpe, near Baltimore, as an official observer. Under auspices of Navy Department, Mr. Eugene Ely successfully flew a 50-horsepower Curtiss landplane from a special deck of the U. S. S. *Birmingham* at Hampton Roads, Va. Secretary of the Navy requested and received an appropriation for aviation of $25,000 for fiscal year 1910–11.

Lieut. T. G. Ellyson, United States Navy, was detailed for aviation instruction and experimental work with Glenn H. Curtiss on float planes at the Curtiss camp at San Diego, Calif.

In 1911:

Lieuts. John Rodgers, John Towers, and V. D. Herbster, United States Navy, were ordered to the Curtiss and Wright Cos. for instruction in the art of flying.

Curtiss and Ellyson made first passenger-carrying flight in a seaplane.

First naval airplane project consisting of two Curtiss planes and one Wright plane. Under naval auspices Ely made a successful landing with an airplane on the deck of the U. S. S. *Pennsylvania*, lighting in San Francisco Harbor, and flew back to the shore. Crosslines with sandbags were used as arresting gear.

Lieut. John Rodgers flew from Annapolis to Washington and then to College Park, Md., from which place he later returned to Annapolis via Baltimore and Havre de Grace.

Lieutenants Towers and Ellyson made a memorable record flight over the waters of Chesapeake Bay from Annapolis to Fortress Monroe, Va., and return.

First Navy aviation unit was organized and an aviation camp established at Greenbury Point on Government land near Annapolis, Md.

In 1912:

The catapult was invented by officers of the United States Navy at the Naval Gun Factory, Washington, D. C. Lieutenant Ellyson made the first successful catapulted shot on October 12, 1912.

The first Navy wind tunnel was constructed under the supervision of Naval Constructor D. W. Taylor at the Washington Navy Yard. This wind tunnel was then, and remained for many years thereafter, the largest and most powerful in the world.

Naval Constructor H. C. Richardson conducted a series of model-basin tests on the planing properties of seaplane floats and hulls. Richardson for the first time showed the effect of the form of the float on its water performance, and from these tests he evolved the lines of United States Navy seaplane floats and hulls which have since that date made a standard for others to follow.

Lieut. John H. Towers established a world's endurance record for seaplanes by remaining in the air 6 hours and 20 minutes.

In 1913:

A naval aviation detachment operated with the fleet for the first time during the winter maneuvers in the West Indies water. This detachment was under the command of Lieutenant Towers.

Lieut. P. N. L. Bellinger, United States Navy, established a world's seaplane record for altitude by ascending to 6,200 feet in 45 minutes in a Curtiss seaplane.

First Lieut. B. L. Smith, United States Marine Corps, by starting from the water, alighting on the land, and returning to the water made the first successful flight in an amphibian, or combined land and water aircraft.

A board of aeronautics was appointed by the Secretary of the Navy, which reported on the needs of a suitable aeronautical organization and establishment for the Navy.

In 1914:

First United States naval air station was established at Pensacola, Fla. First employment of naval aviation in active service took place with the Atlantic Fleet in Mexican waters in connection with the occupation of their cruise. Seaplanes from the U. S. S. *Mississippi* conducted patrol and scouting flights for 43 days.

In 1915:

The first Navy designed seaplane was built at the Washington Navy Yard. This plane was designed by Naval Constructor Richardson. First catapult flight from a ship underway was made by Capt. H. C. Mustin. First regular class of 10 officers ordered to Pensacola. Lieutenant Saufley ascended to an altitude of 14,500 feet in a Curtiss seaplane and shortly afterwards made an endurance record of 8 hours and 20 minutes in the same type of plane.

In 1917–18:

On the date war was declared with Germany the Navy had only one naval air station located at Pensacola, Fla., and a total of 38 naval aviators and 163 enlisted men. On the date of the Armistice, November 11, 1918, 21 schools and stations were in operation in the United States and 2,835 officers and 36,693 enlisted men were attached to naval aviation. Of this number, 1,237 officers and 16,287 enlisted men were sent overseas during the war. A total of 22 aviation bases were established in Europe, 12 of these being in France, 7 in England, and 3 in Italy. Eight landplane squadrons were sent by the Navy to northern France and operated with the British against objectives behind the German lines at Steinburgge, Burge, Ghent, and so forth. These eight squadrons were designated the northern bombing group.

In 1919:

A division of three 4-engined *NC* flying boats, under command of Comdr. John H. Towers, undertook a trans-Atlantic flight. All three planes reached the Azores, and the *NC–4*, under command of Comdr. A. C. Read, reached Plymouth via Lisbon, making first flight across the Atlantic Ocean.

In 1920:

Navy F–5–L squadron made 13,000-mile cruise with the Atlantic Fleet to the West Indies.

In 1921:

Navy flying boat made nonstop flight with six persons from San Diego, Calif., to Magdalena Bay, lower California.

Twelve Navy F–5–L airplanes attached to the Pacific Fleet made flight from San Diego to Panama.

First turntable catapult installed on U. S. S. *Maryland* and operated in fleet maneuvers.

In 1922:

First aircraft carrier in the United States Navy, the U. S. S. *Langley* placed in commission.

In 1923:

Squadron of nine Navy F–5–L planes flew from Hampton Roads to Panama.

Navy established world's speed record for seaplanes of 177 miles per hour at the Schneider Cup contest, held at Cowes, England. This record was made by Lieutenant Rittenhouse, United States Navy.

Marine Corps D. H.–4B planes made flight from Haiti to San Francisco and return.

In 1926:

Office of Assistant Secretary of Navy of Aeronautics was established.

Naval aviation 5-year building program authorized by Congress, calling for 1,000 useful airplanes to be completed and on hand for the Navy by July 1, 1932.

In 1928:

The aircraft carriers U. S. S. *Lexington* and U. S. S. *Saratoga*, each with an authorized complement of about 80 airplanes, joined the United States Fleet.

Lieut. C. F. Schilt, United States Marine Corps, receives the Congressional Medal of Honor for evacuating the wounded by air during an engagement at Quilali, Nicaragua, under almost impossible conditions and under constant enemy fire.

In 1929:

Four amphibian Navy planes under the command of Lieut. Commander A. W. Radford, completed an aerial mapping

survey of southeastern Alaska. During the winter maneuvers 247 planes took part and flew 4,397 hours over nearly half a million miles in every kind of weather and under varying conditions without a single serious accident.

In 1930:

Lieut. Apollo Soucek, United States Navy, established world's altitude record at Anacostia, D. C., by forcing a single-seat naval plane over 8 miles straight up in the air to a height of 43,166 feet.

Mr. Chairman, it was perfectly natural for Lord Beatty to say in a letter to Lord Trenchard, recently quoted in the London Times:

Sir, the Navy (British) to-day is the most up-to-date and efficient navy in the world, except in one respect, and that is its air equipment. The air wing of the United States Navy, owing to the single control exercised over the United States Navy, is far ahead of our fleet air arm. They carry out exercises on a scale quite impossible in our fleet. Cooperation between their ship-borne and shore-based aircraft has reached a high state of efficiency; with us it is nonexistent.

Mr. Chairman, it is a real pleasure to refer at this time to a few outstanding aviators in the Navy and their special achievements.

Commander L. H. Maxfield, 1917–1923: Member first group airship pilots trained in United States. Participated in Italian, French, and English airship operation against enemy. Later in command of naval detachment and on board airship *R–38* when she was destroyed.

Lieut. Commander Z. Landsdowne, 1917–1925: Member first group airship pilots trained in United States. Saw service abroad. Received rigid-airship training abroad; naval observer on first trans-Atlantic flight by airship *R–34* (1919). In command first flight by helium-filled airship (1921). In command U. S. S. *Shenandoah*. Killed, 1925.

Capt. F. R. McCrary, 1923–24: First in command of a rigid airship in United States.

Commander M. R. Pierce, 1925: In charge U. S. S. *Shenandoah* on "break-away" flight (1924). Brought airship back successfully.

Capt. G. W. Steele, Commander J. A. Klein, jr., and Commander S. M. Krous, 1924: Observers, trans-Atlantic flight U. S. S. *Los Angeles*.

Lieut. Commander C. E. Rosendahl and Lieut. C. E. Bauch, 1925: Took charge, respectively, bow and stern sections wrecked U. S. S. *Shenandoah* and brought sections safely to ground.

Lieut. Commander C. E. Rosendahl and Lieut. J. C. Richardson, 1929: Passengers, round-the-world flight, *Graf Zeppelin*.

Capt. H. E. Shoemaker, 1930: Passenger, South American flight, *Graf Zeppelin*.

Lieut. T. G. W. Settle, 1929: World's record, 35,000 cubic feet balloons.

Mr. Chairman, the Navy built and operated in practical way the first nonrigid airship (1916–1918) and first rigid airship (1923) in the United States.

The Navy sent overseas personnel which was trained in airship operations in England and France. This personnel participated in actual patrol and other operations of airships during the war. The Navy purchased and operated foreign-built airships because there was at that time no airship industry worthy of the name in the United States, and airships of suitable type could be obtained more readily abroad.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Idaho.

The amendment was agreed to.

Mr. JONES of Texas. Mr. Chairman, I offer an amendment.

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

The Clerk read as follows:

Amendment offered by Mr. JONES of Texas: On page 37, strike out the matter in lines 8, 9, and 10, through the word "helium," and insert in lieu thereof the following: "including not to exceed $192,000 for the procurement of helium, and such sum shall be transferred to and made available to the Bureau of Mines on July 1, 1931."

Mr. JONES of Texas. Mr. Chairman, this amendment makes it definite that the $192,000 appropriation herein made for the procurement of helium shall be utilized for that purpose and directs that the same be transferred to the Bureau of Mines for such purpose.

Any business concern, in order to properly lay out its work and make its plans, must have some assurance that the necessary funds for its maintenance will be available.

Under the measure as worded, the matter of what amount would be transferred would be left to the discretion of the Navy officials, and the questions of whether the Navy would purchase from the Government plant or from outside sources would apparently be made a matter of discretion, or at least the construction would be doubtful.

Under the amendment which I have offered the entire $192,000 will be automatically transferred to the Bureau of Mines on July 1, 1931, and thus all the money made available for the procurement of helium will be used in the purchase of helium from the Government plant at Amarillo, and the plant can lay out its program with assurance.

I hope the chairman and subcommittee will agree to the amendment.

Mr. FRENCH. The committee accepts the amendment.

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

The amendment was agreed to.

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

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

The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA: On page 38, line 5, after the figures "$1,675,000," insert "For high-speed aviation development the sum of $1,000,000, to be immediately available and to remain available until expended for all expenses incurred in connection with the development of high-speed aircraft, including the purchase of material and services of personnel, the transportation of material and personnel, and all other charges incident to high-speed development: *Provided*, That of this sum there shall be available such sums as the Secretary of the Navy may from time to time determine to be necessary for the engagement of technical services, including the purchase of plans and the employment of additional technical employees in the Navy Department and in the field, and including part time or intermittent employment in the District of Columbia or elsewhere of such engineers as may be contracted for by the Secretary of the Navy in his discretion, at a rate of pay not exceeding $50 per diem for any person so employed."

Mr. TABER. Mr. Chairman, I reserve a point of order against the amendment.

Mr. LAGUARDIA. Mr. Chairman, I would like to have the point of order made.

Mr. TABER. Mr. Chairman, I make the point of order that the amendment is out of order because it is a limitation which imposes additional duties upon the Secretary of the Navy.

Mr. LAGUARDIA. Mr. Chairman, this is no limitation.

The CHAIRMAN. The Chair is aware of that fact. It is a new appropriation, but the question is this: Is this appropriation authorized by law, and the Chair will be glad to hear from the gentleman from New York, the introducer of the amendment, on that point.

Mr. LAGUARDIA. If the Chair will give me his attention, this is an amendment offered to the section commencing on page 36. Now, if the gentleman from New York will read a part of this section on page 37, commencing in line 10, he will find this language:

For continuing experiments and development work on all types of aircraft, including the payment of part time or intermittent employment in the District of Columbia or elsewhere, of such scientists and technicists as may be contracted for by the Secretary of the Navy, in his discretion, at a rate of pay not exceeding $20 per diem for any person so employed, $2,000,000.

My amendment is absolutely in keeping with that language except that the experimental work provided for in my amendment is in connection with speed, while the provision of the law as it is now relates to all types of airplanes. Surely, under the organic law creating the Navy Department and under the statutes creating aviation, experimental work in construction, operation, research, and development

is a part of the law, and this is only an amendment of the existing section.

Mr. TABER. But, Mr. Chairman, it is not an amendment of the language which has been quoted; it is additional language, an additional provision, and it is clearly legislation.

Mr. LAGUARDIA. The Chair will surely hold that where a section containing matters which might be subject to a point of order—and I doubt if the language which I have quoted is subject to a point of order—is opened I can offer an amendment to extend such provisions and purposes of the section.

The CHAIRMAN. The Chair would like to direct an inquiry to the introducer of the amendment. Is there any authority in existing law for appropriating to pay persons in the manner described in the gentleman's amendment?

Mr. LAGUARDIA. It is in the section now.

The CHAIRMAN. But it may be subject to a point of order.

Mr. LAGUARDIA. But a point of order not having been raised, and the section now being before the committee, I certainly can amend it.

The CHAIRMAN. But this has nothing to do with the appropriation to which a point of order was not raised.

Mr. LAGUARDIA. It is a part of the same section.

The CHAIRMAN. That does not make any difference. If it is subject to a point of order it is subject to a point of order whether a similar provision pertaining to a different appropriation has escaped the making of a point of order or not.

Mr. LAGUARDIA. Why, not at all. Of course, I can not argue with the Chair if he makes a definite ruling on that point, but I challenge the committee to point out that this is inconsistent with any existing law. The point of order was made to the entire amendment.

The CHAIRMAN. Yes; and if any part of it is not in order, the whole of it is not in order.

Mr. LAGUARDIA. The committee does not point to any part of it that is not in order.

Mr. TABER. The proviso is the part I raised the question on, and I made a point of order against the whole amendment, and the whole paragraph, practically, is legislation, as I understand it.

The CHAIRMAN (Mr. LEHLBACH). The Chair is ready to rule.

The Navy Department is authorized to maintain a Bureau of Aeronautics and in connection therewith experiment in all types of aircraft within the scope of its authority, and with respect to the art of aeronautics to develop and experiment in high-speed aviation. The substance of the gentleman's amendment, therefore, would be in order, but the Chair points out the last phrase, "and such engineers may be contracted for by the Secretary of the Navy in his discretion," and if the gentleman stopped there his entire amendment would be in order, but the language "at a rate of pay not exceeding $50 per diem for any person so employed" is additional legislation fixing compensation for this particular class of employees.

For this reason the point of order is sustained.

Mr. LAGUARDIA. Mr. Chairman, I offer an amendment, which I send to the desk.

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

The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA: On page 38, line 5, after the figures "$1,675,000," add "For high-speed aviation development the sum of $1,000,000, to be immediately available and remain available until expended for all expenses incurred in connection with the development of high-speed aircraft, including purchase of material and services of personnel, the transportation of material and personnel, and all other charges incident to high-speed development: *Provided*, That of this sum there shall be available such sums as the Secretary of the Navy may from time to time determine to be necessary for the engagement of technical services, including the purchase of plans and the employment of additional technical employees in the Navy Department and in the field, and including part time or intermittent employment in the District of Columbia or elsewhere of such engineers as may be contracted for by the Secretary of the Navy in his discretion."

Mr. LAGUARDIA. Mr. Chairman, this amendment is of such importance to the Navy that it should be decided on its merits and not on any technical point of order.

The whole value of the $30,000,000 appropriation depends on whether the Navy develops planes which can meet every factor and requirement of planes of other countries. One of the most important factors is speed. The Navy Department is handicapped at this time by reason of the restrictions and requirements of the so-called 5-year program.

The 5-year program requires the acquisition of a certain number of planes, and if the Navy is compelled to keep up to the requirements in numbers it can not keep up to the requirements in quality. That is, it can not develop as many new types and can not experiment as much as may be necessary. An airplane to-day in the present development and progress of the art is not like other machinery. If the Navy should to-day require a plane of a speed greater than that of the planes it now has and simply ask the industry to furnish such planes the industry is not in any position to do so. You can not create high speed in planes by simply wishing for them, nor can you create high speed in planes by simply writing a specification calling for a greater rate of speed. Even if to-day we should appropriate millions authorizing the Navy to purchase planes in this country capable of flying as fast as the fastest British plane, the department could not find the planes to purchase. It is a costly, slow process, and while to-day our naval aviation is up, comparatively, to that of other countries, in two years from now we will be so far behind in speed that our whole naval aviation would be ineffective as against an aviation force of higher speed.

Now, gentlemen, these are not my conclusions. That statement is based on the testimony of the Assistant Secretary of the Navy in charge of aviation, Mr. David S. Ingalls, before the Committee on Appropriations. On page 451 of the hearings you will find his statement:

However, the gradually increased use of naval aviation with the resulting increase of necessary experimentation has made it impossible for us recently to maintain certain valuable development work. Therefore, while the performance of our service-type planes is not inferior to that of other countries to-day, this situation seems very likely to be about to terminate.

And we appropriate $30,000,000 without taking into consideration the necessity of this development. Now, get this statement, gentlemen—I am still reading from Mr. Ingalls's testimony:

During the last year the British and the Italians built and flew planes at a speed of over 330 miles per hour, the fastest plane being that of a British make at a speed of 357.7 miles per hour. The fastest American plane was built and flown some years ago at a speed of 266 miles an hour.

Just think! Nearly 100 miles slower than the fastest British plane. Now, get this:

Speed is one of the two or three characteristics fundamentally essential to a military plane. The speed of the service-type plane depends upon and is the result of what is learned through the building of racing planes, so that to-day our present fighting planes contain many features acquired through the development of the racing planes in the past.

Since the Secretary of the Navy was before the committee the British have demonstrated that they have an automobile that has greater speed than our fastest plane in the Navy.

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

Mr. TABER. I ask unanimous consent that the gentleman may have 10 minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. TABER. Will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mr. TABER. The gentleman does not want the House to believe that the plane he speaks of was a service plane in the British Army or Navy—it was simply a racing plane.

Mr. LAGUARDIA. I want to say that any gentleman familiar with the development of internal-combustion engines knows that they grow out of experiments in extreme

high-speed machines. And out of the highest speed racing planes the average highest speed planes are developed.

You can not get a plane of 250 miles an hour average speed unless you can develop a plane of 366 miles an hour, as England has done. The matter of speed is of the utmost importance. It can not be overemphasized—it must not be underestimated. Permit me to again quote the head of naval aviation of our Government. I read from a letter from Mr. Ingalls dated February 4, 1931, in reply to a letter I had written him on this subject:

(a) The question assumes that this Government has made a serious, earnest, and organized effort to compete with the high-speed seaplanes of those countries, which is not true as of recent date. When the United States Government, particularly through the Navy, did seriously and earnestly compete in these races, it won the Schneider cup race through its naval entry. Since 1925 the Navy Department has found it impossible, with the appropriations which it has secured, to continue any sort of racing program. In view of this one can hardly definitely conclude that this Government could not under proper circumstances compete favorably with other governments in the development of high-speed seaplanes.

(b) This Government has not actually developed seaplanes with a speed comparable to those of the Governments of England, France, and Italy because it has made no effort in recent years, and no effort has been made because no funds have been available. Each year there is fixed by the Director of the Budget a minimum figure beyond which the naval estimates as a whole shall not extend. It then becomes necessary for the Secretary of the Navy to fix a figure for each bureau and office, a total of which figures shall be within the limit set by the Budget; continuing further in this subdivision it next becomes necessary for the heads of the various bureaus and offices to fix a limit for each subhead under his estimates and still remain within the bureau or office limitation fixed by the Secretary.

The Bureau of Aeronautics is responsible under a mandate of Congress to complete and maintain a 5-year program consisting of building up to and maintaining 1,000 useful airplanes and also the lighter-than-air branch, consisting primarily of two large airships. It has therefore been necessary on the part of that bureau to limit its regular experimental estimates to rather a low figure in order that the necessary funds would be available to purchase and maintain the aircraft of the program authorized by Congress. The bureau has each year submitted supplemental estimates showing why more money was required for experimental purposes, but these supplemental estimates have not been approved, as they can not be approved without a cut somewhere else. The supplemental estimates for the fiscal year 1932 contain as an item "high-speed plane development, $220,000" and carry the following explanatory note: "Item 12 covers high-speed development, which the Navy can not undertake at this time on account of lack of funds and which can not be undertaken at this time without exceeding limitation of $32,000,000. It is desired to develop high-speed planes as rapidly as possible, and necessary funds covered by this item are urgently recommended." The bureau for the fiscal years 1928, 1929, and 1930 made similar efforts to secure approximately similar annual appropriations for this particular purpose. No effort was made for the fiscal year 1931 because it seemed impossible to obtain such appropriation.

That, gentlemen, is from the Assistant Secretary of the Navy in charge of aviation.

Now, out of the appropriation I ask for in all likelihood we will not get a plane. I am frank about that. It is for research, experiment, and development. There is so much back of a plane before a plane is actually built to take the air.

I am sure some gentleman on the committee will refer to the $2,000,000 for experimental purposes provided in this section. That $2,000,000 has already been allocated for experiment and development, as will be seen by this table.

Bureau of Aeronautics estimates—Detailed estimates for experiments and development, fiscal year 1932

	Expended 1930	Allocated 1931	Proposed 1932
Catapults	$96,459.61	$77,500.00	$112,500.00
Arresting gear	38,470.29	65,000.00	65,000.00
Fighting planes	167,610.58	175,000.00	225,000.00
Observation planes	265,950.00	175,000.00	240,000.00
Torpedo planes	156,500.00	250,000.00	80,000.00
Patrol planes	289,900.00	200,000.00	150,000.00
Training planes	2,065.00		20,000.00
Racing planes	724.43		
Transport and utility planes		50,000.00	80,000.00
Novel types of heavier-than-air craft	34,515.00		
Engines	384,562.43	245,000.00	285,000.00
Aeronautical engine laboratory	117,447.68	135,000.00	135,000.00
Engine installations	8,121.88	51,000.00	39,000.00

Bureau of Aeronautics estimates—Detailed estimates for experiments and development, fiscal year 1932—Continued

	Expended 1930	Allocated 1931	Proposed 1932
Engine parts and accessories	$36,460.21	$76,000.00	$76,500.00
Fuels and lubricants	13,966.88	25,000.00	26,000.00
Propellers	26,864.00	25,000.00	29,000.00
Structural development	82,187.07	110,000.00	110,000.00
Research in materials	24,541.75	44,500.00	45,000.00
Airplane accessories	64,498.91	27,000.00	25,000.00
Aerodynamics	38,790.11	52,200.00	52,000.00
Airship development	121,159.30	150,000.00	150,000.00
Instruments, radio, aerology, and photography	38,352.66	57,000.00	45,000.00
Miscellaneous	40,820.79	9,800.00	10,000.00
Total	2,049,968.58	2,000,000.00	2,000,000.00

It will, therefore, be seen that not a penny is available for speed development.

The last expenditures for experiments in speed was in 1930, and there was expended the generous sum of $724.43.

Now, other countries are expending more money than we are for this experimental and development work. England is spending, I am informed, over $2,000,000. She spent a million dollars preparing for one international race. France is spending $2,000,000 for this kind of experimental work. This information is difficult to obtain, for the reason that foreign governments make their appropriations in lump sums and we can not divide it and ascertain what they are spending. These figures I have quoted, I am informed, are reasonably accurate.

All I am trying to do is to protect the appropriations we are now making for naval aviation. If our equipment is not up to date, the money is wasted. If we provide for necessary experimental, research, and development work, we will be able to keep abreast with the other countries. If we do not, it would be saving money for the Government if not another plane were acquired next year. If we are going to keep up the 5-year program, you should not hamper the Navy by failing to properly appropriate for experimental and development work.

Mr. LINTHICUM. Will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mr. LINTHICUM. How much of an appropriation will it take to carry out the gentleman's amendment?

Mr. LAGUARDIA. One million dollars, but I will take anything I can get to get started on this necessary and costly work.

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

Mr. LAGUARDIA. Yes.

Mr. McMILLAN. The gentleman stated something in respect to the difference as shown in speed tests as between British and United States planes. Has the gentleman any figures to show in a comparative way the difference in speed in the service planes of the two countries?

Mr. LAGUARDIA. It necessarily follows. It is conceded that because of the experiment and development of the latest type motor in England they are able from now on to increase their speed planes out of all proportion to ours, and the specifications of the British planes for 1932, comparable to our appropriations now before the House, are 50 miles an hour faster than ours will be at that time. The Secretary stated in his letter that out of the racing planes of the past we had built our present fast planes.

Mr. McMILLAN. And the gentleman's position is that as a result of this difference in speed, as between the speed planes of America and Great Britain, it follows as a matter of course that the service plane of Great Britain will be accordingly faster than the service plane of America.

Mr. LAGUARDIA. That is a fact. The specifications for the new pursuit planes of the British Navy for 1932, as compared with the planes that we will acquire under the appropriations in this bill now before us, will be 50 miles an hour faster than ours; and I do not get that information from the air, but I get it from the best authority in this country on naval aviation. We must therefore avoid losing

any ground. We must keep up. If our naval aviation compares favorably to-day with that of other countries, we must keep up, so as not to fall behind a year or two years hence.

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

Mr. LAGUARDIA. Yes.

Mr. BARBOUR. But do they not sacrifice some of the safety factor for speed?

Mr. LAGUARDIA. All things must be taken into consideration. The speed plane of 366 miles an hour developed last year has not the factor of safety that the 200-mile-an-hour plane; but as you develop this tremendously high speed it serves as a guide to the maximum speed possible, with the necessary factor of safety and the other necessary qualities that a service plan must have.

Mr. BARBOUR. The British have a different problem from ours. They must get into the air much faster than we; and, further, where some of their planes are speedier, perhaps, than ours, with certain qualifications, as fighting planes there are certain things that they must sacrifice for speed. Is that the fact?

Mr. LAGUARDIA. No; that is a mistaken idea on the part of the Committee on Appropriations which that committee has fallen into.

Mr. BARBOUR. We get that in advice from the department.

Mr. LAGUARDIA. There is not a flyer living who will state, regardless of the distance, regardless of the mission he has to perform, with two flights of planes meeting each other, that the flight of plane with less speed has a ghost of a chance against the flight of plane having the greater speed. The faster plane naturally has every advantage over the slower plane, it makes no difference what the mission may be. The purposes of aviation are threefold: One, observation—you must get your plane out, get the information, and get it back rapidly; second, bombing, and you must carry your load; but a bombing plane naturally can not have the speed of a pursuit plane, and the bombing plane is helpless unless protected by the fighting plane. Then, third, there is the fighting plane. Their speed is not so essential when in travel but their speed is necessary and vital in combat. They must have the speed, they must have the maneuverability. A plane of lower speed as against a plane of higher speed can not exist in the air.

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

Mr. TABER. Mr. Chairman and members of the committee, I am glad that the gentleman from New York [Mr. LAGUARDIA] has offered this amendment, because it has brought before the House and the country some situations that really are acute, some situations which really require attention. I first became exercised about this speed question about a year ago, when we were having hearings on the Army and Navy appropriation bills. I went into it very thoroughly. I have tried as best I could, with the hectic work at this session, to keep up to date upon it, and while one or two of the items of information that I am going to give the House may not be exactly correct, they are as nearly so as I have been able to get from the sources of information available. It is true, and it was true a year ago, that the foreign experimental work upon speed planes had gone a little farther than our own. They had no planes in service at that time which were better than ours from the standpoint of speed, from the standpoint of maneuverability, nor from the standpoint of fighting ability. At this time I think there is one foreign plane which is in service which has actually more speed than ours, but it is not a substantial amount, something like 10 miles an hour. We have gone along ever since the 5-year program with appropriations for experimental work. I have not before me the figures for the Army, and I am going to estimate them, but the figures for the Navy, including the 1931 appropriation bill, were $9,377,000. The figures for the Army are approximately $10,000,000 for experimental purposes. The figures for the National Advisory Council for Aeronautics, including 1931, are $4,580,000.

Mr. YON. For how many years?

Mr. TABER. Since the period of the 5-year program, about four years of appropriation.

Mr. YON. Does that include all appropriations from the beginning of the 5-year period up to the present time?

Mr. TABER. I should say for experimental purposes that the figures down through the 1931 appropriation bill are approximately $25,000,000.

Mr. YON. And these appropriations have been used for that purpose?

Mr. TABER. They have, and they have developed a lot of things. We have developed, I think, probably a better type of ship from the standpoint of shape than have the foreign countries. We have developed the air-cooled engine, which has gone a long way toward putting our country on the map in the line of aviation.

At the present time I will not say as a result of the investigating work of the Appropriations Committee on that subject, but following it, the Army and Navy have both done considerable experimental work along the lines of high-speed planes and motors.

The CHAIRMAN. The time of the gentleman from New York [Mr. TABER] has expired.

Mr. TABER. Mr. Chairman, I ask unanimous consent to proceed for 10 additional minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. TABER. As I am informed, the Navy now has under order experimental work for the development of a high-speed, high-powered engine which would help our situation very materially if they can work it out.

Mr. BRIGGS. Will the gentleman yield?

Mr. TABER. I yield.

Mr. BRIGGS. Why is it that the high-speed engine or plane that was built by Lieutenant Williams a year or two ago was such a dismal and hopeless failure? It is my recollection that General Patrick, when he was Chief of the Air Corps, testified that under existing conditions, if we gave them enough money, they could build planes in this country with as high speed as could be built anywhere in the world. I am wondering why that plane of Lieutenant Williams was such a failure.

Mr. TABER. I will answer that. I think when the gentleman from New York [Mr. LAGUARDIA] first had in mind offering an amendment of this character it was with the view of putting our country on the map in the Schneider cup races. Is that not correct?

Mr. LAGUARDIA. Well, that is one way we can test how good we are or how bad we are.

Mr. TABER. It develops that it would take three years of intensive development work and a very considerable amount of money to do it. To a certain extent it would test how great a speed engine we could get that would carry a very light plane that would be of absolutely no value for service, and it would develop also whether or not we ought to go ahead and develop an engine and a plane which will have high speed and be of value for service.

Mr. BARBOUR. Will the gentleman yield?

Mr. TABER. I yield.

Mr. BARBOUR. As I recall, the representatives of the Air Corps testified before the War Department Appropriations Committee that Great Britain has an entirely different problem than ours. They have to get into the air fast. They have to get into the air within 24 or 27 minutes after an alarm is given, and therefore they have to sacrifice other things in a plane in order to get the necessary speed, but once in the air, while they have a speedier climbing plane than our planes, we have a better fighting plane in the air; a plane that can dive, under full power, which the British plane, according to this information, can not do. I am simply giving you information that was given to us.

Mr. LAGUARDIA. How can they get altitude if they are going to dive down? Would the gentleman tell the enemy to wait while they got up?

Mr. BARBOUR. Oh, no. As I say, it is an entirely different problem. Their problem is to get into the air fast

because an enemy can strike from near-by foreign territory and they must sacrifice other factors for climbing speed. But our planes are superior in other respects. I am giving these facts according to statements made to our committee by representatives of the Air Service.

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

Mr. TABER. I yield.

Mr. SOMERS of New York. Climbing ability does not depend on speed. It depends on power.

Mr. LAGUARDIA. And that depends on the motor.

Mr. SOMERS of New York. Power and speed do not come from the same motor at all times.

Mr. BARBOUR. But you must have power in order to climb fast.

Mr. SOMERS of New York. You need power but not speed. A speedy motor is not always a powerful motor.

Mr. BARBOUR. But you must have the necessary power to attain speed. I am simply giving the statements as they were given to our committee by officers of the Air Corps.

Mr. SOMERS of New York. I am giving my experience of four years as a flyer.

Mr. BARBOUR. I am not questioning the gentleman from New York at all. I am repeating to the House what was stated before our committee by officers of the Air Corps.

Mr. TABER. The gentleman from California [Mr. BARBOUR] is correct that those statements were made, and it has also appeared that the planes in service are in substantially very good shape.

The British have, however, developed a Rolls-Royce engine, water cooled, of greater power and greater speed than anything we have. At the present time our people have a contract for one of those engines and they expect to have it delivered shortly, and they expect to work upon it and try to develop something that will equal, if not surpass it. We must have an airplane engine the best in the world.

Now permit me to take up another line that seems to be interesting. In the Army appropriation bill we are carrying $2,300,000 for experimental work. The advisory committee is carrying in the independent offices appropriation bill, as I understand, approximately $1,000,000 or a little over. The Navy Department appropriation bill is carrying $2,000,000 for experimentation, making a total of a little over $5,000,000. The British budget, which appears in Jayne's Table of Fighting Aircraft, shows that during that time for this purpose it was £113,000 or $560,000, approximately. So that while they are carrying $560,000, we were carrying almost $5,000,000, or 10 times what they are carrying.

Now, to be frank, I think that both the War Department and the Navy Department ought to spend more of that $5,000,000, which is available in all of these different channels, for the development of high-speed, high-power planes; but it does seem to me that when we are spending $5,000,000 or more, or almost 10 times what the British are spending, we ought to be getting better results. It seems to me that with 10 times the expenditure, that is a fair and reasonable amount.

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

Recognizing what the gentleman from New York [Mr. TABER] says as being true about the vast amount of money we are spending for experimentation in aviation, those funds are already allocated. It would be desirable to spend a greater proportion of it for speed, but the fact remains they are not spending it and will not unless this amendment is adopted. I do not think there is a more essential thing in the development of aviation to-day than the question of speed. The situation is the same in the Army as it is in the Navy in the development of a high speed airplane motor. It is absolutely essential.

We have not one single high speed airplane motor in this country. Gentlemen, in time of war, the element of speed is the question of life or death. A difference of but 5 or 10 miles an hour in an airplane motor frequently means the difference between winning the battle or losing it and that usually means being killed. The whole question in an air battle is maneuverability, which comes from speed. It means that the plane which has enough speed to maneuver and get on the tail of the other plane is the one that is going to shoot down his opponent. The only way you can keep them from getting on your tail is by having more speed and getting away from them.

It is not so that we can enter the Schneider cup race to satisfy any sense of vanity nor to uphold our prestige. We want to enter the Schneider race for its practical effect in developing speed planes. It is all for the practical purpose of developing the speed that is so absolutely necessary to the success of our aviation. The value of all the money we are spending on aviation in the ultimate end is dependent on whether we are successful in the air and whether we are successful in the air or not depends almost solely on whether we have speed. The question of safety in aviation is important, of course, but in time of war there is not very much safety in the air anyway. It makes no difference how safe your plane is, if there is another plane that is faster and can get behind you, then your safe plane is going to be shot down. I think we can well afford to build fewer planes if necessary in order to develop faster ones. If the condition of the Budget is such that it is undesirable to add $1,000,000 then it would be better to build fewer planes and do more experimental work on high-speed motors. As I have said before, the element that is all-important is the element of speed, and I urge this committee, in view of that, to accept this amendment. [Applause.]

Mr. LAGUARDIA. Mr. Chairman, I ask unanimous consent to proceed for five minutes, as I want to ask a few questions in order to see whether we can agree on something.

The CHAIRMAN. Without objection, the gentleman from New York will be recognized five minutes.

There was no objection.

Mr. LAGUARDIA. Mr. Chairman, I would like to ask my colleague from New York a question or two. After the statement made by him it is clear that there is necessity for some experimental and development work. I want to be helpful. What amount would the gentleman agree to have appropriated in order to get this subject started, to get them thinking of it and get them working on it? That is what I want to do. I realize we are not going to develop a racing plane or a high-speed plane in 24 hours. I know it is long, tedious, and costly work. Can we not agree on an amount?

Mr. YON. What was the statement of the Chief of the Bureau of Aeronautics in this respect?

Mr. LAGUARDIA. I read his testimony, and he said we are equal now but that very soon we will fall behind.

Mr. TABER. Here is what I did not like about the gentleman's language, and that is why I made the point of order. If you go to work and carry all the language that is contained in the gentleman's amendment they are going to go over to the aircraft factory at Philadelphia and fritter away all of this money. I think they should, with the money they already have, go to work and do the development work now on this proposition, and I hope this debate will be notice to them that it should be done.

Personally, I will say this to the gentleman, and I will not say it for anybody else but myself, that if $220,000—which is the amount that the Bureau of Aeronautics asked for the development of high-speed motors and high-speed planes of the Secretary in their supplemental estimate, but which the Secretary refused—is added for that particular purpose and not for draftsmen and clerical help at the Philadelphia aircraft factory, I would be satisfied. I think they should be allowed to go out and contract with some of these civilian outfits that are developing something. If that is provided, I should not object to the $220,000. However, I do not like the things I have referred to.

Mr. LAGUARDIA. If my amendment read:

For high-speed aviation development the sum of $220,000, to be immediately available and to remain available until expended for all expenses incurred in connection with the development of high-speed aircraft—

And stopped there, would that meet the gentleman's objection?

Mr. TABER. It would meet my own personal objection, but I would not want that to be construed as a limitation

in any way upon the use of the rest of the experimental money.

Mr. LAGUARDIA. Oh, no. I would insert the $220,000 at this point and then increase the $30,850,000 by $220,000.

Mr. FRENCH. Would the gentleman be agreeable to adding the $220,000 to the amount we are allowing for experimentation without language.

Mr. LAGUARDIA. If it be understood that it is to be used for that purpose.

Mr. FRENCH. I think this debate would indicate that.

Mr. LAGUARDIA. That will be satisfactory to me.

Mr. FRENCH. Mr. Chairman, I am not in sympathy with an amendment as broad as the one offered by the gentleman from New York. This whole matter has been the subject of studies on the part of the Navy Department, the War Department, and other activities interested in aeronautics.

The Navy Department had the opportunity of bringing to the attention of the committee the money it felt would be necessary to have for experimental purposes. The Navy Department recommended to us $2,000,000 for general experimental work, but did not include any special amount for speed programs. Members of the committee have been advised that the item was specifically considered, that $220,000 was proposed by the bureau, but not approved by the department itself. The members of the committee felt that with $2,000,000 being expended by the Navy Department for this purpose and with a total of $5,000,000 being expended by the several services, including the War Department, we ought not to go above that amount, but we ought probably to find within such total amount enough to carry on experiment work along this line.

We have been impressed with the statements that have been made that if other nations have aircraft superior to ours, naturally, we are handicapped to the extent that superiority may exist. On the other hand, we know that our craft are superior in some features to foreign craft. Members of the committee were impressed by the statement made by the gentleman from New York [Mr. LAGUARDIA] before the committee. He was earnest, and he impressed us not only because of the fact that we regard him as a student of these problems, but because of the personal experience he had had in the World War in this particular service.

In view of the suggestions in the debate that have occurred to-day I shall be pleased to indicate my approval of the modified amendment that has been suggested.

Mr. LAGUARDIA. Mr. Chairman, I ask unanimous consent to withdraw the amendment which I have pending.

The CHAIRMAN. Without objection, the amendment will be withdrawn.

There was no objection.

Mr. LAGUARDIA. Mr. Chairman, I offer the following amendment: On page 37, line 16, strike out "$2,000,000" and insert in lieu thereof "$2,220,000."

The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA: Page 37, line 16, strike out "$2,000,000" and insert "$2,220,000."

The amendment was agreed to.

Mr. LAGUARDIA. Mr. Chairman, in order to carry out the amendment just adopted, I move the following amendment: On page 38, line 6, strike out "$30,850,000" and insert in lieu thereof "$31,070,000."

The Clerk read as follows:

Amendment by Mr. LAGUARDIA: Page 38, line 6, strike out "$30,850,000" and insert in lieu thereof "$31,070,000."

The amendment was agreed to.

Mr. LINTHICUM. Mr. Chairman, I move to strike out the last two words, and ask unanimous consent to speak out of order for 10 minutes.

Mr. FRENCH. Mr. Chairman, I am sorry that I am compelled to object. I have objected to similar requests that have been made heretofore, and it would seem I would be doing an injustice to those who have made such requests if I did not object now. The gentleman knows how important it is when we are considering the text of a bill to limit debate to the subject matter under consideration.

Mr. LINTHICUM. The gentleman will recall that I was on the list for 10 minutes during general debate, but I was occupied in the Appropriations Committee and the next day I was engaged with a conference committee and could not avail myself of the 10 minutes, and for that reason I am making this request.

Mr. FRENCH. May I ask my colleague from Kansas if the gentleman from Maryland is the one for whom we obtained 10 additional minutes?

Mr. AYRES. I will state to the gentleman from Idaho that that is correct.

Mr. FRENCH. Then, Mr. Chairman, to permit the gentleman from Maryland to continue now would not be to violate the understanding we have had, because the gentleman was included yesterday and was detained in committee.

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

There was no objection.

Mr. LINTHICUM. Mr. Chairman, ladies and gentlemen of the committee, it was my intention two days ago to speak on the question of oleomargarine, but being engaged in other matters it was impossible to do so. There is a bill which was favorably reported to the House several days ago putting a tax of 1 cent per pound on all oleomargarine and 10 cents per pound on all oleomargarine when colored more than 1.6 degrees of yellow.

Perhaps some of the committee will remember there was a bill before the Congress last year under which was placed a tax of 10 cents on all oleomaragine that was artificially colored, and prescribed a different definition of oleomargine with respect to the amount of moisture therein. Last year I brought to the attention of the committee and of the Congress the fact that the Meat Trust and the Dairy Trust had come together and were endeavoring to put out of business the small manufacturer who was making certain shortening for bread, and they did that in this way. The meat packers had control of certain old, yellow meat, obtained from old steers, and from that yellow meat they obtained a coloring which was a natural coloring, and therefore they did not come under the 10 cents per pound tax because that tax was for artificial coloring. But, lo and behold, before the law hardly goes into effect someone discovers that on the palm there is a certain fruit which produces a coloring, and these shortening people and others obtained this coloring from the palm fruit. This palm-oil coloring being a natural coloring the Department of Agriculture ruled the 10 cents per pound tax did not apply to products so colored. They occupied the same status as the Meat Trust, who have been coloring their product with the natural coloring of old beef. Why, gentlemen, these dairymen admitted to me at the hearings last year that they colored their products at times when there was no grass and the butter was light color. Were they deceiving their purchasers or only doing what oleomargarine and shortening people do, make it more attractive?

Now, then, the Dairy Trust turns against the Beef Trust and rends them asunder and places a tax of 10 cents a pound on all oleomargarine that is colored. The result of this is that for the people who have been buying this product, which is practically as nutritious as butter made by dairymen, find themselves in a position that if this becomes a law they must pay 10 cents a pound more for the spread for their bread and for the shortening they have been using.

We have been trying for some time to have you gentlemen give us some help in the cities, to help the poor people suffering from unemployment and those things that have brought distress on the country. You have been unable to help us. The $45,000,000 you have voted for is for the people in the country, and the $20,000,000 is for people who can provide security.

The people in the cities have no way of getting help. You have voted $500,000,000 to relieve the farmer. Is it fair to tax oleomargaine and shortening 10 cents a pound which the poorer people in the city use merely because it has some coloring matter?

Many people who are not in want have been buying this cheap product because it has been shown conclusively that much of this product of manufacture called oleomargarine or shortening is just as nutritious as butter that came from the dairy, and often cleaner.

Mr. COCHRAN of Missouri. Will the gentleman yield?

Mr. LINTHICUM. Yes.

Mr. COCHRAN of Missouri. Is it not a fact that if you put the tax upon shortenings and other such products you only place them in the oleomargarine class and you do not close the gap between oleomargarine and butter, and therefore such a tax will in no way stimulate the sale of butter?

Mr. LINTHICUM. It will only stimulate the sale of butter by giving the Dairy Trust a monopoly by taxing oleomargarine and shortening out of existence or by raising the price equal to that of butter by this exorbitant tax.

Mr. COCHRAN of Missouri. I can not see how the gentleman can say that because you do not close the gap between oleomargarine and butter.

Mr. LINTHICUM. If you place a tax on oleomargarine——

Mr. COCHRAN of Missouri. It is already on.

Mr. LINTHICUM. No; it is not; it is now only on that artifically colored, but this new bill would put it on all colored oleomargarine. If butter gets a monopoly all will have to pay 40, 50, or 60 cents a pound, whereas you can get this oleomargarine for 20 cents a pound. It seems to me that this country is becoming largely a country of subterfuge. Why do I say that? If a man wants a little beer he has to buy malt and certain appliances and take it home and make a little home-brew in his home where his family is. If he wants some wine he has to go to Mabel Walker Willebrandt's company and get grape concentrate, take it home and make the wine. If he wants to get some oleomargarine, under the proposed bill, and save the cost of butter to give his family just as good nutrition as he would if he bought butter, he has to buy the oleomargarine which is whiter than snow and with it a little vial of liquid, take it home, color it to make it attractive. So I say by this kind of legislation we are making this country one of subterfuge.

You will wipe out the oleomargarine because under this law oleomargarine comes within the provision of coloring and it must be whiter than the paper on which the bill is printed to be taxed only 1 cent per pound. Without the coloring this product would be whiter than snow to be less than 1.6 degrees yellow. I say it is not a fair proposition.

I would like to read what Justice Fields had to say on this matter if I have sufficient time.

Mr. Justice Field, in Powell *v.* Pennsylvania (127 U. S. 678), said:

> Who will have the temerity to say that these constitutional principles are not violated by an enactment which absolutely prohibits an important branch of industry for the sole reason that it competes with another and may reduce the price of an article of food for the human race? Measures of this kind are dangerous even to their promoters. If the argument of respondent in support of the absolute power of the legislature to prohibit one branch of industry for the purpose of protecting another with which it competes can be sustained, why could not the oleomargarine manufacturers, should they obtain sufficient power to influence or control the legislative councils, prohibit the manufacture or sale of dairy products? Would arguments then be found wanting to demonstrate the invalidity under the Constitution of such an act? The principle is the same in both cases. The numbers engaged upon each side of the controversy can not influence the question here. Equal rights to all are what are intended to be secured by the establishment of constitutional limits to legislative power and impartial tribunals to enforce them.

1. THE OBJECT OF THIS BILL

H. R. 16836, known as the Brigham oleomargarine law, seeks to place a tax of 10 cents a pound on all oleomargarine that exceeds 1.6 degrees of color, as shown by the Lovibond tintometer. It is simply an annual installment of the perennial oleomargarine legislation fostered by the National Dairy Union in order to maintain an artificial and unnatural price for butter.

2. WHAT THE BILL DOES

(a) It eliminates all color in oleomargarine: The bill differs from all prior legislation or attempted legislation in that it establishes an arbitrary degree of color which to all appearance is white. One and six-tenths degrees of color has only the very slightest degree of color and is much lighter than the paper upon which the bill is printed.

It would tax all oleomargarine made of natural cottonseed oil, peanut oil, or beef-fat oil 10 cents per pound, the only way that such oils could be used under the law being to subject them to some sort of bleaching process.

The bill seeks to eliminate all color from oleomargarine and to do this by penalizing color 10 cents a pound under the name and guise of a tax.

(b) It creates a butter monopoly: Oleomargarine was invented by a French chemist seeking to win a prize for producing a product which would most nearly imitate butter. Unless it is "made in imitation or semblance of butter," under the definition of section 2 of the act, it is not oleomargarine. The people who buy and use it buy it because it is like butter and because they desire a substitute for butter without having to pay the enormous prices maintained by the Butter Trust. This bill would destroy oleomargarine by making it impossible to use the customary ingredients and the result would be, "Eat high-priced butter or go without." The monopoly would be complete.

(c) The bill would deprive people of moderate means of an important article of food: The report of the Commissioner of Internal Revenue for the year ended June 30, 1930, shows that 331,288,735 pounds of oleomargarine was withdrawn tax paid. This shows that it is an important article of food. To add 10 cents per pound to the cost of this would mean the addition of $33,000,000 to the national food bill to be paid by the poor people of the United States, only to add to the profits of the Butter Trust. This, however, on condition that it could still be made as in 1930. The result of the 1.6 degree of color joker, however, will make its manufacture almost impossible and the result would be that very little oleomargarnie would be produced and the extra cost to the consumer would be twice the above amount. Oleomargarine is the only competitor that butter fears.

3. THERE IS NO FRAUDULENT SALE OF OLEOMARGARINE

The present law requires all oleomargarine to be labeled "Oleomargarine" and there is no fraud. It is sold as oleomargarine and bought as oleomargarine. Surely the use of oleomargarine is no crime which should be penalized. Almost every State requires that public eating places serving oleomargarine shall notify customers of that fact. There were a great number of cases of prosecution of butter manufacturers for low butter fat content in 1930, but only one instance of a prosecution of an oleomargarine dealer. If it does not imitate butter, it is not oleomargarine.

4. FOREIGN OILS WILL BE USED AS LONG AS THEIR USE IS MORE ECONOMICAL THAN USE OF DOMESTIC OILS

The use of coconut oil in oleomargarine has become so pronounced for the reason that it is imported from the Philippines and sold several cents per pound cheaper than domestic oils. Coconut oil is a highly nutritious oil but of no greater food value than peanut and cottonseed oils. These domestic oils would be used if they could be secured at equal prices. Surely the way to remedy this is not by internal taxation.

5. THE DROP IN BUTTER PRICES IS BLAMED ON OLEOMARGARINE

The sponsors of the bill gave as their principal reason for its passage the fact that butter had decreased in price during the last year. Such argument needs no answer. Every food product, commodity, and article of manufacture or production has sustained a similar or greater drop.

The United States Daily for January 20, 1931, reports:

> Retail food prices were 3 per cent lower on December 15 than on November 15, according to a statement issued January 19 by the Bureau of Labor Statistics of the Department of Labor. Decreases on 28 articles ranged from 30 per cent for oranges to less than 0.5 per cent for chuck roast.

6. THE BUTTER INDUSTRY SEEKS TO MAINTAIN ITSELF BY ARTIFICIAL MEANS AND BY TAXING COMPETING PRODUCTS

There would be as much reason for the farmer to ask for a tax on autos and tractors run by gasoline to sustain the horse, which consumes farm products; to tax silk in favor

of wool and cotton; to tax bananas in favor of oranges; or coffee in favor of Postum, as to try and maintain the tax proposed by this bill.

7. THE REMEDY IS A COMPLETE REVISION OF THE OLEOMARGARINE LAW

Oleomargarine should have an equal chance with other domestic products. A tax upon its manufacture of $600 each year and 10 cents per pound, a tax of $480 on the jobber and $48 on the retailer, is unjust, discriminatory, confiscatory, and un-American. The Treasury officials have repeatedly sought such revision. Year after year they have given the following recommendation:

It is again recommended that the present law be amended by repealing those provisions imposing a double rate of tax on the product and special taxes on dealers and substituting therefor a flat rate per pound and single rates of special taxes upon wholesale and retail dealers, with provision for individual or original packages of certain sizes fixed by the law, each of which shall bear the tax-paid stamps, marks, and brands so as to clearly identify the character of the product to the purchaser.

I am in favor of protecting dairy products from oleomargarine and shortening by proper labeling, and so forth, but to tax an article recognized as a valuable food product out of existence to boost another food product is unfair and unwarranted—is establishing an internal tax to the detriment and cost of the consumer. [Applause.]

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

(By permission of the committee, by unanimous consent, subsequently granted, Mr. KETCHAM was permitted to insert at this point the following extension of his remarks:)

Mr. KETCHAM. Mr. Chairman, I regret exceedingly that the gentleman from Maryland has apparently completely changed front in his attitude on the very salutary and necessary legislation recently reported, almost unanimously, from the House Committee on Agriculture in H. R. 15934. The essential feature of this bill is the requirement that a tax of 10 cents shall be paid upon oleomargarine which is yellow in color. The gentleman from Maryland on April 15, 1929, introduced H. R. 160, which deals with the same general subject as the bill which he to-day so vigorously attacked. I quote section 8 of Representative LINTHICUM's bill, H. R. 160:

SEC. 8. That upon oleomargarine which shall be manufactured and sold, or removed for consumption or use, there shall be assessed and collected a tax of 10 cents per pound, to be paid by the manufacturer thereof; and any fractional part of a pound in a package shall be taxed as a pound: *Provided*, When oleomargarine is free from any ingredient or artificial coloration that causes it to look like butter of any shade of yellow, said tax shall be one-fourth of 1 cent per pound. The tax levied by this section shall be represented by coupon stamps; and the provisions of existing laws governing the engraving, issue, sale, accountability, effacement, and destruction of stamps relating to tobacco and snuff, as far as applicable, are hereby made to apply to stamps provided for by this section.

Under the terms of my colleague's own bill it will therefore be apparent that palm oil being a very substantial ingredient of oleomargarine would be subject to the 10-cent tax, which is exactly what H. R. 15934 seeks to accomplish. Personally, I think my colleague was upon much sounder ground on April 15, 1929, when he introduced this bill, than he is to-day in his attitude upon H. R. 15934.

I realize that this is not the time to enter into an extended argument as to the merits of H. R. 15934, which we hope to have up for the consideration of the House in the very near future. However, I can not allow the statement of the gentleman from Maryland on two phases of the subject to pass unchallenged:

First, the supporters of H. R. 15934 can not allow the gentleman from Maryland to state, without protest, that the friends of that particular bill are seeking to penalize the poor folks in the cities who, according to his statement, make such large use of oleomargarine. We reply that the sale of yellow-colored oleomargarine at a price very considerably above the uncolored product is in itself a serious tax upon the poor people for whom the gentleman from Maryland pleads so earnestly. All the testimony before our committee is to the effect that there is no special virtue in the colored oleomargarine over that of uncolored, so far as real nourishment is concerned. A pound of the uncolored product will serve every purpose of yellow oleomargarine and at a price appreciably lower. For this reason the supporters of H. R. 15934 claim that this particular legislation favors the poor people whom our friend claims can not afford to buy butter. The colored oleomargarine will naturally sell for more than white, simply because it appeals to the eye, but it has no additional food value or flavor.

The friends of H. R. 15934 can not allow to pass unchallenged the statement which the gentleman makes assuring the House that the nourishing qualities of oleomargarine are practically the same as butter. In this statement he is far removed from the testimony of food experts as he could possibly be. Dr. E. V. McCollum, recognized the most distinguished authority on nutrition in the United States, if not the world, and who by the way comes from Baltimore, the home city of my colleague, in his testimony on page 77 of the hearings, in response to a direct question as to the relative nutritive value of butter and oleomargarine, replies as follows:

I can answer your question, therefore, with great confidence and I tell you the truth when I say that all butter substitutes, so far as I am aware, are distinctly inferior to even a low-grade butter.

Dr. Walter H. Eddy, another distinguished authority on nutrition, who appeared before our committee during the hearings, also completely discounts our colleague's statement when he answered affirmatively a direct question by Congressman HOPE—

That one would have to eat 25 to 30 pounds of oleomargarine in order to get the vitamin content of 1 pound of butter.

It will be perfectly apparent to members of the committee from these two statements of recognized authorities of the highest standing in the field of nutrition that our colleague somewhat "overspoke" in his anxiety to befriend oleomargarine.

In behalf of H. R. 15934 I believe it can be fairly said that in view of the ruling of the Commissioner of Internal Revenue on November 12 permitting yellow palm oil to be used in the manufacture of oleomargarine by the payment of the same tax as imposed upon white oleomargarine, no more important single piece of legislation for the benefit of agriculture has been presented in recent years. The dairy interest is the most important branch of agriculture, if, indeed, it is not the most important industry we have in the country. Its income amounts to 21 per cent of the gross farm income of the country, and this ruling of the commissioner strikes the most vital blow that any farming industry has ever received through an administrative ruling. Every sincere friend of agriculture should be enthusiastically in favor of H. R. 15934, and our friends from the city, including my colleague from Maryland, should realize especially in these times of economic distress that anything that lessens the farm income strikes not only at agriculture but indirectly at every form of business activity in the country.

The Clerk read as follows:

NAVAL ACADEMY

Pay, Naval Academy: Pay for professors and others, Naval Academy: Pay of professors and instructors, including one professor as librarian, $290,000: *Provided*, That not more than $36,500 shall be paid for masters and instructors in swordsmanship and physical training.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. Are there any civilian instructors in the employ of the Naval Academy?

Mr. FRENCH. At this time there are 64.

Mr. STAFFORD. What policy is pursued as to their retirement after they reach the age of 65, so far as retirement pay is concerned?

Mr. FRENCH. My understanding is that only two of the civilian members of the faculty come under the general retirement act.

Mr. GAMBRILL. Do I understand the gentleman from Idaho to say that civilian professors come under the general retirement law?

Mr. FRENCH. My understanding is that only two of the civilian professors are affected by the civil service retirement law.

Mr. GAMBRILL. My understanding is that they have no retirement law for the professors at the Naval Academy. One was proposed to the Budget about a year ago, but it was not approved by the Budget.

Mr. STAFFORD. Can the gentleman who takes great interest in the affairs of the academy, because that institution is in his district, inform the House as to the retirement age and what their privileges are upon retirement? I understand from recollection that the law provides retirement at 65.

Mr. GAMBRILL. I think it is 70 for civilian employees, but there is no retirement law for the professors.

Mr. STAFFORD. They are compulsorily retired at 70 years of age?

Mr. GAMBRILL. Yes; I so understand.

Mr. FRENCH. The gentleman, no doubt, is in a better position to speak on the subject, because my committee has not been asked to consider it. The matter is not one within the control of this committee.

Mr. STAFFORD. I realize that this does not come within the jurisdiction of the gentleman's committee, but I thought the gentleman had the information. I wished it in connection with some private bills on the calendar.

The Clerk read as follows:

In all, $16,471,125, and the money herein specifically appropriated for pay of the Marine Corps shall be disbursed and accounted for in accordance with existing law and shall constitute one fund.

Mr. AYRES. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. AYRES: Page 42, line 20, after the word "fund," insert a new paragraph as follows:

"No part of any appropriation contained in this act shall be available after December 31, 1931, for the pay of more than one-half of the number of officers and men of the Marine Corps in Nicaragua under orders for the performance of duty than were on duty in such country on the date of the approval of this act, nor shall any part of any appropriation contained in this act be available after May 31, 1932, for the pay of more than a full company of officers and men of the Marine Corps in Nicaragua under orders for the performance of duty in such country, except that nothing herein shall require a reduction to be made in the numbers of officers and enlisted men of the Marine Corps in Nicaragua on account of aviation activities."

Mr. AYRES. Mr. Chairman, I ask unanimous consent that this amendment be passed over temporarily until we complete the reading of the bill, and then return to it and dispose of it. Several Members want to be heard upon the matter.

Mr. FRENCH. I shall not object to that, Mr. Chairman.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent that the amendment just reported may be passed over temporarily, and that the reading of the bill may be proceeded with until its conclusion, and that then we may refer back to the amendment and dispose of it at that time. Is there objection?

There was no objection.

Mr. KETCHAM. Mr. Chairman, I move to strike out the last word. I ask unanimous consent to proceed for five minutes out of order.

Mr. FRENCH. Mr. Chairman, I feel that I must object. I am sorry to do so, but I have objected to others, and the only reason I did not object to the gentleman from Maryland [Mr. LINTHICUM] was because time had been granted to him in general debate and he was attending to his business with the Ways and Means Committee, under authority of the House, during the time we were here. I felt it was only fair to grant him the privilege at that time.

Mr. KETCHAM. Will the gentleman withhold his objection for a moment?

Mr. FRENCH. Gladly.

Mr. KETCHAM. The reason I make the request is not because of any desire to interrupt the orderly procedure in connection with the bill, but the statement made by the gentleman from Maryland was so very extraordinary and came in the midst of a situation where there was no opportunity to reply, and it seems to me it ought not to be allowed to pass without a brief statement in rebuttal being made. That is the reason I ask for this five minutes.

Mr. FRENCH. If I may be helpful later in any way in obtaining time for the gentleman I shall be glad to do so; but I know the Members feel that during the 5-minute period of consideration of the bill we ought to limit debate to items in the bill. I am sorry, but I must object.

Mr. KETCHAM. Mr. Chairman, I ask unanimous consent that I be permitted to extend my remarks, to be inserted in the proceedings in connection with the remarks of the gentleman from Maryland, to enable me to make a statement that I believe will successfully controvert the argument presented by the gentleman from Maryland.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The Clerk read as follows:

Office of the quartermaster, $127,097; in all, $305,567: *Provided*, That the total number of enlisted men on duty at Marine Corps headquarters on May 7, 1930, shall not be increased, and in lieu of enlisted men whose services at such headquarters shall be terminated for any cause prior to July 1, 1932, their places may be filled by civilians, for the pay of whom, in accordance with the classification act of 1923, as amended, either or both the appropriations "Pay, Marine Corps," and "General expenses, Marine Corps," shall be available.

Mr. COCHRAN of Missouri. Mr. Chairman, I offer an amendment.

The Clerk read the amendment, as follows:

Amendment by Mr. COCHRAN of Missouri: Page 43, line 11, strike out the period and add a semicolon and insert the following: "*Provided*, That no part of section 1305 of the Revised Statutes, as amended by the act of June 12, 1906 (34 Stat. 246), of the act of February 9, 1889 (25 Stat. 657), or of the act of June 29, 1906 (34 Stat. 579), or of any other law shall be so construed as to authorize the recovery in any manner of any indebtedness to the United States or to any of its instrumentalities from either amounts deposited with the Government pursuant to law by any depositor in the military or naval service or from the interest thereon."

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the amendment.

Mr. COCHRAN of Missouri. Will the gentleman withhold his point of order for a moment?

Mr. STAFFORD. I reserve the point of order.

Mr. COCHRAN of Missouri. Mr. Chairman, several years ago the Comptroller General rendered a decision in which he held that if any member of the Army, Navy, or Marine Corps was indebted to the United States the money could be recovered by deducting the amount from the savings account which is authorized by law. This has interfered with the savings account to such an extent that the deposits dropped several hundred thousand dollars. The value of the savings accounts to the Army, Navy, and Marine Corps is that the enlisted men place their money there for safekeeping, and when they have money in the savings accounts they rarely desert. This statement is confirmed by the fact that since this ruling desertions have increased. As General Richards told the committee—you will find his statement in the hearings—it costs the Government possibly a hundred times as much to apprehend a deserter as is recovered from the fund. Nevertheless, the comptroller's ruling has had the effect of decreasing the deposits in the fund.

A few days ago there was sent to the Speaker this identical language which was introduced in the form of a bill by the gentleman from Michigan [Mr. JAMES], chairman of the Military Affairs Committee.

Three years ago the committee of which I am a member, conducted hearings on a similar bill which I introduced, and it was agreed the departments should try to arrive at some understanding with the Comptroller General whereby he would modify his ruling. After a year and a half the three departments were unable to get the Comptroller General to modify his ruling. He has stated it is a matter requiring legislation and that he would not modify the ruling.

This amendment places the savings account back on the basis that the original law intended, without any interference by the Comptroller General in the collection of any debts due from enlisted men, unless, of course, there is some fraud entering into the transaction.

I hope, in view of the fact that the Army, the Navy, and the Marine Corps have combined in asking the Congress to enact this legislation at this session, that no one will make a point of order against my amendment at this time.

Mr. STAFFORD. Will the gentleman yield?

Mr. COCHRAN of Missouri. I yield with pleasure.

Mr. STAFFORD. Do I understand the effect of the gentleman's amendment would be to deprive either department of the privilege of deducting any claim, which the department may have against any enlisted man, from his savings deposits?

Mr. COCHRAN of Missouri. Yes. That is the purpose of the amendment. The original act, as construed by the officials of the three departments, provided that the comptroller does not have the right, but nevertheless he has assumed the right, and as a result of that, deposits have fallen off hundreds of thousands of dollars, and desertions have increased.

Mr. STAFFORD. Mr. Chairman, since the gentleman has submitted his amendment I have had the benefit of the opinion of the chairman of the subcommittee, who advises me that in view of the ruling of the Comptroller General, the deposits of enlisted men in the various services have been withdrawn because they fear that in case of any difficulty with the Government, which may prompt them to leave without right, their funds would be tied up and they could not be returned. I understand from the chairman's statement that this provision has the indorsement of the Secretary of War and the Secretary of the Navy, and accordingly, Mr. Chairman, I withdraw the reservation of the point of order.

The amendment was agreed to.

The Clerk read as follows:

For provision, subsistence, board and lodging of enlisted men, recruits and recruiting parties, and applicants for enlistment, cash allowance for lodging and subsistence to enlisted men traveling on duty; ice, ice machines and their maintenance, $2,970,000.

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

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

The Clerk read as follows:

Amendment offered by Mr. FRENCH: On page 43, line 21, strike out the sign and figures "$2,970,000" and insert "$3,080,000."

Mr. FRENCH. Mr. Chairman, the reason I offer the amendment is on account of a reduction that we made in an item of provisions for the Marine Corps of $350,000. We understood from a letter received from the department, on the basis of recent studies made with reference to the prices of commodities, that $350,000 could be deducted from this item. The department, it since appears, intended that that amount should apply to all items of the Marine Corps affected by price changes, and, therefore, I have introduced this amendment in order to bring the money into harmony with the intention of the recommendation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Idaho.

The amendment was agreed to.

The Clerk read as follows:

For miscellaneous supplies, material, equipment, personal and other services, and for other incidental expenses for the Marine Corps not otherwise provided for; purchase, repair, and exchange of typewriters and calculating machines; purchase and repair of furniture and fixtures; purchase, exchange, and repair of motor-propelled and horse-drawn passenger-carrying and other vehicles, including parts; veterinary services and medicines for public animals and the authorized number of officers' horses; purchase of mounts and horse equipment for all officers below the grade of major required to be mounted; shoeing for public animals and the authorized number of officers' horses; books, newspapers, and periodicals; printing and binding; packing and crating of officers' allowance of baggage; funeral expenses of officers and enlisted men and accepted applicants for enlistment and retired officers on active duty and retired enlisted men of the Marine Corps, including the transportation of their bodies, arms, and wearing apparel from the place of demise to the homes of the deceased in the United States; construction, operation, and maintenance of laundries; and for all emergencies and extraordinary expenses, $2,061,209: *Provided*, That there may be expended out of this appropriation not to exceed $32,800 (including the exchange value of any vehicles which may be used as part payment) for the purchase of motor-propelled passenger-carrying vehicles, the gross cost of any one vehicle not to be in excess of the respective amounts as follows: One, $1,800; 25, $600 each; 20 motor cycles, $290 each; 20 side cars for motor cycles, $110 each; and 2 motor busses, $4,000 each: *Provided further*, That the sum to be paid out of this appropriation under the direction of the Secretary of the Navy for clerical, drafting, inspection, watchman, interpreter, and messenger service in the classified field service of the Marine Corps, for the fiscal year ending June 30, 1932, shall not exceed $90,000.

Mr. LANKFORD of Virginia. Mr. Chairman, I offer an amendment.

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

The Clerk read as follows:

Amendment offered by Mr. LANKFORD of Virginia: Page 46, after line 14, insert a new paragraph as follows:

"The President is authorized to permit the band of the United States Marine Corps to attend and give concerts at the celebration to be held at Yorktown, Va., in the month of October, 1931, to commemorate the surrender of Lord Cornwallis and the establishment of American independence, and for the purpose of defraying the expenses of such band in attending and giving concerts at such celebration there is hereby appropriated the sum of $3,012, or so much thereof as may be necessary, to carry out the provisions of this paragraph: *Provided*, That in addition to transportation and Pullman accommodations the leaders and members of the Marine Band be allowed not to exceed $5 per day each for actual living expenses while on this duty, and that the payment of such expenses shall be in addition to the pay and allowances to which they would be entitled while serving at their permanent station."

Mr. STAFFORD. Mr. Chairman, for the time being, I reserve a point of order.

Mr. LANKFORD of Virginia. Mr. Chairman, the amendment speaks for itself.

Mr. STAFFORD. I wish to inquire whether the gentleman has offered any special bill covering this proposed legislation.

Mr. LANKFORD of Virginia. A special bill has been offered and approved by the Naval Affairs Committee.

Mr. STAFFORD. What it its status at the present time?

Mr. LANKFORD of Virginia. It has been approved and is on the calendar. It has also been approved by the Budget.

Mr. STAFFORD. There is no objection to the gentleman's bill, but I question the propriety of loading this appropriation bill with matters of this temporary character. The gentleman can get his bill through on the Consent Calendar. There are three or four other bills of similar import, and if we are going to establish the practice of inserting this bill here, the Senate will undoubtedly incorporate the other bills, so that we will have an omnibus band bill instead of a naval appropriation bill.

Mr. LANKFORD of Virginia. It may or may not be reached.

Mr. STAFFORD. It will certainly be reached. There is no question about its being reached; and, Mr. Chairman, I press the point of order.

Mr. BLAND. Will the gentleman reserve it?

Mr. STAFFORD. Yes.

Mr. BLAND. The only reason for presenting this matter at this time is that, with the expiration of Congress on March 4, as the gentleman knows, the celebration will have come and gone before we could get before Congress again. There is this difference between this bill and the other band bills. This is not a bill permitting the band to go to some private function.

Mr. STAFFORD. I am in hearty sympathy with the provisions of the amendment, but I am questioning the propriety of having it inserted in this bill. The bill for this purpose will go through this House without any question, and if there is any blocking of it the responsibility will be in the other Chamber, where they are trying their best to block legislation in order to force an extra session.

Mr. BLAND. May I say to the gentleman, too, that this has the approval of the Director of the Budget?

Mr. STAFFORD. There is no question about that; and when the bill comes up for consideration on the Consent Calendar it will pass the House.

Mr. WOODRUFF. May I say to my friend from Wisconsin that this bill has the unanimous approval of the Naval Affairs Committee?

Mr. STAFFORD. That has already been stated. Mr. Chairman, I press the point of order on the ground of propriety.

The CHAIRMAN (Mr. LEHLBACH). The gentleman from Wisconsin makes a point of order against the amendment, and the point of order is sustained.

The Clerk read as follows:

In all, $8,486,435, to be accounted for as one fund.

Mr. FRENCH. Mr. Chairman, I move that the total, in line 17, be corrected to correspond with an amendment we have already adopted, making the figures read "$8,596,435."

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

The Clerk read as follows:

Amendment offered by Mr. FRENCH: On page 46, in line 17, strike out the sign and figures "$8,486,435" and insert "$8,596,435."

The amendment was agreed to.

The Clerk read as follows:

Improving and equipping navy yards for construction of ships: Toward providing and reconditioning building ways and providing additional equipment and facilities at navy yards necessary for the construction and equipment of ships, $250,000.

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

The Clerk read as follows:

Amendment offered by Mr. BLACK: On page 47, in line 8, after "1929"——

Mr. TABER. Mr. Chairman, have we not passed that paragraph?

Mr. BLACK. Then, Mr. Chairman, I ask unanimous consent to return to that paragraph for the purpose of offering the amendment.

Mr. FRENCH. Mr. Chairman, reserving the right to object, I would like to know what the amendment is.

Mr. BLACK. The amendment is in order at the end of the paragraph just read, anyway.

The CHAIRMAN. The Clerk will report the amendment for information.

The Clerk read as follows:

On page 47, in line 8, after the figures "1929," add a new paragraph, as follows:

"Destroyer leader and destroyers: To be immediately available for the construction of one destroyer leader and three destroyers, $4,500,000."

Mr. FRENCH. Mr. Chairman, I make the point of order on the amendment that it is not authorized by law.

The CHAIRMAN. There is an objection pending to the amendment being offered, made by the gentleman from Idaho, inasmuch as the paragraph to which it is being offered has been passed.

Mr. FRENCH. Then I press that objection that we have passed the point where the amendment is offered.

Mr. BLACK. I think the amendment is appropriate to any part of the section dealing with increase of the Navy and I offer it following line 16.

The Clerk read as follows:

Amendment offered by Mr. BLACK: On page 47, after line 16, insert a new paragraph to read as follows:

"Destroyer leader and destroyers: To be immediately available for the construction of one destroyer leader and three destroyers, $4,500,000."

Mr. FRENCH. Mr. Chairman, I make the point of order that the amendment is not authorized by existing law.

Mr. BLACK. Mr. Chairman, if I may be heard on that, by the act of August 29, 1916, there were authorized 12 destroyers, and no funds have ever been appropriated for their construction, and the authorization still stands.

The CHAIRMAN. Has that law been repealed?

Mr. BLACK. No.

Mr. FRENCH. Mr. Chairman, I direct attention to the language that the gentleman has indicated to the Chair, and, as I understand the amendment, the very first provision is for a destroyer leader, and the gentleman did not cite to the Chair any authority for the construction of a destroyer leader.

Mr. BLACK. It is contained in the same act of 1916 for destroyer leader and destroyers.

The CHAIRMAN. Can the gentleman refer the Chair to the section of the code in which there is this legislation?

Mr. BLACK. The only citation I have here is from the report of the committee, and they give the citation as the act of August 29, 1916.

The CHAIRMAN. Can the gentleman from Idaho give the citation of law upon which this amendment is based? The gentleman from New York states it is cited in the report of the committee.

Mr. FRENCH. Mr. Chairman, the Navy appropriation act for the year 1917, that was passed August 29, 1916, gives authority for the construction of certain ships, and among them are certain destroyers. Of the destroyers that were authorized at that time, 12 have not as yet been built or commenced; but there is nothing in that act that gives authority for the construction of a destroyer leader.

Mr. BLACK. To avoid any argument on the technical situation, I ask unanimous consent to amend the amendment by making it 4 destroyers instead of 1 destroyer leader and 3 destroyers.

The CHAIRMAN. The gentleman from New York asks unanimous consent to modify his amendment by striking out the words "destroyer leader" and inserting four destroyers in lieu of three destroyers, and without objection, the amendment will be considered as so amended.

There was no objection.

Mr. BLACK. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

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

There was no objection.

Mr. BLACK. Mr. Chairman, I want to congratulate the Navy on having won its first engagement in the field of law in several years, and I want to say that the victory to-day is entirely due to the fine efforts of my subskipper, the gentleman from Wisconsin [Mr. STAFFORD].

Mr. BRITTEN. Did the gentleman say "sudskipper"?

Mr. BLACK. Sub. [Laughter.]

President Hoover, in addressing the Daughters of the American Revolution on April 14, 1930, said:

There is a price which no nation can afford to pay for peace.

I wonder if that price that this Nation is taking a chance on is the $36,000,000 that has been taken from this appropriation bill?

The President also said that because of our geographical situation we no longer have any fear of attack. Now, it is a strange thing about all internationalists that only as they consider national defense then our isolation becomes a very important factor in our future.

He also said that we are stronger in defense as the result of the London conference. Now, if we are stronger in defense as the result of the London conference, then we have a greater ratio as against Great Britain than that of five and five. In other words, we took advantage of this poor, innocent country known as Great Britain at the London Naval Conference.

Now our friend the gentlemen from Idaho [Mr. FRENCH] says it would be wicked to spend one dollar more than is absolutely necessary for our naval needs, but how much more wicked it is not to spend enough for our naval needs. If there was one reason for the existence of this Federal Government, if there was one reason for the existence of this Union of States, it was for the national defense of the States and of the citizens of the States. It is the most important

obligation that we have under the preamble of our Constitution, and I say we are not to take our advice on national defense from the British Admiralty, from the President of the United States, and least of all from a group of inland Congressmen who happen to dominate the subcommittee on naval appropriations, who year in and year out do more to discourage our Navy men, do more to lessen our naval strength than all the conferences we have ever had.

Great Britain, under Ramsay MacDonald, started to unbalance the Washington conference. He started to build treaty cruisers. It is the same Ramsay MacDonald in control of Great Britain now.

At the Geneva conference when we were endeavoring to work out an agreement with Great Britain, Great Britain went into a side agreement with France which was exposed by Mr. Hearst.

When President Hoover and Ramsay MacDonald were discussing the proposed London conference Ramsay MacDonald was bringing about the recognition of Russia, knowing full well that our Government was not inclined to recognize Russia unless it changed its political and economic system. All these things indicate an attitude of unfair policy on the part of Great Britain. During the London conference Great Britain was building new destroyers.

Now, as to destroyers—we have heard gentlemen on the floor of the House call attention to our great fleet destroyers, when we claimed the British battleships were of greater range, greater speed, greater tonnage than ours. That is not the only thing to think about—think of British coaling stations, think of British bases. We have not any. In regard to the battleship strength, it may be true we have tonnage parity, but nobody can say that we have range parity, nobody can say we have accessibility parity, nobody can say we have complete parity.

We have more destroyers than Great Britain; we built more in this country during the World War to accommodate our allies who did not have any.

This argument that we have had so many destroyers has been used time and time again to defeat the building of American cruiser and battleship strength.

We went to the London conference and we agreed to keep down the destroyer strength to a parity of 150,000 tons with Great Britain. We have not built a destroyer since 1922, although authorized to do so. The strange thing about it is that Great Britain was building destroyers and new destroyers, and they were specifically exempted from the scrapping, which unbalanced the idea of parity.

My friend Mr. FRENCH says that we are not supposed to build up to the treaty. One responsible New York paper, the Herald Tribune, says in an editorial that the United States Navy is 13.7 below the treaty strength, whereas Great Britain's Navy is only 1.8 below the treaty strength.

Gentlemen, I offered this amendment for destroyers because it is the only thing that we can add to the fleet; we are permitted to by the treaty. It provides that we shall scrap some of the old destroyers. We have destroyers built back in 1916. Great Britain is building new destroyers, and we can do the same thing to-day, and it will relieve the state of unemployment, it will help the business of the country. It will bring up the morale of the men and help the personnel of the enlisted men.

We were the leading naval nation in the world in 1922 when the conference was called.

Again, we were approaching some strength by a cruiser-building program, and Mr. MacDonald came over here and had a little talk by the riverside with Mr. Hoover, and again we went to London and arranged to scrap our cruisers and destroyer strength, but Great Britain all of the time has had an ace in the hole. She had an ace in the hole on battleships when they had greater weight and speed, she had an ace in the hole on cruisers when she had coaling stations in the Atlantic and her dock at Singapore, and now they have an ace in the hole on destroyers, for they were buildings destroyers while the conference was going on. Why did they not scrap their destroyers? I wish it were humanly and politically possible to have this Subcommittee on Naval Appropriations shift over to Great Britain and let them serve the British Admiralty, and then perhaps we would be able to get some strength. I am tired of these inland admirals who are cutting our Navy to pieces.

Mr. FRENCH. Mr. Chairman, may I make just a few suggestions to the House in the matter of the amendment offered by the gentleman from New York [Mr. BLACK]? My colleague would provide for the construction of four destroyers. The treaty that was promulgated on January 1 of this year outlining the arrangement between Great Britain, the United States, and Japan, touching the different types of ships that we could maintain in the several navies, fixed a limit upon destroyer tonnage for the United States at 150,000 tons. We have at this time 226 destroyers with a tonnage considerably in excess of the tonnage limit in the treaty. We have at this time the tonnage that we are entitled to under the treaty, constructed since the World War. After the present destroyers in our Navy may be disposed of, the life of a destroyer will be 16 years. The present life as fixed by the London treaty of our present destroyers is 13 years, although, as a matter of fact, many of the destroyers, in fact most of them, have had considerably less service than 13 years. Many of them have been tied up in reserve in Philadelphia and San Diego and have been in that way retained in fairly excellent condition, and but recently have been brought into service. We have carried forward in the bill during the last year or so sizable sums of money for the purpose of keeping our destroyers in shape and performing major overhaul work upon them. Indeed, as to most of the destroyers in commission Admiral Rock, the Chief of the Bureau of Construction and Repair, has advised the committee that their overhaul was so complete that 10 years had been added to their life. More than that, at this time there is pending in the House a bill reported from the Naval Affairs Committee providing for a building program of types permissible under the treaty.

I have indicated to the House my approval of the passage of that bill, and should that measure become a law it will then be up to the Navy Department to work out an orderly program of construction for our consideration. Here upon the floor we ought not to attempt to work out a building program without definite knowledge of how the building program is going to fit in with construction programs in our shipbuilding establishments. The question ought to be studied as a whole question and then brought to the attention of the House in an orderly way, so that it may have the consideration that an important subject such as this deserves.

Mr. BRITTEN. Will the gentleman indicate to the House as a matter of information whether or not the Navy Department has requested funds in this appropriation bill for the construction of destroyers?

Mr. TABER. Not in this bill.

Mr. FRENCH. Not in this bill.

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

Mr. FRENCH. Yes.

Mr. HALE. When the Navy Department came before the legislative committee on the construction program a part of that program was the construction of destroyers authorized under the 1916 act. The legislative committee reported out a construction program. It did not, however, include the destroyers, because the authorization already exists, but we find that the Navy Department had made its plans to go ahead with the construction of 11 or 12 destroyers authorized under that act, and for my part I am very much surprised, from what was said to us by the Navy Department in the hearings on the construction program, that they did not request money from the gentleman's committee for the construction of at least some of the destroyers. Is it the gentleman's position that we should not construct any more destroyers until 1936?

Mr. FRENCH. Oh, no. On the contrary, I think that we should. I think that, as to the different types of ships, we ought to begin to work out an even building program. It

will mean economy in the long run, and it will mean steady employment in the different shipbuilding establishments of the country. I do not believe that on the floor of the House we should attempt such a thing without having had an opportunity to study the matter with regard to the two factors need and orderly construction. Consideration should be given also to programs that will follow for other types of ships, and possibly more of this particular type of ship. It is of paramount importance that we should know what the conditions of work in shipbuilding establishments may be and what the department's plans may be for accomplishing new work in the several shipbuilding yards of the country as to these and other types of craft for which we probably may be called upon to appropriate within the next year. It seems to me it is unwise to include an item in the bill such as the proposed amendment of the gentleman from New York.

Mr. HALE. I quite agree with the gentleman that there ought to be a constructive plan which will build our Navy up year by year to what it ought to be, and along that line I call attention to the fact that Japan, for example, built 7 destroyers in 1923, 5 in 1924, 5 in 1925, 5 in 1926, 5 in 1927, 5 in 1928, 5 in 1929, 2 completed in 1930, and 9 building.

The CHAIRMAN. The time of the gentleman from Idaho [Mr. FRENCH] has expired.

Mr. HALE. Mr. Chairman, I ask unanimous consent that the gentleman from Idaho have five additional minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. HALE. Great Britain built 2 in 1923, 3 in 1924, 2 in 1925, 2 in 1927, 8 in 1930, and is now building 17. As the gentleman from New York [Mr. BLACK] said, we have not completed a destroyer since 1922. Assuming the life of a destroyer is 16 years instead of 13 years, as the treaty provides, it is a fact that by 1936, unless we build some destroyers, we will have only 16 out of our 226 destroyers which will be effective ships.

I desire to raise my voice in protest, if no one else in this House does, against a policy which permits our Navy to deteriorate in any such fashion. [Applause.]

Mr. BLACK. Will the gentleman yield?

Mr. FRENCH. I yield.

Mr. BLACK. Inasmuch as Great Britain is building a new type destroyer, and inasmuch as we have adopted this parity yardstick for whatever it is worth, does the gentleman not think the logical way to progress, then, is, if Great Britain builds one ship of a certain type, we should build a ship of a certain type, provided both parties stay within the treaty limits, instead of this even-construction proposition and cutting down help in the navy yards? Why does the gentleman not want to move step by step, as they say in Latin, pari passu, with Great Britain? We could do that on destroyers by adopting the amendment I have offered.

Mr. FRENCH. The gentleman from New Hampshire [Mr. HALE] referred to destroyers that have been built in the last several years by Japan and Great Britain. The gentleman did not indicate to the House, however, that in this particular type of ship the United States was and is vastly beyond either of those two countries in strength, in tonnage, and in ships built. Of course, those two countries were in the position that we were and are with respect to cruisers; and hence the reason for the destroyers that were being built a few years ago by both Japan and Great Britain. As a matter of fact to-day we are vastly beyond the destroyer strength which we are permitted under the treaty. To use the illustration of the gentleman from New York, which was unhappy when applied to destroyers, we are far beyond, in tonnage and strength in destroyers, of either Great Britain or Japan.

Mr. HALE. Will the gentleman yield?

Mr. FRENCH. I yield.

Mr. HALE. But the gentleman will concede that that difference can only continue for a year or two more.

Mr. FRENCH. Of course, it will continue longer than that unless unusual building programs are adopted by those two countries. I have already indicated that there is an orderly way in which we ought to proceed with the building program.

Mr. BLACK. Will the gentleman yield?

Mr. FRENCH. I yield.

Mr. BLACK. Will the gentleman assure the House that his committee will take up the question of destroyer construction at the next session?

Mr. FRENCH. Oh, the chairman of this committee does not know what recommendations, will be made, what studies would reveal in the next Congress. He does not know what his responsibility may be in the next Congress. For that reason he must omit to indicate any probable action a year from now.

Mr. BLACK. With that promise from the gentleman from Idaho I insist on my amendment.

Mr. TABER. Will the gentleman yield?

Mr. FRENCH. I yield.

Mr. TABER. Is it not true that no request has been made by the Navy Department for the construction of destroyers at this time?

Mr. FRENCH. That is correct.

Mr. TABER. And no opportunity has been given to go over the situation, to see whether or not these things should be done?

Mr. FRENCH. That is correct.

Mr. TABER. Is it not the mark of utter folly for us to go ahead and attempt on this floor, without any idea of what money might be used, without any idea whether or not it fits into the program of the department, or whether or not they are ready to build such ships, and appropriate $4,500,000 to build four destroyers?

Mr. FRENCH. It seems to me the gentleman has indicated the correct procedure here, and by his question I would be compelled to answer in the affirmative.

Mr. HOUSTON of Hawaii. Will the gentleman yield?

Mr. FRENCH. I yield.

Mr. HOUSTON of Hawaii. Did the Chief of Operations make any recommendations whatever to your committee with respect to the building program in the yards?

Mr. FRENCH. We had before the committee the Secretary of the Navy, the Chief of Naval Operations, and the officers in charge of the construction bureaus, and not one of them proposed this building of destroyers.

The amendment was rejected.

The Clerk read as follows:

No appropriation contained in this act shall be available for the purchase of any raw materials of foreign production or any manufactured articles or supplies of foreign production or containing materials of foreign production except (1) for experimental purposes, (2) raw materials not produced in kind or requisite quantity or quality in the United States, and (3) requisite manufactured materials or articles not procurable in the United States.

Mr. BRITTEN. Mr. Chairman, I offer an amendment, which I have sent to the Clerk's desk.

The Clerk read the amendment as follows:

Amendment offered by Mr. BRITTEN: On page 47, beginning in line 17, strike out the paragraph ending in line 2 on page 48 and insert in lieu thereof the following:

"That in the expenditure of appropriations in this act the Secretary of the Navy shall, unless in his discretion the interests of the Government will not permit, purchase for use or contract for the use of, within the limits of the United States, only articles of the growth, production, or manufacture of the United States, notwithstanding the provisions of any law to the contrary."

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the amendment.

Mr. BRITTEN. This language, Mr. Chairman, is presented in order to clarify a condition in the bill as it has been presented to the House wherein it will make it necessary for the Navy to buy its fuel oil, its coal, and make many purchases within the United States at an extreme cost. This language has been submitted to the gentlemen comprising the subcommittee having this bill in charge and is agreeable to them, because it is substantially the language that will be agreed upon by the Senate and House con-

ferees who are now sitting on the War Department appropriation bill, with a view to providing language in the appropriation bill that will protect the Government against the dumping of Russian material or almost any manufactured product which will come in direct competition with the manufactures of the United States.

Mr. STAFFORD. Will the gentleman yield?

Mr. BRITTEN. Yes.

Mr. STAFFORD. Will the gentleman allow me to withdraw my reservation of a point of order.

Mr. BRITTEN. Certainly.

Mr. Chairman, in connection with this amendment, I would like to present a letter from the Secretary of the Navy to the gentleman from Idaho [Mr. FRENCH]. It reads:

The CHAIRMAN COMMITTEE ON APPROPRIATIONS,
United States Senate, Washington, D. C.

MY DEAR MR. CHAIRMAN: The bill making appropriations for the Navy Department and the naval service for the fiscal year ending 1932, has been reported and is about to be taken up by the House.

The bill on page 47, lines 17 to 22, and page 48, lines 1 and 2, contains the following words:

"No appropriation contained in this act shall be available for the purchase of any raw materials of foreign production or any manufactured articles or supplies of foreign production or containing materials of foreign production except (1) for experimental purposes, (2) raw materials not produced in kind or requisite quantity or quality in the United States, and (3) requisite manufactured materials or articles not procurable in the United States."

The Navy Department desires to offer comment on this phraseology.

Materials purchased from foreign sources may be classed in two principal categories:

(a) Those produced in such limited quantities within the United States as to make it necessary to supplement the domestic supply with imports;

(b) Those produced in sufficient quantities in the United States but at cost in excess of the cost of foreign products.

In category (a) there are tin, manganese, antimony, platinum, bristles, curled hair, emery, asbestos, chromite, and nickel. Under category (b) cases arise where bids on articles of foreign manufacture are materially less than those of domestic source.

Section 3728 of the Revised Statutes requires that the Secretary of the Navy, in making contracts and purchases of articles for naval purposes, give preference, when other things, including price and quality, are equal, to domestic articles. This statute appears to cover the situation sufficiently, unless it is desired to favor the domestic article at the price of a material increase in cost. It is understood that the advantage the domestic article should receive is covered by provisions of the tariff law, and a further provision of the kind referred to would result in additional increase in cost to the Government.

Many instances when the Navy Department would be under a disadvantage in supplying material for the Navy may be cited should this limitation on expenditures be enacted. Three illustrations are given: (1) In that it would limit the procurement of range finders, telescopes, and other optical materials to one firm in the United States, namely, the Bausch & Lomb Optical Co. (2) It would probably prevent the use by the Navy of Acnhuz gyrocompasses, which it is now proposed to install in the all-metal dirigibles now being built. (3) Most manufacturers of surgical instruments in the United States are using English steel as basic material, apparently because such steel may be obtained at a lesser cost than the same grade as produced in the United States. Under the limitation the Navy Department would be debarred from purchasing instruments of the usual commercial type and required to pay a high premium for their special manufacture from United States steel.

It is believed that the limitation would seriously discourage competition for Government business, since honest dealers would hesitate to guarantee that their products contained no materials of foreign production or manufacture, while such guarantee would appear to be necessary for the protection of the purchasing officers. Such extreme limiting of competition would inevitably increase prices and result in materially higher cost to the Government for its supplies. Inasmuch as the domestic manufacturer or producer has the benefit of the tariff, the bidder on an imported article being required to pay duty, it does not appear necessary that the dealer who offers an article of domestic production should be accorded any further advantage through this legislation. It is not believed that the established policy of making purchases for the Government on the basis of competitive bidding should be disturbed or restricted. Dealers in imported articles are usually American citizens, engaged in legitimate enterprises, and it would appear that they are entitled to share in the business of supplying materials to the Government on equal terms with other dealers.

Purchases for the military services represent a negligible proportion of the aggregate business of the country, and restrictions on their procurement that would result in limiting production of Government requirements to manufacturers employing only domestic products, could have but a negligible effect on the volume of business of the country as a whole, and any slight advantage to individual producers would be more than offset by increased costs, which would add to the burden of the taxpayer. Such restrictions would furthermore restrict the normal flow of business, due to special Government requirements, which would be most disadvantageous to business.

The administration of the requirements of this clause would be extremely difficult, almost impossible.

The Navy Department feels that the following unfortunate consequences would result from the enactment of this clause in the appropriation act:

(a) An exhaustion of certain raw materials produced in this country at a rate which would not be justified under the policy of conservation of national resources.

(b) An inexcusable increase in the cost of raw materials now held to reasonable figures by the competition of international markets.

(c) The necessity for the segregation of the supplies of locally obtained raw material within established industries to meet the Government affidavits required under the amendment, with inevitable cost increases to the Government.

(d) A very considerable increase in the cost of inspection to meet the requirements.

Sincerely yours,

C. F. ADAMS,
Secretary of the Navy.

Mr. Chairman, the Paymaster General of the Navy says of the language I am aiming to strike out of the bill:

The Bureau of Supplies and Accounts is of the opinion that the limitations inserted by the Appropriation Committee would seriously interfere with the purchase of necessary materials of all kinds for the naval service, and might in fact make impossible the purchase of essential articles for the operation of the Navy.

The provision of page 29 of the appropriation bill in connection with the purchase of fuel oil of foreign production would make it possible that the Navy would be denied the purchase of fuel oil on the east coast, due to the fact that the major producers in their refining processes make use of considerable quantities of Mexican and South American crude oils, which become mingled with American crudes, and it would be impossible for the Navy as a purchaser to determine whether the crude oils entering into its purchases of fuel oil were domestic or foreign.

On page 47 the provisions of the appropriation bill in connection with procurements abroad prohibit purchase of materials on foreign stations, or fuel, provisions, and other supplies which necessarily would have to be of foreign production. Furthermore, in purchases within the United States, it would be impossible of enforcement for the simple fact that articles of foreign production enter into articles manufactured in the United States and their identity is completely lost track of.

As a matter of fact, the purchases by the Navy of materials of foreign production or manufacture are, with the exception of those articles which are not produced or manufactured in the United States, comparatively limited in proportion to the quantity and value of articles of United States growth, production, and manufacture, and, with the exception of those articles purchased on foreign stations, the purchases by the Navy of foreign articles from foreign dealers are practically negligible.

As it is realized that it is the intention of Congress to insert in the naval appropriation bill some form of limitative legislation on this subject it is not considered that any good could be done by attempting to have the provisions referred to above eliminated. But it is essential that some attempt be made to have the Congress adopt legislation which will be less restrictive, more easily capable of administration, and at the same time secure practically the object which Congress has in mind.

Section 3728 of the Revised Statutes now requires that preference shall be given to articles of the growth, production, and manufacture of the United States, all other things including price and quality being equal. It is the question of price which has prevented the Navy Department from showing preference to the United States products by its having to accept foreign articles offered at lower prices than domestic articles.

Mr. Chairman, the highest ranking officer in the Navy says of this provision and the one on page 29:

If the restrictive provision with regard to fuel oil on page 29 of the appropriation bill, and the restrictive provision with regard to items of foreign production or containing materials of foreign production on page 47 becomes law, it is foreseen that serious handicap will be encountered in meeting fuel-oil requirements for the Navy in the fiscal year 1932.

PETROLEUM PRODUCTS

The world's production of crude oil is dominated by four major producers; that is, the United States, the largest; South America, the second largest; Russia, the third; and Mexico, the fourth. With the exception of Russian oil, crude oil from the three largest producers in the world is in the main refined in the United States, and a very large proportion of this refining process occurs on the east coast of the United States, from the Gulf of Mexico north to Bayonne, N. J. Practically every large integrated oil company doing business on the east coast of the United States has production either in Mexico or South America, or both, or has commercial access to these foreign crudes. Consequently, any petroleum products purchased by the Navy from these companies is poten-

tial of having Mexican or South American crude in it. It is likely (certain in fact), therefore, that if the restrictive provisions of the Navy bill becomes law, that there is great possibility that the Navy would be denied purchase of fuel oil, gasoline, Diesel, and lubricants from east-coast refiners. It is believed that the situation as to the source of oil on the west coast is different, because of the trade structure, mainly in connection with transportation; that is, that it does not pay to transport Mexican or South American crude to the refineries on the west coast of the United States.

The large oil companies operation in the eastern part of the United States, viz, Standard of New Jersey, Standard of New York, Standard of Indiana, Gulf Refining Co., and other large companies undoubtedly manufacture their products from crude obtained from various points, including South America and Mexico. Unless bidders would be entirely honest in making statements in bids that refined products are of American origin, both as to crudes and refining, it would be practically impossible for the Navy as purchaser to determine that any petroleum products obtained were of such origin.

The Navy is without the necessary machinery to effect shipment of its requirements of these items from the west coast of the United States even where storages are available and the procurement by commercial carrier would result in a material increase in east coast prices.

COAL

The restriction referred to would also apply to foreign coals purchased, notably in the Philippine Islands, Guam, and Samoa. It would be inescapable that coals for these points would have to be shipped from the United States, increasing, in general, the present cost two or three times. For instance, to ship coal from the east coast of the United States to Samoa would interject and add to price of transportation cost of approaching $30 a ton.

Summarizing the foregoing, it is clear—

First. That the Navy would pay more for its fuel.

Second. That if the restrictive provisos were completely enforced, that the Navy would find it very difficult, if not impossible, to meet the practical difficulties of getting the required fuel for the fleet.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. KETCHAM) there were—ayes 43, noes 5.

So the amendment was agreed to.

The Clerk read as follows:

No part of any appropriation made for the Navy shall be expended for any of the purposes herein provided for on account of the Navy Department in the District of Columbia, including personal services of civilians and of enlisted men of the Navy, except as herein expressly authorized: *Provided*, That there may be detailed to the Bureau of Navigation not to exceed at any one time six enlisted men of the Navy: *Provided further*, That enlisted men detailed to the naval dispensary and the radio communication service shall not be regarded as detailed to the Navy Department in the District of Columbia.

Mr. BRITTEN. Mr. Chairman, in order to make two paragraphs of the bill comport with each other, I ask unanimous consent to return to page 29 for the purpose of striking out the proviso.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to return to page 29 of the bill for the purpose of offering an amendment. Is there objection?

Mr. BRITTEN. Mr. Chairman, I will read the proviso:

Provided further, That no part of this appropriation shall be available for the purchase of or payment for any kind of fuel oil of foreign production, except by or for vessels in a foreign port.

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

Mr. SCHAFER of Wisconsin. Mr. Chairman, I object to that request.

The Clerk read as follows:

No part of the appropriations made in this act shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person or persons having charge of the work of any employee of the United States Government while making or causing to be made with a stop watch or other time-measuring device a time study of any job of any such employee between the starting and completion thereof, or of the movements of any such employee while engaged upon such work; nor shall any part of the appropriations made in this act be available to pay any premiums or bonus or cash reward to any employee in addition to his regular wages except for suggestions resulting in improvements or economy in the operation of any Government plant.

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

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

The Clerk read as follows:

Amendment offered by Mr. MILLER: Page 49, line 11, strike out the period, insert a semicolon, and add the following: "And that no part of the moneys herein appropriated for the Naval Establishment or herein made available therefor shall be used or expended under contracts hereafter made for the repair, purchase, or acquirement, by or from any private contractor, of any naval vessel, machinery, article, or articles that at the time of the proposed repair, purchase, or acquirement can be repaired, manufactured, or produced in each or any of the Government navy yards or arsenals of the United States, when time and facilities permit, and when, in the judgment of the Secretary of the Navy, such repair, purchase, acquirement, or production would not involve an appreciable increase in cost to the Government: *Provided*, That nothing herein shall be construed as altering or repealing the proviso contained in section 1 of the act to authorize the construction of certain naval vessels, approved February 13, 1929, which provides that the first and each succeeding alternate cruiser upon which work is undertaken, together with the main engines, armor, and armament shall be constructed or manufactured in the Government navy yards, naval gun factories, naval ordnance plants, or arsenals of the United States, except such material or parts as are not customarily manufactured in such Government plants."

Mr. FRENCH. Mr. Chairman, I reserve a point of order against the amendment.

Mr. MILLER. Mr. Chairman and gentlemen of the committee, the amendment which I have proposed is the exact language carried in the appropriation bill of last year. The general purpose of the amendment is to give the navy yards of the United States a fair and equal break in the manufacture of such needful and necessary things, machinery, and so forth, vessels, or parts thereof, as are used by the United States Navy.

Mr. SWING. Will the gentleman yield?

Mr. MILLER. Yes.

Mr. SWING. The gentleman means to also give the United States Treasury an even break for what it is asked to buy?

Mr. MILLER. Absolutely; because the amendment provides that these things shall not be furnished at additional cost to the United States Government. We have in the United States eight navy yards from which month after month men are being discharged and the pay rolls are being decreased every day, while in the private construction yards of the United States, in five of the largest of them, there is $122,000,000 worth of shipping under construction to-day. Thirty-one vessels are under construction in the civil yards of the United States. The Bethlehem people, at the Fore River plant, have $36,000,000 worth of construction on hand to-day. Newport News Drydock Co. has over $25,000,000, and the Sun Shipbuilding Co. has $10,000,000. The Bethlehem Shipbuilding Co., $36,000,000; New York Shipbuilding Co., $25,000,000; and Federal Shipbuilding Co., $24,000,000.

Mr. ABERNETHY. Will the gentleman yield?

Mr. MILLER. Yes.

Mr. ABERNETHY. How many people are they turning off at the navy yards? Some one has stated that the number is more than 5,000.

Mr. MILLER. I do not know the exact figures, but the number is enormous.

Mr. ABERNETHY. I know they are turning off quite a number here in Washington.

Mr. MILLER. Here in Washington and also at Norfolk, and they are also turning them off at the other navy yards all over the country, and especially at the Pacific coast yards where perhaps the pinch is felt most of all.

Mr. LANKFORD of Virginia. Will the gentleman yield?

Mr. MILLER. Yes.

Mr. LANKFORD of Virginia. May I say in answer to the gentleman from North Carolina that it is estimated the number all over the country is 4,000, including 1,000 at Philadelphia and 800 at Norfolk.

Mr. MILLER. On the 26th of last month the Shipping Board furnished me figures of shipping under construction out of the so-called "trust fund" and for which contracts have been let or entered into, aggregating 31 vessels at an expense to the United States Government of $122,000,000. The following is a list of the vessels, the builders, and the cost of each ship:

Vessels being constructed or reconditioned with aid from construction loan fund, M. M. A., 1928

VESSELS UNDER CONSTRUCTION

Name	Owner	Builder	Address of builder	Type	Gross tons	Number of passengers		Approximate cost
						First-class	Other	
President Hoover	Dollar Steamship Line	Newport News Shipbuilding & Dry Dock Co.	Newport News, Va	C	23,000	316	930	$7,500,000
Hull 340	do	do	do	C	23,000	316	930	7,500,000
Hull 1440	Oceanic Steamship Co	Bethlehem (Fore River)	Quincy, Mass	C	20,000	505	247	7,800,000
Hull 1441	do	do	do	C	20,000	505	247	7,800,000
Hull 1447	do	do	do	C	20,000	505	247	7,850,000
Hull 131	Motor Tankship Coaporation	Sun Shipbuilding Co	Chester, Pa	T	9,085			1,681,250
Hull 132	do	do	do	T	9,085			1,681,250
Hull 133	do	do	do	T	9,085			1,681,250
Hull 134	do	do	do	T	9,085			1,681,250
Hull 135	do	do	do	T	9,085			1,681,250
Hull 136	do	do	do	T	9,085			1,681,250
Exeter	Export Steamship Corporation	New York Shipbuilding Co	Camden, N. J	C	8,200	152		2,300,000
Excambion	do	do	do	C	8,200	152		2,300,000
Borinquem	Coamo Steamship Co	Bethlehem (Fore River)	Quincy, Mass	C	7,000	261	96	2,528,000
Hull 405	United States Lines	New York Shipbuilding Co	Camden, N. J	C	30,500	600	690	10,500,000
Hull 406	do	do	do	C	30,500	600	690	10,500,000
Hull 1444	United Mail Steamship Co	Bethlehem (Fore River)	Quincy, Mass	C	7,500	98		3,425,000
Hull 1445	do	do	do	C	7,500	98		3,425,000
Hull 1446	do	do	do	C	7,500	98		3,425,000
Hull 344	do	Newport News Shipbuilding & Dry Dock Co.	Newport News, Va	C	7,500	98		3,425,000
Hull 345	do	do	do	C	7,500	98		3,425,000
Hull 346	do	do	do	C	7,500	98		3,425,000
Hull 121	Panama Mail Steamship Co	Federal Shipbuilding & Dry Dock Co.	Kearney, N. J	C	10,000	222	64	4,000,000
Hull 122	do	do	do	C	10,000	222	64	4,000,000
Hull 123	Grace Steamship Co	do	do	C	10,000	222	64	4,000,000
Hull 124	do	do	do	C	10,000	222	64	4,000,000
Total (26 vessels)					329,910	5,388	4,333	113,215,500

VESSELS BEING RECONDITIONED

Steadfast	Baltimore Mail Steamship Co	Federal Shipbuilding and Dry Dock Co.	Kearney, N. J	C	7,589	81		$1,767,770
Independence	do	do	do	C	7,589	81		1,767,770
Eclipse	do	do	do	C	7,589	81		1,767,770
Victorious	do	do	do	C	7,589	81		1,767,770
Archer	do	do	do	C	7,589	81		1,767,770
Total (5 vessels)					37,945	405		8,838,850

C, combination passenger and cargo; T, tanker.

There is at Newport News construction contracted for out of this "trust fund" of the Shipping Board amounting to $25,725,000—five years' work at the Newport News Drydock & Shipbuilding Co.

At the Bethlehem Shipbuilding Co. (Fore River) there is $36,550,000 worth of work under construction, for which contracts have been let to that plant.

The Sun Shipbuilding Co., $10,087,500, at Chester, Pa.

The New York Shipbuilding Co., at Camden, N. J., $25,600,000.

Federal Ship Building Co., Kearney, N. J., $24,838,850.

Mr. WOLVERTON of New Jersey. Will the gentleman permit an interruption at this point?

Mr. MILLER. Yes.

Mr. WOLVERTON of New Jersey. In quoting the figures which the gentleman has just referred to relating to the New York Shipbuilding Co., of Camden, N. J., is the gentleman aware of the fact that at the present time not one-third of that yard is operating and that it is not employing one-third of the number of employees it has the capacity to use?

Mr. MILLER. I do not know about the number of people you are employing there, but you are constructing there two 8,200-ton vessels, at a cost of $2,300,000 each, and you are constructing two 30,500-ton vessels, at a cost of $10,500,000 each. I do not know how many men you are putting to work there, but there are contracts to-day amounting to $25,600,000 with the New York Shipbuilding Co. in the gentleman's district.

Mr. WOLVERTON of New Jersey. Will the gentleman permit me to make this statement to him?

Mr. MILLER. Do not take up all of my time.

Mr. WOLVERTON of New Jersey. Until the Jones-White Act was passed, with a yard having a capacity of 20 ways for the building of ships, there was only one ship on the ways.

Mr. MILLER. I do not care about that. I know these are the contracts that they have got in the gentleman's district.

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

Mr. MILLER. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

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

There was no objection.

Mr. MILLER. The Federal Ship Building Co. at Kearney, N. J., in the gentleman's State, has contracts to-day in the sum of $24,808,000 and is building four 10,000-ton ships and five 7,589-ton ships.

Now, gentlemen, with this condition, with every private yard in the United States glutted with work for the next five years, I think we should pay some attention to the United States navy yards and should insert an amendment of this character giving the option to the Secretary of the Navy to assign to the United States navy yards the vessels for which bids have been asked or opened.

On day before yesterday bids were opened at the Navy Department for the construction of a 10,000-ton cruiser. The lowest bid was $10,450,000 and it was from a private bidder, one of these yards that is glutted with work for the next five years. This same vessel could be built at a Government navy yard for at least $2,500,000 less and my amendment gives the Secretary of the Navy the right to assign this work to a navy yard.

Mr. COYLE. Will the gentleman yield?

Mr. MILLER. Yes.

Mr. COYLE. Your own navy yard on Puget Sound is one of the best and most effective yards in the country without any doubt.

Mr. MILLER. I am very happy to say so.

Mr. COYLE. But is it not true that the present fundamental law is practically as you have written it in this amendment?

Mr. MILLER. It is exactly in the language of the bill that is in effect now.

Mr. COYLE. I do not mean to indicate the appropriation bill but the general law with regard to procurement of materials.

Mr. MILLER. Yes.

Mr. COYLE. The gentleman's amendment does not in any way change existing law?

Mr. MILLER. Not the least bit.

Mr. COYLE. Then, Mr. Chairman, I would like to ask the gentleman, if it does not change existing law, why put the amendment in here?

Mr. MILLER. The existing law applies to the 1931 appropriation bill and related to that bill. It is existing law, but it expires at the end of this fiscal year.

Mr. COYLE. Correct me if I am wrong, but my understanding is that the continuing statute law requires the Secretary of the Navy to purchase in navy yard or private yard according to the best advantage to the United States Government on all occasions.

Mr. MILLER. I am not aware of that continuing law, if there is any such law. This provision has been carried in the appropriation bill from year to year for several years, until many Members have considered it existing law, but I can find no basis for that.

On April 5, 1927, bids were opened for 10,000-ton cruisers. The bids were as follows:

Newport News Dry Dock & Shipbuilding Co	$10,729,000
New York Shipbuilding Co	10,815,000
Bethlehem Shipbuilding Co	10,675,000

At the same time the Puget Sound Navy Yard estimated it could build one of these vessels for $8,599,250. One of these vessels was allotted to that yard and completed $1,700,000 less than the estimate and on time. This shows what a properly organized navy yard can do and how it can save the Government money. This amendment gives opportunity to not only save money on vessels but on everything else needful and necessary for the Navy.

Mr. FRENCH. I make the point of order that this amendment is not in order because it imposes certain duties upon the Secretary of the Navy, both direct and by implication. I direct the attention of the Chair to the language five or six lines down, where it says that—

Certain things shall be done when time and facilities permit, and when, in the judgment of the Secretary of the Navy such repair, purchase, acquirement, etc., would not involve an appreciable increase in cost to the Government.

The CHAIRMAN. The Chair is ready to rule. This is not a new question. Limitations in the same language as this have been offered in the past on Navy appropriation bills. This kind of a limitation does not really restrict the use of the money to certain purposes, which is characteristic of limitations, but affirmatively imposes upon the Secretary of the Navy the duty of making a comparative-cost study of manufacture, the building of vessels, the making of repairs, and so forth, as between doing the work in the navy yards and letting it out on private contracts.

Furthermore, it not only imposes upon him the duty to make the cost study but it vests in him the discretion to determine whether or not any increase in cost is appreciable. It is legislation imposing on the Secretary of the Navy a duty not imposed upon him by existing law.

The Chair calls attention to the fact that on this kind of a limitation, Representative LUCE, Chairman of the Committee of the Whole House on the state of the Union on February 8, 1929, held such an amendment not to be in order, and on the same day when the committee rose the question came up on a motion to recommit and the ruling was sustained by Speaker LONGWORTH. Therefore the Chair sustains the point of order, and the Clerk will read.

CONTINGENT EXPENSES

For professional and technical books and periodicals, law books, and necessary reference books, including city directories, railway guides, freight, passenger, and express tariff books and photostating, for department library; for purchase of photographs, maps, documents, and pictorial records of the Navy, photostating and other necessary incidental expenses in connection with the preparation for publication of the naval records of the war with the Central Powers of Europe; for stationery, furniture, newspapers, plans, drawings, and drawing materials; purchase and exchange of motor trucks or motor delivery wagons, maintenance, repair, and operation of motor trucks or motor delivery wagons; garage rent; street-car fares not exceeding $500; freight, expressage, postage, typewriters, and computing, and other absolutely necessary expenses of the Navy Department and its various bureaus and offices, $85,000; it shall not be lawful to expend, unless otherwise specifically provided herein, for any of the offices or bureaus of the Navy Department in the District of Columbia, any sum out of appropriations made for the naval service for any of the purposes mentioned or authorized in this paragraph: *Provided*, That any unexpended or unobligated balances under appropriations for salaries in the Navy Department for the fiscal year 1931 may, with the approval of the Secretary of the Navy, be expended for the purchase, exchange, or rental of labor-saving devices during the fiscal year 1932.

Mr. FRENCH. Mr. Chairman, I offer an amendment to correct the text on page 52, line 23.

The Clerk read the amendment, as follows:

Page 52, line 23, after the word "computing," insert the word "machines."

The amendment was agreed to.

The Clerk completed the reading of the bill.

Mr. HULL of Wisconsin. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman of the subcommittee whether or not the amendment adopted giving the Secretary of the Navy power to purchase supplies regardless of the law will open the door for the purchase of oleomargarine?

Mr. FRENCH. May I say to the gentleman that the question of purchasing oleomargarine is within the discretion of the Secretary of the Navy. However, the committee made inquiry into the subject to see whether or not oleomargarine was being purchased and used by the Navy. When we had the Bureau of Supplies and Accounts before us we made the inquiry of the chief of the bureau and he advised us that no oleomargarine was purchased by the Navy. When we had the Bureau of Medicine and Surgery before us the chief of the bureau said that less than $100 worth of oleomargarine had been purchased during the year, and these purchases were for use under prescriptions by physicians when it seemed desirable for the use of something besides butter. Under the circumstances the committee felt that it was not desirable to attempt to modify the situation.

Mr. HULL of Wisconsin. Is the gentleman sure that a condition may not arise in the future?

Mr. FRENCH. I have no idea that it will.

The CHAIRMAN. Under the unanimous-consent agreement, the committee will return to page 42, line 20, to the consideration of the amendment offered by the gentleman from Kansas [Mr. AYRES]. Without objection, the Clerk will again report the amendment.

There was no objection, and the Clerk read as follows:

Amendment offered by Mr. AYRES: Page 42, line 20, after the word "fund," insert a new paragraph, as follows:

"No part of any appropriation contained in this act shall be available after December 31, 1931, for the pay of more than one-half the number of officers and men of the Marine Corps in Nicaragua under orders for the performance of duty than were on duty in such country on the date of the approval of this act, nor shall part of any appropriation contained in this act be available after May 31, 1932, for the pay of more than a full company of officers and men of the Marine Corps in Nicaragua under orders for the performance of duty in such country, except that nothing herein shall require a reduction to be made in the numbers of officers and enlisted men of the Marine Corps in Nicaragua on account of aviation activity."

Mr. AYRES. Mr. Chairman, can we not agree upon some time for debate of this amendment? I suggest 15 minutes on a side.

Mr. FRENCH. Mr. Chairman, I ask unanimous consent that the debate be limited to 40 minutes, to be divided equally for and against.

The CHAIRMAN. The gentleman from Idaho asks unanimous consent that debate upon this amendment be limited to 40 minutes, with the understanding that the Chair will endeavor to recognize those for and against the amendment equally. Is there objection?

There was no objection.

Mr. AYRES. Mr. Chairman, ladies and gentlemen of the committee, I do not expect to take very much time in discussing this amendment because I thoroughly discussed it

day before yesterday when the bill was being considered under general debate. The amendment is fair and is reasonable. I provide in the amendment that no part of any appropriation contained in this act shall be available after December 31, 1931, for the pay of more than one-half of the number of officers and men of the Marine Corps in Nicaragua under orders for performance that were on duty in that country on the day of the approval of this act. At the present time there are 1,200 marines on duty in Nicaragua. Some accounts give it at 1,400, and some at 1,200. That means that all of the marines there now will stay for a period of 10 months from this date.

It means that in December next one-half of this 1,200 or 1,400 men will be withdrawn and that the remaining one-half shall stay there until May 31, 1932, at which time they shall be withdrawn with the exception of a full company of officers and men of the marine corps in Nicaragua at that time for the performance of their duty who shall remain there. There will be, therefore, 100 to 150 to 200 men retained there for the purpose of guard at the legation and also to superintend the election in 1932. That is certainly a fair proposition. I refer now to the forces that were kept there since 1920. I have a letter from the commandant, General Fuller, which I received on the 8th of January last in which he states that at the beginning of the fiscal year 1920 there were 96 marines in Nicaragua; in 1921, 107; in 1922, 118; in 1923, 118; in 1924, 126; in 1925, 133; in 1926, 134; in 1927, it jumped from 134 to 1,966; in 1928, 2,543; in 1929, 3,767; in 1930, 1,872; and in 1931, that is the fiscal year, 1,550, although General Fuller stated that there are 1,414 at this time. I know of no reason why, if we keep the forces we have there until December 31 and then withdraw one half, and in May, 1932, the other half and leave only a company of men there of 100 or 200, it will not be sufficient. That will be all that is needed according to the testimony of General Fuller himself.

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

Mr. AYRES. Yes.

Mr. STAFFORD. If there is any logic in the gentleman's position, why postpone the effective date of the withdrawal? Why not make it immediate?

Mr. AYRES. Because I do not believe the House would accept an amendment of that kind; that is the only reason. Besides, I do not want to be unreasonable in the matter, but I do want a date fixed specifically when we are going to get the marines out of Nicaragua. I think this amendment is fair and reasonable and ought to pass. I asked General Fuller when he was before our committee the following question:

The pursuit of these bandits is carried on principally by the marine aviators, is it not?

General FULLER. You can hardly say that. The aviators are constantly flying over Nicaragua, over the part that we occupy. The national guard is constantly out with patrols, going from one place to another, covering the country.

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

Mr. AYRES. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. AYRES. I again asked him this question:

What I was getting at is this: Are the enlisted personnel of the marines used to any extent in chasing these bandits?

General Fuller said:

No; not very much now.

Then Mr. FRENCH asked him:

For the most part, then, following the same thought there, the members of their own national guard are used?

Then I said:

The national guard and the aviators.

General Fuller:

That is correct. The national guard are the ones who are doing most of the following up of the bandits, or trying to find them.

I want to call attention to another portion of the hearings, where I asked General Fuller:

What services are these officers performing there for the Nicaraguan Government, General, in addition to the services they perform for our Government?

General FULLER. The services they perform for the Nicaraguan Government are as officers of the Nicaraguan National Guard, which is organized under the Nicaraguan laws and consists of this number of enlisted men I have spoken about before, which was about three months ago 2,200, but which has been reduced somewhat since then.

Then I asked him this question:

In your judgment, if the Nicaraguan Government had, say, 2,500 men in the national guard officered by marines for the next few years, do you think it would be necessary to keep our entire force down there of 1,000 men?

And General Fuller said:

Yes, sir; they ought to be kept there all the time while we have our men and officers as officers of the Nicaraguan National Guard.

I want to call attention to some further statements——

Mr. BRIGGS. Will the gentleman yield?

Mr. AYRES. I yield.

Mr. BRIGGS. Can the gentleman state under what arrangement these marines are now maintained in Nicaragua? Is it by virtue of treaty relations with the Nicaraguan Government at all?

Mr. AYRES. No; not at all.

I asked General Fuller this question:

Can you give the committee some idea of about how long you think we will have to continue to train this national guard until they become an efficient military unit for that country?

And he said:

They are efficient now.

Now, ladies and gentlemen, if this National Guard is efficient, I see no reason why we should keep 1,000 marines down there for the purpose of policing this country. They were not sent there for the purpose of refereeing revolutions in that country, but at most it would be only for the purpose of supporting the Monroe doctrine or for the purpose of protecting American lives and property, and they are not there for either purpose.

Since this amendment was introduced and discussed it seems that some kind of an arrangement has been entered into within the last 24 hours fixing a specific date for the withdrawal of the marines. I have just received from the press gallery this news item:

At the recent conferences held by the Secretary of State with Minister Hanna, the American minister to Nicaragua, Colonel McDougal, of the Marine Corps, who has been commanding the Nicaraguan National Guard, and Major General McCoy, who supervised the Nicaraguan elections in 1928, a definite plan for the future has been arrived at which has been accepted by President Moncada of Nicaragua. Under this plan the Nicaraguan National Guard is to be increased by approximately 500 men to be used exclusively in the bandit area, and the necessary financial arrangements for this increase of force have been made by the Nicaraguan Government.

By this increase of the Nicaraguan National Guard it will be possible to withdraw from Nicaragua all of the Marine Brigade who are now on combatant duty probably by June next, leaving in Nicaragua only the marines who are still engaged in instruction in the Nicaraguan National Guard and an instruction battalion to support such instruction and an aviation section which is being used for the present to carry supplies in the bandit provinces, which are entirely without roads. This means that by June next the total force of marines in Nicaragua will have been reduced from over 5,000 men, which was the size of the force in January, 1929, to probably not over 500 men. The Nicaraguan Government by this arrangement has also secured funds to increase the school in which Nicaraguan officers are being trained to completely replace the marines now officering the National Guard.

In addition to this the Nicaraguan Government has obtained further funds which it has agreed to spend in the construction of long needed roads and trails in the bandit provinces. These roads will greatly facilitate the future work of its national guard in that area and make it much more effective and protective to the surrounding country. The department feels that the foregoing steps will greatly expedite the completion of the task of this Government in instructing the National Guard of Nicaragua, and that they have paved the way for the ultimate removal of all of the Marine forces from Nicaragua immediately after the election of 1932.

Oh, how wonderful to think that all of a sudden the powers that be have arrived at an understanding as to when

these marines may be withdrawn from Nicaragua. If the State Department knew that such an arrangement was being made, why was it that our committee did not receive such information? The responsible representative of the State Department informed our committee no longer ago than February 3 that there was nothing that he knew of in regard to Nicaragua that the Members of Congress should not know. In view of that statement and the further statement made by the same party that it would be the utmost folly for us to pull out of there at a time when such withdrawal would undo all that we had done, there was but one conclusion for us to reach, which was that we were being informed as to all that was transpiring between this country and Nicaragua relative to the withdrawal of the marines.

To be real frank about it, I think we were correctly informed at that time as to the intention of the State Department regarding the marines in Nicaragua. It will be remembered that soon after I spoke on the 10th of February on the subject of our occupancy of Nicaragua and proposed an amendment which provided for withdrawing the marines and stated that I would offer such amendment at the proper time and place, the newspapers throughout the country carried headlines to the effect that great quantities of arms and ammunition were being smuggled into Nicaragua for the bandits and revolutionists.

Apparently this did not arouse as much interest as was anticipated. There was no reaction. So evidently it was thought that a more drastic action had to be taken in order to prevent Congress from taking action to determine just when the Marines should be withdrawn, hence the statement issued by the Secretary of State, Mr. Stimson, to the effect that—

> At the recent conference held by the Secretary of State with Minister Hanna, the American minister to Nicaragua, Colonel McDougal, of the Marine Corps, who has been commanding the Nicaraguan National Guard, and Major General McCoy, who supervised the Nicaraguan election in 1928, a definite plan for the future has been arrived at which has been accepted by President Moncada, of Nicaragua. Under this plan the Nicaraguan National Guard is to be increased by approximately 500 men to be used exclusively in the bandit area, and the necessary financial arrangements for this increase of force have been made by the Nicaraguan Government.

The State Department is to be congratulated, not alone in concluding that "it would no longer be folly for us to pull out of there at a time when it would undo all that we have done," but as well in getting its conclusion to the Capitol and on the floor of the House of Representatives so that it could be presented to the House during the consideration of my amendment.

It is admitted that this action by the State Department had the desired effect of defeating the amendment, but, Mr. Chairman, I am gratified that the presentation of this amendment accomplished two things, namely: It caused the State Department to state specifically when we may expect the Marines to be taken out of Nicaragua, and to reach the quickest conclusion in the history of that department.

It now remains to be seen if at about the time the Marines are to be withdrawn something does not occur to make it necessary, in the judgment of the State Department, to continue them in Nicaragua.

Mr. FRENCH. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. FRENCH. Mr. Chairman, I think the Members of the House are acquainted with the background of the situation, and the background, so far as the assignment of our Marines to Nicaragua is concerned, has been stated by my friend from Kansas [Mr. AYRES]. I shall omit to discuss the political history of Nicaragua, its area, population, and the disturbed political problems that since the establishment of Nicaragua as an independent republic have threatened her institutions. I shall omit reference at length to the peculiar relationship that exists between the United States and Nicaragua by reason of the nearness of this country to the United States, our traditional friendship, and the special interest that our country has in Nicaragua on account of the rights possessed by the United States in the privilege granted by Nicaragua for a consideration of $3,000,000 to construct a canal from the upper reaches of the lakes in Nicaragua to the Pacific Ocean.

Following revolution and inability at the time to protect American citizens and property, about 1910, our Government maintained a legation guard at Managua until 1925. In that year, following the assumption of responsibility of the Conservative-Liberal Government, we withdrew the legation guard of marines upon our own insistence, and it was the hope of America that Nicaragua would be equal to the maintenance of order. Within a month revolution occurred. The lives and property of American citizens were in danger.

The Nicaraguan revolutionists were unable to afford any guaranty of protection and we were compelled again to land marine forces in Nicaragua. These forces have been there from that day to this, though the number of our forces in Nicaragua was vastly greater two years ago than now, and the administration, under the leadership of President Hoover and Secretary of State Stimson, is endeavoring to work out the best way in which responsibility may be assumed by a stable Nicaraguan government and that our forces may be withdrawn. At present we have in Nicaragua 1,412 officers and enlisted men, including 160 who are detailed particularly for the training of the Nicaraguan national peace officers who are known as the guardia. Unquestionably it is the desire of the administration that the forces of the United States be withdrawn at the earliest moment. How may this be accomplished in a manner that will be best for Nicaragua and best for the United States? That is the problem.

Ought we to attempt to handle this great problem by having this Congress take action fixing a time within which the marines shall be withdrawn or should we permit the matter to be handled by certain responsible agencies of our Government, namely, the President and the State Department under general authority conferred upon them?

In other words, is this a question to be handled by debate or is it a question to be handled by our national administration which represents the country as a whole, and which in the final analysis must be responsible for the wisdom or the unwisdom with which it meets a grave responsibility?

No one would be more happy than I to have the marines withdrawn from Nicaragua and to have every marine and sailor withdrawn from every other country where they are to-day; but we are facing conditions not of our making and only to a limited extent within our control. We have certain responsibilities, certain duties to perform in a country where representative government is not altogether secure and where orderly processes for a time are threatened. Even in older countries stability is sometimes threatened, threatened happily in most cases in rather limited areas. So definitely was this tendency recognized by the framers of the Constitution that provision was made for meeting the situation should occasion arise within the States where for a moment constituted authority might break down. Under what we know as martial law, authority was set up for the protection of the lives and rights that have been guaranteed to American people.

I have in my hand a volume that indicates the numerous specific cases wherein the Federal Government has been called upon to protect the lives and property of the people within the United States, and where martial law for a time has taken the place of civil law when orderly processes had failed.

There come times, too, when our Nation and other nations must protect life and property and maintain order when in some community in foreign territory government is overthrown and life and property and human rights are threatened by an upheaval that has swept away all or in large part constituted authority, and chaos reigns instead. When civilization thus fails in a particular area, when orderly processes are overthrown, when an insurrection occurs, what a wonderful thing it is that some strong, disinterested, generous government may be able to step in and help point the way to normal living.

This is not a new doctrine. This doctrine, so far as the United States is concerned, has been in existence from almost the foundation of our Republic. Go back to the early

days of our country's history and the pages will tell the story. In 1811 our Government extended protection to our nationals in the little Island of Amelia, off the coast of Florida. In 1817, under the administration of Monroe, Andrew Jackson was sent as the head of a military detachment into the Spanish possession of Florida for the purpose of protecting the lives and property of American nationals this side of the line who were threatened with pillage by Indians who were seeking refuge in a foreign land.

From that time until the present, through almost all administrations, and regardless of party, the Federal Government, when civilization has broken down temporarily, has been called upon to extend relief.

In 1823 our marines were in Cuba. The following year in Porto Rico. In 1832 in Sumatra. They were in China in 1854. In 1858 they were in Uruguay. Our Government was called upon during the administrations of Presidents Lincoln and Johnson, Grant and Arthur. During President Cleveland's first administration our forces landed in Korea, in Samoa, and in Haiti. During the second administration of President Cleveland it was found necessary to protect American lives and property in Brazil, in Hawaii, and Korea.

Consider for a moment what occurred in China in 1900. During preceding years certain of the countries of the world had seized ports in Chinese territory. China was aroused. She was fairly seething with hatred toward European people and the people of the United States were the one great people then loved by the population of China. In that ancient nation of the Orient 250 citizens of foreign countries were murdered. Thirty thousand Christian Chinese were killed. The minister from Germany was shot down by a soldier on the streets of Peking. Orderly processes had failed.

And then what happened? The United States, Great Britain, Germany, and other powers came to the relief of civilization. They did what governments have done at other times when the institution of human society had broken down. They landed their forces; they saved the lives of thousands of people who were in peril; they saved the legations at Peking, and it was an American officer, then a lieutenant, the present Gen. Henry Grant Learnard, who was was the first officer to scale the wall of the besieged city.

Haiti was swept by revolution in 1915. Repeatedly presidents of Haiti had been overthrown. In 1915 President Sam was captured by a mob, taken from the walls of the French legation, murdered, decapitated, his body torn to pieces as it was dragged through the city of Port au Prince. It was your Government, through an American ship in the harbor at Port au Prince, that came to the rescue and protected civilization from disintegration. Marines were landed. Murder and plunder ceased, anarchy was banished, and within a day order had been restored in the capital of the Haitian Republic. This event occurred during the administration of President Wilson. Our Government followed then the same policy it has followed in Nicaragua during the administrations of Presidents Wilson, Harding, Coolidge, and Hoover.

In 1916 revolution overthrew the Government of Santo Domingo. Again it devolved upon the forces of the United States, the Navy and the marines, to ward off the ravages of war and plunder. Our forces were landed and they took charge. Orderly government was restored. Our officers trained the native police establishment and after some eight years, when a constabulary had been built up that could command respect, our forces were withdrawn.

Mr. Chairman, I have cited these numerous illustrations of what might be called intervention of the United States for the protection of her nationals and for the protection of orderly government, for the purpose of refreshing our minds with the thought that the policy the United States is following in Nicaragua is not a new policy and that it is not a policy peculiar to one political party. The foreign policy of the United States in this regard for the most part has not known party lines and the parallels that I have cited but recall experiences of similar character within recent years under Republican and Democratic administrations.

A moment ago I referred to the events that brought about the presence of certain marine forces in Nicaragua. Between 1910 and 1925 our forces were in Nicaragua under four Presidents, representing the two great political parties. But for the reentry of our marines in Nicaragua after the revolution of 1925, in all probability that country would have been devastated by war and nationals of all countries and their property would have been swept away.

In 1927 Colonel Stimson was sent to Nicaragua to represent our Government and to see if he could mediate between the factions and bring about peaceful relations. You will recall that his mission was successful. After conferences with President Diaz and with General Moncada of the revolutionists a truce was declared, the opponents laid down their arms, with the exception of Sandino. Sandino promised with the others and then failed to keep his agreement. His little band of some 300 bandits continued to pillage and to carry on banditry, operating from the mountains of the northern part of Nicaragua. Under an arrangement worked out by Colonel Stimson an election was held. It was an orderly election, in 1928, presided over by the representatives of the United States forces, and it was so fair an election that when it was over and upon the issues decided, the government went to the party contending against the party in power. The old government had been our friend, the new government became our friend, and it is in power to-day. Our forces are in Nicaragua upon an arrangement with and upon the desire of the parties in control of the lawfully established Government in Nicaragua.

More than that, under the present administration we are handling this question in a way that will mean peace and order in my judgment. In January, 1929, we had 5,217 marines in Nicaragua, but our forces are being reduced, and I am advised that to-day they stand at 1,412. Under the policy that is being worked out by the administration these will be reduced. About 10 days ago an arrangement was worked out between the representatives of the Nicaraguan Government and the United States under which it is believed more than one-half of our forces will be withdrawn within the next four or five months.

Yesterday President Moncada approved the program and to-day the Secretary of State gave out a statement that I shall insert in my remarks.

STATEMENT OF SECRETARY OF STATE STIMSON GIVEN TO THE PRESS FEBRUARY 13, 1931

At the recent conferences held by the Secretary of State with Minister Hanna, the American minister to Nicaragua, Colonel McDougal of the Marine Corps, who has been commanding the Nicaraguan National Guard, and Major General McCoy, who supervised the Nicaraguan elections in 1928, a definite plan for the future has been arrived at which has been accepted by President Moncada of Nicaragua. Under this plan the Nicaraguan National Guard is to be increased by approximately 500 men to be used exclusively in the bandit area, and the necessary financial arrangements for this increase of force have been made by the Nicaraguan Government.

By this increase of the Nicaraguan National Guard it will be possible to withdraw from Nicaragua all of the marine brigade who are now on combatant duty probably by June next, leaving in Nicaragua only the marines who are still engaged in instruction in the Nicaraguan National Guard and an instruction battalion to support such instruction and an aviation section which is being used for the present to carry supplies in the bandit Provinces, which are entirely without roads. This means that by June next the total force of marines in Nicaragua will have been reduced from over 5,000 men, which was the size of the force in January, 1929, to probably not over 500 men. The Nicaraguan Government by this arrangement has also secured funds to increase the school in which Nicaraguan officers are being trained to completely replace the marines now officering the national guard.

In addition to this the Nicaraguan Government has obtained further funds which it has agreed to spend in the construction of long-needed roads and trails in the bandit Provinces. These roads will greatly facilitate the future work of its national guard in that area and make it much more effective and protective to the surrounding country. The department feels that the foregoing steps will greatly expedite the completion of the task of this Government in instructing the National Guard of Nicaragua, and that they have paved the way for the ultimate removal of all of the marine forces from Nicaragua immediately after the election of 1932.

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

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for five additional minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. FRENCH. I thank my colleague and the House for this courtesy. Mr. Chairman, I believe I should direct the attention of the members of this committee to the policy of our country that must be regarded as the national policy. The former Secretary of State, Charles Evans Hughes, in his address upon the subject of Latin American relations over the radio upon January 20, 1925, spoke as follows:

> We have the inescapable relations created by propinquity. We have the privileges and obligations of neighborhood. * * *
>
> The essential basis of Pan American cooperation is peace.
>
> * * * * * * *
>
> There are those among us who constantly assail our motives in relation to the countries of Latin America. What a pity it is that among our fellow citizens are those who can not be fair to their own Government. * * *
>
> What a hopeless twist there is in the minds of those who accuse us of cherishing an imperialistic policy! Anyone who really understands our people must realize that the last thing in the world we desire is to assume responsibility as to other peoples. We wish to have prosperous and independent neighbors with whom we can deal in peace to our mutual advantage. We harbor no thought of aggression upon anyone. Instead of encouraging the exploitation of other peoples, we are constantly by word and deed diminishing the opportunities for it and throwing the weight of governmental influence against it.
>
> Our historic policy, which we call the Monroe doctrine, is itself designed to thwart measures of aggression.
>
> * * * * * * *
>
> I have pointed out that the chief danger of strife among our neighbors to the south lies in internal dissensions and in the tendency to have revolutions instead of fair elections. The influence of our Government is diverted to the support of peaceful and constitutional methods. Recurrent revolutions are a poor sort of educational process; the greatest menace to progress and prosperity lies in political instability.
>
> We have no desire to take advantage of this regrettable condition in neighboring countries, either to acquire territory or to assume political control.

Mr. Secretary Stimson, in his address on February 7, 1931, upon the subject The United States and the other American Republics, referring to the republics to the south of us, declared:

> From the beginning we have made the preservation of individual independence of these nations correspond with our own interests * * *. Our people lead in the recognition of the independence of those countries with an instinctive readiness which was based upon the sympathy with the doctrine upon which that independence rested * * *. It is a very conservative statement to say that the general foreign policy of the United States during the past century toward the republics of Latin America has been characterized by a regard for their rights as independent nations, which when compared with current international mortality in other hemispheres has been as unusual as it has been praiseworthy.

May I conclude the outline of the administration's attitude toward our sister republics by a quotation from the inaugural address of President Herbert Hoover, delivered at the National Capital, Washington, D. C., on March 4, 1929. President Hoover said:

> I have lately returned from a journey among our sister republics of the Western Hemisphere. I have received unbounded hospitality and courtesy as their expression of friendliness to our country. We are held by particular bonds of sympathy and common interest with them. They are each of them building a racial character and a culture which is an impressive contribution to human progress. We wish only for the maintenance of their independence, the growth of their stability, and their prosperity. While we have had wars in the Western Hemisphere, yet on the whole the record is in encouraging contrast with that of other parts of the world. Fortunately the New World is largely free from the inheritances of fear and distrust which have so troubled the Old World. We should keep it so.

Mr. Chairman, in my judgment, the amendment of the gentleman from Kansas [Mr. AYRES] should be rejected. The administration by its declarations and by the course it has pursued has given the most abundant assurance of its desire to withdraw the forces of the United States from Nicaragua and to permit the responsibilities of the Nicaraguan Government to rest upon the Nicaraguan people. The whole life record of performance of the President of the United States and of the Secretary of State, Mr. Stimson, must stand as the evidence of good faith that is outlined in the professions to which I have referred. The handling of the Nicaraguan problem should be left to the sound judgment of the national administration.

Fraught as the problem is with the many delicate features and factors of which the Congress can not know, it ought to be handled in a sympathetic and orderly way by the responsible officers of our Government. [Applause.]

Mr. BANKHEAD. Mr. Chairman, I ask recognition in favor of the amendment.

Mr. Chairman, ladies and gentlemen of the committee, I am glad that the distinguished gentleman from Kansas [Mr. AYRES], in undertaking to set up his convictions upon this question, exercised due restraint and conservatism in the preparation of this amendment.

Let it be clearly understood that no proper analysis of this amendment as it is phrased or any correct interpretation of its purpose can possibly involve any partisan or political controversy. If the gentleman had introduced an amendment immediately to withdraw the marines from Nicaragua it might have been tinged with that character of criticism, but in order to express, as he hopes to express, the opinion of the House of Representatives upon this question of our international relations with one of our sister republics in Central America, he is limiting the instruction with reference to the expenditure of these funds in a most conservative manner. He is, in fact, if we are to take the statement just made by the distinguished gentleman from Idaho, limiting its scope more conservatively than is suggested by the announcement to-day from the Secretary of State.

Gentlemen, although the House of Representatives, of course, under its constitutional functions has no diplomatic responsibility, under the power of the Constitution it can not make any suggestions to the Commander in Chief with reference to his discretion as to where he shall send any part of the Army or the Navy, yet nevertheless I am proud to say that it has still reserved to it control over the purse strings of this Nation, and what we are seeking to do by this limitation in the bill is to express the opinion of the House of Representatives with reference to the future handling of this question.

I had hoped that the gentleman from Idaho [Mr. FRENCH] would give the House some immediate reason why there should be opposition to this limitation upon the appropriation. I had hoped he might tell us whether or not it was under the excuse that was formerly given for sending these marines to Nicaragua, that it was to protect some interpretation of the Monroe doctrine or that it was to protect our rights with reference to the proposed Nicaraguan Canal, or that they were still there for the purpose of protecting American life and property, and I waited in vain to hear the distinguished gentleman from Idaho give any of these former reasons justifying their retention in Nicaragua as applied to the exigencies of the present situation, and he contented himself by an elaborate recital of the precedents that have been used heretofore with reference to this situation.

Gentlemen, I say that the permanent occupation of the territory of one of our sister republics in the south, whether by their invitation or by their opposition, as I see it, is contrary to the real purposes for which the Marine Corps of our Nation is organized. [Applause.] They were sent there many years ago under the pretense of protecting American life and property. Then the excuse was given that they were sustaining an alleged agreement made between our Secretary of State and the contending factions for the purpose of holding a fair election in Nicaragua. I ask you, gentlemen, from a fair and conservative interpretation of the letter and the spirit of our Constitution, in all its provisions, if you can write into it by any sort of strained construction an international duty resting upon this Republic to go far afield to see that fair elections are held anywhere upon the face of the earth. You can not find it there.

Moreover, there is a practical proposition involved in this matter as affecting the taxpayers of this country and the Treasury. I am sorry that every member of this committee

was denied the privilege of hearing the splendid argument made upon this proposition by the gentleman from Kansas [Mr. AYRES] and my colleague from Alabama [Mr. OLIVER].

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

Mr. BANKHEAD. Mr. Chairman, I ask unanimous consent to proceed for two additional minutes.

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

There was no objection.

Mr. BANKHEAD. As has been pointed out here, and the evidence is undenied, the additional expenditure over and above what it would cost our taxpayers had these marines remained in the United States in the last five years—the extra cost for maintaining them in Nicaragua—has amounted to more than $5,000,000, and this is over and above their ordinary pay and expenses.

Gentlemen, this sort of drain on the Treasury of the United States under the fictitious excuses that have been offered here is not justified, and we ought to adopt this limitation because, as I say, it is not any criticism of the administration so far as its present purpose is concerned, but the object which the gentleman from Kansas [Mr. AYRES] seeks to effectuate here in offering this amendment is to see to it that whatever may come up between now and the end of this year, the spirit and purpose of this amendment, requiring the withdrawal of at least a great majority of these marines, shall be written into the law and in this way enforce the carrying out of the will of the House of Representatives upon this question. [Applause.]

Mr. FRENCH. Mr. Chairman, let me say a few words in conclusion. With reference to the remarks made by the gentleman from Alabama [Mr. BANKHEAD] touching the purpose for which our military forces were sent to Nicaragua, of course it is difficult to say when the original purpose of meeting a crisis for which they were sent became blended into the second responsibility of in part aiding in maintaining order and the training of officers. I suppose both purposes are served to-day, and in both we are following the precedent of the service of our marines in Haiti and in Santo Domingo.

Mr. OLIVER of Alabama. May I ask the gentleman a question?

Mr. FRENCH. Certainly.

Mr. OLIVER of Alabama. Since it appears from the hearings that only 100 marines from 1909 to 1926 were kept there, during which time there was serious disturbance, yet American lives and property were protected, and since it appears that we have had two elections there since 1927, and from the testimony before the committee it appears there are not exceeding 300 bandits who are giving trouble now, does not the gentleman think that we could with safety withdraw the marines?

Mr. FRENCH. I am hoping that we shall be able to withdraw the marines at the earliest possible time, and if the administration charged with the responsibility can have the cooperation of the Congress, in my judgment, speedily will come the time when less than 100 marines may constitute the guard of our legation in Nicaragua. Under the agreement that was worked out by Secretary Stimson when he visited Nicaragua in 1927 it was understood and agreed by the Government now in power and by the United States that in some measure we should remain in Nicaragua until after the election of 1932 for the purpose of assisting again in the establishment of orderly government.

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

Mr. FRENCH. My time is just up. Let me call attention to a report that was carried in the papers yesterday of machine guns being smuggled into Nicaragua. Where did they come from? The report says this is not known.

The passage of an amendment such as has been proposed would give encouragement to bandits in Nicaragua, would give encouragement to those who are bent upon assisting the bandits against the established Government. It is that uncertainty that you would throw into the situation in the passage of such a declaration as this that is the disturbing factor.

One week ago yesterday I was on E Street, between Eleventh and Twelfth, in the northwest section of the city of Washington. I was near the Perpetual Building & Loan Association office. I saw a line of men and women, three or four deep, extending for more than a block, and why? Because of a run upon the building association caused by some one willfully or through misinformation starting a story that the institution was unsound. The story was wicked; the institution was sound; and because of its fine management and the character of its board of directors it had the backing of the substantial institutions of this city. The run came speedily to an end. But disaster was threatened, and it was averted only by heroic action. Do not start a run upon the foreign policy of your Government in its relations with Nicaragua by proposing here on the floor and passing an amendment of this nature. Do not arouse suspicion; do not try to create doubt. If you do, you will aid banditry, you will aid lawlessness. If you do, while I know it is not the purpose of any who may support the amendment, it will give encouragement to those who are bent upon creating disorder and overthrowing the existing Government, and it will make more difficult the way toward peace. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas.

The question was taken; and on a division (demanded by Mr. AYRES) there were—ayes 68, noes 94.

Mr. AYRES. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed Mr. AYRES and Mr. FRENCH to act as tellers.

The committee again divided; and the tellers reported—ayes 86, noes 109.

So the amendment was rejected.

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

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. LEHLBACH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 16969, the naval appropriation bill, and had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

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

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en gros. The question is on agreeing to the amendments.

The amendments were agreed to.

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

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

Mr. AYRES. Mr. Speaker, I offer a motion to recommit, which I send to the desk and ask to have read.

The Clerk read as follows:

Mr. AYRES moves to recommit the bill to the Committee on Appropriations with instructions to that committee to report the same back forwith with the following amendment: On page 42, line 20, after the word "fund," insert a new paragraph, as follows:

"No part of any appropriation contained in this act shall be available after December 31, 1931, for the pay of more than one-half the number of officers and men of the Marine Corps in Nicaragua under orders for the performance of duty than were on duty in such country on the date of the approval of this act, nor shall any part of any appropriation contained in this act be available after May 31, 1932, for the pay of more than a full company of officers and men of the Marine Corps in Nicaragua under orders for the performance of duty in such country, except that nothing herein shall require a reduction to be made in the numbers of officers and enlisted men of the Marine Corps in Nicaragua on account of aviation activities."

Mr. FRENCH. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Kansas to recommit.

Mr. AYRES. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 135, nays 191; not voting, 105, as follows:

[Roll No. 29]

YEAS—135

Abernethy	Doughton	Kearns	Patman
Allgood	Doxey	Kemp	Patterson
Almon	Drane	Kerr	Peavey
Arnold	Driver	Kvale	Quin
Aswell	Edwards	LaGuardia	Ragon
Auf der Heide	Eslick	Lambertson	Rainey, Henry T.
Ayres	Frear	Lanham	Ramspeck
Bankhead	Fuller	Lankford, Ga.	Rankin
Bland	Fulmer	Linthicum	Rayburn
Blanton	Gambrill	Lozier	Reilly
Bloom	Garber, Okla.	Ludlow	Romjue
Box	Garner	McClintic, Okla.	Rutherford
Brand, Ga.	Gasque	McDuffie	Sabath
Briggs	Glover	McKeown	Sanders, Tex.
Browne	Granfield	McMillan	Sandlin
Browning	Green	McReynolds	Schafer, Wis.
Byrns	Greenwood	McSwain	Schneider
Cannon	Gregory	Mansfield	Sinclair
Cartwright	Griffin	Mead	Sirovich
Christgau	Hall, Miss.	Milligan	Smith, W. Va.
Cochran, Mo.	Hancock, N. C.	Montet	Speaks
Collier	Hare	Mooney	Sproul, Kans.
Collins	Hastings	Moore, Ky.	Steagall
Condon	Hill, Ala.	Moore, Va.	Tarver
Connery	Hill, Wash.	Morehead	Tucker
Cooper, Tenn.	Howard	Nelson, Mo.	Vinson, Ga.
Cooper, Wis.	Huddleston	Nelson, Wis.	Warren
Cox	Hull, Tenn.	Norton	Whittington
Cross	Hull, Wis.	O'Connor, N. Y.	Wilson
Crosser	Jeffers	Oldfield	Wingo
Davis	Johnson, Okla.	Oliver, Ala.	Woodrum
De Priest	Johnson, Tex.	Palmisano	Wright
Dominick	Jones, Tex.	Parks	Yon
Dorsey	Kading	Parsons	

NAYS—191

Ackerman	Dunbar	Jonas, N. C.	Reid, Ill.
Adkins	Dyer	Kelly	Rich
Allen	Eaton, N. J.	Kendall, Pa.	Robinson
Andresen	Elliott	Ketcham	Rogers
Arentz	Ellis	Kiefner	Sanders, N. Y.
Bachmann	Englebright	Kinzer	Seger
Bacon	Estep	Knutson	Seiberling
Baird	Esterly	Kopp	Shott, W. Va.
Barbour	Evans, Calif.	Korell	Shreve
Beers	Finley	Kurtz	Simmons
Black	Fisher	Lankford, Va.	Simms
Bohn	Fitzgerald	Leavitt	Sloan
Bolton	Fort	Leech	Snell
Bowman	Foss	Lehlbach	Snow
Boylan	Free	Letts	Sproul, Ill.
Brand, Ohio	Freeman	Loofbourow	Stafford
Brigham	French	Luce	Stalker
Britten	Garber, Va.	McClintock, Ohio	Strong, Kans.
Brumm	Gavagan	McCormack, Mass.	Strong, Pa.
Buchanan	Gibson	McFadden	Sullivan, N. Y.
Buckbee	Golder	McLaughlin	Sullivan, Pa.
Burdick	Goodwin	McLeod	Summers, Wash.
Burtness	Goss	Maas	Swanson
Campbell, Iowa	Guyer	Magrady	Swick
Campbell, Pa.	Hadley	Manlove	Swing
Carter, Calif.	Hale	Mapes	Taber
Carter, Wyo.	Hall, Ill.	Menges	Temple
Chalmers	Hall, Ind.	Merritt	Tilson
Chindblom	Halsey	Michener	Timberlake
Christopherson	Hancock, N. Y.	Miller	Tinkham
Clague	Hardy	Montague	Turpin
Clancy	Hartley	Moore, Ohio	Vestal
Clarke, N. Y.	Haugen	Morgan	Wainwright
Cochran, Pa.	Hawley	Mouser	Walker
Cole	Hess	Murphy	Wason
Colton	Hickey	Nelson, Me.	Watres
Cooke	Hoch	Niedringhaus	Welch, Calif.
Cooper, Ohio	Hogg, Ind.	Nolan	Welsh, Pa.
Coyle	Hogg, W. Va.	O'Connor, Okla.	Whitley
Craddock	Holaday	Palmer	Wigglesworth
Cramton	Hooper	Parker	Wolfenden
Crowther	Hope	Perkins	Wolverton, N. J.
Culkin	Houston, Del.	Pittenger	Wolverton, W. Va.
Dallinger	Hudson	Pratt, Harcourt J.	Wood
Darrow	Hull, Morton D.	Purnell	Woodruff
Denison	Irwin	Ramey, Frank M.	Wurzbach
Dickinson	Jenkins	Ramseyer	Wyant
Douglas, Ariz.	Johnson, Nebr.	Reed, N. Y.	

NOT VOTING—105

Aldrich	Bell	Cable	Chiperfield
Andrew	Blackburn	Canfield	Clark, Md.
Bacharach	Brunner	Carley	Clark, N. C.
Beck	Busby	Celler	Connolly
Beedy	Butler	Chase	Corning
Crail	Hall, N. Dak.	Martin	Stobbs
Crisp	Hoffman	Michaelson	Stone
Cullen	Hopkins	Newhall	Sumners, Tex.
Davenport	Hudspeth	O'Connor, La.	Taylor, Colo.
Dempsey	Hull, William E.	Oliver, N. Y.	Taylor, Tenn.
DeRouen	Igoe	Owen	Thatcher
Dickstein	James, Mich.	Pou	Thompson
Douglass, Mass.	James, N. C.	Prall	Thurston
Doutrich	Johnson, Ill.	Pratt, Ruth	Treadway
Dowell	Johnson, Ind.	Pritchard	Underhill
Doyle	Johnson, S. Dak.	Ransley	Underwood
Drewry	Johnson, Wash.	Reece	Vincent, Mich.
Eaton, Colo.	Johnston, Mo.	Rowbottom	Watson
Erk	Kahn	Sears	White
Evans, Mont.	Kendall, Ky.	Selvig	Whitehead
Fenn	Kennedy	Shaffer, Va.	Williams
Fish	Kunz	Short, Mo.	Williamson
Fitzpatrick	Langley	Smith, Idaho	Yates
Garrett	Larsen	Somers, N. Y.	Zihlman
Gifford	Lea	Sparks	
Goldsborough	Lindsay	Spearing	
Graham	McCormick, Ill.	Stevenson	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

To recommit (on this vote):

Mr. Canfield (for) with Mr. Treadway (against).
Mr. Clark of North Carolina (for) with Mr. Fish (against).
Mr. Larsen (for) with Mr. Martin (against).
Mrs. Owen (for) with Mr. Thatcher (against).
Mr. Lea (for) with Mr. Beedy (against).
Mr. Crisp (for) with Mr. Andrew (against).
Mr. Drewry (for) with Mr. Chiperfield (against).
Mr. Garrett (for) with Mr. Johnson of South Dakota (against).
Mr. Bell (for) with Mr. Bacharach (against).
Mr. DeRouen (for) with Mr. Connolly (against).
Mr. Busby (for) with Mr. Beck (against).
Mr. Goldsborough (for) with Mr. Doutrich (against).
Mr. Pou (for) with Mr. Erk (against).
Mr. Sumners of Texas (for) with Mr. Crail (against).
Mr. Spearing (for) with Mr. Graham (against).
Mr. Taylor of Colorado (for) with Mr. Hopkins (against).
Mr. Stevenson (for) with Mr. Ransley (against).
Mr. Underwood (for) with Mr. Short of Missouri (against).
Mr. Williams (for) with Mr. Watson (against).
Mr. Whitehead (for) with Mr. Gifford (against).

General pairs until further notice:

Mr. Yates with Mr. Brunner.
Mr. Johnson of Washington with Mr. Evans of Montana.
Mrs. Ruth Pratt with Mr. Dickstein.
Mr. Smith of Idaho with Mr. Douglass of Massachusetts.
Mr. Taylor of Tennessee with Mr. Igoe.
Mr. Underhill with Mr. Carley.
Mr. Vincent of Michigan with Mr. James of North Carolina.
Mr. Johnston of Missouri with Mr. Hudspeth
Mr. Aldrich with Mr. Cullen.
Mr. Dowell with Mr. Kennedy.
Mr. Eaton of Colorado with Mr. Corning.
Mr. Gifford with Mr. Kunz.
Mr. James of Michigan with Mr. Celler.
Mr. Fenn with Mr. O'Connor of Louisiana.
Mr. William E. Hull with Mr. Somers of New York.
Mr. Johnson of Illinois with Mr. Fitzpatrick.
Mr. Davenport with Mr. Prall.
Mr. Cable with Mr. Oliver of New York.
Mrs. Langley with Mr. Lindsay.

The result of the vote was announced, as above recorded.

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the bill was passed.

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

TULSA, OKLA.

Mr. O'CONNOR of Oklahoma. Mr. Speaker, I ask unanimous consent to address the House for one minute.

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

There was no objection.

Mr. O'CONNOR of Oklahoma. Mr. Speaker, I have placed on the blackboard in the lobby a picture of the skyline of Tulsa, Okla., my home city. This is unique in this respect, that it is the first skyline picture we have ever had. Until the oil depression set in the city was growing so fast, and we went up in an airplane to get a panoramic picture, the town was growing so fast that we always got a moving picture. All those who want to see a composite picture of Chicago, New York, Detroit, and Los Angeles as they will appear in another 10 years if they continue to grow, will, I hope, look at the picture of the skyline of Tulsa, Okla., the oil capital of the world, as you pass out. Thank you. [Applause.]

PERMISSION TO ADDRESS THE HOUSE

Mr. REECE. Mr. Speaker, I ask unanimous consent that, on Tuesday next, after the disposition of matters on the Speaker's table, I be permitted to address the House for 50 minutes.

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

Mr. GARNER. Reserving the right to object, Mr. Speaker, I wonder if the gentleman from Connecticut [Mr. TILSON] is aware of this request?

Mr. TILSON. The gentleman from Tennessee told me that he was going to make such a request. As the gentleman from Texas [Mr. GARNER] will recall I said that until the consideration of appropriation bills was concluded I should feel constrained to make objection to such requests. The last regular appropriation bill has been passed, and under the circumstances I do not feel like objecting to the request of the gentleman from Tennessee for permission to speak. There will be no appropriation bill under consideration that day.

Mr. GARNER. I understand that the policy is to be that from now on, the appropriation bills having been passed, anyone may receive unanimous consent to speak on future days? If so, I ask unanimous consent that this side of the House have permission to address the House for 50 minutes, following the address of the gentleman from Tennessee. We are going to have a fair division.

Mr. REECE. As I recall, the gentleman from Mississippi recently addressed the House on the same subject.

Mr. GARNER. I think the gentleman addressed the House in Committee of the Whole House, in general debate on an appropriation bill.

Mr. REECE. That is correct.

Mr. GARNER. If the gentleman from Mississippi had addressed the House, I would not have made this objection. I am speaking of a policy. Certain gentlemen on this side have asked unanimous consent to address the House, and, very properly, the gentleman from Connecticut [Mr. TILSON] objected. Now the gentleman is going to adopt a new policy. The appropriation bills having been concluded, the gentleman is going to permit Members to ask unanimous consent to address the House on future days for the balance of the session for a certain length of time. Now, if that is to be the policy, the only thing I ask is that this side of the House have equal opportunity to address the House.

Mr. REECE. I have no objection to such a procedure.

Mr. O'CONNOR of Oklahoma. What would the gentleman from Texas think of the proposition that each side take 25 minutes and we would use 25 minutes and your side would use 25 minutes?

Mr. GARNER. I do not care what the gentleman from Oklahoma may suggest, there is going to be an equal division of time. If you seek 50 minutes to address the House, all I ask is 50 minutes on this side of the House.

Mr. TILSON. I wish it clearly understood that I am establishing no policy whatsoever. I, as one Member of this entire House, have no objection to the gentleman from Tennessee addressing the House. I am only one Member. Every Member has the same right, the same privilege, and the same duty that I have to object, if he really wishes to object or thinks it should be done.

Mr. GARNER. Does the gentleman from Connecticut want the policy established in the House that there is no guidance of the House from the leadership?

Mr. TILSON. Absolutely; so far as Members of this House speaking is concerned. The majority leader is not going to assume the responsibility of trying to prevent throughout the session anybody in this House from speaking.

Mr. BANKHEAD. Reserving the right to object, Mr. Speaker, I understood the gentleman from Tennessee to intimate it was his purpose to discuss the Muscle Shoals proposition in the 50 minutes requested?

Mr. REECE. That is my purpose.

Mr. BANKHEAD. Has any further conference been agreed upon between the House and Senate conferees in an effort to reconcile their differences on that question?

Mr. REECE. There was a conference this morning and there is to be another one next week.

Mr. BANKHEAD. What time next week?

Mr. REECE. On Wednesday.

Mr. BANKHEAD. Does the gentleman think his remarks on next Tuesday, if he is permitted to address the House, will have a tendency toward reaching an agreement on that question?

Mr. REECE. I had hoped they might be helpful.

Mr. BANKHEAD. They have not been so far.

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

There was no objection.

Mr. GARNER. Mr. Speaker, I ask unanimous consent that on Tuesday next the gentleman from South Carolina [Mr. McSWAIN] may have 50 minutes in which to address the House, following the gentleman from Tennessee, and discuss the same subject.

The SPEAKER. The gentleman from Texas asks unanimous consent that, following the address of the gentleman from Tennessee [Mr. REECE] on Tuesday next, the gentleman from South Carolina [Mr. McSWAIN] may be permitted to address the House for 50 minutes. Is there objection?

Mr. SCHAFER of Wisconsin. Mr. Speaker, reserving the right to object, has the gentleman from South Carolina [Mr. McSWAIN] indicated his desire that this request be considered at this time?

Mr. GARNER. I am speaking for the gentleman now; the gentleman is here, and he will speak on Tuesday.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I shall object to the request of the gentleman from Texas that the gentleman from South Carolina [Mr. McSWAIN] be permitted to address the House for 50 minutes on Tuesday next; but if the gentleman from South Carolina will himself make the request I shall not object.

The SPEAKER. Is there objection?

Mr. SCHAFER of Wisconsin. I shall object. The gentleman can make the request himself.

Mr. TILSON. I certainly have no objection, and hope the gentleman may be given the time.

The SPEAKER. Is there objection?

Mr. SCHAFER of Wisconsin. Mr. Speaker, reserving the right to object, I do not desire to object to any request propounded by the gentleman from South Carolina [Mr. McSWAIN]. If he desires to address the House for 50 minutes on Tuesday next, I shall not object. I shall object to the request being made by the gentleman from Texas in his behalf, but I shall not object if the gentleman from South Carolina [Mr. McSWAIN] makes the request himself.

The SPEAKER. Is there objection?

Mr. SCHAFER of Wisconsin. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

IS SILVER A COMMODITY

Mr. ARENTZ. Mr. Speaker, I ask unanimous consent to insert in the RECORD an article by Tsuyee Fei, managing director of the Bank of China, Shanghai, China, entitled "Is Silver a Commodity?"

The SPEAKER. The gentleman from Nevada asks unanimous consent to insert in the RECORD an article by the managing director of the Bank of China. Is there objection?

There was no objection.

Mr. ARENTZ. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following copy of an article in the February, 1930, issue of Mining and Metallurgy:

IS SILVER A COMMODITY?—NOT IN THE COUNTRIES THAT ARE ON A SILVER BASIS

(By Tsuyee Fei, managing director Bank of China, Shanghai, China.)

I feel greatly honored and appreciate this opportunity to be able to say a few words about that rather perplexing subject, silver.

The constant decline in the price of this metal has now reached the stage where it is of much concern and the cause of serious discussion among the leading financiers, economists, and statesmen of the world. Furthermore, it is significant that this subject is so important that almost every day one can read articles pertaining to it in the newspapers and trade publications.

Being essentially a banker and not an economist, I do not claim to be an authority on the silver question. These remarks are

merely some of my observations in regard to the many puzzles which I came across in my recent studies of this very important question.

Silver is recognized in your country primarily as a commodity because of the fact that it is no longer used as a standard of currency. We in China look upon gold in the same light as you look upon silver, inasmuch as we use silver alone as our standard value of currency. China's foreign trade naturally suffers with the fluctuations of the price of silver against gold. However, it also affects every nation which trades with China or any other country which still maintains the silver standard. China alone can not carry the whole burden of the world's large stock of silver or continue to consume the world's production. Silver is not like certain other commodities which go into consumption never to return again. It is a precious metal and the waste or loss due to consumption is negligible. Silver has always been and still is considered a precious metal by all the peoples of the world, and, therefore, it will always be in existence in one form or another. The sale of one country's surplus stock of silver in the world's market only means the changing of hands of that stock from one buyer to another.

The country which gains in wealth will absorb more than its share of the world's gold until she is willing to reinvest, in turn, her wealth in the country which suffers from an adverse balance of trade. The gold tendency in recent years has gradually shown a concentration in the vaults of a few gaining countries, and if this gold is not redistributed (which is, of course, a very difficult problem) these countries will have to suffer a depression of trade or find a means of stimulating the purchasing power of those countries whose wealth has depreciated. In that way only would wealth keep the world progressively going, and the world's silver must be taken as a part of its wealth.

No gold-standard country to-day can afford to abolish silver coin as token money. The estimate of total silver coins in Great Britain and Ireland, both in banks and in circulation, at the end of 1928 aggregated £55,000,000. The Bank of France then also had in vaults silver coins valued at approximately 732,000,000 francs, and the total amount of silver to be coined not exceeding 3,000,000,000 francs. The Indian Government treasury has at present a stock of over 400,000,000 ounces, besides a large amount of silver rupees in circulation and the inestimable amount of silver holdings by the people. The United States Government Treasury holds standard silver dollars against outstanding silver certificates amounting to approximately $470,000,000. In addition to that there are about $301,000,000 subsidiary coins in circulation. In other words, on the basis of these figures, the people of the United States have a per capita wealth of approximately $6 in silver alone. The maintenance of silver coins at a parity with gold is by the following means:

(1) The Government is behind the coins, and laws provide for the redemption of same against gold, within certain limits.

(2) The silver certificates are issued in smaller denominations and, therefore, are mostly and widely engaged in retail trade. Being in broad and constant circulation, the danger of a run on the Treasury in a large way with a demand for gold is very remote.

Almost all the gold-standard countries maintain their silver coins at a parity with gold on the same principle. In this regard silver is simply used as token money. The lower the price of silver, the greater the difference will be between the token money and gold value. In India people are not familiar with this kind of token money, so after the enactment of the currency reform in 1927 silver rupees gradually found their way back into the Indian Treasury, which procedure creates a hardship on the Indian Government finance schedule.

The persistent sale of silver by the Indian Government, I suppose, although following the recommendation of the Royal Indian currency commission of 1926, has largely been due to her increased burden for maintaining the rupees at parity, which is 1 shilling 6 pence.

In view of the above facts, I am confused as to whether it is advisable for all countries in the world to abase silver and further injure its well-established confidence in the minds of the majority of the people in the world. As a matter of fact, it is interesting to note that directly after the Royal Indian currency commission's report was made public in 1926 the price of silver declined to approximately 24 pence in London in October, which was a 25 per cent decrease in value against gold in comparison with the price in the beginning of that year. Since that time the price has been steadily declining to the present unprecedented level.

What the Indian Government has accomplished during the last three years was a disposal of its demonetized silver up to the aggregate amount of ninety to one hundred million ounces at an average price very much lower than 24 pence. The Government's silver rupee stock on January 1, 1930, was 371,422,000 ounces. But on November 15 this had been increased to 421,850,000 ounces. The import of silver in 1930 into India was practically the same as that of 1929 in spite of an import duty imposed since March, 1930, of 4 annas per ounce. This must be considered exceptionally satisfactory in view of the present general depression of trade. And if it were not due to continued political disturbances in Bombay, the offtake from up-country might have been larger, thereby showing an even better record for 1930. The Indian people find the price of silver exceedingly cheap in terms of paper rupees at the present moment, and they prefer to buy it and hold it. Instead of curing the uneconomic habit of the people of holding the precious metal as a store of value, as was reported by the Indian Currency Commission in 1926, and discouraging the people from the practice of hoarding silver, the present extraordinary condition has rather encouraged this uneconomic practice.

In the meantime, however, before any good has been accomplished for the benefit of the Indian people as a whole and the Indian Government in particular, enormous damage has been done to the silver market. Every government with silver holdings, irrespective as to whether that country is on a gold standard or a silver standard, is affected. Everybody who counts his little silver articles or holdings as a part of property, regardless of whether he lives in a gold-standard country or in a silver-standard country, is also more or less affected. We are hitting upon our own heads, and yet we are trying to convince our friends that this is the only way to make ourselves happy.

Now, gentlemen, please do not think that I am attempting to criticize or ridicule the royal commission's currency scheme. I think the plan was wonderfully and carefully drawn, as far as the monetary system for India is concerned. The commission certainly deserved the credit it received. The system is more ro less similar to your Federal reserve system here, and therefore I am sure you will readily approve of it, too. But what I am wondering about is the ultimate success of the plan and its consequence on our future silver market. If a merchant, being anxious to sell goods that he has in stock, goes around to tell his possible buyers that his merchandise is no longer good and he has a large stock on hand for sale, I wonder how much of his stock he could get rid of.

IMPORTS IN INDIA

According to my rough estimate, the net importation of silver into India in the last 40 years was about 2,670,000,000 ounces, while that of the same metal into China in the same period was only about 918,000,000 ounces. We can readily appreciate who is suffering the greatest amount of ill effects due to the recent heavy fall in the price of silver. The visible stock of silver in China to-day—I mean the silver stock which is being held by bankers and commercial houses in various parts of China—does not exceed 500,000,000 ounces, and this stock will have to be carried by China for her domestic business transactions. The instability of silver has, no doubt, greatly affected the foreign trade of China, which is now the only great silver-standard country.

China will undoubtedly, at the earliest opportunity, reform her monetary system, and, in fact, plans are already in hand pending probable eventual adoption. This, if carried out, simply means that another country will fall in line with other nations by placing silver on the so-called black list as a currency standard and treat it solely as a commodity. It would, of course, greatly aggravate the silver situation, but who is going to buy all the surplus silver? It is probably necessary, gentlemen, for us to find ways and means to popularize the use of silver for arts, household articles, and industries, provided such an increase of its use will not occupy the field of other metals. This phase of the matter is too technical for me. I will leave that to others.

CREDIT BASIS OF FINANCE

We must not forget our economic system to-day is built on credit basis, supported by a sufficient amount of precious metals in the large centers of the world. Even then, countries like India and China are more on a metallic basis than credit basis. I do not know what will happen to us in the future if we all choose gold as a foundation for the structure of our credit. Time will come when we will all look for a little space on our small gold ground for our credit structure, and we shall find that the gold will not have sufficient space to hold us. That is the danger of a general collapse in the credit system.

Since October, 1929, China has sometimes been unjustly accused of being responsible for the silver collapse. The main reasons of this accusation were that China absorbed less silver on account of her civil war, on account of her irregular taxation, and on account of general unrest in the interior of the country. In this connection, it is interesting to note the following figures showing the net importation of silver by India and China between 1924 and 1929, as reported by Handy & Harmon:

Year	China	India
	Ounces	*Ounces*
1924	41,700,000	108,200,000
1925	59,400,000	106,700,000
1926	73,900,000	91,600,000
1927	85,000,000	90,000,000
1928	124,000,000	89,000,000
1929	136,700,000	81,800,000
Total	520,700,000	567,300,000

The imports of silver into China increased every year since 1924, while the imports into India were just the reverse. These figures alone should be sufficient to prove that the accusations were without any sound foundation. In this respect I must say China has always been faithful to silver and has never at any time in her history attempted to defame this white metal. However, I do not know how much longer she is prepared to continue carrying on that policy, as recent events and entirely new circumstances are making it more difficult every day. The credit of silver has been damaged by the legislation of several gold-standard nations, and if any responsibility is to be traced for the heavy fall of its price China is the last to be blamed. One thing, however, that we

may be sure of is that in view of the present policy of the world nations on silver China is not going to buy any silver beyond her actual needs. Strictly speaking, China is almost a self-supporting country, and if the price of imported goods are too high for her in terms of silver she will have to buy less. She will have to get along as well as possible with her home industries. China is already more or less on a hand-to-mouth basis as far as her purchases of foreign goods are concerned.

There is a great deal of misconception about China among the peoples of the world. On my present trip I have met many people who thought China's economic condition must be bad with the present fall of the price of silver. Let me show you some figures, gentlemen, about the value of commodities in China, a silver-standard country, in comparison with the same commodities in the United States, a gold-standard country.

Take, for instance, tin, the price of which was quoted in Shanghai in February, 1929, the highest at taels 107 per picul, and lowest at taels 90 per picul, in 1930, a decrease in price of about 15.8 per cent. But tin was quoted the highest in the United States at the same time, 1929, at 50 cents per pound, and the lowest, 1930, at 23½ cents per pound, about 53 per cent fall in price. Silk shows the same thing; highest, 1929, at taels 1,147 per picul; lowest, 1930, at taels 800 per picul in China, which means 30 per cent off. In the United States the highest in 1929 was $5.29 per pound and the lowest, 1930, $2.15 per pound, which means 59 per cent off. The same applies to tung oil, 44 per cent off in terms of silver, but 65 per cent off in terms of gold.

To buy American goods in China we will probably have to pay a little more, because of the low price of silver; but you will have to make a considerable cut in prices to meet our market. You are paying more in order to uphold the prestige of your gold as the only standard value, and China is, after all, not so badly off as many people think she is. In other words, you are suffering a greater depreciation in commodity values against gold than China is suffering against silver.

With the general situation as illustrated, I am of the opinion that the world is still undergoing a very trying time in the attempt to disassociate silver from gold and classify it as a commodity. We have not succeeded yet. The ultimate success of our theory depends on whether we, ourselves, our sons, and our grandsons will all be prepared to stand pat and meet whatever consequences may fall upon us, such as constant business depression, economic crisis, dislocation of gold, and probably a general collapse of our present credit system. In conclusion, silver needs rehabilitation, and the method of rehabilitation is simple and can easily be determined provided we all recognize the real causes of the present collapse of silver prices.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. O'CONNOR of Louisiana (at the request of Mr. MONTET), indefinitely, on account of serious illness.

MAINTENANCE OF OUTDOOR SIGNS AND OTHER FORMS OF EXTERIOR ADVERTISING WITHIN THE DISTRICT OF COLUMBIA

Mr. HALL of Indiana. Mr. Speaker, I ask unanimous consent to take from the Speaker's table Senate bill 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 House amendments, insist on the House amendments, and agree to the conference asked by the Senate.

The SPEAKER. The gentleman from Indiana asks unanimous consent to take from the Speaker's table Senate bill 4022, with House amendments, insist on the House amendments, and agree to the conference asked by the Senate. The Clerk will report the bill.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER appointed the following conferees: Mr ZIHLMAN, Mr. HALL of Indiana, and Mrs. NORTON.

THE NATURAL BEAUTY OF THE POTOMAC VALLEY AN IMPORTANT ITEM IN NATIONAL CAPITAL VALUES

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the George Washington Memorial Parkway, and to include therein an article by Mr. Yard.

The SPEAKER. The gentleman from Michigan asks unanimous consent to extend his remarks in the RECORD on the George Washington Memorial Parkway, and to include therein an article by Mr. Yard. Is there objection?

There was no objection.

Mr. CRAMTON. Mr. Speaker, under leave given to me I desire to call again to the attention of the House the proposed George Washington Memorial Parkway, to include both shores of the Potomac from Mount Vernon to Great Falls. Authorized by legislation passed by the last session of this Congress, its actual accomplishment would be the most fitting memorial to the immortal Washington that could mark the two hundredth anniversary of his birth in 1932.

The National Capital Park and Planning Commission, under authority of that legislation, have gone forward with surveys and negotiations. H. R. 16218, amendatory of that act of May 29, 1930, is recommended to Congress as essential to the more prompt and complete acquisition of the needed lands and the realization of the parkway. The bill has been favorably reported to the House, and I hope favorable action by the House will promptly follow.

A very interesting account of the scenic and recreational possibilities of the Potomac has been written by Robert Sterling Yard, executive secretary of the National Parks Association, and I have his permission to present it here:

Every citizen of the United States is, of course, a Washingtonian, but only those who live in their National Capital or happen to have visited it know their Potomac. To these it is a broad, full-bodied stream making with dignity, even with some grandeur, its own not inconspicuous contribution to the majesty of the Capital of the greatest Nation. Whether seen from the Key Bridge south or from Potomac Park, where most persons see it most often, or from the Virginia side with the Capitol, the Monument, and the Lincoln Memorial, the high spots in an urban background of startling quality, it is a thing of beauty not only close at hand but where, southward, it merges in the misty loveliness of the Virginia and Maryland hills.

But how many know the reach from Great Falls to Key Bridge, where the river has been indulging in high romantics before settling down to its more sober public duty? How many Washingtonians, even of those who live here, have any definite idea of its capacity for frolic and the variety of its joyous moods? How many know that in no time, so to speak, and with scarcely any effort, one may penetrate wilderness solitudes that would need, elsewhere, a thousand miles to reach?

Not many, I think. At the most, a few thousand enterprising outdoor lovers know the upper reaches well enough, some to build homes and summer shacks on its steep flanks and wooded shores, some to fish from rocky points or boats that can be hired from a few resorts perched on the east slopes, some to canoe the still places and run the rapids, many to picnic at accessible points on Sundays and warm-weather evenings, and a few to tramp the towpath of the abandoned canal which hugs its east shore all the way from the reservoir intake to Georgetown.

There is always a crowd on the Virginia side of Great Falls, of course, carried there on warm afternoons and evenings by crowded trolley cars to enjoy not only the water spectacle, but the merry-go-rounds and other resort pleasures operated by the electric railroad company, which owns all the rocky shores from which views of the falls can be obtained. Here and on the Maryland side on rocks, reached by automobile up Conduit Road with a brief tramp across swaying footbridges and a wooded island, have also come, once or oftener, most other residents of Washington and a few of her visitors.

The average residents of Washington, therefore, know little of their Potomac above Georgetown. On the Key Bridge one sees practically nothing from his car, because the high bridge sides shut out view of the water. One may see the river up and down from Chain Bridge compressed dramatically under the Virginia bluffs, cascading, swirling, hinting at great depths. Fortunately the law limits speed, so sharp comprehensive glances are possible as we rumble across the narrow river bed. And from the Conduit Road glimpses through heavy foliage are possible of broad rapids singing like cataracts, of smooth reaches dotted with boats and canoes and lined with camps; and in one place, if we are fortunate enough to glance that way in passing, we glimpse dramatic gorges deep under the road itself.

The rocks over which the falls pour, the gorge below them, and the bluffs on both sides, consist of ancient gneiss, the basic rock of mountains which once skirted the eastern shores of the continent, examples of which still may be seen in Acadia National Park in Maine. Where the new bridge crosses the Potomac at the Lincoln Memorial this rock bed is overlaid by the sands of the coastal plain.

It is from Great Falls that most persons have really looked at their upper river.

This gallant spectacle from the Virginia side is entrancing under all conditions. In flood, rushing over the brink in several thick columns of solid brown water engulfing intermediate rock masses so that one fails to recognize the falls of ordinary times, bellowing like a vigorous young Niagara, belittling its containing precipices by snatching at their brinks, singing southward with a threat of devastation to the valley below, the river loses its usual beauty in a somewhat appalling exhibition of power.

At normal levels the spectacle consists of a score or more of greater and lesser falls connected with meshed currents separated by greater or lesser masses of much-tumbled gray gneiss, the whole constituting an intricate and altogether fascinating mosaic of many parts. If you have seen many waterfalls, you need not be told that this one is unique.

At lowest water the falls assume still another phase in which rock masses, precipices, and the sheer drop of water are all emphasized.

Under all conditions the falls themselves are by no means all the picture. The high-water level above the dam, created by the intake of the city water system but not evident as artificial when seen from the common viewpoints, the lovely hills and forests framing the whole, the deep, winding gorges through which the fallen waters disappear, and the bowl of blue above are elements in one of nature's masterpieces, unequaled, I think, of its kind elsewhere, even in our western national parks.

Historically, both sides of Great Falls have values which can not be developed in this paper. Where Conduit Road ends at Lock 20 of the abandoned Chesapeake & Ohio Canal, which one crosses on a footbridge to the falls trail, stands the old lock house, later the Lock Tavern Club, to which membership was often sought in vain, and now a restaurant. Here the intake dam slants in to deliver its water to the conduit and thereafter parallels the towpath with a singing, cascading, mimic river which finds the Potomac again below the falls. Though little more than the parking terminal for those bound for the falls trail, the place has charm and interest.

Historical interest on the west side of Great Falls centers in the remnants of a colonial canal attributed to the enterprise, if not the personal engineering, of George Washington. Visitors know it as a narrow, shallow ditch, partly filled with muddy water, in which the amusement park floats boats which may be rowed for a short distance for a small fee.

A mile or more above the falls are the remains of the intake of this ancient canal. A mile below the falls is a lock of solid masonry in surprising repair, and still farther below is an outlet to the lower river blasted in the native rock. Tradition has it that supplies were, by this route around the falls, floated from the north to Potomac and Chesapeake markets on rafts of logs, which were then sawed or hewn for lumber.

The lower works of this ancient canal are exceedingly interesting. The trail along its banks ends in a sensational view of the river at one of its wildest points. He who would follow it, however, is stopped a quarter-mile below the falls by a high, impassable barbed-wire fence which surrounds the company property, shutting out entrance and exit except by the motor road, where fees are exacted, and by the company's trolley. But a return to and exit from the road entrance, a southerly detour outside through the adjoining Dickey farm, with its picturesque buildings and ruins, and a plunge into the woods, will yield, in 20 minutes of trail, an experience which will long be remembered.

Fenced off from the falls and unannounced by the amusement company, this wild neighborhood has few but appreciative patrons.

Leaving the falls, the gorge south of them for several miles has remarkable rugged beauty. Walls of gray rock rising a couple of hundred perpendicular feet carry between them the nearly straight main stream, here apparently of great depth swirling around points and boiling up in spots from below. There is little shore line, the walls usually emerging direct from the water. Occasionally shrubs and stunted trees have caught in cracks, and a small, thick forest covers the surfaces both of the Virginia mainland and Bear Island opposite. It is the Potomac on its west side and the abandoned Chesapeake & Ohio Canal on its east that make Bear Island an island. The canal has a weedy current running through its bottom which lower down broadens into a fair-sized stream.

Let none dismiss our old canal as commonplace and uninteresting. Its many idle locks, its abandoned stone and frame lock houses, some in picturesque ruin, its very shabbiness in long disuse, and the interesting walk its towpath affords fairly close to the river's level, forecast the approach of its period of even greater public service than when it was merely a carrier of merchandise. Following the towpath south from the falls, we pass four locks in the first quarter mile and two in the next half mile. Just below the falls sensational glimpses occur through trees, and after we pass Lock 16 we parallel on our left a conduit upon which imagination pictures a motor road in the future Potomac Park.

Presently the canal widens to a broad lakelet known as Widewater, a favorite swimming hole, by the way, and almost immediately after one looks down from the towpath upon almost a startling scene. Here, half a mile above Cropley, the main current of the Potomac, swinging at right angles across its flood bed, has flung northwesterly a deep circular arm, cutting off from Bear Island a heavily wooded islet of some acres appropriately called Cupid's Bower.

There is a point on the towpath destined to support many easels when the artists discover it for themselves. On either side of Cupid's Bower, dark still waters overhung with oaks, elms, maples, sprawling scaly sycamores, and others of many sizes, kinds, and postures reach forward to meet around it. One looks down longingly into inviting island shadows hiding behind sunlit foliage, but with the hope, nevertheless, that they will never be invaded by bridges and paths. There are delightful trail opportunities elsewhere enough to meet a century of demand without touching spots like this whose mission is clearly to be looked at from outside.

A mile and a half farther on a similar sensation is got from Conduit Road itself where, in the moment of speeding past, we see Herzog Island leaping up between deep gorges which also are arms of the swift river beyond. It repays returning for a long look into fascinating rock-bound depths.

Continuing southward, a broad level grassy flood plain soon after opens between road and river, destined for real-estate development under the title of Carderock, across which I suggest that you drive to the river's edge. A steep, shady, wild-flowered bank falling abruptly to the water, a small island offshore, high, heavily forested bluffs rising sharply from the west bank, and a singing river escaping from heavy rapids are elements in one of the wildest and most spirited river scenes east of the Rockies. The rapids are Stubblefield Falls.

I am painting your river, you observe, in a series of brief sketches expecting your imagination to extend broad outlines and fill details.

Let us take again to the towpath. Seven locks in rapid succession bring the canal's level down in correspondence with the river's fall. To each is attached a lock house, these all lived in, though canaling days are past, and high reeds and grasses grow from a bottom through which flows to-day a deepening stream which falls with a pleasant roar into each lock in turn.

Another world, this of the canal, scenically, humanly, economically. These are cheerful people when you greet them—calm, leisurely, ready with a smile and a glass of cold water if the day is warm, concerned only lest the park bill should not pass.

"Tell 'em not to do away with the old canal," an old man said to me. "I'm sure it must be beautiful to others besides me."

I fulfill my promise.

For miles the river carries along its east shore a succession of low islands, thickly wooded. Because difficult to lumber when the Maryland woods were cut (how many times no man knows), these islands carry large trees of heavy trunks suggesting primitive condition. Whether any of them are really primitive in whole or in part there are no records to show.

One, known as Plummers Island, lying well out in the stream, above the pretty town of Cabin John, has been maintained as a natural reservation for more than 30 years. Here the Washington Biologists' Field Club, an organization of distinguished scientific membership, has accumulated ecological records of great value.

The forests of the Potomac are remarkably diversified, including no less than 62 species of major trees native to the neighborhood besides others which the river has floated down and the valley has welcomed. In effect it is a natural museum of forest life quickly and comfortably accessible through a range of 15 miles on both sides of the river.

Of trees there are 12 species of oaks, 5 of pines, 4 of hickories, and 3 each of maples, elms, and ashes. There are hemlock, balsam fir, red cedar, birch, sycamore, tulip, beech, hornbeam, willow, butternut, dogwood, basswood, locust, black cherry, and gum—to name the most prominent only. One of those which have come down the river is the sugar maple, of which a number of fine examples occur on the islands.

Including hundreds of shrubs and lesser plants, many flowering, the Potomac forests are extraordinarily gracious and beautiful, especially on the islands and steep slopes whose locations have discouraged local cutting. Even the youngest of the forests has been growing many years and the whole is destined to become a heritage of inestimable educational and pleasuring values for those who follow us.

Another island notable for its noble trees, appropriately called Sycamore Island, carries the most westerly dwelling of the more or less perpendicular town of Rock Springs. A third, appropriately called High Island, also shelters a home. Scores of other islands of trees, including, it is believed, the finest of all, are still unnamed and unoccupied.

And so on down to Key Bridge, passing the midget group known as the Sister Islands. And below Key Bridge Analostia Island lends grace to the shabbiness of the Georgetown water front.

On the Maryland side, from Georgetown up river to Cabin John, and from Conduit Road down to the river edge, there has developed a picturesque tilted town, which it is safe to predict, will extend even to Great Falls if present conditions remain. In any event it is exceedingly important to the future of the valley that the inevitable urban development should quickly become subject to the park planning which will follow passage of the Capper-Cramton bill. Here is a good place to explain, by the way, to those who want the new park added to our national parks system, that national parks can by definition include neither private homes nor business. This park will classify as interstate, shared by Virginia, Maryland, and the District of Columbia.

Vastly different in all respects is the west shore. This is the high side, forested bluffs rising in places nearly 400 feet in altitude. It is the side consistently hugged by the river, the camp ground for river pleasurers, and the home side for the more leisurely dwellers in large places commanding extensive views.

Let us glance at it from Great Falls down. We have noted already the steep-walled gorge below the falls into which the ancient canal of George Washington's design once emptied. Emerging from this gorge, just above the deep bay which turbulent Difficult Run has in past ages cut far back in the solid rock, the river rushes head on at a great bluff facing east, and from it, defeated, is deflected easterly and around it. This is the bluff, most prominent of either side of the river, on which the Madeira School will soon be built.

I am sure that the country offers no river view so richly diversified, combined with so pure a quality of beauty, as that from this fine summit. It is dramatic to a degree, and has, as a whole, much grandeur; but its note is beauty. Northward we peer for more than half a mile into the gorge, and deep below us we see the swirl of the current into and out of the sharp angle where also enters Difficult Run. We see the river throw out the arm that encircles Cupid's Bower across the river, cutting it off from Bear

Island. And we follow the river as it speeds past us on into the south to break into fast currents around large wild islands still unnamed. We see it divide into rapids on either side of beautiful Scotts Island and disappear from view behind Herzog Island.

From our summit, so far as the eye can reach in any direction, all appears wilderness. Buildings of all kinds across the river are lost in foliage, and, on our Virginia side, only Coleman Jennings's tower house, on a high outstanding point is visible. No other human hint is present except glimpses of an east-shore level, which we guess is Conduit Road.

From Tower House much the same scene assumes new aspects. Scotts Island, deep below, is differentiated with difficulty from Herzog Island rising behind it, but a cleavage in the greens accented by emerging rocks betrays the concealed arm of river thrown around Herzog.

Seen from many points down the westward bluffs, the eastern shore changes principally as the growing city rises above its costuming of green. The river itself remains pristine most of the way to Georgetown, a thing of perpetual joy, changing constantly in width, in the size, shape, and location of its many islands, in its succession of quiet reaches, swift currents, and broken singing rapids. The only spot which fails of complete charm is the mile or more of featureless flood bottom crossed in its center by Chain Bridge, and even this is green in summer.

If there is a river anywhere in America which concentrates half as much diversity, charm, sheer beauty, quiet grandeur, and opportunity of pleasure to so many hundreds of thousands of different people, it would benefit the American people to know where it is and how it can be reached.

As I have said, it is astonishing how few Washingtonians have discovered the Potomac. When they do, the question of burying any of it under a reservoir will be settled definitely forever. One aspect of the problem has not yet been stressed. I mean the advertising value of scenery. The city of Denver bought two mountains in an adjoining county a few years ago for a motor park, and it has added several millions a year to the gross income of her local business. The millions added to annual local income by the Redwoods Highway of California have never been computed, but are know to be many. The Columbia River Highway immensely benefits the business of Portland. Even the National Capital may be advertised profitably.

One of the vital questions before the American people to-day is how soon the George Washington Memorial Parkway, made possible by this legislation, will become an actuality.

PERMISSION TO ADDRESS THE HOUSE

Mr. BACHMANN. Mr. Speaker, I ask unanimous consent that after the address of the gentleman from Tennessee [Mr. REECE], on Tuesday next, I be permitted to address the House for one hour on the subject of communism.

The SPEAKER. The gentleman from West Virginia asks unanimous consent that following the address of the gentleman from Tennessee [Mr. REECE], on Tuesday next, he may be permitted to address the House for one hour on the subject of communism. Is there objection?

Mr. GARNER. Mr. Speaker, reserving the right to object, may I say to the gentleman from West Virginia [Mr. BACHMANN] it is my purpose on next Tuesday, after the gentleman from Tennessee concludes his remarks, to renew my request to the House of Representatives that the gentleman from South Carolina [Mr. MCSWAIN] may address the House for 50 minutes; otherwise, I would not object to the gentleman coming in at this time. I simply want to test out the leadership on the Republican side once more on Tuesday, and in pursuance of that, I hope the gentleman will make his request contingent upon an interim of at least 50 minutes prior to his addressing the House.

Mr. BACHMANN. I shall be pleased to follow the gentleman from South Carolina [Mr. MCSWAIN] if the request is granted.

The SPEAKER. The gentleman from West Virginia [Mr. BACHMANN] asks unanimous consent that, possibly, 50 minutes after the conclusion of the remarks of the gentleman from Tennessee, he may address the House for one hour. Is there objection?

Mr. STAFFORD. Mr. Speaker, may I inquire whether these several requests are predicated upon the idea that they are not to interfere with conference reports?

The SPEAKER. Of course, they would not interfere with any privileged business.

Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. GARNER. Mr. Speaker, following that request, I ask unanimous consent that the gentleman from Mississippi [Mr. HALL] may have one hour following the gentleman from West Virginia [Mr. BACHMANN], both gentleman being on the same committee and desiring to talk on the same subject of communism.

The SPEAKER. The gentleman from Texas asks unanimous consent that, following the address of the gentleman from West Virginia, the gentleman from Mississippi [Mr. HALL] may address the House for one hour on the same subject. Is there objection?

Mr. SCHAFER of Wisconsin. Mr. Speaker, reserving the right to object, I will ask the gentleman from Texas [Mr. GARNER] if the gentleman from Mississippi [Mr. HALL] is present at this moment.

Mr. GARNER. I have not looked to see whether the gentleman is present or not. The new leader on the Republican side can look and see if the gentleman is here.

Mr. BACHMANN. Will the gentleman yield?

Mr. SCHAFER of Wisconsin. I yield.

Mr. BACHMANN. I would like to say to the gentleman from Wisconsin that the gentleman from Mississippi [Mr. HALL] is a member of the committee and informed me he would like to have some time. The gentleman is not here this afternoon, and I am sure the request comes with good grace.

Mr. SCHAFER of Wisconsin. In view of the fact that the gentleman is not here and the gentleman assures me he desires to address the House, I withdraw the reservation of objection.

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

There was no objection.

DO VETERANS FAVOR CASH PAYMENT OF "BONUS"?

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of the soldier bonus and to include therein some communications on that subject.

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

There was no objection.

Mr. JOHNSON of Oklahoma. Mr. Speaker, a few days ago the distinguished gentleman from Connecticut [Mr. MERRITT] made a speech on the floor of the House in opposition to the payment of the so-called "bonus" of the World War veterans in cash. In order to "prove" to the Congress that the constituents whom he is alleged to represent in the great State of Connecticut are opposed to any plan to pay these compensation certificates, he had printed in the CONGRESSIONAL RECORD a letter signed by a past departmental commander of the American Legion in that State, in which it was declared that the veterans themselves did not wish this legislation.

Replying to the gentleman, in my own time on the floor of the House the same day, at which time I urged the passage of this legislation at the earliest possible moment, I suggested to him that if the financial depression and economic conditions in the State of Connecticut were similar to those in Oklahoma the letter in question could not possibly represent the rank and file of the World War veterans living in Connecticut.

Mr. Speaker, I have begun to hear from the ex-service men of Connecticut, and without exception they verify my statement in no uncertain terms. For the edification of the Congress and the country in general, and the gentleman from Connecticut in particular, I am submitting two of these communications, which I am convinced express the sentiment of the veterans of the entire country.

I have received many hundreds of letters urging this legislation as a matter not only of fairness and justice, but of urgent necessity, and in which some of these men stipulate what they will do with their money should Congress pay all or a part of it, thus answering the unfair charge that has been repeatedly made by opponents of this legislation that veterans will squander their funds if these certificates are paid in cash.

Aside from those of my own State I have had many communications from veterans from Connecticut to California, a few of which I herewith submit for the RECORD, and which speak for themselves.

BRISTOL, CONN., *February 9, 1931.*

MY DEAR MR. JOHNSON: I beg to state that you were quite correct in the assumption that Mr. MERRITT knew very little about the ex-service man's desire in this State and cares less.

The fact that about 70 per cent of the certificates in the State are already in the hands of the Federal Government as security for loans will show how little Mr. MERRITT knows about it.

At least 80 per cent of the ex-service men here desire a cash settlement now while their little children are young and in need.

Yours truly,

JAMES A. TOTTEN.

P. S.—We are very grateful for the services you are rendering in our behalf.

COLLINSVILLE, CONN., *February 9, 1931.*

Hon. JED JOHNSON,
House Office Building, Washington, D. C.

DEAR SIR: Your doubts are quite correct when you say that the telegram or letter supposedly from past Legion commanders read in the House by Representative MERRITT does not represent the sentiment of the rank and file of the World War veterans of Connecticut. I know from whence I speak; our various town and county meetings in Hartford County show 99 per cent in favor of cash payment of adjusted certificates. I may say here that, being closely associated with the Legion, I know that Mr. MERRITT's county, which is Fairfield, is for cash payment about 100 per cent.

Sincerely yours,

THOMAS J. HAMMOND.

P. S.—Tell Fred Vinson Tom Hammond said "Hello."

TURKEY, TEX., *February 7, 1931.*

Hon. JED JOHNSON,
Washington, D. C.

DEAR JED: I have been asked by the American Legion here to write you in regard to a matter which is up before the House and Senate at this time—payment of the bonus certificates.

Ninety per cent of the boys here that have the certificates are indeed in need of financial aid to help them make another crop. It is true that Mr. Mellon and many others are opposed to payment of the certificates at this time because it will place a burden on their industries of the East, but it will place the money where it should be in circulation.

When the Government was in trouble and needed help these same boys gave up their loved ones, homes, and all they possessed to aid the Government. Now the boys are in trouble and need help from the Government. Is the Government going to do its duty and stay with the boys who stayed with it when it needed their help? I know many of the boys that the payment of the certificates at this time will help far more than it will to pay the certificates in 14, 15, or 16 years from now. There are many of them that the Federal aid and Red Cross will not reach, but the payment of the certificates will.

I am in a drougth-stricken area and know the actual conditions that exist. Anything that you can do in regard to this will be greatly appreciated by the boys in need and the writer. I know that these boys are not in your district, and not even in your State, but it is just an appeal from one buddy to another.

With kindest personal regards, I am,

Very truly yours,

J. R. DEMPSEY.

BELL, CALIF., *February 7, 1931.*

Congressman JED JOHNSON,
Washington, D. C.

MY DEAR MR. JOHNSON: Washington news indicates that a bill will pass permitting ex-service men to borrow 50 per cent of the face value of their certificates. If that is correct, I fear one of the biggest and most vicious steals ever put over will follow this legislation.

Inasmuch as the certificates do not draw interest it simply means the ex-service man will borrow upon it, paying in many cases 7 or 8 per cent. The banks in turn will perhaps borrow from the Federal reserve bank at 2 per cent, making a profit off of the boys of from 5 to 6 per cent. In plain English, the moneyed interests will make the money while the soldiers get about half what they should have.

I have watched the testimony before the committee on this bonus legislation; and to put the results in plain everyday language, we have the Federal Government making a public statement (if they enact this legislation) that it declines to pay its honest and just debts for the simple reason that to do so it would lessen its assets.

You and I remember only too well that many a farmer back in Oklahoma had to pay his debt at the bank, even when he had to sell his cotton or his last cow for far less than it was worth.

Had anyone but a big banker propounded the argument that we were justified in refusing to pay because we could not afford to pay he would have been branded as a "red." Yet Uncle Sam not only refuses to pay the soldier boys their wages upon such flimsy and dishonest grounds but he even refuses to pay any interest on this debt. Not only that—the same Uncle Sam forced these men to leave their homes and their families and risk their all that the big banker might be safe in his home. Yet that same banker never in his life loaned a 5-cent piece to the Government without first providing for its payment and a nice rate of interest for the loan, and at all times it was optional with the lender. But such was not the case with the soldiers.

If Uncle Sam is to set the example of refusing to pay his honest obligations simply because to do so would work a hardship, certainly France, who owes quite a sum, should have the same right. And most certainly the private citizen should also have the like right.

We have had some strange and almost brutal, vicious revolutionary theories advanced by the Hoover-Mellon crowd, and when the crowd which has for 40 years robbed the great mass of citizenship through special-privilege legislation reach the level they are willing to see women and children starve rather than make those special interests disgorge some of their ill-gotten gain, we certainly have degenerated to a pretty low level and need not be surprised at any crime they may attempt.

If the Federal Government still refuses to pay the full face of these confessions of debt to her late defenders, it should at least provide an honest rate of interest upon the unpaid debt, such as it pays others to whom it owes money.

I know you will do what you can to secure justice, and I also know the average common citizen has lost all hope of fair treatment at the hands of the present administration, but I wanted you to know just how many of the folks whom I meet daily feel upon this matter.

With best personal wishes I am,

Yours truly,

F. C. MAXWELL.

WATONGA, OKLA., *February 7, 1931.*

Hon. JED JOHNSON,
Sixth Oklahoma District, Washington, D. C.

DEAR JED: I understand that some of the Members of the Congress are fearful that if the adjusted-compensation certificates are paid in full at this time that the money will be squandered. I have to say that in my own particular case I know that if I can get a chance to get my money at this time that not a cent of it will be squandered, as I will use part of it to pay off existing indebtedness and the balance to send a daughter to college. I have talked to a great number of World War veterans about what they would do with the money when received, and in not one instance have I found one that has the slightest intention of squandering any part of it. One said that he would buy a home with his. Another said he would go into business for himself. Another said he would pay off part of a mortgage on his home. I am thoroughly convinced that the great majority of World War veterans are old enough to use this money properly, if they get a chance to do so.

I certainly hope that the Congress will see fit to pass this measure at this session.

Yours very truly,

ALLAN FALKENSTINE.

KINGFISHER, OKLA., *February 7, 1931.*

Hon. JED JOHNSON,
Washington, D. C.

DEAR SIR: Should provisions be made to cash the adjusted-service certificates, wish to advise that the money derived therefrom by me would be used to pay doctor bills, grocery bills, and delinquent payments on my home which I have not been able to keep up during the past two years.

Any consideration will be greatly appreciated.

Yours very truly,

F. A. VAUGHN.

WATONGA, OKLA., *February 7, 1931.*

Hon. JED JOHNSON,
House of Representatives, Washington, D. C.

DEAR MR. JOHNSON: As an ex-service man who is very much in need of financial relief just now, I want you to know that the ex-service men of Watonga deeply appreciate the help you are giving in the proposed legislation to relieve the boys at this time. We have several boys here in Watonga now who are either on charity or on the support of friends and relatives.

Any financial help that may be given to the boys will be appreciated, and you can be sure it will not be squandered.

Yours very truly,

GEO. L. DAUGHERTY.

WALTERS, OKLA., *February 2, 1931.*

FRIEND JED: Jed, I don't think too much can be done for the poor fellows who were knocked out during the war.

Gene Wright was in to-day and told me he had got his pension, also back pay. He needed it as he can hardly hobble around.

Hope you boys get the bonus through for us, as we sure need it.

I certainly wish you could be with us and give another one of your good talks, "even if you are full of turkey."

Your friend and buddy,

EDGAR L. OTIS.

DUNCAN, OKLA., *January 31, 1931.*

Hon. JED JOHNSON,
Member of Congress, Washington, D. C.

DEAR JED: The writer realizes that now, as in the past, you are a friend of the American Legion and your fellow former service man, but being able to read and write and having exercised that privilege to the extent of reading current newspapers I am more than angered at some of the remarks credited by the press to certain members of the Cabinet and administration leaders. Therefore it is necessary for me to inflict a letter upon you.

Without attempting to discuss the truth or falsity of the theory advanced by one member of the Cabinet that the sale of bonds sufficient to retire such adjusted-service certificates would have "serious consequences" on public credit and possibly destroy the market for "foreign securities," the writer desires to say that he and countless others are not interested in the welfare of foreign securities, etc., if it conflicts with the interests of our own war veterans; and, as to public credit, if it had not been for the services rendered by our buddies in uniform during the late war it is very probable that certain administration leaders and Cabinet officials would not be required to safeguard the Treasury and as a Nation we would, no doubt, be paying indemnities to other nations instead of getting generous and canceling billions due us on loans by other nations. Why should our Government be so generous with other nations when administration leaders contend we can not afford to pay our buddies the small amount requested? Let us insist on bouquets to the living as well as the dead.

Furthermore, Jed, it is plain beyond question that unless some relief is given immediately to our World War veterans, thousands of whom are now out of employment and practically destitute, it will be immaterial to many of them whether the United States Treasury is full to overflowing or bankrupt. Hundreds and perhaps thousands of former service men who have heretofore been employed and maintained their families in comfort are now in dire need, and a large proportion of them are so proud that they will not admit this condition, except to a very intimate friend. As I distinctly recall, these boys (men they are now) were promised everything in 1917, but now, in 1931, it seems that many influential men of wealth have convenient memories from which such promises, as well as the service rendered by our buddies in protecting the Nation and their vast properties, have been erased. For God's sake, Jed, do everything you can to secure immediate passage of such legislation securing relief for our buddies, and let us hope that it will be by such an overwhelming vote that the President will not dare affix the veto.

Also, as the writer happens to be one of the hundreds of thousands who are suffering on account of the demoralized condition of the oil country, occasioned largely by reason of the failure and refusal of that same bunch of administration leaders and Cabinet members to admit the justice of the fight waged by you, I, and others for a protective tariff on petroleum and its products, I can not understand why, if the Treasury is in such a depleted condition, we are not given a tariff on petroleum and its products for revenue purposes. It is my sincere belief that certain Cabinet officials and administration leaders are inconsistent, to say the least.

With best wishes and kindest personal regards for you and yours, and thanking you in advance for anything further you may be able to do in connection with the matters herein referred to, I am,

Sincerely your friend,

S. IRBY KOLB.

TEMPLE, OKLA., *February 4, 1931.*

Congressman JED JOHNSON,
Washington, D. C.

DEAR JED: There is another thing that I am greatly interested in, and I guess you fellows are having a fight on it every day, that is the soldiers' bonus bill. The Legion here met, and I guess you already have a copy of their letter. They are all 100 per cent for full pay on bonus.

Everybody that I have talked with in this part of the country is for it, and I know you will do all that is in your power to put this bill over. It would put more money in the country and put it there more evenly than anything yet proposed.

As you know, the biggest part of the money would go to the poor class of people. In this part of the country it will go into the farming district.

The people need it now, and I want you to put a barrage to put this bill over like we put a barrage on the Dutch and the Bosche. I am betting on you 100 per cent. I could use mine now better than I can in 1945. I believe all the boys can, and I would like to have this money while I am living.

Thank you for your efforts and power in helping to have Congress do its full duty to our veterans.

Yours very truly,

VIRGIL HALE.

VETERANS OF FOREIGN WARS OF THE UNITED STATES,
Anadarko, Okla., January 3, 1931.

Hon. JED JOHNSON,
Member of Congress Sixth District of Oklahoma,
House of Representatives, Washington, D. C.

DEAR FRIEND AND COMRADE: In compliance with unanimous action of Tallent-Gassaway Post, No. 1015, Veterans of Foreign Wars of the United States, we take this method of urging that you support H. R. 3493, entitled "A bill to provide for the immediate payment to veterans of the face value of their adjusted-compensation certificates."

We furthermore wish to urge passage of this or similar bill immediately. Business men and others who are interested in our Nation's prosperity, as well as veterans, are requesting its passage as a sincere effort to relieve unemployment and distress by the Government paying an honest debt that has already been confessed by Congress. Every community in the United States will be directly benefited by cash payment of these certificates now, and no other relief measure has been suggested that will as completely and quickly bring lasting prosperity to every section of the Nation.

Thanking you for your favorable action on this urgent legislation, we are,

Yours in comradeship,

TALLENT-GASSAWAY POST, No. 1015,
VETERANS OF FOREIGN WARS,
By B. C. LOOMIS, *Post Commander.*

NATIONAL AID LIFE ASSOCIATION,
Chickasha, Okla., January 21, 1931.

Hon. JED JOHNSON,
Washington, D. C.

DEAR JED: Your letter of January 13 received and contents carefully noted.

Your bill is much more preferable, 50-50, than would be the Garner bill of 62 per cent. But fight for the one which will pay off in full.

If the Government will pay off in full all bonus certificates, it will do more to relieve the unemployment and suffering of to-day than any one act brought forward.

These certificates were given to the boys, you might say, as a keepsake. Now after 11 year of toil and the hardships that are with them to-day, they are demanding that they be paid off so they can enjoy it themselves.

Thanking you for your prompt answering of my former letter and wishing you all the good luck your heart desires, I am,

Your friend,

E. W. PETERSON.

OKLAHOMA STATE BANK,
Hastings, Okla., January 24, 1931.

Hon. JED JOHNSON,
Member of Congress, Washington, D. C.

DEAR SIR: I take this opportunity to express my appreciation of your efforts toward legislation to pay off the bonus certificates of ex-service men. I have talked to several of the boys here and they are very anxious to have the certificates paid in full at the earliest possible time so that they can liquidate their indebtedness, those who are in debt, and most of them will have money left to give them a start and fix them up in nice shape.

I believe that it would be one of the greatest moves to help the country that could be taken at this time, as it would put into circulation more money and more evenly distributed than anything that could be done. Every part of the country would be benefited by such legislation, and I think that it would in short time bring the country back to normalcy and quicker than any thing that could be done. The boys that I have talked to tell me that you are doing your best in that direction, and we appreciate it.

Yours very truly,

JNO. R. REYNOLDS, *Cashier.*

LAWTON, OKLA., *February 9, 1931.*

Hon. JED JOHNSON,
Member of Congress:

Veterans need help; compromise only if last resort. Fight for cash settlement now.

LOWERY POST 29, AMERICAN LEGION.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 5063. An act authorizing the Court of Claims of the United States to hear and report to Congress the claim of the city of Park Place, heretofore an independent municipality but now a part of the city of Houston, Tex.; to the Committee on War Claims.

ENROLLED BILLS SIGNED

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 10576. An act to authorize exchange of lands with owners of private-land holdings within the Chaco Canyon National Monument, N. Mex., and for other purposes;

H. R. 13518. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 13522. An act authorizing the Secretary of the Navy, in his discretion, to deliver to the Governor of the State of Florida, as custodian for such State, upon his request, the silver service set presented by the State of Florida for the U. S. S. *Florida*, now out of commission;

H. R. 15930. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 16116. An act to adjust the boundaries and for the addition of certain lands to the Bryce Canyon National Park, Utah, and for other purposes;

H. R. 16744. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. J. Res. 462. Joint resolution to further provide for defraying the expenses of the International Water Commission, United States and Mexico.

BILLS PRESENTED TO THE PRESIDENT

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President for his approval bills and a joint resolution of the House of the following titles:

H. R. 10576. An act to authorize exchange of lands with owners of private-land holdings within the Chaco Canyon National Monument, N. Mex., and for other purposes;

H. R. 13522. An act authorizing the Secretary of the Navy, in his discretion, to deliver to the Governor of the State of Florida, as custodian for such State, upon his request, the silver service set presented by the State of Florida for the U. S. S. *Florida*, now out of commission;

H. R. 15930. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 16116. An act to adjust the boundaries and for the addition of certain lands to the Bryce Canyon National Park, Utah, and for other purposes;

H. R. 16744. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 13518. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. J. Res. 462. Joint resolution to further provide for defraying the expenses of the International Water Commission, United States and Mexico.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 4 o'clock and 41 minutes p. m.) the House adjourned until to-morrow, Saturday, February 14, 1931, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Saturday, February 14, 1931, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON THE DISTRICT OF COLUMBIA—SUBCOMMITTEE ON EDUCATION

Room 452—11 a. m.

To provide for the election of a Board of Education of the District of Columbia (H. R. 1413).

To amend the act entitled "An act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia," approved June 20, 1906, as amended (H. R. 10656 and H. R. 12714).

To provide for the moral and humane education in the public schools in the District of Columbia, and to prohibit practices inimical thereto (H. R. 12483).

To provide educational employees of the public schools of the District of Columbia with leave of absence, with part pay, for purposes of educational improvement (H. R. 12662).

To provide for a branch library building in the District of Columbia (H. R. 12743).

To amend section 3 of the act entitled "An act to enable the trustees of Howard University to develop an athletic field and gymnasium project, and for other purposes," approved June 7, 1924, as amended by the act of January 14, 1927 (H. R. 12840).

To amend section 19 of the act entitled "An act for the retirement of public-school teachers in the District of Columbia," approved January 15, 1920, as amended (H. R. 10470).

To authorize the Board of Education of the District of Columbia to make certain provisions for the relief of congestion in the public schools of the District of Columbia (S. 4227).

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mrs. ROGERS: Committee on World War Veterans' Legislation. H. R. 16982. A bill to authorize an appropriation to provide additional hospital, domiciliary, and out-patient dispensary facilities for persons entitled to hospitalization under the World War veterans' act, 1924, as amended, and for other purposes; without amendment (Rept. No. 2642). Referred to the Committee of the Whole House on the state of the Union.

Mr. BURDICK: Committee on Naval Affairs. S. 2429. An act to amend the act entitled "An act for the relief of certain members of the Navy and Marine Corps who were discharged because of misrepresentation of age," approved January 19, 1929; without amendment (Rept. No. 2643). Referred to the Committee of the Whole House on the state of the Union.

Mr. BRITTEN: Committee on Naval Affairs. H. R. 14991. A bill providing for the appointment as ensigns in the line of the Navy all midshipmen who graduate from the Naval Academy in 1931, and for other purposes; without amendment (Rept. No. 2644). Referred to the Committee of the Whole House on the state of the Union.

Mr. REECE: Committee on Military Affairs. H. R. 16658. A bill authorizing the erection of certain additional facilities at branches of the Bureau of National Homes; with amendment (Rept. No. 2645). Referred to the Committee of the Whole House on the state of the Union.

Mr. NOLAN: Committee on the Public Lands. S. 5248. An act to extend the boundaries of Wind Cave National Park, S. Dak.; without amendment (Rept. No. 2646). Referred to the Committee of the Whole House on the state of the Union.

Mr. ARENTZ: Committee on the Public Lands. S. 5557. An act to amend the act of May 23, 1930 (46 Stat. 378); without amendment (Rept. No. 2647). Referred to the Committee of the Whole House on the state of the Union.

Mr. SPROUL of Kansas: Committee on Mines and Mining. S. 5220. An act authorizing the establishment of a mining experiment station of the Bureau of Mines at College Park, Md.; with amendment (Rept. No. 2658). Referred to the Committee of the Whole House on the state of the Union.

Mr. ZIHLMAN: Committee on the District of Columbia. S. 6041. An act to authorize an appropriation of funds in the Treasury to the credit of the District of Columbia for the use of the District of Columbia Commission for the George Washington Bicentennial; without amendment (Rept. No. 2659). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. VINSON of Georgia: Committee on Naval Affairs. H. R. 9732. A bill for the relief of Robert J. White; without

amendment (Rept. No. 2648). Referred to the Committee of the Whole House.

Mr. BURDICK: Committee on Naval Affairs. H. R. 11271. A bill for the relief of Nolen N. Reynolds; without amendment (Rept. No. 2649). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. S. 1793. An act for the relief of Jeff Davis Caperton and Lucy Virginia Caperton; without amendment (Rept. No. 2650). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. S. 2068. An act for the relief of Lester L. Wilson; without amendment (Rept. No. 2651). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. S. 5516. An act for the relief of E. G. Mason; without amendment (Rept. No. 2652). Referred to the Committee of the Whole House.

Mr. FITZGERALD: Committee on Claims. H. R. 8342. A bill for the relief of Stanislaus Siemek; with amendment (Rept. No. 2653). Referred to the Committee of the Whole House.

Mr. FITZGERALD: Committee on Claims. H. R. 12985. A bill for the relief of Charles W. Bethauser; without amendment (Rept. No. 2654). Referred to the Committee of the Whole House.

Mr. RAMSPECK: Committee on Claims. H. R. 13969. A bill for the relief of Paul I. Morris and Beulah Fuller Morris; without amendment (Rept. No. 2655). Referred to the Committee of the Whole House.

Mr. RAMSPECK: Committee on Claims. H. R. 15400. A bill for the relief of Eustace Parks; without amendment (Rept. No. 2656). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 17017. A bill for the relief of William Louis Pitthan; without amendment (Rept. No. 2657). 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. CHRISTOPHERSON: A bill (H. R. 17070) granting the consent of Congress to Missouri Valley Pipe Line Co., of Iowa, to construct, maintain, and operate a pipe-line bridge across the Missouri River; to the Committee on Interstate and Foreign Commerce.

By Mr. SWICK: A bill (H. R. 17071) authorizing the construction of a bridge across the Mahoning River near New Castle, Lawrence County, Pa.; to the Committee on Interstate and Foreign Commerce.

By Mr. HAWLEY: A bill (H. R. 17072) relating to the improvement of the Willamette River between Oregon City and Portland, Oreg.; to the Committee on Rivers and Harbors.

By Mr. SPROUL of Illinois: A bill (H. R. 17073) granting the consent of Congress to the county of Cook, State of Illinois, to construct, maintain, and operate a free highway bridge across the Little Calumet River on Cottage Grove Avenue near One hundred and fifty-eighth Street, in Cook County, State of Illinois; to the Committee on Interstate and Foreign Commerce.

By Mr. WILSON: A bill (H. R. 17074) to amend the act entitled "An act for the control of floods on the Mississippi River and its tributaries, and for other purposes," approved May 15, 1928; to the Committee on Flood Control.

By Mr. HILL of Washington: Joint resolution (H. J. Res. 501) to establish a joint congressional committee of the Senate and House of Representatives of the United States to investigate damages in the United States by fumes from the smelter of the Consolidated Mining & Smelting Co. at Trail, British Columbia, and for other purposes; to the Committee on Rules.

By Mr. TEMPLE: Joint resolution (H. J. Res. 502) authorizing an appropriation to defray the expenses of participation by the United States Government in the Second Polar Year program, August 1, 1932, to August 31, 1933; 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 Washington, memorializing the Congress of the United States to urge the Federal Government to match sum of money expended by the county of Yakima to be used on the Mount Afams Highway within the Yakima Indian Reservation; to the Committee on Indian Affairs.

Memorial of the State Legislature of the State of Oklahoma, memorializing the Congress of the United States to grant to the State of Oklahoma 210,000 acres of unappropriated nonmineral land for the benefits of agricultural and mechanical colleges of the State of Oklahoma; to the Committee on Agriculture.

By Mr. BROWNE: Memorial in the form of a joint resolution by the State of Wisconsin relating to the coloring of oleomargarine by the use of palm oil in the manufacture of oleomargarine or making any product manufactured with palm oil subject to the tax on colored oleomargarine; to the Committee on Agriculture.

Also, memorial in the form of a joint resolution by the State of Wisconsin, memorializing the Congress of the United States to enact legislation reimbursing the World War veterans for all premiums paid by them on war-risk insurance; to the Committee on World War Veterans' Legislation.

By Mr. COOPER of Wisconsin: Memorial of the Legislature of the State of Wisconsin, urging enactment of legislation either prohibiting the use of palm oil in the manufacture of oleomargarine or making any product manufactured with palm oil subject to the tax on colored oleomargarine; to the Committee on Agriculture.

Also, memorial of the Legislature of the State of Wisconsin, memorializing the Congress of the United States to enact legislation reimbursing World War veterans for all premiums paid by them on war-risk insurance; to the Committee on World War Veterans' Legislation.

By Mr. KENNEDY: Memorial of the State Legislature of the State of New York, memorializing the Congress of the United States to authorize the United States Shipping Board to sell to the Port of New York Authority the properties in the port of New York district commonly known as the Hoboken Pier Properties; to the Committee on the Merchant Marine and Fisheries.

By Mr. SIMMS: Memorial of the Tenth Legislature, State of New Mexico, Senate Joint Memorial No. 3, introduced by Senators Taylor E. Julien and S. A. Jones, memorializing the Congress of the United States to include in the plan for an adequate flood-control program of the Mississippi River area, the construction of a flood-control reservoir on the Canadian River within the State of New Mexico; to the Committee on Flood Control.

By Mr. OLIVER of New York: Memorial of the State Legislature of the State of New York, memorializing the Congress of the United States of America to authorize the United States Shipping Board to sell to the Port of New York Authority the properties in the port of New York district commonly known as the Hoboken Pier Properties; to the Committee on the Merchant Marine and Fisheries.

By Mr. GAVAGAN: Memorial of the Legislature of the State of New York, memorializing Congress to authorize the United States Shipping Board to sell to the Port of New York Authority the properties in the port of New York district commonly known as the Hoboken Pier Properties; to the Committee on the Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. ANDREW: A bill (H. R. 17075) granting an increase of pension to Jane Emery; to the Committee on Invalid Pensions.

By Mr. BANKHEAD: A bill (H. R. 17076) granting six months' pay to Ruth McCarn; to the Committee on Naval Affairs.

By Mr. BEERS: A bill (H. R. 17077) granting a pension to Elizabeth S. Gibson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17078) granting an increase of pension to Sara A. Maxwell; to the Committee on Invalid Pensions.

By Mr. CLANCY: A bill (H. R. 17079) for the relief of Sam Berman; to the Committee on Military Affairs.

By Mr. FOSS: A bill (H. R. 17080) granting a pension to Florence G. Coombs; to the Committee on Invalid Pensions.

By Mr. HOGG of Indiana: A bill (H. R. 17081) granting a pension to Olevia C. Houck; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Indiana: A bill (H. R. 17082) granting an increase of pension to May Drummond; to the Committee on Invalid Pensions.

By Mr. KEMP: A bill (H. R. 17083) providing for the examination and preliminary survey of the upper Grand River, La.; to the Committee on Rivers and Harbors.

By Mr. KIEFNER: A bill (H. R. 17084) granting a pension to Oscar James Callier; to the Committee on Invalid Pensions.

By Mr. KURTZ: A bill (H. R. 17085) granting an increase of pension to Susan J. Kenney; to the Committee on Invalid Pensions.

By Mr. REED of New York: A bill (H. R. 17086) granting an increase of pension to Mercy S. Richards; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17087) granting an increase of pension to May F. Waite; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17088) granting an increase of pension to Emma J. Rimback; to the Committee on Invalid Pensions.

By Mr. SNELL: A bill (H. R. 17089) granting an increase of pension to Mariah C. Kent; to the Committee on Invalid Pensions.

By Mr. WALKER: A bill (H. R. 17090) granting an increase of pension to Edward R. Baker; to the Committee on Pensions.

By Mr. WOLVERTON of West Virginia: A bill (H. R. 17091) granting an increase of pension to Annette R. Morgan; 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:

9556. Petition of International Society of Master Painters and Decorators, protesting against the methods employed by the Government in giving contracts for construction work, new and old; to the Committee on Expenditures in the Executive Departments.

9557. By Mr. ANDREW: Petition of Arthur L. Brown, of Marblehead, Mass., and 33 other residents of Essex County, favoring House Joint Resolution No. 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.

9558. By Mr. ARNOLD: Petition of citizens of Salem, Ill., urging favorable consideration of House Joint Resolution No. 356, to exclude unnaturalized aliens from census reports in connection with congressional reapportionment; to the Committee on the Judiciary.

9559. Also, petition of citizens of Mount Vernon, Ill., and vicinity, urging immediate payment in full of adjusted-service certificates of World War soldiers; to the Committee on Ways and Means.

9560. Also, petition of citizens of Effingham, Ill., and vicinity, urging the immediate cash payment in full of adjusted-service certificates of World War soldiers; to the Committee on Ways and Means.

9561. Also, petition of citizens of Clinton, Ill., and other points, urging cash payment of adjusted-service certificates of World War soldiers; to the Committee on Ways and Means.

9562. By Mr. BEERS: Petition of citizens of Mifflinburg, Pa., and veterans of Mansbarger-Brumbaugh Post, No. 288, American Legion, favoring immediate cash payment at full face value of adjusted-service certificates; to the Committee on Ways and Means.

9563. By Mr. BLAND: Petition of citizens of Hampton, Va., urging passage of proposed Sparks-Capper stop-alien representation amendment (H. J. Res. 356); to the Committee on the Judiciary.

9564. Also, petition of citizens of Newport News, Va., urging passage of legislation for cash payment of adjusted-service certificates; to the Committee on Ways and Means.

9565. By Mr. BROWNE: Petition of citizens of Wausau, Wis., favoring cash payment of adjusted (bonus) certificates; to the Committee on Ways and Means.

9566. By Mr. BUCKBEE: Petition of Clarence L. Johnson and 41 other citizens, of Rockford, Ill., asking for immediate payment of adjusted-service certificates at their face value; to the Committee on Ways and Means.

9567. By Mr. CHALMERS: Petition of the Toledo Council of Catholic Women, Toledo Deanery, Toledo, Ohio, protesting against the passage of Senate bill 4582 to amend the tariff act of 1930 and Penal Code; to the Committee on the Judiciary.

9568. By Mr. CLARKE of New York: Petition of the Catholic Club of the city of New York, protesting against the passing of Senate bill 4582 to amend tariff act (1930) and Penal Code to permit importation, distribution, and sale of contraceptive literature and instruments; to the Committee on the Judiciary.

9569. Also, petition of Court Regina, No. 217, of the Catholic Daughters of America, Oneonta, N. Y., protesting against the passing of Senate bill 4582, to amend tariff act (1930) and Penal Code to permit importation, distribution, and sale of contraceptive literature and instruments; to the Committee on the Judiciary.

9570. Also, petition of St. Marys Sodality, of Cooperstown, N. Y., protesting against the passing of Senate bill 4582, to amend tariff act (1930) and Penal Code to permit importation, distribution, and sale of contraceptive literature and instruments; to the Committee on the Judiciary.

9571. By Mr. COLLINS: Petition of Emma E. Miazzi, State governor, Mississippi Chapter, International Federation of Catholic Alumnae, with reference to Senate bill 4582; to the Committee on the Judiciary.

9572. By Mr. COOPER of Wisconsin (by request): Petition of the congregation of the Cargill Memorial Methodist Church, of Janesville, Wis., urging support of House Joint Resolution 356, the Sparks-Capper stop-alien representation amendment; to the Committee on the Judiciary.

9573. By Mr. CRAIL: Petition of the Council of Catholic Women of the Diocese of Los Angeles and San Diego, representing 60,000 Catholic women, protesting against the bill introduced by Senator GILLETT, from Massachusetts, providing for the amendment of the tariff act and Criminal Code which would permit literature and material for use in contraception or artificial birth control to be distributed throughout our country; to the Committee on the Judiciary.

9574. By Mr. CROWTHER: Petitions of members of Calvary Baptist Church, of Schenectady, N. Y., favoring the enactment of House Joint Resolution No. 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.

9575. Also, petition of citizens of Schenectady, N. Y., favoring the amendment to the United States Constitution excluding the approximately 7,500,000 unnaturalized aliens from the count of the population of Nation for apportionment of congressional districts among the States, as provided in House Joint Resolution 356; to the Committee on the Judiciary.

9576. Also, petition of members of the Albany Street Methodist Episcopal Church, Schenectady, N. Y., favoring the enactment of 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.

9577. Also, petition of the Woman's Christian Temperance Union, of Gloversville, N. Y., favoring the enactment of

House bill 9986, providing Federal supervision of motion pictures; to the Committee on Interstate and Foreign Commerce.

9578. Also, petition of the Womans' Foreign Society of the Canajoharie Methodist Church, Canajoharie, N. Y., favoring the enactment of House bill 9986, providing Federal supervision of motion pictures; to the Committee on Interstate and Foreign Commerce.

9579. By Mr. DUNBAR: Petition of Lexington Post, No. 352, American Legion, Lexington, Ind., urging immediate cash payment of the adjusted-service certificates to the veterans of the World War; to the Committee on Ways and Means.

9580. Also, petition of citizens of New Albany, Ind., urging immediate cash payment of the adjusted-service certificates to the veterans of the World War; to the Committee on Ways and Means.

9581. Also, petition of citizens of Milltown, Ind., urging immediate cash payment of the adjusted-service certificates to the veterans of the World War; to the Committee on Ways and Means.

9582. Also, petition of citizens of Milltown, Ind., urging immediate cash payment of the adjusted-service certificates to the veterans of the World War; to the Committee on Ways and Means.

9583. Also, petition of citizens of Alton, Cape Sandy, and Fredonia, Ind., urging immediate cash payment of the adjusted-service certificates to the veterans of the World War; to the Committee on Ways and Means.

9584. Also, petition of citizens of New Albany and Jeffersonville, Ind., and Louisville, Ky., urging immediate cash payment of the adjusted-service certificates to the veterans of the World War; to the Committee on Ways and Means.

9585. Also, petition of citizens of Palmyra, Ind., urging immediate cash payment of the adjusted-service certificates to the veterans of the World War; to the Committee on Ways and Means.

9586. Also, petition of citizens of New Albany, Ind., urging immediate cash payment of the adjusted-service certificates to the veterans of the World War; to the Committee on Ways and Means.

9587. Also, petition of citizens of Borden, Ind., urging immediate cash payment of the adjusted-service certificates to the veterans of the World War; to the Committee on Ways and Means.

9588. Also, petition of citizens of Jeffersonville, Ind., urging immediate cash payment of the adjusted-service certificates to the veterans of the World War; to the Committee on Ways and Means.

9589. Also, petition of citizens of Milltown, Ind., urging immediate cash payment of the adjusted-service certificates to the veterans of the World War; to the Committee on Ways and Means.

9590. By Mr. EATON of Colorado: Petition of 39 residents of Denver, Colo., urging immediate cash payment at full face value of the adjusted-compensation certificates as created by section 702 of the World War veterans' act of 1924; to the Committee on Ways and Means.

9591. Also, petition of 76 voters of Denver, Colo., urging immediate cash payment of full face value of adjusted-compensation certificates as created by section 702 of the World War adjusted compensation act of 1924; to the Committee on Ways and Means.

9592. Also, petition of 132 voters of Denver, Colo., urging passage of bill providing for immediate cash payment at full face value of adjusted-compensation certificates as created by section 702 of the World War adjusted compensation act of 1924; to the Committee on Ways and Means.

9593. By Mr. FITZPATRICK: Petition of Fred Kraft, of 1075 Bryant Avenue, Bronx, New York City, and 38 other residents of Bronx County, N. Y., urging the immediate payment of the World War veterans' adjusted-service certificates; to the Committee on Ways and Means.

9594. By Mr. FOSS: Petition from Vera B. Matthews, regent of Circle No. 354, Daughters of Isabella, North Brookfield, Mass., protesting against passage of Senate bill 4582; to the Committee on the Judiciary.

9595. Also, petition of the Leominster (Mass.) Circle, Daughters of Isabella, protesting against passage of Senate bill 4582 to amend section 305(a) of the tariff act of 1922, as amended, and sections 211, 245, and 312 of the Criminal Code, as amended; to the Committee on the Judiciary.

9596. By Mr. GIBSON: Petition of citizens of Winooski, Vt., and vicinity, urging legislation to permit payment immediately of adjusted-compensation certificates; to the Committee on Ways and Means.

9597. Also, petition of citizens of Newport, Vt., protesting against Senate bill 4582; to the Committee on the Judiciary.

9598. By Mr. GRIFFIN: Resolution of the Federation of Jewish Women's Organizations (Inc.), urging that any legislation further restricting immigration should make adequate provision for admitting the relatives of citizens and resident aliens who are, under our present laws, entitled to nonquota or preferential status; to the Committee on Immigration and Naturalization.

9599. By Mr. HICKEY: Petition of E. M. Erskine and other residents of South Bend, Ind., urging passage of legislation authorizing the full payment of adjusted-compensation certificates; to the Committee on Ways and Means.

9600. By Mr. HOOPER: Petition of various citizens of Battle Creek, Mich., in behalf of immediate cash payment at full face value of adjusted-compensation certificates; to the Committee on Ways and Means.

9601. Also, petition of various citizens of Eaton Rapids, Mich., in behalf of immediate cash payment at full face value of adjusted-compensation certificates; to the Committee on Ways and Means.

9602. Also, resolution of the Christian Mothers' Society, of Battle Creek, Mich., urging Congress to enact a law 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.

9603. By Mr. HUDSON: Petition of citizens of the sixth congressional district of Michigan, asking for legislation assuring the immediate cash payment, at full face value, of the adjusted-compensation certificates, as created by section 702 of the World War adjusted compensation act of 1924; to the Committee on Ways and Means.

9604. Also, petition of citizens of Royal Oak, Mich., and vicinity, urging the passage of House Joint Resolution 356, providing for an amendment to the United States Constitution excluding unnaturalized aliens from the count of the population of the Nation for apportionment of congressional districts among the States; to the Committee on the Judiciary.

9605. By Mr. IGOE: Petition of the Women's Catholic Order of Foresters, protesting the passage of Senate bill 4582, to amend section 305 (a) of the tariff act of 1922, as amended, and sections 211, 245, and 312 of the Criminal Code, as amended; to the Committee on the Judiciary.

9606. By Mr. JAMES of Michigan: Petition of Calumet Circle, No. 413, Daughters of Isabella, opposing the amendment to the tariff act of 1930 to allow spread of birth-control literature, etc.; to the Committee on the Judiciary.

9607. Also, petition of Calumet Assembly, Fourth Degree, Knights of Columbus, opposing the Gillett bill amending the tariff act of 1930 and Penal Code, proposed change is subversive to good morals; to the Committee on the Judiciary.

9608. Also, petition of Knights of Columbus, Calumet, Mich., opposing the passage of the amendment to the tariff act of 1930 to allow spread of birth-control apparatus, literature, etc.; to the Committee on the Judiciary.

9609. Also, petition of Stagnes Circle, National Circle, Daughters of Isabella, protesting the passage of Senate bill 4582 to amend the tariff act 1930 and Penal Code because of great danger to public health and morals of young people; to the Committee on the Judiciary.

9610. By Mr. JOHNSON of Texas: Petition of Robert E. Vaden Post, No. 4, American Legion, Hillsboro, Tex., urging legislation for immediate payment in cash of adjusted-service certificates; to the Committee on Ways and Means.

9611. By Mr. KENNEDY: Memorial from the Admiral H. B. Wilson Post, No. 196, Veterans of Foreign Wars of the United States, urging the payment in cash of the World War veterans' adjusted-service compensation certificates as provided for in House bill 3494; to the Committee on Ways and Means.

9612. By Mr. McCLINTOCK of Ohio: Petition of C. W. Dewalt and 17 citizens of Alliance, Ohio, favoring immediate cash payment at full face value of the adjusted-compensation certificates; to the Committee on Ways and Means.

9613. Also, petition of Lyle V. Springer and many citizens of Canton, Ohio, favoring immediate cash payment at full face value of the adjusted-service certificates; to the Committee on Ways and Means.

9614. By Mr. MARTIN: Petition of sundry citizens of Bristol County, Mass., urging immediate cash payment of full face value of adjusted-compensation certificates; to the Committee on Ways and Means.

9615. By Mr. MEAD: Petition of residents of Buffalo, N. Y., favoring cash payment of adjusted-service certificates of soldiers, sailors, and marines of the World War; to the Committee on Ways and Means.

9616. Also, petition of Federation of Jewish Women's Organizations (Inc.), urging provision in any bill restricting immigration for admitting wives and minor children of resident aliens; to the Committee on Immigration and Naturalization.

9617. By Mr. O'CONNOR of Oklahoma: Petition of Clyde E. Sexton, Tulsa, Okla., and 39 other veterans of Tulsa, desirous of cash payment of the adjusted-service certificates of the World War veterans; to the Committee on Ways and Means.

9618. Also, petition of Fay Jones, of Tulsa, Okla., and 37 other veterans of the World War desirous of cash payment of adjusted-service certificates; to the Committee on Ways and Means.

9619. Also, petition of Beatrice Inskeep and 39 other citizens of Tulsa, Okla., favoring cash payment of World War adjusted-service certificates; to the Committee on Ways and Means.

9620. Also, petition of L. W. Slee and 38 other citizens of Tulsa, Okla., desiring cash payment of World War veterans' adjusted-service certificates; to the Committee on Ways and Means.

9621. Also, petition of R. M. Detwiler and 37 other citizens of Dewey, Okla., favoring cash payment of the World War adjusted-service certificates; to the Committee on Ways and Means.

9622. By Mr. PERKINS: Petition of Newark Diocesan Council, National Council of Catholic Women; St. Joseph's Parent-Teacher Association; National Council of Catholic Women; and St. Joseph's Altar and Rosary Society, all of Bogota, N. J., unanimously opposing the passing of Senate bill 4582 to amend the tariff act (1930) and Penal Code to permit importation, distribution, and sale of contraceptive literature and instruments; to the Committee on the Judiciary.

9623. By Mr. FRANK M. RAMEY: Petition of William E. Cole, O. H. Damman, James Godfrey, and other prominent citizens of Montgomery County, Ill., protesting against removing Chanute Field, Rantoul, Ill., to Wright Field, Ohio; to the Committee on Military Affairs.

9624. Also, petition of Springfield, Illinois, Diocesan Council of Catholic Women, protesting against the passage of Senate bill 4582; to the Committee on the Judiciary.

9625. Also, petition of W. E. Atherton and other citizens of Pleasant Plains, Ill., urging payment of full face value of adjusted-compensation certificates; to the Committee on Ways and Means.

9626. Also, petition of the central Illinois counties of Illinois Veterans of Foreign Wars, urging payment in full of face value of adjusted-service certificates; to the Committee on Ways and Means.

9627. By Mr. ROBINSON: Petition of 41 citizens of Hazleton, Iowa, urging support of Sparks-Capper stop alien representation amendment; to the Committee on the Judiciary.

9628. By Mr. ROMJUE: Memorial of Thomas Bevington, J. N. Baker, and others, of Memphis, Mo., urging support of House Joint Resolution 356; to the Committee on the Judiciary.

9629. By Mr. SANDERS of New York: Petition of 27 citizens of Livonia, N. Y., urging enactment of the Sparks-Capper bill, which provides for a constitutional amendment excluding aliens from the count for representation in Congress; to the Committee on the Judiciary.

9630. By Mr. SELVIG: Petition of American Legion Auxiliary, Halstad, Minn., urging favorable action on cash payment of soldiers' bonus; establishment of extra hospital beds at Fort Snelling and St. Cloud, Minn., hospitals; widows and orphans pensions; and service connection to chronic constitutional disabled; to the Committee on World War Veterans' Legislation.

9631. By Mr. SMITH of West Virginia: Petition of F. M. Marcum and other citizens of St. Albans, W. Va., in behalf of immediate cash payment of adjusted-compensation certificates; to the Committee on Ways and Means.

9632. By Mr. SPARKS: Petition of Highland Norton Missionary Society, of Norton, Kans., 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.

9633. Also, petition of Woman's Christian Temperance Union, of Northbranch, Kans., 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.

9634. Also, petition of the local institute of the Woman's Christian Temperance Union, of Ellis, Kans., for the Federal supervision of the motion pictures as provided in the Grant Hudson motion picture bill, H. R. 9986; to the Committee on Interstate and Foreign Commerce.

9635. By Mr. SULLIVAN of Pennsylvania: Petition of the adult Bible classes of the Schenley Heights Methodist Episcopal Church, of Pittsburgh, Pa., protesting any modification of present law or enactment of new law which might weaken present enforcement legislation; to the Committee on the Judiciary.

9636. By Mr. SWICK: Petition of E. L. Black, 425 New Castle Street, Butler, Pa., and 30 residents of Butler, Pa., urging the cash payment at full face value of adjusted-compensation certificates as created by section 702 of the World War adjusted compensation act of 1924; to the Committee on Ways and Means.

9637. By Mr. TREADWAY: Petition of Eugene D. Eby and other residents of Pittsfield, Mass., urging adoption of House Joint Resolution 356, known as the Sparks-Capper proposed amendment to the Constitution to exclude unnaturalized aliens from the count of the population of the Nation for apportionment of congressional districts among the States; to the Committee on the Judiciary.

9638. By Mr. TURPIN: Petition of citizens of Luzerne County, Pa., urging immediate cash payment of adjusted-service certificates; to the Committee on Ways and Means.

9639. By Mr. WELCH of California: Petition of the Chaminade Club, of San Francisco, Calif., protesting against enactment of legislation permitting importation of contraceptive literature; to the Committee on the Judiciary.

9640. Also, petition of John H. Taylor and 38 other citizens of San Francisco, Calif., urging the cash payment at full face value of adjusted-service certificates; to the Committee on Ways and Means.

9641. By Mr. WOLVERTON of West Virginia: Petition of Orah Meehan, William Meehan, and 35 other signers, all residents of Weston, Lewis County, W. Va., respectfully urging Congress to take favorable action on legislation providing for the payment of adjusted-compensation certificates; to the Committee on Ways and Means.

9642. By Mr. WOODRUFF: Petition of St. James Women's Club, of Bay City, and Court Bay City, No. 641, Catholic Daughters of America, protesting against enactment of Senate bill 4582 to amend the tariff laws with respect to the admission to the United States of contraceptive literature and products; to the Committee on the Judiciary.