4637. Also, petition of Brotherhood of Railroad Trainmen, Egyptian Lodge, No. 972, Hurst, Ill., urging the passage of Senate bill 2793; to the Committee on Interstate and Foreign Commerce.

4638. By Mr. MANLOVE: Petition of residents of the fifteenth congressional district of Missouri, Mr. and Mrs. Charles H. Neal, B. E. Rankard, Alice Cochran, Mrs. J. W. Anderson, C. A. Moore, Maud Snow, J. L. Baker, Sarah Crosby, C. Fessenden, Mr. and Mrs. C. E. Davis, L. M. Parsons, Mrs. Henry Edwards, Mrs. Roy Martin, Mrs. Ezra Baker, Ralph S. Carter, and Roy Baker, requesting Congress not to pass House bill 8092 or any other compulsory Sunday observance bill; to the Committee on the District of Columbia.

4639. By Mr. MEAD: Petition of residents of the forty-second congressional district of New York, suggesting methods for reduction of Federal expense; to the Committee on Ways and Means.

4640. By Mr. PARKER of Georgia: Petition of the Derst Baking Co., of Savannah, Ga., and R. P. Catlin, secretary of the Southern Bakers Association, protesting against certain phases of proposed tax legislation; to the Committee on Ways and Means.

4641. By Mr. RAMSEYER: Petition of professional and business men of Montezuma, Iowa, protesting against tax on theaters; to the Committee on Ways and Means.

4642. By Mr. ROBINSON: Petition signed by W. F. Smith and about 150 other citizens of Clarion, Iowa, opposing the theater admission tax on the lower admission classifications, feeling that it will be injurious and detrimental to the business, and cause the closing of many theaters in the smaller communities and increase the number of the unemployed; to the Committee on Ways and Means.

4643. Also, petition of W. A. Dutton, of Manchester, Iowa, and signed by nearly 150 persons, opposing a tax on theater admission tickets, especially the tickets of lower prices, believing it would prolong the depression and cause discontent among the working class and the unemployed; to the Committee on Ways and Means.

4644. By Mr. RUDD: Petition of the Polytechnic Institute, Brooklyn, N. Y., favoring the exemption of 10 per cent admission tax for colleges and universities; to the Committee on Ways and Means.

4645. Also, petition of Eastern Millinery Association (Inc.), New York City, opposing the manufacturers' sales tax; to the Committee on Ways and Means.

4646. Also, petition of Linde & Rub (Inc.), New York City, opposing the manufacturers' sales tax; to the Committee on Ways and Means.

4647. Also, petition of the Italian Chamber of Commerce in New York, favoring olive oil being placed on the proposed sales-tax exemptions as a substitute for butter; to the Committee on Ways and Means.

4648. Also, petition of the American Institute of Architects, Washington, D. C., favoring the passage of House bill 9892; to the Committee on Foreign Affairs.

4649. By Mr. SANDERS of Texas: Petition of citizens of Winnsboro, Tex., urging the immediate payment of the adjusted-service certificates; to the Committee on Ways and Means.

4650. By Mr. SELVIG: Petition of Jacob Skadsheim, Mrs. J. Scott, and 30 other residents of Detroit Lakes and vicinity, Becker County, Minn., opposing bill providing for compulsory Sunday observance; to the Committee on the District of Columbia.

4651. Also, petition of Shelly American Legion Post, Shelly, Minn., urging enactment of House bill 8678, pension for World War veterans, widows, and dependents; to the Committee on World War Veterans' Legislation.

4652. Also, petition of American Legion Post, Barnesville, Minn., urging immediate cash payment of adjusted-service certificates; to the Committee on Ways and Means.

4653. Also, petition of Brainerd Rifle Club, Brainerd, Minn., favoring maintenance of the present Regular Army, National Guard, and civilian organizations; to the Committee on Appropriations.

4654. Also, petition of Minnesota Division of Master Photo Finishers of America, urging enactment of Capper-Kelly fair trade bill; to the Committee on Interstate and Foreign Commerce.

4655. By Mr. SNOW: Petition of Cromwell Grant and other citizens of Bangor, Me., protesting against compulsory Sunday observance; to the Committee on the District of Columbia.

4656. By Mr. SPENCE: Petition of citizens of Campbell County, Ky.; to the Committee on the Judiciary.

4657. By Mr. SWING: Petition signed by 301 citizens of Orange County, Calif., protesting against compulsory Sunday observance; to the Committee on the District of Columbia.

4658. By Mr. TAYLOR of Colorado: Petition of 37 citizens of Craig, Colo., protesting against enactment of any Sunday observance legislation; to the Committee on the District of Columbia.

SENATE

MONDAY, MARCH 21, 1932

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Almighty God, our Heavenly Father, who hast committed to our keeping the solemn trust of life; receive us, though unworthy, as we come to Thee in prayer, for Thou art in the prayer we breathe; and make us feel the supreme loveliness of truth and simple goodness as in this sacred presence we consecrate our all to Thee.

Help us to achieve that self-consistency of character which is obtained by an unswerving and undaunted dedication to the ideals of the Christ, who, seeing facts in the clear light of reality, moved in utmost calm above the restless pulse of care, seeking to win men to their highest good by the never-failing miracle of love.

Grant to our Nation the blessings of harmony and concord, making us one in heart and mind and purpose, willing if need be to suffer pain, that, walking in the way of the cross, we may find it none other than the way of life and peace. We ask it in the name of Jesus Christ, our Lord and Savior. Amen.

THE JOURNAL

The Chief Clerk proceeded to read the Journal of the proceedings of the legislative day of Monday, March 14, 1932, when, on request of Mr. FESS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE—ENROLLED BILL 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 enrolled bill (H. R. 5315) to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes, and it was signed by the Vice President.

CALL OF THE ROLL

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

The VICE PRESIDENT. The clerk will call the roll.

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

Ashurst	Byrnes	Frazier	Hull
Austin	Capper	George	Johnson
Bailey	Caraway	Glass	Jones
Bankhead	Carey	Glenn	Kean
Barbour	Coolidge	Goldsborough	Kendrick
Barkley	Copeland	Gore	Keyes
Bingham	Costigan	Hale	King
Black	Couzens	Harrison	Logan
Blaine	Dale	Hastings	Long
Borah	Davis	Hatfield	McGill
Bratton	Dickinson	Hawes	McKellar
Broussard	Dill	Hayden	McNary
Bulkley	Fess	Hebert	Metcalf
Bulow	Fletcher	Howell	Morrison

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Moses	Reed	Smoot	Wagner
Neely	Robinson, Ark	Steiwer	Walcott
Norbeck	Robinson, Ind.	Thomas, Idaho	Walsh, Mass.
Norris	Schall	Thomas, Okla.	Waterman
Nye	Sheppard	Townsend	Watson
Oddie	Shipstead	Trammell	Wheeler
Patterson	Shortridge	Tydings	White
Pittman	Smith	Vandenberg	

Mr. SHEPPARD. I wish to announce that my colleague the junior Senator from Texas [Mr. CONNALLY] is necessarily absent because of a death in his family.

Mr. GEORGE. My colleague the senior Senator from Georgia [Mr. HARRIS] is still detained from the Senate because of illness. I will let this announcement stand for the day.

Mr. GLASS. I wish to announce that my colleague the senior Senator from Virginia [Mr. SWANSON] is absent in attendance upon the disarmament conference at Geneva.

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

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a resolution of the Friendship Citizens Association, of Washington, D. C., opposing any change that would lower the standard now set by the District of Columbia in its child labor law, which was referred to the Committee on the District of Columbia.

He also laid before the Senate resolutions adopted by the Crow Indians, in council assembled at Crow Agency, Mont., commending the Senator from North Dakota [Mr. FRAZIER] most highly for his efforts and the introduction of legislation in behalf and for the relief of the Indians, which were referred to the Committee on Indian Affairs.

Mr. METCALF presented a memorial of sundry citizens of the State of Rhode Island, remonstrating against present and prospective Federal taxation and praying for retrenchment in governmental expenditures, which was referred to the Committee on Finance.

Mr. VANDENBERG presented a resolution adopted by the common council of the city of Hancock, Houghton County, Mich., in behalf of the people of the Upper Peninsula of Michigan, favoring the imposition of a protective tariff duty on copper, which was referred to the Committee on Finance.

Mr. ROBINSON of Arkansas presented a telegram from the Big Rock Stone & Material Co., John C. Eakin, secretary and treasurer, of Little Rock, Ark., praying that if a sales tax be imposed on ready-mixed concrete it not exceed over 5 cents per cubic yard, which was referred to the Committee on Finance.

He also presented a letter in the nature of a memorial from the American Institute of Park Executives, remonstrating against the 50 per cent surcharge on Pullman fares for the railroads, which was referred to the Committee on Interstate Commerce.

Mr. ASHURST presented a resolution adopted by Harrington Gray Post, No. 5, American Legion, of Miami, Ariz., favoring the making of adequate appropriations for the national defense and protesting against any proposal to reduce the appropriations for the War Department, which was referred to the Committee on Military Affairs.

He also presented resolutions adopted by the city government of Mesa, the Mesa Chamber of Commerce, and the Real Estate Board of Phoenix, in the State of Arizona, favoring the placing of an adequate tariff duty on copper, which were referred to the Committee on Finance.

He also presented memorials of sundry citizens of Tucson, Ariz., remonstrating against the passage of legislation providing for the closing of barber shops on Sunday in the District of Columbia or other restrictive religious measures, which were referred to the Committee on the District of Columbia.

Mr. WALSH of Massachusetts presented resolutions adopted by the Boston (Mass.) Oil Burner Association, protesting against the imposition of tariffs, taxes, or embargoes on crude petroleum and petroleum products, including fuel oils, which were referred to the Committee on Finance.

He also presented the following resolutions adopted by the Legislature of Massachusetts, which were referred to the Committee on Education and Labor:

THE COMMONWEALTH OF MASSACHUSETTS, 1932.

Resolutions memorializing Congress in favor of uniform hours of labor throughout the United States

Resolved, That the General Court of Massachusetts recognizes the grave injustice done to both industry and labor by the great diversity of hours of labor now required or permitted by the laws of the several States of the Union, and respectfully requests the Congress of the United States to propose, and thereafter to submit for ratification to the legislatures of the several States, an amendment to the Constitution of the United States giving to Congress the power, by appropriate legislation, to regulate the hours of labor and to make uniform such hours throughout the United States; and be it further

Resolved, That the secretary of the Commonwealth forward certified copies of these resolutions to the presiding officers of both branches of Congress and to each of the Senators and Representatives in Congress from this Commonwealth.

In house of representatives, adopted March 1, 1932.

In senate, adopted, in concurrence, March 8, 1932.

OFFICE OF THE SECRETARY,
Boston, March 10, 1932.

A true copy.

Witness the great seal of the Commonwealth.

[SEAL.] F. W. COOK,
Secretary of the Commonwealth.

Mr. CAPPER presented memorials of sundry citizens of Chanute, Durham, Lehigh, and Tampa, all in the State of Kansas, remonstrating against the passage of legislation providing for the closing of barber shops on Sunday in the District of Columbia or other restrictive religious measures, which were referred to the Committee on the District of Columbia.

He also presented petitions of sundry citizens of Glasco and Blue Mound, Kans., praying for the maintenance of the prohibition law and its enforcement, which were referred to the Committee on the Judiciary.

He also presented resolutions adopted by the Sunflower Study Club, of Glasco; the Woman's Missionary Society of the Alida Evangelical Church, of Junction City; the Ebenezer Sunday School, of Lyons; and the Methodist Sunday School, the Woman's Advance Club, and the local chapter of the Woman's Christian Temperance Union of Blue Mound, all in the State of Kansas, praying for the maintenance of the prohibition law and its enforcement, and protesting against the adoption of any measure looking toward its modification or repeal, which were referred to the Committee on the Judiciary.

Mr. KEAN presented a resolution adopted by the Manufacturers' Club of Bloomfield, N. J., favoring the prompt repeal of the eighteenth amendment of the Constitution and the passage of legislation providing for excise taxes on breweries or distilleries as a suitable form of revenue-producing tax to meet governmental Budget requirements, which was referred to the Committee on the Judiciary.

Mr. BARBOUR presented a memorial of sundry citizens of the State of New Jersey, remonstrating against the passage of legislation permitting vivisection, etc., which was referred to the Committee on the Judiciary.

He also presented a petition of 76 citizens, being substitute letter carriers, of Newark, N. J., praying for the passage of the bill (H. R. 6183) to promote substitute postal clerks and carriers, which was referred to the Committee on Post Offices and Post Roads.

He also presented a resolution adopted by the Rotary Club of Maplewood, N. J., favoring the prompt ratification of the World Court protocols, which was referred to the Committee on Foreign Relations.

He also presented a resolution adopted by members of the Chamber of Commerce of New Brunswick, N. J., protesting against the passage of legislation placing discriminatory taxes on motor vehicles, which was referred to the Committee on Finance.

He also presented memorials of sundry citizens of the State of New Jersey, remonstrating against the passage of House bill 8578, to amend the World War veterans' act, 1924, as amended, by providing allowances for widows and children and dependent parents of veterans of the World War, which were referred to the Committee on Pensions.

He also presented a resolution adopted by Group No. 1081 of the Polish National Alliance of Bayonne, N. J., favoring the passage of legislation providing for proclaim-

ing October 11 in each year General Pulaski's Memorial Day, which was referred to the Committee on the Judiciary.

He also presented a resolution adopted by the Manufacturers' Club of Bloomfield and vicinity, in the State of New Jersey, favoring the prompt repeal of the eighteenth amendment of the Constitution and the passage of legislation providing for excise taxes on breweries or distilleries as a suitable form of revenue-producing tax to meet governmental Budget requirements, which was referred to the Committee on the Judiciary.

Mr. COSTIGAN presented memorials and papers in the nature of memorials from the First Presbyterian Church, by L. D. Compton, minister, of La Salle, representing 316 members; the Methodist Episcopal Church, by L. E. Cooke, pastor, of Monte Vista, representing 600 people; the Delphian Society of Monte Vista, representing 16 people; the First Baptist Church, of Monte Vista, representing 175 people; the Mesa W. C. T. U., of Pueblo, representing 30 people; the Eaton Baptist Church, of Eaton, representing 150 people; the Mayflower Ladies' Aid Society, by Mrs. Effie Sever, of Englewood; the Hungerford Union (W. C. T. U.), of La Salle, representing 20 people; the Englewood W. C. T. U., of Englewood, representing 26 people; the Presbyterian Church of Monte Vista, representing 365 people; the Monte Vista W. C. T. U., of Monte Vista, representing 42 people; the United Presbyterian Church of Loveland, 97 names being affixed thereto; and 219 citizens of Sterling, all in the State of Colorado, remonstrating against the proposed resubmission of the eighteenth amendment of the Constitution to the States, and favoring the making of adequate appropriations for law enforcement and education in law observance, which were referred to the Committee on the Judiciary.

He also presented a memorial of members of the United Presbyterian Church of Loveland, Colo., remonstrating against the United States becoming involved in the Far Eastern crisis, which was referred to the Committee on Foreign Relations.

He also presented memorials signed by 445 citizens of Denver, Colo., remonstrating against the passage of legislation providing for the closing of barber shops on Sunday in the District of Columbia or other restrictive religious measures, which were referred to the Committee on the District of Columbia.

Mr. COPELAND presented a resolution adopted by Colonel Willett Council, No. 58, Junior Order United American Mechanics, of Rome, N. Y., favoring the passage of legislation providing for the deportation of undesirable aliens, which was referred to the Committee on Immigration.

He also presented a resolution adopted by the Ideal Warrior Democratic Club, of Brooklyn, N. Y., favoring the adoption of a universal 5-day week, which was referred to the Committee on Education and Labor.

He also presented a resolution adopted at the annual meeting of the Marketmen's Association, Port of New York (Inc.), of New York City, favoring the passage of Senate bills 2626, 2627, and 2628, strengthening and clarifying the authority of the Federal Trade Commission in its procedure in holding conferences, which was referred to the Committee on Interstate Commerce.

He also presented a petition of sundry citizens of Rochester, N. Y., praying for the passage of legislation granting uniform pensions to veterans and widows and orphans of veterans of all wars, which was referred to the Committee on Pensions.

He also presented a petition of sundry citizens of Syracuse, N. Y., praying for a substantial reduction of armaments as a result of the Geneva conference, which was referred to the Committee on Foreign Relations.

He also presented several memorials of sundry citizens of Buffalo, N. Y., remonstrating against proposed reductions in the wages of postal employees, which were referred to the Committee on Post Offices and Post Roads.

He also presented a resolution adopted at Utica, N. Y., by the annual convention of the Associated General Contractors of America, New York State Highway Chapter, protesting against the curtailment of public-improvement programs at this time by the State and Federal Governments, and favoring the making of appropriations for continuing work on public improvements, which was referred to the Committee on Public Buildings and Grounds.

He also presented several resolutions of construction and contracting companies in the State of Wisconsin, favoring an amendment of the present wage act relating to Federal building projects so as to require a stipulation of the wages to be paid and made a part of the advertisement, specifications, and contract, which were referred to the Committee on Public Buildings and Grounds.

He also presented a resolution adopted by the Utica (N. Y.) Chamber of Commerce, favoring the passage of legislation to regulate motor busses and motor trucks engaged in interstate traffic for profit, which was referred to the Committee on Interstate Commerce.

He also presented a petition of sundry citizens of North East, Pa., praying for the passage of legislation abolishing the Federal Farm Board and providing increased prices for agricultural products, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of sundry citizens of Buffalo, N. Y., praying for the passage of legislation providing for retrenchment in governmental expenditures, which was referred to the Committee on Appropriations.

He also presented a memorial of sundry citizens of Peekskill, N. Y., remonstrating against the passage of legislation providing for the closing of barber shops on Sunday in the District of Columbia or other restrictive religious measures, which was referred to the Committee on the District of Columbia.

He also presented numerous petitions of sundry citizens of the State of New York, praying for the passage of legislation to prohibit experiments upon living dogs in the District of Columbia, which were referred to the Committee on the District of Columbia.

He also presented petitions of sundry citizens of the State of New York, praying for the passage of legislation providing for the cash payment of World War adjusted-compensation certificates (bonus), which were referred to the Committee on Finance.

He also presented memorials of several business organizations in the State of New York, remonstrating against the adoption of the so-called sales tax, which were referred to the Committee on Finance.

He also presented a resolution adopted by the New York County Organization of the American Legion, of New York, N. Y., favoring the turning over of all moneys appropriated for the use of the Prohibition Bureau to the War and Navy Departments for the maintenance of the armed forces of the United States, which was referred to the Committee on the Judiciary.

He also presented several memorials, and papers in the nature of memorials, of citizens and temperance and religious organizations in the State of New York, remonstrating against the proposed resubmission of the eighteenth amendment of the Constitution to the States, and praying the making of adequate appropriations for law enforcement and education in law observance, which were referred to the Committee on the Judiciary.

He also presented several resolutions of groups of the Polish National Alliance of the United States, of Buffalo (3 groups), Poughkeepsie, Rochester, and Yonkers, all in the State of New York, favoring the passage of legislation providing for proclaiming October 11 in each year General Pulaski's Memorial Day, which were referred to the Committee on the Judiciary.

PROTECTION OF COPPER AND THE COPPER INDUSTRY

Mr. ASHURST. Mr. President, I present a telegram signed by 267 citizens of Arizona. I ask that the same be read at the desk and appropriately referred.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the clerk will read, as requested.

The Chief Clerk read as follows:

BISBEE, ARIZ., *March 21, 1932.*

Senator HENRY F. ASHURST,
Senator CARL HAYDEN,
Congressman L. W. DOUGLAS,
Washington, D. C.:

General depression prevails temporarily throughout industrial United States, but ever-increasing and relentless ruin is rapidly obliterating the remnants of our domestic copper-mining industry due to the uninterrupted importation of billions of pounds of peon, pauper, and slave labor produced copper.

The million of dependent American citizens throughout our 19 copper-producing States are entitled to most adequate protection comparable with the protection of their economic forbears originally received for half century.

Rigid protection permitted the initiation of copper mining 70 years ago throughout our western area, same now providing 90 per cent of domestic production of copper, the metal that is vitally essential during war as well as peace.

All other domestically produced nonferrous metals are highly protected, copper alone being forced to remain within the free-list realm of unrestricted and merciless competition.

The domestic copper manufacturer has been accorded most solicitous and rigid embargo duty rates, and it is un-American and most viciously discriminatory to deny protection for labor engaged in the production of the highly manufactured domestic copper ingot.

Thousands of our local copper miners and their dependents are in abject misery and suffering for want of adequate copper protection.

The undersigned citizens from the greatest copper-producing district within the largest domestic copper-producing State urge you to work unceasingly each passing moment to destroy the free-trade copper menace that is bringing increasing ruin and devastation and most unprecedented suffering each hour Congress permits such a practice to prevail.

J. G. Flynn, president Chamber of Commerce; Joseph P. Hodgson, manager mines; L. T. Buell, accountant; A. R. Gilchrist, Standard Oil Co.; Miners and Merchants Bank, by L. C. Shattuck, president; Spencer Shattuck, vice president; I. F. Burgess, Earnest Beyer, Fred Corrin, J. H. Watson, Joe Muheim, Joseph M. Muheim, Franklin Oliver, Ralph Brandt, Richard Edwards, Chris Kirsch, T. E. Colford, and John Brown, Masonic Lodge; Clarence Wittig, secretary Gilman Jewelry Co.; Lowell Drug Co.; Central Pharmacy, Ed Maher, manager; John Cole, druggist; Elsie Williams, clerk; Frank Riley, attorney; James Maffeo, Lessor Marshall, Hodgson Automobiles; Will Cantner, mining engineer; Vance Marshall, clerk; Nellie Hoy, Bisbee Review; Fred Kenney, sheriff; Stanley Jewell; George Mosher, clerk; Valle Bros. Shoe Hospital; William Imrich, barber; Brehm Bros., jewelry; Adonna Fleming, optometrist; M. Fisher, McClelland Stores; D. Miller, Bisbee florist; Miners's Meat Market; Roundtree Furniture Co.; Miners's Store; Barney Norton, police judge; California Bakery; All-American Protective Association; Clarence Brown, chief of police; Cecil Burns, police department; William Johnson, Piggly Wiggly; Noel Cox, Standard Stations; Arthur Reconni, Standard Stations; Ivey Pruitt, deputy sheriff; Sam Medigovich, plumber; Paul Lorentzen, druggist; C. McDaniel, automobiles; Lowell Plumbing Co.; E. M. Powell, barber; M. Bertrand, diamond driller; Paul O'Bryan, Continental Bakery; Charles Palmer, General Petroleum; Paul Keating, Queen Laundry; C. Johnson, insurance; R. S. Beaton, Queen Laundry; C. W. Ruth, insurance; Stevens Grocery; Arizona Baking Co.; Lowell Grocery; Orens's Garage; Waters Shoe Shop; Market Garage; Banks Grocery; Lowell Fruit Market; John Wood, lumberman; Emil Marks, lumberman; F. C. Fenderson, lumberman; Lucy Carretto, bookkeeper; Charley Allen, Standard Furniture; Johanna Allen, bookeeper; Will Cooper, salesman; Brophy Garage; Krebs Auto Co.; Southern Arizona Auto Co.; Ben Kelly, Brophy Garage; J. A. Hildreth, automobiles; A. F. Sword, contractor; M. W. Goar, clerk; C. Thomson, Brophy Garage; Scott Schaeffer, Bisbee Review; Elmer Zumwalt, mechanic; S. Beach, mechanic; Howard Griffin, mechanic; William Thompkinson, service station; J. L. Young, contractor; Ewing Barber Shop; Ed Chipman, barber; Independent Fuel & Feed; Palace Undertaking Co.; Tom Rushing, barber Shop; R. Stout, barber; S. Anderson, barber; Eugene Stevens, electrical dealer; Louis Rupp, insurance; Bertram Smith, insurance; A. S. Ortman, policeman; J. C. Penney Co.; E. B. Wallace, merchant; L. Jackson, insurance; Harry Warren, teacher; Marko Benderach, Coffee Market; M Egnell, merchant; B. S. Cotner, buyer, Gunner Johnson, D. T. Komneuich, Arizona Baking; John Caretto, Harley Cox, board supervisors; M. N. Brinson, clerk; Mrs. R. M. Thursby, saleslady; Luella Snodgrass, beauty operator; Al Clomtner, Hilmans Cigar Store; Coney Island Shop; Howard Barkell, clerk; Samuel Wilner, merchant; W. E. Lane. John Pecanic, J. Walker, merchants; W. Gibson, electricity; A. Riley, clerk; Lillian Walsegal; A. Stapleton; Roy Lyons; Ruel White, H. Wirtz; W. Rosenthal; George Alfred; J. Wilson; Arvon Chachere; Nora Shapleigh; H. Grissom; Phil Yared; A. Adams; Dayton Warner; M. Bateman; H. E. Wootton; Frank Dolan; H. Mathewson; H. Ween; M. Mayer; Maimer Reindinger, Bena Petroil; James Lee; J. Welborn; J. Patrick; Mark John; John McCormick; H. Johnson; H. C. Ragsdale; John W. Ball; C. C. Cosper; J. G. McGregor; Clarence Malley; Earnie Johnson; R. S. Todd; J. Kruger; Frank Hirsch; Chris Bartch; Franz Kristovich; Peter Pradanovich; A. Karam; Howard Blunt; Will's Gillespie; Dave Foster; Queen Hotele Murray; J. C. Pidgeon; R. W. Hagan; W. V. Lester; John Dickenson; W. P. Shelton; J. C. Bogert; F. E. Lawrence; Irving Miller; Claude Bergquist; James Cox; Stanley Bickle; H. A. Crane; C. F. Sage; Mrs. M. G. Kobey; Joe Kobey; R. B. Holton.

Mr. SHORTRIDGE. Mr. President, I have listened to the reading of the telegram from constituents of our distinguished friend and I very heartily concur in their conclusions. I assume the distinguished Senator from Arizona will cooperate to bring about adequate protection against imported copper.

Mr. ASHURST. I shall, indeed.

Mr. SHORTRIDGE. I am very glad to hear that.

Mr. NORRIS. Mr. President, the part of the telegram which I hope the Senator from California as well as the Senator from Arizona will observe is where they are directed to "work unceasingly every passing moment." [Laughter.]

The VICE PRESIDENT. The telegram will be referred to the Committee on Finance.

REDUCTION OF FEDERAL EXPENDITURES

Mr. BINGHAM. Mr. President, I present a petition signed by about 500 citizens of Norwich, Conn. It is very brief and very striking. I ask that it may be read at the clerk's desk.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read, as requested.

The petition was read and referred to the Committee on Appropriations, as follows:

NORWICH, CONN.

On account of the present deplorable condition of business the country over, we, the undersigned, desire to herewith record our protest against the present and prospective Federal taxation and to further record our conviction that the cost of maintaining the Federal Government must and shall be drastically reduced.

Reports relative to the financial condition of the Government indicate a deficit of more than $2,000,000,000.

The commercial organizations of the country, facing a similar situation, have already radically reduced their costs as a necessary and sound economic measure to pursue.

We therefore respectfully petition you, as our representative, to use your best efforts toward:

(1) Securing an early and thorough reduction of the Federal salary and wage scale;

(2) Eliminating duplication of activities; and

(3) Eliminating every bureau, position, and function of the Federal service that is not in accord with strict economy.

Respectfully,

BRUCE F. ROGERS (and others).

Mr. BINGHAM. Mr. President, in connection with the petition just read for the elimination and reduction of Government bureaus, I ask unanimous consent to have inserted in the RECORD at this point a brief table showing how one bureau has grown from 1913, when it spent $21,936, to 1914, when it spent $25,640, to 1932, when it is estimated that it will spend $395,500. The bureau referred to is the Children's Bureau in the Department of Labor. I presume every Senator has received telegrams and letters protesting against the reduction of $100,000 in the appropriation for that bureau which has been recommended by the Senate Committee on Appropriations.

As a matter of fact, Mr. President, these figures, I think, show that executive bureaus do grow, even when we are unsuspicious of them and that a reduction in their expenditures will not be entirely lacking in public interest and appreciation.

The VICE PRESIDENT. Without objection, the table presented by the Senator from Connecticut will be printed in the RECORD.

The table is as follows:

How bureaus grow—Appropriations of the Children's Bureau, Department of Labor

Fiscal year	Salaries and expenses, including bonus and classification	Enforcement of child labor law	National security and defense [1]	Maternity and infancy, including bonus and classification	Total
1913	$21,936				$21,936
1914	25,640				25,640
1915	161,265				161,265
1916	164,640				164,640
1917	164,640	$50,000			214,640
1918	280,581	100,000			380,581
1919	283,610	[2] 125,000	$250,000		658,610
1920	310,008				310,008
1921	294,874				294,874
1922	295,476			$490,067	785,543
1923	339,829			1,241,600	1,581,429
1924	341,906			1,241,692	1,583,598
1925	325,900			1,007,092	1,332,992
1926	313,000			1,000,000	1,313,000
1927	288,625			1,055,900	1,344,526
1928	300,000			1,086,086	1,386,086
1929	300,000			1,108,000	1,408,000
1930	320,200				
1931	368,000				
1932	395,500				
1933	395,500				

[1] The $250,000 under "National security and defense" was from the President's fund in 1919.

[2] The appropriation for enforcement of child labor law, 1919, $125,000, was not used as the child labor law was declared unconstitutional before the appropriation became available.

Mr. FLETCHER. I have here a petition signed in triplicate by certain residents of Coral Gables, Fla., which, through the secretary of the Coral Gables Chamber of Commerce, has been forwarded to me. I ask that the body of the petition be printed in the RECORD, without the signatures, and that it be referred to the Appropriations Committee.

The petition was referred to the Committee on Appropriations and the body thereof was ordered to be printed in the RECORD, as follows:

We respectfully petition you, as our representative, to bring to bear all the effort and pressure at your command to effect the following results:

1. A thorough reduction of the Federal salary and wage scale.
2. The elimination of all Government positions and functions which constitute a duplication of the position or function in another department or bureau.
3. The elimination of every bureau, position, and function of the Federal service the maintenance of which is not consonant with strictest economy.

In brief we hereby record our conviction that Congress and other Government officials must find ways and means to reduce taxes, and that such reduction must come about principally through a wholesale reduction in the expenditures of the Federal Government.

We are very much in earnest in asking you to use every effort to inaugurate and continuously support the program we have outlined.

PROPOSED FINANCING OF CREDIT SALES ABROAD OF COTTON AND WHEAT

Mr. GEORGE. Mr. President, I ask unanimous consent to have inserted in the RECORD and appropriately referred a telegram from the Savannah (Ga.) Cotton Exchange, protesting against the proposal made Friday or Saturday of last week by the Secretary of Agriculture, Mr. Hyde, to divert $125,000,000 from farm loans to the Federal Farm Board for the purpose of financing credit sales of cotton and wheat abroad.

There being no objection, the telegram was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

SAVANNAH, GA., *March 19, 1932.*

Senator WALTER F. GEORGE,
Washington, D. C.

Whereas information has reached this exchange as follows: The Federal administration proposes to divert $125,000,000 from farm loans to Federal Farm Board to finance credit sales of cotton and wheat abroad; and

Whereas the farm loan of $200,000,000 was intended to be used to assist all farmers needing emergency financing and not for marketing financing of the small percentage of the farmers connected with Farm Board affiliates; and

Whereas the proposal would result in killing the sale of all cotton and wheat owned by farmers until the Farm Board stocks had first supplied all demand equal to Farm Board stock thus disposed of; and

Whereas the money voted to relieve the farmers would be diverted to the purpose of helping Farm Board affiliates to unload their stock first, leaving the 80 to 90 per cent of the farmers not affiliated with organizations financed by the Farm Board to "hold the bag"; and

Whereas the farm-relief money was voted to relieve the farmers and not the Farm Board and its affiliates; and

Whereas the proposal is direct discrimination against American consumers in that it finances with the money of American farmers the foreign consumers who compete with our American consumers for these raw materials produced by American farmers; and

Whereas the price of wheat and cotton will immediately reflect this curtailed demand with a corresponding decline in the already low price to the further injury of our farming population: Therefore be it

Resolved by the members of the Savannah Cotton Exchange in meeting assembled, That, first, we strongly protest against the proposal as outlined in article contained in Savannah Evening Press of March 18, entitled "U. S. Plans Big Sales Campaign"; second, that a copy of these resolutions be wired to Secretary of Agriculture Hyde with a request that the program be definitely abandoned; third, that copies be wired to Georgia Senators and Representatives in Congress with request that they use every effort to defeat any such program; fourth, that copies be wired to all cotton exchanges requesting similar action on their part.

SAVANNAH COTTON EXCHANGE,
ROBERT PERRIN, *President.*

TRIBUTE TO SENATOR FLETCHER

Mr. TRAMMELL. Mr. President, in a number of Florida newspapers there has appeared a very fitting and appropriate tribute to my colleague the senior Senator from Florida [Mr. FLETCHER]. It is written by Dr. Harry Block, of Miami, Fla. I desire that this tribute may be printed in the main body of the RECORD.

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

A TRIBUTE TO HON. DUNCAN U. FLETCHER, FLORIDA'S SENIOR UNITED STATES SENATOR

By Dr. Harry Block

A self-perfecting vitality, as Carlyle defines it, prompts men to read and think and work incessantly. To grow mentally is primarily a matter of the will. The process of unfolding does not come of itself along with the passing of the years; it is the result of striving. "Possunt quia posse videntur"—success comes to those who are resolved to succeed. Great men have a trait in common—they continually display consciously directed efforts to increase their powers, thus growing year by year to the fulfillment of their capacities. They reflect upon their experiences and draw conclusions from them. They not only achieve power from aspiring to something but declare themselves upon occasion and exert their influence in the world. What elevates man to the highest strata of achievement and character? Not alone a character well balanced or a temperament well ordered or a mind well disciplined but rather a genuine effusion of cooperation, of generous and single-minded devotion to the loftiest of human ideals—namely, service to our fellow beings through the pursuit of truth and the maintenance at all times of intellectual and spiritual endeavor and accomplishment.

We must not deny ourselves the privilege of participating in the honor of paying tribute to the character and achievements of Hon. DUNCAN U. FLETCHER, a type precious as it is rare. Let us pause and reflect upon the courage and fortitude with which he has gone forth in his official work at Washington—the American merchant marine, emergency-credit expansion, railroad-freight rates, exemption of Panama Canal tolls of United States vessels, the tariff, child labor. How often has he remarked of them the bold and timely and fitting word when timeservers and sycophants were defaming the truth to serve the hour and themselves. Great services are these—great in their beneficence to mankind—yet great as they are they seem parochial when contrasted with his profound conception of justice and character. His life has been exceedingly simple and his wants few and modest.

In one of his public addresses he remarks as follows:

"The public desire and have a right to require that the official holding its power of attorney shall stand steadfastly for the welfare of the people—yield to no pressure, whether of particular friends or powerful political or financial influences that would jeopardize or endanger the rights or interests of the whole people. The fidelity they have a right to insist on is of that positive, aggressive, vigilant kind which means something more than complacently moving along lines of least resistance. The honesty they have a right to demand is of that broad nature which means something more than keeping out of jail. Honesty, courage, and ability, in the order named, are the qualities demanded in the high official position."

It is the mission of statesmanship to search among the treasures for the best possible answer to present requirements and to recognize that from age to age ideas are more or less constant in the world mind, but that their value varies from decade to decade according to their usefulness at the present moment. It is statesmanship of this kind which Senator DUNCAN U. FLETCHER has ex-

emplified in our time. As the man, he has become the picturesque embodiment of purity of life and nobility of thought, whose quickly sensitive and highly gifted mind has been played upon by the deeper inclinations which are shaping the rapidly moving events of our times. His faith is unshakable, his love for God and man strong, and his devotion to right and justice constant. Ancient Athens might have beckoned us to reflect upon Pericles. Ancient Rome might have summoned Cæsar as a witness. But here we have the man indifferent to recognition, reward, or fame, who, with undaunted fear and loyally reverent to the principles of righteousness, illimitably labors for the common good—regardless of race, creed, or religion.

And here in the arena of life there is many a noble encounter for the man of heroic spirit and judicious mind. His 30 or more years of public service surpass the span of the 20-year war that Ulysses had fought and of his years of adventure that followed. It was at the expiration of those 20 years that Ulysses spoke in words that might well be those of Senator DUNCAN U. FLETCHER—

"Some work of noble note may yet be done not unbecoming men that strive with God."

He has given us many things, but above all he has given us the influence and example of his manhood and character.

REPORTS OF COMMITTEES

Mr. BRATTON, from the Committee on Indian Affairs, submitted a supplemental report (No. 202, pt. 2) to accompany the bill (S. 2914) to authorize appropriations to pay in part the liability of the United States to the Indian pueblos herein named, under the terms of the act of June 7, 1924, and the liability of the United States to non-Indian claimant on Indian pueblo grants whose claims, extinguished under the act of June 7, 1924, have been found by the Pueblo Lands Board to have been claims in good faith; to authorize the expenditure by the Secretary of the Interior of the sums herein authorized and of sums heretofore appropriated, in conformity with the act of June 7, 1924, for the purchase of needed lands and water rights and the creation of other permanent economic improvements as contemplated by said act; to direct the issuance of a patent to the Pueblo of Taos for certain lands described herein, and for other purposes, heretofore reported from that committee with an amendment.

Mr. ROBINSON of Indiana, from the Committee on Pensions, to which was referred the bill (H. R. 9575) 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, reported it with amendments and submitted a report (No. 437) thereon.

Mr. THOMAS of Idaho, from the Committee on Irrigation and Reclamation, to which was referred the resolution (S. Res. 177) authorizing an investigation of the subject of the utilization of the water resources of the Sacramento, San Joaquin, and Kern Rivers in California, reported it without amendment, and, under the rule, the resolution was referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

Mr. ODDIE, from the Committee on Post Offices and Post Roads, reported favorably sundry nominations of postmasters.

Mr. AUSTIN, from the Committee on the Judiciary, reported favorably the nomination of Watt H. Gragg, of North Carolina, to be United States marshal, middle district of North Carolina, to succeed Joseph John Jenkins, whose term expired January 11, 1932.

The VICE PRESIDENT. The reports will be placed on the Executive Calendar.

BILLS AND JOINT RESOLUTION INTRODUCED

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

By Mr. WATSON:

A bill (S. 4140) authorizing the continuance of Francis A. Sebring as clerk of the police court of the District of Columbia; to the Committee on Civil Service.

By Mr. GEORGE:

A bill (S. 4141) for the relief of Ralp LaVern Walker; to the Committee on Claims.

By Mr. HAYDEN:

A bill (S. 4142) for the relief of A. E. Shelley; to the Committee on Claims.

By Mr. THOMAS of Oklahoma:

A bill (S. 4143) for the relief of James C. Bearskin; to the Committee on Claims.

By Mr. SHORTRIDGE:

A bill (S. 4144) for the relief of W. P. Fuller & Co.; to the Committee on Claims.

A bill (S. 4145) to amend the naval record of Ralph Timothy Sullivan; to the Committee on Naval Affairs.

A bill (S. 4146) to authorize the presentation of distinguished-service crosses to certain participants in the engagement at Iloilo, P. I., in 1899; and

A bill (S. 4147) authorizing the Secretary of War to lend certain Army equipment to the Foresters of America for use at a boys' encampment to be held in the Sierra Nevadas from June 1 to September 30, 1932; to the Committee on Military Affairs.

By Mr. VANDENBERG:

A bill (S. 4148) to permit the United States to be made a party defendant in certain cases; to the Committee on the Judiciary.

By Mr. WALSH of Massachusetts:

A bill (S. 4149) authorizing the pay of warrant officers on the retired list for transferred members of the Fleet Naval Reserve and Fleet Marine Corps Reserve who served as commissioned officers during the World War; to the Committee on Naval Affairs.

By Mr. BARBOUR:

A bill (S. 4151) granting an increase of pension to James B. Romaine (with accompanying papers); to the Committee on Pensions.

By Mr. BANKHEAD:

A bill (S. 4152) granting a pension to Paul A. Thornton (with accompanying papers); to the Committee on Pensions.

By Mr. McKELLAR:

A bill (S. 4153) granting a pension to Effie Sharpe (with accompanying papers); to the Committee on Pensions.

By Mr. HALE:

A bill (S. 4154) granting an increase of pension to Etta J. Ferguson (with accompanying papers); and

A bill (S. 4155) granting an increase of pension to Josie M. Smart (with accompanying papers); to the Committee on Pensions.

By Mr. NORRIS:

A bill (S. 4156) to provide for alternate jurors in certain criminal cases;

A bill (S. 4157) to fix the date when sentence of imprisonment shall begin to run, providing when the allowance to a prisoner of time for good conduct shall begin to run, and further to extend the provisions of the parole laws;

A bill (S. 4158) to provide for the punishment of certain crimes against the United States; and

A bill (S. 4159) regulating procedure in criminal cases in the courts of the United States; to the Committee on the Judiciary.

By Mr. CAPPER:

A bill (S. 4160) granting an increase of pension to Ellen M. Thomas (with accompanying papers); to the Committee on Pensions.

By Mr. ROBINSON of Indiana:

A bill (S. 4161) to amend the act of June 2, 1930, entitled "An act granting pensions and increase of pensions to certain soldiers, sailors, and nurses of the war with Spain, the Philippine insurrection, or the China relief expedition, and for other purposes"; to the Committee on Pensions.

By Mr. SMITH:

A bill (S. 4162) granting an increase of pension to William E. McIntosh; to the Committee on Pensions.

By Mr. COSTIGAN:

A bill (S. 4163) for the relief of Paul Ward Beck (with accompanying papers); to the Committee on Military Affairs.

A bill (S. 4164) granting a pension to William A. Walters (with accompanying papers); to the Committee on Pensions.

By Mr. NYE:

A bill (S. 4165) to remove existing discriminations incident to certain land grants and to subject them to the same conditions that govern other land grants of their class; to the Committee on Public Lands and Surveys.

By Mr. GORE:

A bill (S. 4167) to regulate the sale of cotton owned or financed and controlled by the Federal Farm Board, and for other purposes; and

A bill (S. 4168) to regulate the sale of wheat owned or financed and controlled by the Federal Farm Board, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. COPELAND:

A bill (S. 4169) relative to the citizenship of minor children, and for other purposes; to the Committee on Immigration.

By Mr. WALSH of Massachusetts:

A joint resolution (S. J. Res. 126) directing the President of the United States of America to proclaim March 5 of each year Crispus Attucks Memorial Day for the observance and commemoration of the death of Crispus Attucks; to the Committee on the Judiciary.

AMENDMENT OF FARM LOAN BANK ACT

Mr. BORAH. Mr. President, I desire to introduce a bill in the way of an amendment to the Federal farm loan act; and I beg the indulgence of the Senate for a few moments while I explain it.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senator from Idaho will be recognized.

The bill (S. 4150) to amend article 9, section 12, of an act entitled "An act to provide capital for agricultural development, to create a standard form of investment based upon farm mortgage, to equalize rates of interest upon farm loans, to furnish a market for United States bonds, to create Government depositaries and financial agents for the United States, and for other purposes," passed and approved July 17, 1916, was read twice by its title.

Mr. BORAH. Mr. President, according to the terms of the act of January 23, 1932, it is provided that—

> The sum of $25,000,000 of the amount authorized to be appropriated under section 5 of this act, as amended, shall be used exclusively for the purpose of supplying any bank with funds to use in its operations in place of any amounts of which such bank may be deprived by reason of extensions made as provided in this paragraph.

It was supposed that under this act a more liberal policy would be pursued with reference to defaulting mortgagors. It does not seem that any more liberal policy has yet been inaugurated.

The farm-land banks are now demanding chattel mortgages upon the anticipated crops of the farmers. That of itself seems to me harsh. But not only are they asking for mortgages but they are asking for 8 per cent interest.

I undertake to say that there is literally no hope for the farmer if he must pay interest upon the mortgage on his land at the rate now required, and also pay 8 per cent interest upon the default.

It is claimed by the farm-loan people that they are required to charge that rate because of the terms of article 9, section 12, which reads:

> Every borrower shall pay simple interest on defaulted payments at the rate of 8 per cent per annum, and by express covenant in his mortgage deed shall undertake to pay—

And so forth. This section provides in both instances, on default, for 8 per cent interest.

The amendment I am proposing would make the interest not to exceed 6 per cent. If I find I have the support I shall make the rate lower. This article 9, section 12, was undoubtedly placed in the law in the first instance in the way of a penalty to prevent the farmer from permitting defaults where he could possibly obviate them, but the conditions which now confront the farmer are such that he can not control that matter, and the object and purpose of putting the rate at 8 per cent can not be accomplished under the circumstances which exist at the present time. He is penalized for something he can not control.

I understand that at present we are lending money, under the Reconstruction Finance Corporation act, at 5 to 5½ and 6 per cent. I can see no reason, if that be true, why it would not be within reason and justice and equity to amend the farm loan act so as to permit the farm-loan banks to take this default security at a rate not to exceed 5 or 6 per cent.

I offer this amendment, and ask that it be referred to the Committee on Banking and Currency. I do not know whether it covers the entire subject. In the time I have had to prepare it, I may have overlooked some of the other provisions of the act which need correction, but, in my opinion, from the study I have been able to give to it, it does cover the subject.

The VICE PRESIDENT. The bill will be referred to the Committee on Banking and Currency.

RELIEF OF JAMES M. GRIFFIN

Mr. JOHNSON introduced a bill (S. 4166) for the relief of James M. Griffin, disbursing agent, United States Coast and Geodetic Survey, and for other purposes, which was read twice by its title and (with the accompanying papers) referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

> A bill (S. 4166) for the relief of James M. Griffin, disbursing agent, United States Coast and Geodetic Survey, and for other purposes
>
> *Be it enacted, etc.*, That the General Accounting Office is hereby authorized and directed to credit the accounts of Mr. James M. Griffin, disbursing agent, United States Coast and Geodetic Survey, in the amount of $360.27, which sum represents the aggregate of payments made during the fiscal year 1930 by said disbursing officer on account of travel performed by civilian officers and employees of the Coast and Geodetic Survey, and which sum has been disallowed by the Comptroller General as follows: On voucher No. 96675, to Deck Officer John C. Ellerbe, jr., $7.65; on voucher No. 96713, to Deck Officer J. S. Morton, $7.35; on voucher No. 96771, to Mate F. E. Okeson, $14.37; on voucher No. 96818, to Deck Officer I. R. Rubottom, $4.10; on voucher No. 96412, to Deck Officer J. C. Tison, $4.20; on voucher No. 96626, to Deck Officer J. C. Tribble, $7.45; on voucher No. 96649, to Deck Officer K. S. Ulm, $14.40; on voucher No. 95340, to Deck Officer K. S. Ulm, $4.65; on voucher No. 96241, to Deck Officer H. C. Walker, $6.55; on voucher No. 97132, to Deck Officer E. B. Brown, $4.65; on voucher No. 97150, to Chief Engineer H. Ely, $42.35; on voucher No. 97151, to Chief Engineer H. Ely, $12.30; on voucher No. 98186, to Deck Officer E. L. Jones, $2.64; on voucher No. 97492, to Deck Officer R. A. Marshall, $3.25; on voucher No. 97019, to Deck Officer J. S. Morton, $3.94; on voucher No. 97642, to Associate Geodetic Engineer W. Mussetter, $9.75; on voucher No. 97175, to Deck Officer F. Natella, $11.55; on voucher No. 98184, to Deck Officer C. R. Reed, $2; on voucher No. 97020, to Deck Officer M. G. Ricketts, $3; on voucher No. 98183, to Deck Officer W. C. Russell, $2.10; on voucher No. 98313, subvoucher No. 250, to C. Sylar Hand, $33.54; on voucher No. 96989, to Deck Officer J. C. Tribble, $5.35; on voucher No. 99316, subvoucher No. 16, to Deck Officer M. A. Hecht, $10.42; on voucher No. 99684, to Assistant Marine Engineer W. R. McLaughlin, $4; on voucher No. 98585, to Junior Engineer E. R. Martin, $3.70; on voucher No. 99157, to Deck Officer J. S. Morton, $14.21; on voucher No. 99933, to Associate Geodetic Engineer W. Mussetter, $8.25; on voucher No. 98776, subvoucher No. 240, to Seaman W. R. Norton, $10.20; on voucher No. 99414, to Mate F. E. Okeson, $9.86; on voucher No. 99261, to Deck Officer F. Natella, $16.16; on voucher No. 101243, to Surgeon F. J. Soule, $50.75; on voucher No. 101138, to Junior Engineer E. R. Martin, $7; and on voucher No. 101084, to Seaman J. M. Narrow, $18.58: *Provided*, That the civilian officers and employees named herein shall not be required to make any refunds to the Government on account of payments made to carriers for travel furnished by the Government on transportation requests in connection with the vouchers listed herein as follows: Deck Officer John C. Ellerbe, jr., transportation requests Nos. C-71170, 71211, 71219, 71220, in the total amount of $138.82; Mate F. E. Okeson, transportation requests Nos. C-71233, 71234, in the total amount of $49.42; Deck Officer I. R. Rubottom, transportation requests Nos. C-71017, 71018, 71055, 71057, 71058, 71059, 71060, in the total amount of $175.93; Deck Officer J. C. Tison, transportation request No. C-71214, in the amount of $11.85; Deck Officer K. S. Ulm, transportation requests Nos. C-71212, 71213, 71216, 71217, in the total amount of $168.11; Deck Officer K. S. Ulm, transportation request Nos. C-70768, in the amount of $6.05; Deck Officer H. C. Walker, transportation request Nos. C-71215, in the amount of $6.05; Deck Officer E. B. Brown, transportation requests Nos. C-70720, 71226, in the total amount of $11.89; Chief Engineer H. Ely, transportation requests Nos. C-70638, 70639, 70686, in the total amount of $509.49; Deck Officer R. A. Marshall, transportation request No. C-71133, in the amount of $6.05; Deck Officer J. S. Morton, transportation requests Nos. C-70990, 71199, 71226, 71231, in the total amount of $52.01; Associate Geodetic Engineer W. Mussetter, transportation requests Nos. C-70724, 70725, 70726, in the total amount of $41.43; Deck Officer F. Natella, transporta-

tion requests Nos. C–71230, 71271, in the total amount of $56.73; Deck Officer C. R. Reed, transportation request No. C–71369, in the amount of $6.05; Deck Officer M. G. Ricketts, transportation request No. C–70929, in the amount of $6.05; Deck Officer W. C. Russell, transportation request No. C–71369, in the amount of $6.05; Deck Officer J. C. Tribble, transportation requests Nos. C–70927, 70928, in the total amount of $15.75; Deck Officer M. A. Hecht, transportation request Nos. C–71275, in the amount of $28.41; Assistant Marine Engineer W. R. McLaughlin, transportation requests Nos. C–70865, 70866, in the total amount of $43.49; Junior Engineer E. R. Martin, transportation requests Nos. C–70828, 70829, in the total amount of $37.04; Deck Officer J. S. Morton, transportation requests Nos. C–71332, 71333, in the total amount of $100.84; Associate Geodetic Engineer W. Mussetter, transportation requests Nos. C–71421, 71422, in the total amount of $41.63; Mate F. E. Okeson, transportation requests Nos. C–71431, 71432, in the total amount of $17.67; Deck Officer F. Natella, transportation requests Nos. C–71434, 71435, 71436, in the total amount of $57.21; and Surgeon F. J. Soule, transportation requests Nos. C–71022, 71023, in the total amount of $41.64.

The accompanying papers were referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

STATEMENT TO ACCOMPANY DRAFT OF LEGISLATION FOR THE RELIEF OF MR. JAMES M. GRIFFIN, DISBURSING AGENT, UNITED STATES COAST AND GEODETIC SURVEY

This proposed legislation authorizes and directs the General Accounting Office to credit the accounts of Mr. James M. Griffin, disbursing agent, United States Coast and Geodetic Survey, in the amount of $361.33, which sum represents the aggregate of payments made by him during the fiscal year 1930 to various civilian officers and employees of the Coast and Geodetic Survey as reimbursement of expenses incurred in travel in connection with the field work of that bureau under orders signed by the director.

The legislation also provides that the various-named civilian officers and employees shall not be required to make refund to the Government on account of payments which have been made by Mr. Griffin to the carriers for travel furnished by the carriers on transportation requests in connection with the same accounts upon which the disallowances were made by the General Accounting Office.

The legislation, if enacted, will involve no appropriation, but only a credit for money already expended.

While the accounts will be taken up individually later, one general statement will apply to all. The disallowances were made by the General Accounting Office and have been sustained by the Comptroller General upon the grounds that the orders directing the travel were signed by the Director of the Coast and Geodetic Survey and had not been approved by the head of the department. The General Accounting Office ruled that even though the travel was in connection with the regular field work of the bureau, and the civilian officers and employees named were not appointed to positions at a particular place, the movements called for in the orders directing the travel constituted transfers from one duty station to another within the meaning of section 2 of the act of December 30, 1928, id., 1055.

It should be stated that the same procedure in regard to orders directing the travel was followed as has been followed for years; namely, the orders were written by the director in accordance with regulations approved by the Secretary of Commerce for the government of the Coast and Geodetic Survey.

The first intimation from the General Accounting Office to the effect that travel such as had been performed by these civilian officers and employees constituted transfer from one official station to another in accordance with the intent of the act of December 22, 1927 (45 Stat. 50), and section 2 of the act of December 30, 1928, *id.* 1055, was in the notices of exception taken by the General Accounting Office to the accounts of Mr. Griffin for the quarter ending December 31, 1929. These notices of exception were dated April 22, 1930. Immediately upon receipt of these notices of exception the necessary steps were taken to have all orders issued subsequent to that date approved by the head of the department, but all such orders issued prior to that date and included in the accounts of Mr. Griffin for the quarters ending December 31, 1929, March 31, 1930, and June 30, 1930, had not been so approved and exceptions were taken to all of them by the General Accounting Office.

The field work of the Coast and Geodetic Survey by its very nature requires almost constant travel of personnel. A particular project in any given locality will require the presence of personnel for such length of time as is necessary for the completion of the work. Upon its completion, work in another locality will be taken up necessitating the travel of the personnel some of whom are included in the category of civilian officers and employees, to the location of the new project. Without entering into a discussion as to whether this travel constitutes transfers within the meaning of the statutes cited, it may be stated that the General Accounting Office so regards it and the procedure outlined by them must be followed.

Under orders dated November 13, 1929, Deck Officer John C. Ellerbe, jr., traveled from Washington, D. C., to San Francisco, Calif. In addition to the amount of $7.65 which was paid Deck Officer Ellerbe by Mr. Griffin and which amount has been disallowed by the General Accounting Office, railroad transportation and pullman accommodations from Washington, D. C., to San Francisco, Calif., on transportation requests Nos. C–71170, C–71211, C–71219, and C–71220, in the total amount of $138.82, were furnished. As the disbursing agent of the Coast and Geodetic Survey has reimbursed the carriers for these railroad and pullman accommodations, Deck Officer Ellerbe will be called upon to refund the amount stated unless this legislation is enacted.

In the following cases, which are identical in principle with the one stated above, only the dates of orders and amounts involved will be given.

Under orders dated November 13, 1929, Deck Officer Jeremiah S. Morton traveled from Washington, D. C., to Norfolk, Va. As no transportation was furnished on transportation requests, relief is necessary only in the amount of $7.35, which has been disallowed in the accounts of Mr. Griffin.

Under orders dated December 7, 1929, Mate Franz E. Okeson traveled from Norfolk, Va., to Miami, Fla. In this case the amount of $14.37 has been disallowed in the accounts of Mr. Griffin, and transportation and Pullman accommodations in the amount of $49.92 were furnished on transportation requests Nos. C–71233 and C–71234.

Under orders dated November 6, 1929, Deck Officer Ira R. Rubottom traveled from Norfolk, Va., to San Francisco, Calif. In this case the amount of $4.10 has been disallowed in the accounts of Mr. Griffin, and transportation and Pullman accommodations in the amount of $175.93 were furnished on transportation requests Nos. C–71017, C–71018, C–71055, C–71057, C–71058, C–71059, and C–71060.

Under orders dated November 14, 1929, Deck Officer James C. Tison, jr., traveled from Washington, D. C., to Norfolk, Va. In this case the amount of $4.20 has been disallowed in the accounts of Mr. Griffin, and transportation and Pullman accommodations in the amount of $11.85 were furnished on transportation request No. C–71214.

Under orders dated November 13, 1929, Deck Officer John C. Tribble, jr., traveled from Washington, D. C., to Norfolk, Va. As no transportation was furnished on transportation requests relief is necessary only in the amount of $7.45, which has been disallowed in the accounts of Mr. Griffin.

Under orders dated November 13, 1929, Deck Officer Kenneth S. Ulm traveled from Washington, D. C., to Seattle, Wash. In this case the amount of $14.40 has been disallowed in the accounts of Mr. Griffin, and transportation and Pullman accommodations in the amount of $168.11 were furnished on transportation requests Nos. C–71212, C–71213, C–71216, and C–71217.

Under orders dated September 20, 1929, Deck Officer Kenneth S. Ulm traveled from Washington, D. C., to Norfolk, Va. In this case the amount of $4.65 has been disallowed in the accounts of Mr. Griffin, and transportation and Pullman accommodations in the amount of $6.05 were furnished on transportation request No. C–70768.

Under orders dated November 13, 1929, Deck Officer Harry C. Walker traveled from Washington, D. C., to Norfolk, Va. In this case the amount of $6.55 has been disallowed in the accounts of Mr. Griffin, and transportation and Pullman accommodations in the amount of $6.05 were furnished on transportation request No. C–71215.

Under orders dated December 26, 1929, Deck Officer Edward B. Brown, jr., traveled from Washington, D. C., to New York, N. Y. In this case the amount of $4.65 has been disallowed in the accounts of Mr. Griffin; and transportation and Pullman accommodations in the amount of $11.89 were furnished on transportation requests Nos. C–70720 and C–71226.

Under orders dated July 16, 1929, Chief Engineer Harry Ely traveled from Manila, P. I., to Washington, D. C. In this case the amount of $42.35 has been disallowed in the accounts of Mr. Griffin; and transportation and Pullman accommodations in the amount of $509.49 were furnished on transportation requests Nos. C–70638, C–70639, and C–70686.

Under orders dated December 27, 1929, Chief Engineer Harry Ely traveled from Baltimore, Md., to New York, N. Y. As no transportation was furnished on transportation requests, relief is necessary only in the amount of $12.30, which has been disallowed in the accounts of Mr. Griffin.

Under orders dated March 5, 1930, Deck Officer Edmund L. Jones traveled from Washington, D. C., to Norfolk, Va. As no transportation was furnished on transportation requests, relief is necessary only in the amount of $2.64, which has been disallowed in the accounts of Mr. Griffin.

Under orders dated January 15, 1930, Deck Officer Robert A. Marshall traveled from Norfolk, Va., to Washington, D. C. In this case the amount of $3.25 has been disallowed in the accounts of Mr. Griffin; and transportation and Pullman accommodations in the amount of $6.05 were furnished on transportation request No. C–71133.

Under orders dated November 30, 1929, Deck Officer Jeremiah S. Morton traveled from Norfolk, Va., to New Orleans, La. In this case the amount of $3.94 has been disallowed in the accounts of Mr. Griffin; and transportation and Pullman accommodations in the amount of $52.01 were furnished on transportation requests Nos. C–70990, C–71199, C–71226, and C–71231.

Under orders dated March 20, 1929, November 21, 1929, and December 17, 1929, Associate Geodetic Engineer William Mussetter traveled from Havana, Ill., to Washington, D. C. In this case the amount of $9.75 has been disallowed in the accounts of Mr. Griffin; and transportation and Pullman accommodations in the amount

of $41.43 were furnished on transportation requests Nos. C–70724, C–70725, and C–70726.

Under orders dated January 7, 1930, Deck Officer Fred Natella traveled from Washington, D. C., to Everglades, Fla. In this case the amount of $11.55 has been disallowed in the accounts of Mr. Griffin; and transportation and Pullman accommodations in the amount of $56.73 were furnished on transportation requests Nos. C–71230 and C–71271.

Under orders dated March 5, 1930, Deck Officer Clarence R. Reed traveled from Washington, D. C., to Norfolk, Va. In this case the amount of $2 has been disallowed in the accounts of Mr. Griffin; and transportation and Pullman accommodations in the amount of $6.05 were furnished on transportation request No. C–71369.

Under orders dated December 26, 1929, Deck Officer Max G. Ricketts traveled from Norfolk, Va., to Washington, D. C. In this case the amount of $3 has been disallowed in the accounts of Mr. Griffin; and transportation and Pullman accommodations in the amount of $6.05 were furnished on transportation request No. C–70929.

Under orders dated March 5, 1930, Deck Officer William C. Russell traveled from Washington, D. C., to Norfolk, Va. In this case the amount of $2.10 has been disallowed in the accounts of Mr. Griffin; and transportation and Pullman accommodations in the amount of $6.05 were furnished on transportation request No. C–71369.

Under contract of employment dated September 25, 1929, Clarence Sylar was reimbursed for travel expenses in traveling from Seattle, Wash., to San Francisco, Calif., in the amount of $33.54. This amount has been disallowed for the reason that the transportation was not approved by the head of the department.

Under orders dated December 26, 1929, Deck Officer John C. Tribble, jr., traveled from Norfolk, Va., to New York, N. Y. In this case the amount of $5.35 has been disallowed in the accounts of Mr. Griffin; and transportation and Pullman accommodations in the amount of $15.75 were furnished on transportation requests Nos. C–70927 and C–70928.

Under orders dated January 10, 1930, Deck Officer Maurice A. Hecht traveled from Washington, D. C., to Jacksonville, Fla. In this case the amount of $10.42 has been disallowed in the accounts of Mr. Griffin; and transportation and Pullman accommodations in the amount of $28.41 were furnished on transportation request No. C–71275.

Under orders dated February 25, 1930, First Assistant Marine Engineer William R. McLaughlin traveled from San Francisco, Calif., to Seattle, Wash. In this case the amount of $4 has been disallowed in the accounts of Mr. Griffin; and transportation and Pullman accommodations in the amount of $43.49 were furnished on transportation requests Nos. C–70865 and C–70866.

Under orders dated March 28, 1930, Junior Engineer E. R. Martin traveled from Jacksonville, Fla., to Washington, D. C. In this case the amount of $3.70 has been disallowed in the accounts of Mr. Griffin; and transportation and Pullman accommodations in the amount of $37.04 were furnished on transportation requests Nos. C–70828 and C–70829.

Under orders dated January 30, 1930, Deck Officer Jeremiah S. Morton traveled from New Orleans, La., to San Francisco, Calif. In this case the amount of $14.21 has been disallowed in the accounts of Mr. Griffin, and transportation and Pullman accommodations in the amount of $100.84 were furnished on transportation requests Nos. C–71332 and C–71333.

Under orders dated March 31, 1930, Associate Geodetic Engineer William Mussetter traveled from Washington, D. C., to Havana, Ill. In this case the amount of $8.25 has been disallowed in the accounts of Mr. Griffin, and transportation and Pullman accommodations in the amount of $41.63 were furnished on transportation requests Nos. C–71421 and C–71422.

Under orders dated December 14, 1929, from his commanding officer, Seaman W. J. Norton, attached to and serving on board the ship *Discoverer*, but who had been temporarily detailed to duty ashore at Point Arena Cove, Calif., traveled from Point Arena Cove to Oakland, Calif., to rejoin his ship. He was reimbursed his travel expenses in the amount of $10.20, which amount has been disallowed in the accounts of Mr. Griffin for the reason that the orders of his commanding officer had not been approved by the head of the department.

Under orders dated April 7, 1930, Mate Franz E. Okeson traveled from Everglades, Fla., to Jacksonville, Fla. In this case the amount of $9.86 has been disallowed in the accounts of Mr. Griffin; and transportation and Pullman accommodations in the amount of $17.67 were furnished on transportation requests Nos. C–71431 and C–71432.

Under orders dated April 7, 1930, and April 16, 1930, Deck Officer Fred Natella traveled from Everglades, Fla., to Washington, D. C. In this case the amount of $16.16 has been disallowed in the accounts of Mr. Griffin, and transportation and Pullman accommodations in the amount of $57.21 were furnished on transportation requests Nos. C–71434, C–71435, and C–71436.

Under orders dated December 6, 1929, and December 11, 1929, Surg. F. J. Soule traveled from Manila, P. I., to Seattle, Wash. In this case the amount of $50.75 has been disallowed in the accounts of Mr. Griffin, and transportation and Pullman accommodations in the amount of $41.64 were furnished on transportion requests Nos. C–71022 and C–71023.

Under orders dated March 27, 1930, Junior Engineer E. R. Martin traveled from Melbourne, Fla., to Jacksonville, Fla. In this case the amount of $7 has been disallowed in the accounts of Mr. Griffin.

Under orders dated November 30, 1929, Seaman J. M. Narrow traveled from Oakland, Calif., to Portland, Oreg. In this case the amount of $18.58 has been disallowed in the accounts of Mr. Griffin, the reason being that the orders were not approved by the head of the department.

The following papers accompany this statement:

(1) Itemized statement of differences.

(2) Copy of each individual notice of exception to which is attached a copy of the orders under which the travel was performed.

Itemized statement of differences in accounts of J. M. Griffin, disbursing agent, United States Coast and Geodetic Survey, for which relief is requested

Period of travel	Traveler		Amount paid—			
			To traveler		To transportation company	
	Name	Designation	Voucher No.	Disallowed	Transportation request, No. C—	Transportation furnished
1. Dec. 3–7, 1929	Ellerbe, John C., jr	Deck officer	96675	$7.65	71170, 71211, 71219, 71220	$138.82
2. Nov. 16, 1929	Morton, J. S	do	96713	7.35		
3. Dec. 14–16, 1929	Okeson, F. E	Mate	96771	14.37	71233, 71234	49.42
4. Nov. 8–21, 1929	Rubottom, I. R	Deck officer	96818	4.10	71017–18, 71055–7–8–9–60	175.93
5. Nov. 16–17, 1929	Tison, J. C	do	96412	4.20	71214	11.85
6. Nov. 15–16, 1929	Tribble, J. C	do	96626	7.45		
7. Nov. 21–25, 1929	Ulm, K. S	do	96649	14.40	71212–13–16–17	168.11
8. Sept. 20–21, 1929	do	do	95340	4.65	70763	6.05
9. Nov. 16–17, 1929	Walker, H. C	do	96241	6.55	71215	6.05
10. Jan. 2–4, 1930	Brown, E. B	do	97132	4.65	70720, 71226	11.89
11. Sept. 1–27, 1929	Ely, H	Chief engineer	97150	42.35	70638–9, 70686	509.49
12. Jan. 1–2, 1930	do	do	97151	12.30		
13. Mar. 11, 1930	Jones, E. L	Deck officer	98186	2.64		
14. Jan. 25–27, 1930	Marshall, R. A	do	97492	3.25	71133	6.05
15. Dec. 5–30, 1929	Morton, J. S	do	97019	3.94	70990, 71199, 71226, 71231	52.01
16. Feb. 5–16, 1930	Mussetter, W	Associate geodetic engineer	97642	9.75	70724–5–6	41.43
17. Jan. 9–10, 1930	Natella, F	Deck officer	97175	11.55	71230, 71271	56.73
18. Mar. 10–11, 1930	Reed, C. R	do	98184	2.00	71369	6.05
19. Jan. 4–6, 1930	Ricketts, M. G	do	97020	3.00	70929	6.05
20. Mar. 10–11, 1930	Russell, W. C	do	98183	2.10	71369	6.05
21. Sept. 30, 1929	Sylar, C	Hand	98313–SV–250	33.54		
22. Jan. 1–2, 1930	Tribble, J. C	Deck officer	96989	5.35	70927–8	15.75
23. Jan. 11–12, 1930	Hecht, M. A	do	99316–SV–16	10.42	71275	28.41
24. Mar. 19–31, 1930	McLaughlin, W. R	Assistant marine engineer	99684	4.00	70865–6	43.49
25. Mar. 31–Apr. 1, 1930	Martin, E. R	Junior engineer	98585	3.70	70828–9	37.04
26. Mar. 5–9, 1930	Morton, J. S	Deck officer	99157	14.21	71332–3	100.84
27. Apr. 6–7, 1930	Mussetter, Wm	Associate geodetic engineer	99933	8.25	71421–2	41.63
28. Dec. 17, 1929	Norton, W. R	Seaman	98776–SV–240	10.20		
29. Apr. 26–27, 1930	Okeson, F. E	Mate	99414	9.86	71431–2	17.67
30. Apr. 30–May 2, 1930	Natella, Fred	Deck officer	99261	16.16	71434–5–6	57.21
31. Jan. 6–27, 1930	Soule, F. J	Surgeon	101243	50.75	71022–3	41.64
32. Mar. 29, 1930	Martin, E. R	Junior engineer	101138–SV–183	7.00		
33. Dec. 1–2, 1929	Narrow, J. M	Seaman	101084–SV–48	18.58		
Total				360.27		1,635.66

Total cost of traveling expenses reimbursed direct to employees by J. M. Griffin, disbursing agent $360.27

Total cost of transportation furnished employees as paid to transportation company by J. M. Griffin, disbursing agent 1,635.66

EXAMINATION OF GOVERNMENT RECORDS BY ATTORNEY GENERAL OF WISCONSIN

Mr. BLAINE introduced a joint resolution (S. J. Res. 125) authorizing the attorney general of Wisconsin to examine Government records in relation to claims of Wisconsin Indians, which was read twice by its title, referred to the Committee on Indian Affairs, and ordered to be printed in the RECORD, as follows:

Whereas, by chapter 144 of the Session Laws of the State of Wisconsin for the year 1931, the attorney general of said State is directed to investigate and prosecute to a conclusion all legitimate claims against the Federal Government of Indians residing in Wisconsin; and

Whereas, in conformity with said statute, the attorney general desires to examine records of the Federal Government relating to Indians within the State of Wisconsin: Now, therefore, be it

Resolved, etc., That the attorney general of the State of Wisconsin, or his duly accredited representative, is authorized to examine official letters, papers, documents, and records of the United States Government, and to make copies thereof, without expense to the United States, and the departments and the independent establishments of the Government shall give access to the attorney general of Wisconsin, or his duly accredited representative, to such official letters, papers, documents, and records as may be needed by the attorney general of Wisconsin in carrying out the provisions of the aforesaid chapter 144 of the Session Laws of Wisconsin of 1931.

CHANGE OF REFERENCE

On motion of Mr. JONES, the Committee on Appropriations was discharged from the further consideration of the bill (S. 4131) providing for the temporary reduction of compensation of certain officers and employees of the United States, and for other purposes, and it was referred to the Committee on Civil Service.

WHEAT AND COTTON—ADDRESS BY W. G. M'ADOO

Mr. SHEPPARD. Mr. President, I present for publication in the RECORD an address delivered by Hon. W. G. McAdoo before the Salesmanship Club of Houston, Tex., on March 19, 1932, entitled "How to Save Our Wheat and Cotton Farmers and Revive General Prosperity."

The VICE PRESIDENT. Without objection, it is so ordered.

The address is as follows:

I am going to talk to you about agriculture and the economic condition of the farmer. You may think that is a strange topic to discuss with salesmen, but the fact is that it concerns business men as much as anyone except the farmers themselves.

You all know it is impossible to sell to a man who has no purchasing power. That is the condition of the farmer to-day, and that is why you are not selling him any goods. If his purchasing power could be restored, he would again become your profitable customer; this would help you and your business. Therefore, as salesmen and business men, you are interested in agriculture and in any sound plan to put the farmer back on his feet financially.

Much has been written during recent years about the plight of the farmer. I think it fair to say that business men generally have been unsympathetic, feeling that the problem was an isolated one which did not concern them. Some have even thought that the matter was being agitated solely for political purposes. Even to-day, after two years of depression, business as a whole has little knowledge of the real agricultural situation. Still less is it recognized that this situation is one of the basic causes of the depression itself. The question continues to be with us, in spite of all the remedies that have been adopted and all the prescriptions that have been offered. No one knows or can predict with any degree of certainty, how long the disorder will last.

The recently enacted Glass-Steagall bill, which widens the base of Federal reserve credit, offers to the banks of the country the opportunity to stop the long and disastrous policy of restricting credits and gives promise of substantial relief to sorely pressed debtors, struggling business, and enterprise, if the banks now pursue a more liberal credit policy.

But the Glass-Steagall bill will not, in itself, restore prosperity. It can not alone increase the purchasing power of the people or relieve unemployment. Enlarged credit is a helpful instrumentality for accelerating a return to normal conditions only if the fundamental causes of the trouble are remedied.

Chief among the fundamental causes of the depression is the condition of agriculture, and especially those phases of it represented by two great staple commodities—wheat and cotton. I select these not alone because they constitute one of the largest sources of farm income, but because they strike me as the crux of the farm problem on account of their large exportable surplus, which differentiates them from other farm commodities and places them in an extremely difficult position.

It is not, I think, necessary to argue that agriculture is, more than any other single industry, the foundation of national prosperity; that an impoverished farm class is an economic sore spot which affects the entire body politic. This is generally conceded. If we can find the means of restoring the purchasing power of the farmer, we shall be able to reconstruct our shattered economic foundations and we may then proceed with confidence to erect the superstructure of a new prosperity.

I dislike to use statistics in a speech, but as a necessary background to my argument I must introduce some data of that character.

During 1927, the latest year for which I have available figures, the number of gainfully occupied persons in the United States was about 45,000,000, made up approximately, as follows:

Engaged in agriculture	8,500,000
Engaged in manufacturing industries	10,750,000
All others	25,750,000

It was in 1914 that Henry Ford announced his minimum wage of $5 per day for employees in his plants. The effect of this is reflected in the figures of succeeding years.

In the 15-year period from 1913 to 1927, inclusive, there was a large increase in the gross per capita earnings of salaried employees and wage workers engaged in manufacturing, but in the agricultural line the increase was much less, as shown by the following table:

Salaries of wage workers engaged in manufacturing, 1913 and 1927

	1913	1927	Per cent increase
Average annual earnings:			
Salaried employees	$1,066	$2,084	95
Wage workers	594	1,205	103
Average gross annual income per person gainfully occupied in agriculture	895	1,387	55

You will observe that the position of the farmer improved only a little more than half as much as that of the salaried employee and the wage worker. In 1913 the total agricultural income was $7,886,000,000, while in 1927 it was $11,698,000,000. It is estimated that the gross agricultural income for 1931 will be approximately $6,500,000,000. Assuming that the number of persons gainfully occupied in agriculture was the same as in 1927 (8,500,000), the gross income per capita for 1931 would be about $765. On the basis of 300 working days this would amount to a gross per diem rate of less than $2.55.

Now, remember that the figure of $2.55 per day is gross. From it must be deducted taxes, interest, maintenance, fertilization, and other operating expenses.

During the 15-year period we are discussing, the expenses of Government, including Federal, State, and local, increased more than 400 per cent, with a corresponding increase in general taxation.

Without sufficient income to meet his expenses, the farmer has had to increase his borrowings from banks until farm mortgages amounted to $9,500,000,000 in 1928, as compared with $3,600,000,000 in 1910. The interest charges on these obligations constitute a heavy part of the farmer's costs.

After deducting these items, together with his operating expenses, it is obvious that the average net return to the farmer is nominal. This situation has reduced his purchasing power to a minimum and, in turn, has vitally affected industry and its employees.

With the farmer virtually eliminated as a customer, industry has been forced to curtail operations. This has resulted in unemployment on the industrial side to the extent of about 7,000,000 persons.

These unemployed, like the farmer, are without purchasing power. There are, therefore, about 15,500,000 potential customers (8,500,000 farmers and 7,000,000 unemployed), not counting their dependents, who are not buying manufactured goods. Thus, the condition of agriculture, generally supposed to be a problem concerning the farmer only, is seen to be of direct and paramount importance to the wage earner and to industry generally.

Unless something effective is done to actively counteract and correct the declining trend of agricultural income, it is probable that the condition of the farmer in the United States will continue to grow progressively worse. That a program of correction is exigent must be obvious to anyone who considers the size and importance of the farm community.

Of the total United States population in 1930, over 27,000,000 were farmers and their dependents working or living directly on farms. In addition, there were another 26,000,000 in small towns and communities under 2,500 population, whose prosperity depends directly upon farm prosperity. Thus nearly 44 per cent of the population of the United States is still rural and semirural. Both from an economic and social standpoint, the prosperity of so large a part of the population is vitally important in determining the prosperity of the country as a whole. Any plan which will materially increase the income of this group is bound to exert a great influence toward the betterment of national business conditions.

The fundamental difficulty of the cotton and wheat farmers is that they must sell their crops in the United States, as well as in export markets, at world prices; that is, prices established in the Liverpool market, based upon world supply and demand. Under this system, the American farmer receives no more for his cotton or wheat than the peasant of Europe, Russia, Argentina, or India, where living standards are far lower than those in the United States.

The situation is the same as would exist if, for example, the steel manufacturers of the United States had to sell their products in this country at the world price. If this were actually the case, the prosperity of the steel industry and the steel workers would be seriously hurt.

The fact is that the steel manufacturers are protected by adequate tariffs on their products, which give them control over their domestic markets, and they sell their surplus at what they can get in the competitive markets of the world, without affecting the price which they receive at home.

If the producers of wheat and cotton were protected to such an extent that they could sell the amount of wheat and cotton consumed in the United States at remunerative prices, they could then take their chances, as manufacturers do, on the disposition of their surplus in the competitive markets of the world.

It is true that there is now a tariff duty of 42 cents per bushel on wheat. But this is wholly ineffective because the surplus wheat production and not the tariff controls the price. Thus the Chicago price for wheat has for years been the Liverpool price less the cost of transportation.

There is no tariff on short-staple cotton, but even if there were it would be no more effective, under present conditions, than the tariff on wheat.

The cotton and wheat farmers operate under another handicap. Although, as already shown, they must sell their crops at world prices, they are obliged to hire their labor and to purchase their equipment and supplies at United States prices. Data compiled by the United States Department of Agriculture show that the farmers' costs were, in November, 1931, 23 per cent greater than in 1914.

Thus the American farmer sells in an unprotected market and buys in a protected one. He is outside of our tariff walls when he sells and inside of it when he buys. He therefore loses at both ends.

Before we can intelligently consider means of bettering the farmer's position, we must analyze the sources of farm income to determine, first, from what products the major portion of that income is derived; and, second, which of these products has suffered the greatest decline in price.

In discussing farm income we must be careful to distinguish between the farm value of the various products and their income value to the farmer. Several of the major crops are of large total value; but since only a small portion of them is sold off the farm, they are not a direct and immediate source of income to the farm group. For example, although corn and hay are the leading staple crops, from the point of view of farm value they are minor sources of direct farm income. Practically all of the hay is fed to livestock, while five-sixths of the corn is fed to hogs; only one-sixth is sold outside the farm group.

Efforts to increase farm income can be most effectively directed at those products which bring quick income from the outside into the farm group. From this standpoint cotton and wheat are among the largest sources, accounting for more than 20 per cent of the total farm income in normal times. For instance, cotton represents 13.1 per cent and wheat 7.2 per cent of the total farm income.

Due to our unbalanced economic order, caused by long-continued tariff policies which have protected the manufacturer but not the farmer, our wheat and cotton producers have borne the brunt of the losses that have befallen agriculture. It is in these two branches of the farm industry that the need for relief is greatest, and it is here that the largest possibilities of quickly increasing farm income lie.

In devising a plan to accomplish this we must investigate each industry separately.

COTTON

Speaking in round rather than with strictly accurate figures, let us assume that the average cotton crop in the United States for the past 13 years has been 13,500,000 bales per annum, of which 6,000,000 bales are sold in this country and 7,500,000 bales are for export.

Under present conditions all of the 13,500,000 bales are sold at the world price, which is around 6½ cents per pound.

There is nothing we can do to change the world price. Consequently, the 7,500,000 bales which are exportable must continue to be sold at that price.

It is in the domestic market that measures of control should and can be made effective. At present domestic prices are the same as world prices. They will remain so as long as no governmental steps are taken to bring about a differential. The American consumer of cotton gets the benefit of these world maladjustments and low prices, but the American cotton grower takes the losses.

The first thing we must recognize is that the cotton producer is entitled to receive a higher price for the cotton he sells in the domestic market than for the cotton he sells in the world market. From the point of view of both producer and consumer, Government measures to assure a remunerative price for cotton consumed in the United States are thoroughly justified. This can be accomplished only by giving the cotton grower tariff protection on that part of his crop which is absorbed by the home market.

Let us consider the effect that higher prices would have on the cotton farmer's income.

Suppose that a tariff duty of 12 cents per pound on the cotton consumed in the United States was imposed; that the present world price of 6½ cents per pound was raised to 18½ cents per pound through the operation of this tariff, and that this increase could be put into the pockets of the farmers who raise the crops.

On the basis of a domestic consumption of 6,000,000 bales the price increase of 12 cents per pound resulting from such a tariff would enlarge the cotton farmer's income by $360,000,000 per year.

Now, let us consider the effect that a higher domestic price would likely have, both on domestic production and consumption.

In general, higher prices stimulate production. There are still great areas of potential cotton land in the South, particularly in Texas. With cotton on a more profitable basis the farmer would naturally be inclined to shift from other crops into cotton and to develop new areas. This would enlarge the production of cotton and would tend to further reduce the income from that part of the crop which must be sold in foreign markets. It will be necessary, in any practicable plan, to devise some means by which overproduction may be discouraged or restrained.

The influence of a higher domestic price for raw cotton would be most serious to that part of the textile industry which exports finished cotton cloth and other goods. These manufacturers have to compete in a world market with other manufacturers who can buy their cotton at lower prices. However, production costs would not, by any means, be increased in direct proportion to the increase in the cost of the raw material. Raw cotton constitutes not more than 30 per cent, on the average, of the cost of the finished product. Doubling the price of raw cotton would increase the cost of production by less than one-third. Wholesale prices of cotton cloth do not fluctuate to anything like the extent that the prices of raw cotton do. We must recognize, however, that domestic exporters of cotton goods might be placed at some disadvantage by a tariff on short staple cotton, but this might be overcome by a compensatory increase in the existing tariffs on cotton textiles.

Analyses made by the Department of Agriculture show that the volume of textile consumption depends principally upon current business conditions more than upon price. This is in contrast with foreign countries, where price changes stimulate or retard consumption. It is not to be expected that an increase in raw-cotton prices from the present subnormal level to a point even though well below the average of the last five years will greatly reduce consumption in the United States or materially increase the cost of manufactured cotton to consumers.

WHEAT

Speaking again in round figures, let us assume that the wheat crop in the United States amounts to 800,000,000 bushels per annum, of which 600,000,000 bushels are sold domestically and 200,000,000 are exportable.

As in the case of cotton, the world price is beyond our control and the 200,000,000 bushels for export must continue to be sold at that price.

This leaves, subject to domestic regulation, the 600,000,000 bushels which are sold in the United States.

The present flexible tariff duty of 42 cents per bushel is too low in view of the low world price. The duty should be increased to 65 cents per bushel. If a means can be found whereby this duty can be added to the price of wheat consumed in the United States, the wheat farmer's income will be increased by $390,000,000 per year.

The inevitable result of a great and sustained improvement in price for any commodity is to stimulate increased production. In the past, wheat acreage has expanded with higher prices. It is probable that a moderate rise from the present subnormal level would not immediately bring a large expansion in acreage. However, as in the case of cotton, any plan for increasing substantially the price of wheat in the domestic market must be accompanied by some practicable method for discouraging or regulating production.

Statistics show that in the past increases in the price of wheat have had practically no effect on the volume of consumption or on the price of bread and other bakery products to the consumer. An increase of 65 cents per bushel in the price of wheat would therefore have little, if any, effect on the price which the consumer pays for bread.

After these preliminaries you ask: What is the plan? I shall give it to you.

The salvation of the wheat and cotton farmers of the United States revolves around a tariff on these commodities sufficiently high to preserve for the producers the home market against outside competition. This must be accompanied by Federal regulation which will enable the farmers to get the full benefit of the tariff protection awarded to them on that part of their crop consumed in the United States.

The present tariff duty on wheat is merely a gesture. The farmer receives no benefit from it, for the simple reason that no means have been provided for transferring to his pocket the paper protection thus offered to him.

Practically the entire cotton crop of the United States is what is known as short staple. There is no tariff on short staple, but there is a tariff of 10 cents per pound on long-staple cotton. This gives no help to cotton growers, because only a negligible amount of long staple is produced in this country.

The Congress should, without delay, impose a flexible tariff on short-staple cotton, the initial rate to be at least 12 cents per pound—in order that the cotton farmer, as well as the wheat farmer, may have the domestic market preserved for him—and receive, as a part of the price of the raw cotton he sells for United States consumption, the tariff duty of 12 cents per pound.

The Congress should promptly enact a law providing, in its essentials, that the Secretary of Agriculture, with the approval of the President, shall have power:

1. To determine, as of some convenient date or dates, each year, the percentage of the wheat and cotton crops for that year which shall be:

(a) For United States consumption; and

(b) For export or foreign consumption.

2. To fix annually, or semiannually, or quarterly, the minimum prices at which wheat and cotton may be lawfully bought and sold for United States consumption—the prices so fixed to represent, as nearly as may be, the world price prevailing at the time, plus the flexible tariff then in effect upon wheat and cotton.

3. After the Secretary of Agriculture has determined the percentages for United States and foreign consumption, and the minimum prices for wheat and cotton, it shall be unlawful for any person to buy from any farmer or producer, or for any farmer or producer to sell wheat or cotton at less than the minimum prices so prescribed. Each transaction shall be based upon the percentages for United States and foreign consumption established by the Secretary of Agriculture; and the purchasers shall be required to pay at least the established minimum price for the percentage fixed for United States consumption and the prevailing world price for the percentage fixed for foreign consumption.

4. To increase or decrease, annually or semiannually, the flexible tariff rates on wheat and cotton.

5. To promulgate from time to time such regulations as in his judgment may be necessary or expedient for carrying into effect the provisions of the act.

6. For each and every violation of the act the offender to be punished by fine or imprisonment, or both, and, in addition, to be liable to the aggrieved party in double the amount of the purchase or sale, recoverable in a civil action by the aggrieved party in any court of competent jurisdiction.

7. The tariff of 12 cents per pound on short-staple cotton, like the tariff on wheat, to be subject to the flexible provisions of the existing tariff act, and a compensatory increase in the tariffs on cotton textiles to be permitted, the amount of such increase to be determined by the Tariff Commission under the provisions of existing law.

I shall not attempt to go into details, such as resales and other matters which will naturally arise, because these can be taken care of by the Secretary of Agriculture under the broad power of regulation which is to be conferred upon him by the proposed act.

Has Congress the constitutional power to enact legislation of this character? On this question I have no doubt.

While it is true that there is difficulty in separating intrastate and interstate transactions in wheat and cotton, I am convinced that a Federal law applying to the whole field of commerce in these commodities would be constitutional. The Supreme Court of the United States held, in the case of Stafford *v.* Wallace, that "the authority of Congress extends to every part of interstate commerce and to every instrumentality or agency by which it is carried on, and the full control by Congress of the subjects committed to its regulation is not to be denied or thwarted by the commingling of interstate and intrastate operations. * * * The execution by Congress of its constitutional power to regulate interstate commerce is not limited by the fact that intrastate transactions may have become so interwoven therewith that the effective government of the former incidentally controls the latter. This conclusion necessarily results from the supremacy of the National Government within its appointed sphere."

The Congress has asserted its power to control interstate and foreign commerce with respect to wheat and cotton in such comprehensive legislation as the grain futures act, the United States warehouse act, the United States grain standards act, the United States cotton futures act, the United States cotton standards act, and the agricultural marketing act. The Supreme Court of the United States, in upholding the constitutionality of the grain futures act, enunciated the principle that Congress has the power to regulate cotton and wheat prices.

However, if any serious doubt is entertained as to the sole power of the Federal Government to enact the proposed legislation, the result can undoubtedly be accomplished through cooperative legislation by the wheat and cotton growing States.

The effect of the proposed plan would be to increase the present prices of wheat in the markets of the United States by the proposed tariff duty of 65 cents per bushel and the price of short-staple cotton by the proposed tariff duty of 12 cents per pound. On the basis of present quotations, these commodities would sell, for United States consumption, at the following prices:

	Liverpool world price	Duty	United States price
Wheat per bushel	$0.75	$0.65	$1.40
Cotton per pound	.06½	.12	.18½

No one can say that these United States prices would be unduly high. In the depression year, 1921, the average price of wheat was $1.31 per bushel, and the average price of cotton was 19 cents per pound.

Let us now take an assumed transaction after such a law has been put into effect:

A farmer goes to his grain elevator to sell 400 bushels of wheat. Let us suppose that the Secretary of Agriculture has declared, with respect to the then current wheat crop, that 75 per cent is for United States consumption and 25 per cent is for foreign consumption, and that the Secretary of Agriculture has also fixed the minimum price for United States consumption at $1.40 per bushel (being 75 cents per bushel, Liverpool world price, plus 65 cents per bushel, tariff).

The farmer would receive from the grain elevator $1.40 per bushel for 300 bushels (75 per cent for United States consumption)	[1] $420
He would receive 75 cents per bushel for 100 bushels (25 per cent for foreign consumption)	[1] 75
Total	495

Let us now turn to cotton:

A farmer wants to sell 10 bales or 5,000 pounds. Assume that the Secretary of Agriculture has declared, with respect to the then current cotton crop, that 45 per cent is for United States consumption and 55 per cent is for export or foreign consumption, and that the Secretary of Agriculture has also fixed the minimum price for United States consumption at 18½ cents per pound (being 6½ cents per pound, world price, plus 12 cents per pound, tariff).

The farmer would receive from the purchaser 18½ cents per pound for 2,250 pounds (45 per cent for United States consumption)	[2] $416.25
He would receive 6½ cents per pound for 2,750 pounds (55 per cent for world consumption)	[2] 178.75
Total	595.00

By this plan the new money put into the pockets of the wheat and cotton farmers in one year would be $390,000,000 for wheat and $360,000,000 for cotton, a total of $750,000,000.

This increased income would so enlarge the purchasing power of these two great agricultural classes that it would tremendously stimulate business in every direction. All other agricultural producers would share in the prosperity thus created. A strong demand would spring up immediately for manufactured goods. This would result in the reemployment of labor on a large scale. Prosperity would begin to permeate all classes, because it would begin at the foundation, the only place where it can have a sound beginning and receive a healthy growth.

It is not, I think, essential for the Secretary of Agriculture to consider the world price in fixing the United States minimums. A fair price may be established, regardless of the world price, so long as the minimum in the United States is not put at a level which will provoke foreign competition. This can be controlled through the flexible tariff.

My emphatic view is that the cotton and wheat farmers are entitled to economic security in the home market and that it is impossible to recreate general prosperity until the producers of basic commodities are restored to a prosperous status. I have long held the opinion, and I am doubly confirmed in it as a result of the experience of the past two years, that farmers are more entitled to tariff benefits and tariff protection than overgrown manufacturers.

I have always been opposed to excessive tariffs; but since that policy has been forced upon the Nation until it has become deeply embedded in our economic structure, I want the farmer to participate in its benefits on equal terms with industry.

There is economic justification for doing every reasonable thing that can be done through wise national legislation to promote the welfare of the primary producers of agricultural products, because it is self-evident that a sound basis for general prosperity can not be found until those who produce food and raiment for the people are rescued from the poverty which now envelops them.

The method I have suggested does not interfere with the normal course of commerce. It is simple in its operation; it is not strangled with red tape; it automatically converts into money the benefits of a tariff on that part of the crops which are consumed in the United States and puts that money into the pockets of the wheat and cotton growers. While it will be unlawful to buy or sell wheat or cotton for domestic consumption at less than the minimum prices prescribed by the Secretary of Agriculture, no limitation is put upon trading in these commodities above the minimum prices. Only the exportable surpluses of these crops are forced into competition in the world markets. But world prices will not be permitted, after the adoption of this plan, to slaughter our farmers any longer by destroying the value of wheat and cotton in the markets of the United States. Our farmers will be put on a parity with our protected manufacturers.

By this plan it will not be necessary to maintain a Farm Board or any bureaucratic agency at Washington, with a capital of $500,000,000 in money, taken from the United States Treasury, and used to speculate in the grain and cotton markets. The huge losses taxpayers have already suffered from the unfortunate Farm Board experiment should warn us against a continuation of such an unsound and fruitless policy.

We have recently created a Reconstruction Finance Corporation and have given it $500,000,000—money taken from the United States Treasury—and in addition $1,500,000,000, to be raised by the sale of bonds, guaranteed both as to principal and interest by the United States. The benefits of this colossal appropriation—

[1] After deducting the cost of transportation, which is included in the above Liverpool price, the farmer would get $1 per bushel for that part of his wheat consumed in the United States.

[2] The cost of transportation to be deducted.

$2,000,000,000 in money and credit belonging to the people—unprecedented in time of peace—are confined to certain favored interests—banks, railroads, insurance companies, and other corporations, the control and management of which are in private hands and for whose mistakes and for whose condition the people of the United States are not responsible. It is a dangerous experiment and, in my opinion, a perversion of the powers of democratic government—certainly as we have been taught to understand them.

I venture to say that even one-third of this vast sum, injected into the arteries of enfeebled and sinking agriculture through a diffusion of the benefits of a properly applied tariff policy, would return prosperity to the people of the United States with greater speed and certainty than can be expected from any conceivable effort and expenditure the Reconstruction Finance Corporation may make. The same thing may be said of various other superficial remedies adopted at Washington and loaded upon the Treasury during the past two years.

I realize, of course, that the more remunerative the price the greater is the inducement to the farmer to expand his acreage and increase production. The purpose of conferring upon the Secretary of Agriculture, subject to the approval of the President, the power to increase or decrease the flexible tariff on wheat and cotton is to enable him to discourage or encourage production by the use of this power and to use the power promptly. It will be possible for the Secretary of Agriculture to establish, in advance of the planting of the crops, the minimum price for United States consumption upon an assumed gross production of wheat and cotton. This minimum price will specify the amount of flexible tariff on each of these crops, based upon the assumed production. The Secretary of Agriculture may go further and say that the flexible tariff will be increased in proportion to any decrease in the assumed production, and that it will be reduced in proportion to any excess above the base figure.

To illustrate: Suppose that the Secretary of Agriculture announced that upon the basis of an 800,000,000-bushel crop of wheat for 1932 the flexible tariff would be 65 cents per bushel; that if the crop should be 700,000,000 bushels, the flexible tariff would be increased one-eighth, or from 65 cents to 73 cents per bushel. On other other hand, if the crop should be 900,000,000 bushels, the flexible tariff of 65 cents would be reduced one-eighth, or to 57 cents per bushel. The farmer, with a definite chart of this sort before him, would have an intelligent basis upon which he could proceed to plant his crop. As it is now, he goes it blind, without anything to guide him, and we get excessive production, with starvation prices, in some years, and reduced production, with remunerative prices, in other years. A similar application could be made to cotton.

A number of Southern States have recently enacted laws for compulsory reduction of cotton acreage as a solution of the problem. These efforts are well meant, but I do not believe that they will prove efficacious, even if the laws are valid. As to their legality, I have grave doubt. Any arbitrary reduction of acreage will hit the small and poverty-stricken farmers much harder than the larger and more fortunate ones. But aside from this, reduction of acreage, without the power to control fertilization and intensive farming, might result in the production of crops, on half of the same acreage, as large almost as those produced, without fertilization and intensive farming, on the normal acreage. I can not help feeling that any interference by law with the right of the farmer to plant his land as in his judgment seems best—and he certainly knows better than anyone else what he can do with his own farm—is unwise if not dangerous in principle. It is infinitely better to induce the farmer to regulate his production through lawfully established minimum prices which will vary fairly with the size of his crops.

By wise use of the flexible tariff, automatic regulation may result, with highly beneficial consequences, not only to wheat and cotton producers, but to the entire agricultural and business community.

It is an interesting fact that since 1877 the French Government has provided a minimum price below which it is illegal to sell French wheat in that country. Germany has controlled her wheat situation in a similar manner; and England, which, like the United States, has long neglected its farmers, has recently adopted a plan similar in principle to the French plan.

Of course, the French situation differs from ours because France produces less wheat than she consumes, while we produce a surplus over our requirements. However, the French plan is the same in principle as the plan I have discussed here. It is only in the problems of enforcement that the two plans differ.

The French farmer has consistently received a much higher price for his wheat than the American farmer, although the average wage of the French industrial worker is only about half that of the American industrial worker. The same situation exists in Germany. Thus, during the year 1931 the French industrial worker, receiving about $2 a day, paid the French farmer $1.73 per bushel for wheat. The German industrial worker, receiving about $2 a day, paid about $1.65 per bushel for wheat. On the other hand, the American industrial worker, receiving about $4 a day, paid the American farmer only 67 cents per bushel.

This clearly illustrates how the unbalanced economic conditions in this country have been more to the advantage of the industrial worker than to the farmer. To illustrate: On the same relative basis that France and Germany protect their wheat growers, the American farmer would receive $3.50 per bushel for wheat on the basis that the industrial worker receives $4 per day in wages; but I am suggesting only $1.40 per bushel for wheat, namely, the present world price plus the proposed tariff of 65 cents per bushel.

Our Government fixed a minimum price for the 1918 and 1919 wheat crops. During both of those years wheat sold at a price well above $2 per bushel. The price of cotton, although not controlled by law, was above 30 cents per pound. These prices now seem high; yet only during the years 1918 and 1919 were the incomes of our agricultural and industrial populations in anything like proper balance.

Until we follow the example of the French and increase the purchasing power of our farmers, we are not going to emerge from the present depression unless an act of Providence comes to our rescue.

A prosperous agriculture means loaded instead of empty freight cars; live instead of dead smokestacks; active instead of idle labor; increased instead of subtracted bank deposits; renewed instead of declining activity in every line of business. We can not suspend the limb of a tree in the air and expect it to grow as we have been trying to do by giving Government aid chiefly to those at the top. We must plant the root in the ground if we would make it sound and enduring. Agricultural prosperity is the root of the problem.

JOINT ADDRESS ON GEORGE WASHINGTON

Mr. COPELAND. Mr. President, people everywhere have been inspired by the events relative to the bicentennial of the birth of George Washington, and likewise the youth of our country have been so inspired. I hold in my hand an address on George Washington, the joint product of three high-school boys. It is not often that we turn aside from the great and the famous to pay attention to those in a lowly position, but I think it is well worth while that this address may be published in the RECORD. One of these boys is the son of a friend of mine, a man who achieved a good place in journalism, a place he richly deserved.

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

Two hundred years ago George Washington was born in Westmoreland County, Va., on a large plantation situated between Popes Creek and Bridge Creek, overlooking the "River of Swans," as the lower Potomac was called. He was to lead the American forces to a glorious victory for independence; he was to be the Father of his Country, the first President of the United States; yet surely no inexorable force of destiny guided him to these heights. George Washington, the man himself, achieved them.

At the time of his birth little George was already richly supplied with relatives. He had two half brothers and a half sister, along with a considerable group of cousins.

When George was 3 the Washington family moved to a new plantation, called "Epsewasson" by the Indians, and which later came to be called Mount Vernon. Here the family lived until George was 7 years old and here his education by his father and mother was begun. Rev. Jonathan Boucher, an English clergyman, who was employed by Washington as a tutor for his stepson, said:

"George, like most people thereabouts at the time, had no other education than reading, writing, and accounts, which he was taught by a convict whom his father bought for a schoolmaster."

The death of his father when George was 11 was the first tragedy in a vigorous and happy boyhood. As a result the family was broken up. It was decided that George should live with his brother Austin at the old Popes Creek plantation. Here he became interested in surveying. At first he applied himself to his studies, but soon became afflicted with the spirit of adventure. Only his mother's last-minute refusal kept him from entering the British Navy.

At the age of 15 he went to live with Lawrence at Mount Vernon. Here the mastery of surveying became his objective, as surveyors in a new country were few and their earnings were exceptionally good. When George was 16, he was appointed by Lord Fairfax to aid in the survey of the Fairfax estates in the Shenandoah Valley. A close friendship developed between the two; and this curious intimacy between young George, a hardy lad of 16, and Lord Fairfax, an old Virginia gentleman, was the source of many happy memories for both.

At the age of 19, Washington seemed already to have impressed others with a belief in his force of mind and character, for at the break of the French and Indian war he was appointed adjutant of the Virginia troops, with the rank of major. In 1754, when Washington had barely attained his majority, he was made commander of the northern military district of Virginia. The war ended in so far as Virginia was concerned in 1758, and Washington, retiring from further active service, married Martha Custis, a widow, and they settled down at Mount Vernon.

Washington's life for the next 20 years was merely that of a typical Virginia planter, a consistent member of the Episcopal Church, a large slaveholder, a strict but considerate master, and widely trusted man of affairs. He was repeatedly elected to the Virginia Legislature, and in 1774 the Virginia convention, appointing seven of its members delegates to the Continental Congress, named Washington as one of them.

In 1775, after the Battles of Concord and Lexington, when war with England seemed inevitable, Congress, resolved to put the

Colonies in a state of defense, unanimously selected Washington commander in chief of the American forces. Refusing any salary, he accepted the position, stating, however, that he did not think himself equal to the command, and that he accepted only as a duty made imperative by the unanimity of the call.

Washington took active command of his "army" July 3 of that same year, in Boston. He was at the head of some 14,000 troops.

From the first, Washington laid down the principle for himself and for all other commanders, that Congress was the absolute master. He himself was its executive, thus he established the principle that the civil government is supreme.

Washington showed his characteristic boldness in the first year of his command, by sending an expedition under Montgomery, against Montreal, and another, under Arnold, against Quebec. Both failed, but they had their compensations, since the British accumulated troops in Canada which could have been used more effectively in the insurgent Colonies.

Washington showed his military genius in 1776 by the capture of Boston, the defeat of the Hessians at Princeton, and his continued evasions of defeat at the hand of a superior British army.

The year 1777 was notable for the surrender of Burgoyne at Saratoga to the army of General Gates on October 17. Following this, the British under General Howe went into winter quarters, and General Washington and his army went to Valley Forge.

The rigors of winter were not the only hardships endured by Washington and his men at Valley Forge. Congress was inefficient. Three thousand soldiers were unfit for duty because they were barefoot and destitute of clothing. At times there were not three days' provisions for men or horses in camp, and often not sufficient for one day. Washington suffered in sympathy for his ragged, half-starved, poorly fed soldiers and shared every privation with them. For more than six years, although within a few hundred miles of his home of ease and plenty, he did not visit it.

After the news came at Valley Forge that the French under Lafayette were to help the country, the Army was infused with new hope, but the march to Yorktown was a weary one—yet Washington never halted in the slow stubborn advance; never rested from the toil, never lost courage in the face of disaster, never lost faith nor the determination to achieve the ultimate triumph. There were difficulties with his own officers as well as with Congress. More than once the Army itself was on the verge of desertion, and it was Washington who, with supreme patience and tact, held together the disheartened soldiers. He even pledged his private fortune for the pay of the soldiers. Upon his stalwart shoulders pressed the entire burden of the Nation. There was no other American who could have stood the strain and achieved the victory. That victory came at Yorktown, Va., October of 1781. Cornwallis, the British General, was forced to surrender his entire army. Thus ended the last major conflict of the war. Peace was concluded at Versailles, France, in 1783, and America was free.

George Washington, wise and unselfish commander of a tattered citizen soldiery, had wrung victory from the seasoned legions of Europe under discouragements that would have crushed any save an indomitable spirit.

On Christmas eve, 1783, Washington, once more a plain American citizen, reached his home at Mount Vernon. He entered its portals with joy. He was in the prime of life, the perfect embodiment of health and vigor. His days were devoted to the development of his estate and the entertainment of his many friends. This life was a period of happiness for the general. His diary speaks of fox hunts and neighbors' visits, of experiments with fertilizers and new farm machinery. His world-wide fame was reflected in the trees and shrubs sent him from admirers all over the world. The King of Spain sent him animals. Chinese pheasants and wolfhounds came from Lafayette. During this time he took no active part in politics nor desired to take part in them. In this happiness at Mount Vernon Washington hoped to spend the remainder of his life.

But the condition of the Nation, because of the defectiveness of the Articles of Confederation, demanded action, the populace of the States was on the verge of rebellion, the Nation was bordering on anarchy. A convention met, in 1787, in reply to the demand for the purpose of discussing changes in the articles, and Washington, yielding to the insistent demand, represented Virginia at the convention. He was unanimously elected as presiding officer of that convention. Debates immediately ensued among the delegates as to the advisability of changes, until it was decided to create the Federal document upon which our Government is founded. On September 17, 1787, a draft of the Constitution was signed by the convention, Washington's name heading the list of signatures, and the convention adjourned.

Enough States had ratified the Constitution by 1788, and it became effective. The Electoral College, meeting in 1789, cast their votes for the Presidency; and when the votes were counted, it was found that Washington was elected as first President of the newly created United States of America, without a dissenting vote. A messenger was dispatched to carry the news to General Washington, the news that carried the unanimous tribute of the people of an entire Nation to one individual, the news that carried the unanimous gratitude of those people of that entire Nation, but the news that meant for Washington the end of the tranquil and happy days at Mount Vernon.

The office was not of his seeking. Nothing but patriotic ardor could have induced him to sacrifice that tranquillity of domestic life at Mount Vernon to respond again to his country's call.

Washington's journey from his home at Mount Vernon to the then capital at New York was one triumphant journey from beginning to end.

In every town or city through which he passed he was met with wide-open arms by the people paying tribute to their hero. Dinners, speeches, special ceremonies, and entertainments were given him every place he stopped. To climax his brilliant journey he was conveyed across the bay to New York on a magnificent barge especially constructed for the occasion. His entrance into New York and his reception there were too magnificent to describe.

On April 30, 1789, a date never to be forgotten in the annals of American history, George Washington was inaugurated first President of the United States.

The procession to Federal Hall was long and colorful, and included distinguished persons from all over the country. When Washington arrived, he was ushered into the Senate Chamber, where he was introduced to the Members of Congress. He was then conducted out on a balcony overlooking Wall Street, where he was received with the wildest acclaim.

Chancellor Robert Livingston read the oath of office, which was repeated by Washington. As he finished, a flag was raised on the Federal Hall, there was a discharge of artillery at the Battery, and all the bells of the city rang out their peals of joy. Amid this great acclaim the newly inaugurated President retired from the scene and returned to the Senate Chamber, where he delivered his inaugural address.

Realizing the necessity for the adoption by the President of some plan for his mode of living and that as first incumbent of the office he must set a precedent, Washington sent out queries to many people as to their views on certain duties. He sought useful information and advice from every reliable channel, especially from persons with opposite views. An example of this is shown in his Cabinet, in which he appointed Jefferson as Secretary of State and Alexander Hamilton as Secretary of the Treasury, two men who opposed each other in practically everything that came up.

Washington's achievements during his first term were many and varied. At first he sought to confer directly with the Senate by visiting their chambers, but this plan proved unsatisfactory, so it was given up.

During his first term Washington made tours of the United States to view the industries of the people, their homes, their farms, the progress of manufactures, and the development of all natural resources. He desired to get into personal touch with the people and appeal to them for a national spirit of unity.

It was Washington's wish to retire after his first term, but his patriotism to his country in time of need outweighed his personal desires and he suffered himself to be reelected for an additional four years as Chief Executive.

Dearly as Washington was loved and highly as he was trusted and respected, many decisions in his second administration were bitterly attacked by certain groups of people.

The situation which brought much criticism upon his head was his attitude toward the French and English War. Despite Washington's gratitude toward France for her timely assistance, he felt it his duty to keep the new Union of States out of any entanglements. Therefore, he issued his proclamation of neutrality, which stirred up much public sentiment. Another cause contributing to national unrest was the whisky rebellion, which was successfully put down by a body of militia ordered out by Washington. Other causes also resulted in much national ill-feeling.

Thus the second term of Washington as President gradually came to a close. Stormy as it might seem, it took nothing away from the character and popularity of such an ideal man.

Washington persistently refused to consider a third term, so about six months before the actual end he issued his Farewell Address to the people of the United States, and at the conclusion of his term retired from public life and spent the remainder of his days in peace and quiet on his estate at Mount Vernon.

THE TARIFF—ADDRESS OF SENATOR JAMES E. WATSON

Mr. THOMAS of Idaho. Mr. President, I ask unanimous consent to have printed in the RECORD a radio address by the senior Senator from Indiana [Mr. WATSON] in support of the tariff principles of the Republican Party, delivered during the Lucky Strike hour over the National Broadcasting system on the evening of Tuesday, March 8, 1932.

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

Among the great problems that demanded solution at the hands of President Hoover and the Republican Congress when they came into power was a revision of the tariff in accordance with the platform pledges of the party, and to its solution they devoted 17 months of time.

The first contention of the opposition with reference to this law is that it is not a limited revision as demanded by the President. What is the fact? In a report after the law had been in operation a year the Tariff Commission found that of the 3,300 dutiable items mentioned in the Fordney-McCumber Act, 890 were altered and 2,170 unchanged.

The second charge is that the duties in the present bill are unreasonably high, too many of them having been unduly increased; but the commission found that in the value of total imports the duties were raised upon 23 per cent, while upon 77 per cent they were either unchanged or lowered.

The third charge is that while the President asked in his message that the tariff be revised in the interest of agriculture, yet the manufacturers had fared better than the farmers

of the country; but the Tariff Commission reported that 93 per cent of the increases are upon products of agricultural origin, while but 7 per cent are upon commodities of nonagricultural origin. And in addition to that, 130 imported articles which the farmer is compelled to buy were placed on the free list.

To put it another way, the ad valorem rate on industrial products in the 1922 law was 37.35 per cent, while in the present law it is 42.83 per cent. Therefore, the per cent of increase in industrial rates in the 1930 act, as compared with the 1922 act, was but 14.6 per cent.

At the same time the computed ad valorem rate on agricultural products in the act of 1922 was 22.37 per cent, while in the present law it amounts to 33.94 per cent, showing that the per cent of increase in the 1930 act over the 1922 act was 51.06 per cent. In other words, the protection to agricultural products was increased three and one-half times as much as the protection afforded to industrial products.

And so in the light of the truth all of these charges fade into nothingness.

ANOTHER MISSTATEMENT

Opponents of the present law have most insistently charged from the time Congress began to consider it up to the present day that the duties levied in it were altogether above the real demands of American industry. But what is the truth as to that charge?

The fact is that on dutiable imports the rates imposed by the present law are below the McKinley law and the Dingley law, practically the same per cent as the Wilson law of Democratic origin, 1 per cent under the Payne-Aldrich law, and 3 per cent under the Fordney-McCumber law.

But a complete refutation of the charge that the present rates are "outrageous," as we hear so frequently charged, is found in the tariff ad valorem rates on all imports, both free and dutiable, under all our different tariff acts. This comparison shows that these rates are less than those imposed by any Republican tariff law passed in the last 50 years save alone those provided by the Fordney-McCumber Act. And so that charge disappears when the searchlight of truth is thrown upon it.

FOREIGN TRADE

But the most insistent assault upon the new law is made on the theory that it has destroyed our foreign trade. There has never been a tariff act passed since the Republican Party came into power that has not met with an unceasing fusillade of such charges, and yet they have not been sustained in a single instance and can not be now.

For months we listened to these same charges against the Dingley law, and yet under its operation our foreign commerce increased one billion four hundred millions.

From the beginning of the life of the Republic to the passage of the Dingley law in 1898 the total value of all exports over all imports amounted to $100,000,000, but the average annual value of our exports over our imports during the entire life of that law amounted to $475,000,000—not, mind you, for the entire duration of that act but for each year it remained on the statute books—and this in the face of the most violent assertions, repeated for months in both the House and Senate, that its passage would utterly ruin our foreign trade.

Under the Payne-Aldrich law we increased our foreign commerce $1,300,000,000, and all this right in the teeth of the most persistent declarations, made on the floor of both the House and the Senate for months, that that law could do nothing else but destroy our foreign trade.

And under the Fordney-McCumber law that trade increased $2,607,000,000 in what we bought of and sold to the other people of the world, and yet throughout its entire consideration we heard nothing but the most doleful prophecies as to the disastrous results that would necessarily flow from the passage of that law.

And while our foreign trade has decreased since the passage of the present act, is there anyone so bold as to claim that the tariff law had anything to do with it? If so, let him produce his facts, his figures, his arguments that are at all tenable to prove so insupportable a theory.

That this law has nothing to do with this condition is evidenced by the fact that the imports and exports of every nation on earth have fallen in an equivalent degree, and that all nations, and not we alone, have suffered because of existing economic conditions.

And how could we be expected to increase the sale of our products to Europe during this time when they have been suffering from a greater degree of prostration than the United States, and when they have been compelled to appeal to this country to save them from the disastrous, if not the fatal, conditions with which they are struggling? Their people can not buy their own products; how then can they be expected to buy ours? We can not sell our products to our own people; how then could we have bought, or how can we now buy, the products of other people?

No man can fathom the intellectual processes of those gentlemen who insist that the way to make our country prosperous is to pull down our tariff and permit an influx of products from abroad, produced by laborers who receive from one-fourth to one-half of the wages paid in our own country for producing the same products. That policy, instead of increasing the power of their people to sell in this land, would decrease the ability of our own people to buy, either Europe's products or our own, and how can that possibly benefit any man living under our flag?

Their alleged argument proceeds on the theory that we must largely import the products of other nations in order to be prosperous ourselves, but this statement is fallacious. Our total imports last year amounted to $2,090,000,000, and of that amount at least one-third was noncompetitive. For instance, our imports of rubber, raw silk, tropical fruits, and many other products of like character that we either do not or can not produce in this country run up to one-third of our total imports.

They are free, and should be, because a tariff on them would not protect any industry here; but it is not true that we are compelled to import the products of other people that compete with the products of our own people in our own land, and to that extent displace the products of our own workmen, in order to be prosperous.

Nor is it true that it is necessary to make us prosperous, or that it in any wise adds to our prosperity, to admit competing products which are produced at a less cost than we can produce them in America. To the extent of their value we supplant American products, and to the same extent we displace American labor; and it is not necessary to do that in order to be prosperous.

Nor is it necessary to buy in order to sell. Other nations do not purchase of us because they love us, because no other nation on earth loves us, but because they are either compelled to come here and buy what they want or because of our improved machinery and superskilled labor we can produce it better for the same price than elsewhere on earth, and they will continue to buy of us under these conditions whether we buy anything of them or not.

Our total exports last year were something over $3,000,000,000, and for the period from 1921 to 1925 the average annual exports of raw cotton alone amounted to over $800,000,000. That product they must continue to buy here in large part if they continue to use it at all, and the same is true of various other things we produce. It is desirable that we should export, but it is not necessary for us to give up any portion of our home market in order to be able to supply others.

And in this connection it is worthy of note, too, that last year the decline in free imports was much greater than the decline in dutiable imports, showing that our tariff has nothing whatever to do with the falling off in our trade. That decline amounted to $684,000,000 of foreign products that were admitted here free, while there was a falling off of but $377,000,000 in the value of dutiable imports that entered our ports.

HOME MARKET

In considering this problem our friends overlook altogether the tremendous importance of the home market. In 1929 the value of all agricultural products amounted to $11,775,000,000 and of all manufactured products to $68,453,000,000, or a total of $80,229,000,000, while in 1930 we exported but $3,781,000,000 and in 1931 $2,377,000,000.

These figures show us that with the enactment of a proper protective tariff we are seeking to preserve for the American manufacturer and the American farmer, employing American labor, the big part of our home market, which consumes $80,000,000,000 of products annually. Added to this we must remember the millions that are employed in the distribution of these products. If we could but calculate the value of our domestic products at domestic prices the amount would be staggering.

So that if by pulling down the tariff to a point below the difference between the cost of production at home and abroad we enable our foreign competitors to take over a part of the American market, we are sacrificing a portion of that $80,000,000,000 of business we do right at home to foreign competition, while at the same time the most that we ever have been able to export amounted to $5,000,000,000, thereby offering to sacrifice a part of an $80,000,000,000 market to enhance a $5,000,000,000 sale.

PRESENT FIGURES

And in the midst of all this discussion let us not forget three salient features—one that notwithstanding the cry that our tariff is preventing imports from abroad, yet 70 per cent of all such imports come in free of duty, a much larger per cent than under any other tariff law ever enacted by the Republican Party.

Second, that we have high Democratic authority for the statement that the price of commodities in America does not depend upon the amount we export but upon steady domestic consumption.

Third. That 15 countries have gone off of the gold standard, thus reducing the per cent of tariff they pay on imports into this country by from 25 to 30 per cent. In 1930, 43 per cent of the total imports into the United States came from countries which are on a depreciated-currency basis, these imports amounting to $1,726,000,000, so that on all of these products, greatly to the detriment of the American producer, the tariff is reduced at least 25 per cent below the rates provided by the Hawley-Smoot law.

Our Democratic friends have engaged in a campaign of epithets, constantly assailing the tariff law by characterizing it as "outrageous" and "infamous" and "monstrous," but not one of them has yet been bold enough to tell us what he would do with these rates if given power to act. They are in full charge of the House of Representatives, where all tariff legislation must originate. They are in perfect command of the Committee on Ways and Means, which formulates all bills relating to revenue. And yet, after months of unremitting assault upon the Hawley-Smoot bill, and after such a flood of denunciation of this measure as this country has not heard before even with reference to any other tariff act, they have not offered one single amendment to any existing rate but are permitting them all to stand unchallenged except by general charges of "outrageous" and "infamous."

THE UNDERWOOD-SIMMONS ACT

Do our Democratic friends want to go back to their last expression in law of their views on the tariff? Will they be so bold as to assert that that is their intention? In it they put the following farm products on the free list; no tariff whatever on any one of them:

Alfalfa, bacon, ham, beef, veal, buckwheat, casein, cattle, clover seed, corn, cheese, cream, fresh eggs, lard, milk, mutton, pork, potatoes, sheep, swine, rye, wheat, and wool; the whole range of agricultural products.

The war, while it lasted, prevented the full effects of this act being felt in this country; but, when that struggle was over, the farmer was plunged into such a condition of dire distress that among the first things the Harding administration did was to pass an emergency tariff law, confined to agricultural products alone, in order to save that industry from the withering effects of the last Democratic tariff law. Is it their intention, if given power, to return to those rates?

INTERNATIONAL CONFERENCE

And their only remedy is to provide an international commission to aid us in adjusting our tariff rates. This is the first time in the history of America that it has been deliberately proposed to turn over the tariff policy of our country to an international commission composed of people who are hostile to our entire protective policy and whose only thought and purpose is to so arrange our tariff rates as to enable them to enter this, the mightiest market of the earth, made so by the protective policy of the Republican Party.

And after our experience with European governments in all matters pertaining to and arising out of the late war, I am wondering how the American people will relish a proposal to call an international conference to agree upon the tariff policy of America. We believe that we have reached our present position among the nations of the world by attending to our own affairs and lending our assistance to other nations if and when we believed it essential, and doubtless we shall continue to pursue that policy; but, since the adoption of the preamble to the League of Nations covenant, we have not heard of any other proposal that commits us to international domination and to the determination of our national policies by the alien powers of the earth. And we do not believe that the American people will tamely submit to a proposition of that kind.

INVESTIGATION OF COAL-MINING CONDITIONS IN KENTUCKY

Mr. COSTIGAN. Mr. President, I desire to ask the chairman of the Committee on the Judiciary [Mr. NORRIS] a question. About two weeks ago Senate Resolution No. 178, authorizing an investigation of coal-mining conditions in Kentucky, was referred to the Committee on the Judiciary. May I inquire of the chairman of the Judiciary Committee whether the committee will soon be prepared to report on that resolution?

Mr. NORRIS. Mr. President, as I have often stated heretofore, I can not offer, much as I should like to do so and much as I sympathize with the object of the resolution, any suggestion that the committee will be able to report in the very near future, because of the large amount of other work that the committee has had in charge for some time; and it is going to be some time before I can see relief.

Mr. COSTIGAN. Mr. President, unless the chairman of the Committee on the Judiciary objects, I desire at this time to move that the Judiciary Committee be discharged from further consideration of the resolution in question and that it be referred to the Committee on Manufactures.

Mr. NORRIS. I have no objection to that motion being made by the Senator.

The VICE PRESIDENT. Is there objection? Without objection, the Committee on the Judiciary will be discharged from the further consideration of Senate Resolution 178, and it will be referred to the Committee on Manufactures.

PHILIPPINE INDEPENDENCE

Mr. HAWES. Mr. President, I inquire when it would be possible to bring the subject of Philippine independence to a vote in the Senate? It seems that on a subject of this importance, which has been before the Congress for a long time and on which two committees—the Senate committee and the House committee—have favorably reported by practically unanimous votes, before other great measures now pending come over from the House, there should be some definite determination as to a vote in the Senate.

Mr. President, in 1924 the House committee reported a bill for Philippine independence. In 1930 the Senate Committee on Territories and Insular Affairs conducted long hearings; witnesses were brought from various portions of the country, and a report was submitted to the Senate favoring Philippine independence. At this session of Congress a new bill was presented following the philosophy of the bill presented in 1924. This bill was prepared by the War Department and had been recommended by Secretary Weeks. As it is reported now it contains some new provisions, but the committee is unanimous on one point, and that is that a condition of uncertainty exists which calls for a decision upon the part of the Congress. All the witnesses who appeared before the House committee and before the Senate committee, with only on exception, agreed whether they were for independence or opposed to independence, that a situation of uncertainty existed which should be decided by this Congress.

Union labor with its 5,000,000 membership, farm organizations with their membership of some 4,000,000, and various business organizations have placed themselves on record as being in favor of action on this subject at this session, and from the Pacific coast there comes the unanimous demand that the matter of limitation of immigration from the Philippine Islands be settled. Supplementing the request from the Pacific coast we find the American Legion indorsing exclusion of Philippine immigrants. But we found in both Houses, and especially in the Senate, a feeling that to limit or change the economic relations now subsisting between the islands and our people prior to a definite declaration of policy as to our future intent would be an immoral act; that it would be repugnant to a sense of right and justice to attempt to handle matters affecting tariff or immigration or limitations until the policy of the United States regarding independence had been settled. Both Senators and Congressmen have stated that they favored limitations and exclusions, but would not vote for either until independence was decided upon and a definite date set for the termination of our sovereignty. Only one witness before either the Senate or House committees even indicated that such a course could be justified. The business of the islands and the business of our people require the setting of a definite date for separation.

I venture the assertion, Mr. President, that there will not be a handful of votes in the Senate against this bill when it shall reach its final form, and it is my belief that in the House there will not be 75 votes against a bill.

The opposition to it in its present form is a disguised opposition. There are a few men in our country who are still imperialists, but they are very few, and no witnesses appearing before either the House committee or the Senate committee had the hardihood or temerity to discuss permanent retention of the Philippine Islands, and no bill proposing a new colonial policy has been presented. The attempt to establish a colonial policy seems to have been abandoned, and there remain only a few questions to be decided, such as the question of time, the question of limitations, the question of defining a period between the time of our decision to grant independence and the time when independence should become a fact.

I do not know of a single leader on the Republican side or on the Democratic side of this Chamber who does not favor a declaration of independence for the Philippine Islands. It may be true, Mr. President, that there is some slight disagreement as to the period of preparation, and I believe the distinguished junior Senator from Michigan [Mr. VANDENBERG] desires to present a substitute plan, and that the junior Senator from Utah [Mr. KING] desires a shorter period, but on the broad question of the necessity for definite action at this session of the Congress there is no disagreement.

I do not at this time desire to move to take up this bill, but I believe that some general agreement should be arrived at that it can be done within the next two or three weeks.

I am under the impression that five hours on the House side and two or three days on this side would dispose of the question.

Last week I listened to a day's debate on the subject of a collector of customs. It was a proper debate. For nearly a week, time was consumed on the question of the Indians and

Indian reservations, involving the welfare of some 250,000 Indians.

This is a question that involves the welfare of 13,000,000 people, far distant in Asia, and of our own interests in the matter. I, therefore, ask the chairman of the Committee on Territories and Insular Affairs if he has any definite program or suggestion as to when this matter can be brought to a vote.

The VICE PRESIDENT. The Chair may state that this can be done only by unanimous consent. We have not passed the order of presentation of reports of committees or introduction of bills. If there is no objection——

Mr. KING. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. KING. No Senator has suggested that the Senator from Missouri was proceeding improperly. He is evidently proceeding by unanimous consent.

The VICE PRESIDENT. That is why the Chair did not call attention to the matter while the Senator was speaking; but the Chair thinks it is his duty to call the attention of the Senate to the fact that the morning business has not been concluded. Of course, the matter is in the hands of the Senate. Is there objection? The Chair hears none.

Mr. HAWES. Mr. President, it was not my intention to occupy very much of the Senate's time this morning.

Mr. BINGHAM. Mr. President, I sympathize most heartily with everything the Senator from Missouri has said. I am just as anxious as he is to get this bill up. I have repeatedly spoken about it to some of the members of the steering committee of the majority, expressing my hope that it might be brought forward at a very early date. I have stated that I did not think it would lead to prolonged debate; and I think that two days might easily dispose of the speeches that would be made. I am sure that neither the Senator from Missouri nor the chairman of the committee will take up very much time.

I agree with the Senator entirely that it is a matter of the very greatest importance to 13,000,000 wards of the United States that this question be settled at the earliest possible date; and I shall be glad to cooperate with him in every way possible to bring the matter to the attention of the Senate.

I am not a member of the steering committee. I have no means of forcing them in any way to bring the matter to the attention of the Senate. I do hope, however, that the leaders on both sides of the aisle will see to it that this matter shall be given a couple of days' debate in the very near future, in order that it may be determined, and in order that our friends and wards may know definitely what Congress proposes to do, particularly what the Senate—which has spent so much time in the study of this matter in the past few years—intends to do in the matter.

Mr. HAWES. Mr. President, may I ask the junior Senator from Michigan [Mr. VANDENBERG], chairman of the program committee, what he thinks are the prospects of placing this bill upon his program?

Mr. VANDENBERG. Mr. President, I think the able and earnest Senator from Missouri knows how heartily I sympathize with his objective. He has been exceedingly zealous and courteous throughout the consideration of the bill in committee in endeavoring to meet conflicting views. Unfortunately, we have not entirely enjoyed a meeting of minds, although we do agree that a definite independence formula is due the Filipinos under our trust obligation. The fact remains that whatever differences remain should be liquidated on the floor of the Senate. They should not prevent debate and conclusion at this session.

So far as the steering committee is concerned—and I am speaking only as one member of it—I remind the Senator that we reported a program on the 28th of February with three suggested measures given priority. That agreement was entered into in conjunction with the leaders upon the Democratic side as well as the leaders upon the Republican side. Thus far we have been unable to reach even the first suggested measure upon that program, because of the standing priority always given, and properly given, to appropriation bills. I assume that the committee would wish its program as already announced to continue. Subsequent thereto there must be a decision as to which among several highly important measures must be given priority. Certainly, the Philippine bill is among these measures. So is Senate Joint Resolution 76, which would arm the President with needed authority to redistribute and consolidate Federal bureaus and commissions in the desperately important quest of economy. It seems to me that this and kindred matters are of prime concern. It is our problem to find the most useful order in which these measures can become the Senate's unfinished business.

I remind the Senator, for instance, that the Muscle Shoals legislation is again pending in the Senate and that the senior Senator from Nebraska [Mr. NORRIS] is highly anxious that it should have its earliest possible day in court. I remind the Senator that additional banking legislation will probably be upon the Senate's calendar within the next week or 10 days. These and other matters will have to be relatively considered in the full committee with a purpose of reaching the best possible conclusion with a view to the interests of all concerned.

So far as I am concerned, Mr. President, I assure the Senator of my anxiety to conclude the Philippine question effectually, and with finality, before this session of Congress adjourns. The Senator is wholly justified in his attitude. With the added assurance that I shall sympathetically seek to hasten its consideration, the Senator will understand that I can not give him a further commitment at the present time.

Mr. HAWES. May I ask the Senator a question? He is a keen observer of affairs in the Senate. Does the Senator anticipate that it would require more than two days' debate to settle the matter?

Mr. VANDENBERG. I should think it would require more than two days, Mr. President. I am hoping myself to submit to the Senate a substitute measure which will represent the views of at least one section of public opinion which disagrees with some of the details of the Senator's bill, although we do not disagree with the fundamental purpose to fix a definite independence formula. Personally, I can conclude in one hour any presentation I have to make upon the subject when the time comes.

Mr. HAWES. May I ask a question of the Senator from Oregon [Mr. MCNARY] in this connection? I am trying to ascertain the possibility of bringing before the Senate the question of Philippine independence for final determination. So far as I can ascertain, it will not require more than two days to discuss it. I am wondering if the Senator can encourage me in any way to believe that we can bring it up at any early date and dispose of it.

Mr. MCNARY. Mr. President, I will say to the Senator from Missouri that during any morning hour other than the hour of Monday the Senator may move to take up his bill for two hours' consideration until 2 o'clock, at which time it would be displaced by the unfinished business. If that is not ample time, if the Senator is looking for a secure place, he probably should follow the program as it has been arranged by the steering committee. The Senator, of course, is conversant with that program. How long that will take depends entirely upon the amount of debate that ensues from the consideration of each item on the program.

Of course, the Senator need not be content with a program. If he has the desire, and the votes to support his desire, he may displace any business that is pending before the Senate, or interrupt the processes that have been laid out by the steering committee.

Mr. HAWES. I am quite sure such a motion would prevail; but the friends of independence do not desire to be precipitate or to force a vote. All they desire is the certainty that a vote and decision shall be arrived at within the next few weeks.

Mr. MCNARY. The Senator probably is asking me for an estimate of time on the assumption that he is willing to follow through the program that has been arranged by the

steering committee. That program consists first of the appropriation bills; next, the tariff bill, to be followed by a resolution offered by the Senator from Pennsylvania [Mr. REED], then to be followed by a naval construction bill; and that is the end of the program that has been outlined by the committee.

The Senator is entitled to early consideration for his bill, of course, because it involves and presents a very important subject matter. It is my opinion that the Senator probably could reach his Philippine bill in the natural course of events within the next three weeks. That, of course, is just an estimate, however.

Mr. HAWES. I thank the Senator. A vote, if assured, would be satisfactory.

Mr. BINGHAM. Mr. President, may I say to the Senator from Missouri that the bill which he is now discussing was not reported from the committee and placed on the calendar until the day after the steering committee had presented its program. It has been the custom in the past for steering committees to revise their programs from time to time, taking cognizance of the new bills on the calendar and attempting to arrange them in the order of precedence, even though some of the bills have been on the calendar longer than others. So may I suggest to him that it might be well for him to ask the chairman of the steering committee for an opportunity to present reasons why the present program should be revised.

Mr. HAWES. I will adopt the suggestion of the Senator.

Mr. President, I ask permission to insert at this time in the body of the RECORD the report of your Committee on Territories and Insular Affairs made to the present Congress. All of the members of this committee, without exception, are in favor of a solution of the Philippine problem. Two or three of the members are in disagreement in the matter of time or limitations, but on the subject of a definite decision in this Congress they are unanimous.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

UNCERTAINTY

For a generation the Philippine problem has confronted the American people. It involves American-Philippine political and economic relations, and the fulfillment of our promise of independence. This bill provides sound, feasible, and fair methods of substituting a definite policy for one of evasion and indecision.

Virtually every witness who testified at the extended hearings conducted by the committee has expressed the view that the present uncertainty characterizing our relations with the Philippine Islands should be removed. Further delay threatens to be prejudicial to the best interests of both the United States and the Philippine Islands.

FAR EASTERN SITUATION

The present situation in the Orient should not prevent Congress from taking definite action at this time. Unsettled conditions in the Far East may continue indefinitely; they may be settled at any time. But the varying fortunes of conflicting forces on the other side of the Pacific can not justly be set up by us as an excuse for delaying the solution of our own problems.

The fulfillment of our duty toward the Philippines must be determined upon the basis of the welfare of the people of the United States and the 13,000,000 people of the Philippine Islands. To change at this time a long-established national policy because of conditions for which we are not responsible and over which we have no immediate control will be interpreted as timidity or weakness.

FACTORS RECONCILED

The recommended bill harmonizes previous divergent views of different groups likely to be affected by Philippine independence. The American farmer, speaking through the three national farm federations, and the dairy organizations, is seeking protection from Philippine competition in our markets. The American workingman through the American Federation of Labor, and organizations on the Pacific coast, and the American Legion, are demanding the exclusion of Filipino immigrants as well as protection from duty-free Philippine articles produced at lower labor costs.

Nor can the rights and interests of the Filipino justly be ignored. He, too, is under the American flag, and that not by his own choice but by our own will and purpose. While he remains under our sovereignty he should not be discriminated against. It would be politically immoral to retain indefinitely the Filipino people in their present status as wards and at the same time impose upon them discrimination and unfair restrictions and inhibitions.

We have also to consider our promise to grant independence to the Filipino people. By the declaration of our political parties, by the utterances of our Presidents, by an enactment of Congress, we have pledged our word as a nation that they should at some time be free and independent. This we can not evade.

INDEPENDENCE—"WHEN" AND "HOW"

Only two questions require decision—first, "When shall the Philippines be granted independence?" and, second, "How should it be granted, so as to protect both Philippine and American welfare?"

To achieve these purposes the bill in the main provides that—

PHILIPPINE AUTONOMY

1. The Philippine people shall adopt a constitution for the government of the "Commonwealth of the Philippine Islands," pending complete independence. Under that government they will enjoy complete autonomy as to domestic affairs, subject only to the restrictions and limitations specified in the bill that safeguard both the sovereignty and responsibilities of the United States.

TRADE LIMITATION

2. Pending final withdrawal of American sovereignty, free importations of certain Philippine products into the United States shall not exceed specified limits, based upon the status quo as represented by estimated importations from existing investments.

IMMIGRATION RESTRICTIONS

3. Pending independence Philippine immigration to the United States is limited to a maximum annual quota of 100.

COMPLETE INDEPENDENCE

4. At the end of a 15-year period from the date of inauguration of the government of the Commonwealth of the Philippine Islands, the people of the islands shall, at a plebiscite, vote on the question of independence, and if a majority favor independence the President is directed to recognize and declare the independence of the Philippine Islands, whereupon, for all purposes, they will become to the United States a foreign nation.

These provisions establish a process for the independence of the Philippine people and the adjustment in an orderly manner of our economic and other relations with them. They provide the erection of the new Philippine national structure and at the same time a safe and satisfactory transition from the present dependent to the future independent status.

GRADUAL TRADE ADJUSTMENT

Twenty-five years ago free-trade relations were established between the United States and the Philippine Islands. This was done by the American Congress against the expressed desire and despite the opposition of the people of the islands. As a consequence of free trade, Philippine industries and trade with the United States have developed on that basis.

This arrangement resulted in an artificial stimulation in the production of certain articles and manufactures in the Philippines, and an extraordinary increase in the volume of American-Philippine trade, with a corresponding decrease in the trade of the islands with foreign countries.

Obviously, the existing free trade relations between the United States and the Philippines can not be terminated abruptly without serious injury to Philippine economic interests and American trade with the islands. Both require a definite time to prepare for the change. Investment made on the basis of free trade must be given sufficient time for adjustment or liquidation without loss. Philippine industries must be given time to establish themselves on a competitive basis before they are placed outside the tariff walls of the United States.

MORAL OBLIGATION

The United States owes a moral obligation to the Filipino people in this respect. The existence of this obligation can not be too strongly urged. We can not justify an act which might result in the destruction of the economic structure that we helped to build in the Philippines, with the consequent lowering of standards of living.

Orderly transfers of sovereignty have usually been accompanied by such provisions as those proposed in this bill. When the Philippines were ceded to the United States by Spain we agreed by treaty to permit Spain for 10 years to send her merchandise and her ships to the Philippines on the same basis as ours. We did this because we realized that we would injure Philippine and Spanish interests if we abruptly forced on the Philippine Islands a different arrangement.

A DEFINITE PERIOD

The committee examined the various proposals as to the time at which independence should be granted. There were proposals for immediate independence, for independence in 5 years, for independence in 10 years, and for independence in 20 years. The reasons urged in behalf of each were considered. Your committee concluded that a period of 15 years was required for the necessary readjustments. Some members of the committee yielded their preference for earlier independence on the basis of evidence developed at the hearings. There was unanimous agreement that a definite date for independence should be set.

During the first 10 years of the 15-year period there is to be a limitation on importations from the Philippines to the United States as already indicated.

GRADUATED TARIFF

At the end of the first 10 years there begins a gradually increasing tariff levy in the nature of an export tax imposed and collected by the Philippine government on all Philippine free exports to the United States. From the eleventh to the fifteenth year the tax

will rise from 5 per cent to 25 per cent of the American tariff on like articles imported from foreign countries. Products on the general free list of the American tariff will not under the bill be subject to this tax.

Three main considerations dictated this procedure. First, to permit Philippine industries to adjust themselves to the new conditions following independence; second, to induce the Filipino people to diversify their products on a competitive basis and to find new markets for them; third, to protect American agriculture, labor, and industry.

PAYMENT OF BONDED INDEBTEDNESS

One additional reason prompted this provision. It will permit the Philippine Islands to discharge its bonded indebtedness prior to independence, for the bill requires that all collections from this tax shall constitute a special fund to be used exclusively for the retirement of the outstanding indebtedness of the Philippine Islands. It is believed that at the end of the 15-year period the bonded indebtedness of the islands will have been paid.

UNITED STATES SOVEREIGNTY UNIMPAIRED

The sovereignty of the United States over the Philippine Islands during the 15-year period continues unimpaired. The United States also retains such authority in the government of the Philippine Islands as is commensurate with its responsibilities. But it is in the nature of reserved powers and authority rather than of actual and affirmative participation in the government. The authority can be exercised when the necessity for it arises. Additional power is unnecessary. These powers extend to the safeguarding of the finances of the Philippine nation, its currency, its foreign trade, its public lands and mines, public order, and all those activities and services of the government necessary for the protection of life, liberty, and property. It is also provided that foreign relations of the islands shall be exclusively under the control and supervision of the United States, and that our Government at any time may intervene to prevent a violation of international obligations.

RECOGNITION OF AMERICAN AUTHORITY

Pending the consummation of independence United States sovereignty will be represented in the Philippines by a high commissioner, who shall be recognized as such representative by all the departments of the Philippine government.

The high commissioner will act as the representative of the United States, and he is vested with all of the prestige and authority required for the discharge of such responsibility. He shall have access to all of the records of the government and have means at his disposal to acquaint himself with the manner in which the government of the Commonwealth is conducted.

Should any of the eventualities described in the bill, involving either the finances or the orderly functioning of the government, occur, the way is clear for the exercise of authority by the United States to remedy such conditions.

The governmental powers reserved to the United States and the United States high commissioner are effective to insure an efficient administration of public affairs in the Philippines.

MILITARY AND NAVAL BASES

Under the provisions of this bill the United States also reserves the right to retain its present military, naval, and other reservations in the Philippine Islands. It is also provided that after independence the United States may obtain, by lease or purchase, any additional territory in the Philippine Islands as it may consider necessary for such purposes. There is no provision in the bill to prevent the withdrawal or abandonment of these naval and military posts at any time, or at the end of the 15-year period. That question is left to future decision and determination.

The bill provides that after the people of the Philippine Islands have voted for independence, and prior to the final withdrawal of American sovereignty, a conference of representatives of the American and Philippine Governments shall be held for the purpose of formulating recommendations as to future trade relations between the United States and the independent government of the Philippine Islands.

CONCLUSION

The recognized policy of the United States in the Philippines has been to prepare the Philippine people for independence. Every Chief Executive since our occupation of the islands down to the present time has stated that we were in the islands for the purpose of assistance rather than colonization. Every legislative act of Congress has contemplated ultimate independence. For 30 years every act of the American Government in the islands has been based upon and in furtherance of this policy.

We have done much for these people. Americans may justly say that we have accomplished for the Filipino people in 30 years what no other nation has done for the people of its colonies in a hundred years. And the Philippine people appreciate that fact, and they are grateful to America for it.

The rest they must do and achieve by themselves. And they can only have this opportunity if, as this bill provides, they are permitted to lead their own life, enjoying their independence, free to exercise their own genius, and thrown on their own resources.

Every condition precedent that we have imposed upon them has been fulfilled. They now have a stable government. We can no longer postpone a definite solution of the question of independence without serious injustice. The Filipino people unitedly are respectfully, but with insistence, urging their independence. Further delay will not be understood by them and can not be justified by us.

Mr. HAWES. Mr. President, in the Seventy-first Congress your Committee on Territories and Insular Affairs held long hearings; witnesses appeared from various portions of the country representing all elements of our political life, business men, farm organizations, labor organizations, magazine writers, Government officials; and it was disclosed in these hearings that there was general agreement amongst those who favored independence and those who opposed it that a situation of uncertainty was paralyzing economic progress in the Philippines, and a situation that was injurious to American interests, which calls for decision. Every witness that appeared at this time agreed that a definite, defined policy should be entered into quickly by the Congress.

The report at the conclusion of these hearings was long and voluminous. It is not necessary to repeat it all, but the conclusions arrived at by the committee are important, and I ask that they be inserted in the body of the RECORD as part of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

CONCLUSIONS

From the foregoing, the following conclusions may be drawn:

(1) That it is the policy of the American Government to free rather than retain the Philippines.

(2) That the Philippine people are justified in their plea for independence at this time.

(3) That the Philippine people have made remarkable strides in the path of self-government.

(4) That at the present time the Philippine people are conducting, except in a few instances, the affairs of government.

(5) That the Philippine people are keenly alive to the untoward eventualities of independence.

(6) That the Philippine people, realizing serious hardships may result from independence and from the loosening of the ties that now bind them to American sovereignty, prefer to risk these hardships at the present time, when they are confident of their ability to endure them, than at a remote date when the hazards of separation from the American Government would be so great as either to threaten disaster or to preclude their independence.

(7) That, so far as the interests of Americans are concerned in Philippine trade, it will be more simple to grant independence at an early date than when their interests have a deeper and more far-reaching contact with the Philippines.

(8) That at the present time the conditions existing in the Philippines and the uncertainty of the future status of these islands is operating to dwarf their initiative, handicap their agricultural and industrial development, hamper their efforts to obtain investments of foreign capital, and militate against their enjoying the full possibilities of their economic development.

(9) That there are important elements, both American and Philippine, whose interests demand some action on the part of Congress in the settlement of this national uncertainty.

(10) That the action of the American Government in relation to the Philippines will determine America's prestige in the Orient.

(11) That the Philippine Islands, of doubtful advantage at the present, from a purely trade standpoint, have little or no utility in times of war and might even become a burden and a threat to us in the event of our embroilment with certain powers.

(12) That proposals to postpone the date for the granting of Philippine independence for any great number of years will result in the expansion of certain economic ties which may ultimately make impossible the granting of independence.

(13) That no selfish motives of commercial advantage or expansion should interfere with the redemption of our pledges to these people.

(14) That the Philippine people are unanimous in their demand for early and complete independence.

The United States owes a solemn duty to the Philippine people—the duty of an honest declaration of our future intent. If we have decided to retain these islands under some form of colonial government, we should be frank enough to proclaim it. We should not further encourage national aspirations to ultimate independence on the part of the Philippine people if we are ourselves opposed to their independence.

Mr. TYDINGS. Mr. President, will the Senator from Missouri yield?

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from Maryland?

Mr. HAWES. I do.

Mr. TYDINGS. Mr. President, before the end of this session the Senate will vote on the subject of Philippine independence.

The facts connected with our early occupancy of the islands have been more or less obscured. Their development, their readiness for independence, and their unanimity of ap-

peal for it, are all subjects upon which the Congress should have full and complete information.

There recently appeared in the Baltimore Sun a résumé of the situation, interesting and informative, by P. Stewart Macaulay, an able analyst and writer. I ask that portions of it which seem to be pertinent be printed in the body of the RECORD and referred to the Committee on Territories and Insular Affairs for their consideration.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

The independence movement on the islands really began while the Spaniards still were in control and years before Dewey's spectacular naval victory in Manila Bay over a ludicrously inferior and almost unresisting Spanish squadron. Under the leadership of the youthful and spirited Aguinaldo it had reached respectable proportions by 1898. Dewey recognized this fact and he was not slow to profit by it. He rescued Aguinaldo from exile in Hong Kong, set him ashore on the islands, and wished him godspeed in his effort to raise an army for the purpose of destroying Spanish outposts.

In both these endeavors the Filipino leader was amazingly successful. Natives flocked to his standard in such numbers that he was not able to equip all of them with guns. In a series of brilliant assaults he mopped up virtually all of the outlying Spanish garrisons and then, with captured arms and augmented forces, he turned on Manila itself. While Dewey lay in the bay, unable to capture the city because land forces had not yet arrived from the United States, Aguinaldo probably could have taken the city with ease. But he postponed the assault, on Dewey's request, until the Americans arrived. Meanwhile, he had set up a provisional independent Philippine Government with himself at its head—and that is where all the trouble started.

There are still many different opinions as to the justice or the injustice of the American attitude toward the Filipino insurgents. No one denies that it was vigorous in the extreme. Up until August, when General Anderson arrived with troops from the United States, there is no doubt that Dewey and Aguinaldo had worked in perfect harmony. The former, in his dispatches, reported as much, pointing out that Aguinaldo was most obedient to his suggestions, that his forces, in capturing the Spanish outposts and investing Manila itself, were actually saving the American troops (which had not yet arrived) by doing most of their work. Aguinaldo, on his part, looked upon the Americans as liberators of his people. He believed all during this early period that, in ridding the islands of Spaniards, he was opening the way for the establishment of an independent Philippine government. And nothing on the record indicates that he received from Dewey or any other American source a single intimation that his hopes in this respect were not in accord with the policy of the United States.

Then General Anderson arrived. He found that the insurgents had encircled the entire city with a system of trenches, that food and water supplies had been cut off effectually, and that the population within the encircling insurgent line was on the point of starvation. The American general politely requested Aguinaldo to move some of his troops so that Americans might occupy a section of the earthworks. The Filipino leader obliged, the Americans took their stations, a few shots were fired, and a white flag was raised above the city. It is clear that for reasons of his own the Spanish commander was willing to surrender to the United States, but not to the Filipinos.

As soon as the white flag appeared General Anderson took complete charge of the negotiations leading up to the surrender of the Spaniards. He was in position to dictate terms, but in fact he made one concession which, no matter how wise it may have seemed at the time, certainly had disastrous results. The Spaniards, still resolute against the Filipino army, demanded that the occupation of the city be accomplished with American troops only; that no Filipinos be permitted to take part. Anderson agreed and sent word to Aguinaldo to move his troops back from the outskirts. Even though the insurgent leader must have been sadly disappointed at seeing all the honors of a victory that really was his going to troops which had played only a small part in it, he acquiesced and, on the surface at least, no enmity was displayed on either side.

Meanwhile Washington had become greatly disturbed over the Philippine situation. Almost overnight the United States had developed into a potential empire and both the people and the leaders were having a hard time to adjust themselves to the new outlook. The country began to divide sharply into two camps—the imperialists and the anti-imperialists—and both sides exhibited considerable strength. So far as Cuba was concerned, it was not regarded as a permanent American possession. Even before its occupation by American troops Congress had gone on record as disavowing any permanent designs upon the island. It had, in fact, promised that as soon as the Cubans themselves could set up a government the Americans would withdraw. But no such definite promise existed in the case of the Philippines.

They had come to us, official Washington asserted, as an accident of war (although there is plenty of evidence that the "accident" had been planned carefully well in advance of its actual occurrence). And, since we had taken them over, we could not simply throw them on their own resources. They had to be protected and the United States was their protector. On the other hand, Washington seems to have realized that the Filipinos themselves did not look upon the matter in the same light; that the insurgents believed firmly in their own ability to run their own affairs. Anxious dispatches were sent to Dewey and Anderson, warning them against committing the United States to any definite policy with regard to the native movement.

The treaty of Paris had been signed and by its terms the Philippines were to be purchased by the United States for $20,000,000, but the pact had not yet been ratified by the Senate, and so the situation on the islands—and in Washington—was rather confused. The Americans held Manila; the insurgents controlled most of the outlying territory; while Spaniards remained in a few isolated posts. With the ratification of the treaty Spain could withdraw, but still there would be two armies in the Philippines, neither of which was anxious to relinquish control to the other.

Any lingering hope the Filipinos may have had that the United States was going to grant them independence died when President McKinley, in December, 1898, several weeks before the ratification of the treaty, issued a proclamation ordering the troops to extend American authority over "the whole ceded territory." He referred to the American "rights of sovereignty" and to the immediate necessity for exercising that sovereignty by extending the military government. The proclamation was so direct an attack on Aguinaldo's hopes that General Otis, who had become commander of the American forces, attempted to censor it before making it public. Through an oversight, however, the original draft was published and the tenseness of the situation was increased.

It is probable that so definite an avowal of the American attitude would have resulted in war under any circumstances, but critics of the McKinley administration contend that the Americans, not the Filipinos, were responsible for the actual outbreak. It is conceded that even after publication of the proclamation Aguinaldo made no warlike move. He even watched peaceably while the American military government extended its grip on the islands. Then, just two days before the treaty was to come up in the Senate for ratification, an American sentry shot and killed a Filipino who had encroached on a "dead line"; there was firing on both sides and a long and bloody war had begun.

The critics point out that the outbreak occurred at a very crucial moment. In spite of a vigorous campaign on the part of the imperialistic group, it appeared that the Senate was going to reject the treaty by about 2 votes. If one or two Senators could be persuaded that the Filipinos were entirely incapable of self-government, the day might be won; otherwise the outlook for an American empire was dark. The outbreak, which dispatches from Manila described as having originated in the insurgent camp, probably saved the treaty, for it was ratified by the requisite votes, with none to spare.

As early as 1899 President McKinley had sent a commission of civilians, headed by Jacob Gould Schurman, to study conditions on the islands for the purpose of establishing a civil government. There was not much the commission could do, however, since the military government was still in complete control and the war was still being waged. The same conditions existed the following year when the Taft Commission reached the islands, but by this time Washington felt that it had to set up at least the skeleton of civil government in order to justify the American occupation.

Taft, naturally, had some skirmishes with the military before he was able to progress very far in the establishment of a civil organization, but he persevered and, with increasing support from Washington, soon succeeded in erecting a framework upon which a peace-time government later was built. In March, 1901, Congress passed the so-called Spooner amendment, which provided for a civil government. Later in the same month Aguinaldo was captured in a spectacular coup engineered by Colonel (later General) Funston, and on July 4 Taft was formally inaugurated first civilian governor of the islands. By that time the insurrection had dwindled to minor proportions, although the Philippine desire for independence was in no wise diminished.

Taft served as governor only until 1904, but the period 1901–1913 is regarded as something of a "Taft régime" in the Philippines. From the governorship he stepped into the office of Secretary of War, and the islands were directly under the control of his department. Later, as President, he still was in a position to guide the Nation's policy with regard to its island possessions. Whether this régime was bad or good seems to depend entirely on the point of view.

Strong advocates of Philippine independence assert that it was bad; that as civil governor Taft installed a "white man's government" on the islands, reserving a preponderant balance of power to American citizens and stifling the political ambitions of natives by refusing to take even those appointed to important positions into the inner councils. It is asserted that the first civil governor's acts were guided by the desire to convert the natives to the idea of American domination and to make them forget about political autonomy. He conceded that the natives might some day be capable of self-government, but he expressed the hope that by that time they would be so well satisfied with the good resulting from union with the United States that there would be no desire for separation. In any event, he postponed the ultimate decision for "several generations," which did little to pacify the island agitators and their American sympathizers.

Setting aside the question of whether the Filipinos were entitled to immediate independence, however, it should be possible to judge the Taft régime simply on its merits as an agency of colonial administration. In that light it shows up quite favorably.

Working with a populace which at its worst was hostile and at best was unsympathetic, Taft and the Governors General who succeeded him were able, nevertheless, to effect a number of political, social, and financial reforms which must be entered on the credit side of the ledger. They built roads, founded public schools, introduced modern sanitation and established an efficient public-health organization. Municipal and provincial police forces were organized throughout the islands to maintain order and a system of courts was established. After these reforms had been in effect for some time there was a marked decrease in the Philippine death rate and an equally marked increase in literacy. The finances of the islands were sound and violent outbreaks against the established order became more and more rare.

Nevertheless, the undercurrent of discontent remained. The Filipinos, of course, had to pay all the costs of the new government through taxation and many of them felt that the burden was unnecessarily large and unfairly distributed. They objected particularly to an export tax levied against all goods leaving the island, and they resented the fact that, although they belonged to the United States, their exports to the parent country were not exempted from tariff payments. Tariff concessions were made earlier, but it was not until 1913 that unlimited free trade was authorized by Congress and the offensive export tax abolished.

On the face of things the Filipinos do not seem to have fared so badly in the field of politics. In 1901 three natives were appointed members of the Philippine Commission and in the following year provision was made for the election of provincial governors. Taft himself had proclaimed a policy of filling all possible public positions with Filipinos and of increasing their number as rapidly as conditions warranted. His successors in office followed the same general policy. If it is true, as some contend, that all the "fattest" jobs went to Americans, it is also true that the number and percentage of Filipinos in public office increased greatly as time went on and as, in the view of the governors, they demonstrated their capacity for government.

In 1907 an important step was taken in the direction of representative government—the Philippine Assembly was organized and assumed legislative functions hitherto reserved to the commission. The latter body, however, still acted as an "upper house." In the same year two Philippine Resident Commissioners were sent to Washington and in 1908 a native was appointed to the post of secretary of finance and justice—the first to hold a portfolio in the government. Gradually, in the period prior to 1914, the Filipinos were taking an ever-increasing part in the handling of their own affairs. But the never-tiring advocates of complete independence contended the changes were changes of form, not of substance. The Governor General still retained a veto power; Congress still might nullify any of the acts of the assembly and the President of the United States was the final court of appeal in case of a dispute between the governor and the legislature.

There was widespread rejoicing on the islands when the Wilson administration came into power, for Philippine independence had been one of the planks in the Democratic platform. And there was even greater rejoicing when, in 1914, the Senate passed the Jones bill, calling for the complete withdrawal of the United States in not less than two nor more than four years. But, as had been the case back in 1898, when Aguinaldo optimistically hailed America as "liberator," the celebration was premature. The bill went to the House, then into conference, and emerged with the "two to four years" clause deleted. Even so the nationalists were not downhearted, for the final draft of the measure did include the first definite statement of Philippine policy ever made by Congress:

"It is and always has been the purpose of the people of the United States to withdraw their sovereignty over the Philippine Islands and to recognize their independence as soon as a stable government can be established therein."

In addition, the Jones bill provided for such changes in the existing government as were necessary to give the Filipinos a real chance to demonstrate their ability to govern themselves. The Governor General, Francis Burton Harrison, in accordance with the terms of the act, replaced practically all of the American officials with Filipinos. And the latter, for the first time, were permitted to formulate and carry out their own governmental policies. For the time being the agitation for immediate independence subsided and the islanders turned their efforts to the establishment of a government which the United States would be forced to recognize as stable.

From 1913, when Harrison succeeded W. Cameron Forbes as Governor, until 1921, when Gen. Leonard Wood succeeded to that position, the achievements of the native government in specific fields may be used as an index to its ability and stability. In that interval the enrollment in public schools increased from 440,000 to 1,100,000, and the number of schools and teachers was more than doubled. In 1913 there were only 2,035 kilometers of first-class roads on the islands; by 1921 this figure had been increased to 4,693 kilometers. During the Forbes administration there were no public dispensaries in the Philippines, but in eight years the Filipinos themselves had established more than 800 centers at which free medical advice and treatment might be obtained. The hospital facilities of the territory were increased greatly and effective measures were taken to lower the infant mortality rate.

President Wilson was so impressed with the progress made during his administration that, in December, 1920, he informed Congress that all the conditions set forth in the Jones Act had been met and that the Philippines, consequently, were entitled to their independence. Once again there was rejoicing on the islands and once again it was followed by gloom. For before Congress reached the point of action the Wilson administration came to an end and Harding became President. One of his first acts was to send General Wood and Mr. Forbes to the Philippines as an investigating commission.

Both of these men were well known on the islands, since the former had served there in a military capacity and the latter as governor, but their appointment was not greeted with any great enthusiasm by the nationalists. Both had gone on record previously as opposing independence, and the Filipinos had no reason to believe that they had changed their minds. Without questioning the honesty or integrity of the two commissioners, the advocates of independence charged that Harding had picked them deliberately for their known views on the subject—because the administration already had made up its mind to keep the islands a while longer. Wood and Forbes reported that great progress had been made by the native government, but they recommended that the Filipinos be given more time to "absorb and master the powers already in their hands."

Moreover, the commission recommended that the powers of the American governor be increased at the expense of the legislature, and when Harding appointed General Wood governor of the islands the latter at once began to carry out his own recommendation. He met with vigorous opposition on the part of the native leaders, who claimed that he had arrogated to himself power over the island population greater than that of the American President over his people. During the Wilson régime the hope of independence had served to divert nationalist energies into constructive channels. Now, with that hope dimmed, they began a concerted attack on the handiest target—which happened to be General Wood.

Because of his alleged high-handed methods a number of Filipino Government officials resigned their posts, and in 1924 a commission headed by the speaker of the Philippine House of Representatives arrived in Washington to present a list of grievances to the President. It was after they had presented their petition to Coolidge and while they were still in Washington that the cause which they espoused received another serious setback.

In spite of the administration attitude, Congress had displayed a strong sympathy for the cause of Philippine independence. In fact, while the island delegates were awaiting action on their petition an independence bill had been reported favorably from the House Insular Affairs Committee by a vote of 11 to 5. Its passage, in view of the committee's vote, seemed assured, and once again there was celebrating in the nationalist camp. Then Mr. Coolidge stepped in and put an end to the rejoicing. His reply to the grievance petition was brief and, according to critics, vague and unsatisfactory, but it left no doubt as to the firmness of the administration's opposition to immediate independence:

"The extent to which the grievances which you suggest are shared by the Filipino people has been a subject of some disagreement. The American Government has information which justifies it in the confidence that a very large proportion, at any rate, and possibly a majority, of the substantial citizenry of the islands does not support the claim that there are grounds for grievances."

This letter was immediately effective in blocking the expected congressional action, and it served also to rouse a storm of criticism from the Filipinos and their American sympathizers. Whence, these asked, came the Government's "information" which implied that a majority of Filipinos were satisfied with things as they were? And just what was the nature of the information and why was it not revealed in the President's message? The questions were not answered, nor was the situation altered. The Philippine problem had been sidetracked casually but firmly, and the independence agitators had to start all over again.

Undoubtedly more complications are involved in America's Philippine policy than meet the eye of a casual observer. It is extremely difficult to believe that, when we took the islands from Spain, we were guided solely by the lofty and altruistic motives enunciated at the time. Twenty million dollars is a high price to pay for altruism and the cost of "purchasing" the islands was only a fraction of the cost of keeping them during the early years of American occupation. Moreover, it is hard to reconcile our alleged yearning for the peace and welfare of a helpless people with the casualty lists of the insurrection.

Going back to 1898 it is not difficult to discover the motives which really dictated the early stages of our insular policy and which, perhaps, have influenced it profoundly ever since. While McKinley was issuing his humanitarian appeals for public consumption he was also conducting important investigations which at the time were kept discreetly quiet. In August, 1898, a commission was sent to the islands to "investigate and report on financial and industrial conditions," and its report, submitted some time afterward, spoke glowingly of the commercial prospects inherent in the proper exploitation of Manila hemp. In the same year the President dispatched a confidential inquiry to Admiral Dewey:

"The President desires to receive from you any important information you may have of the Philippines, the desirability of the several islands, the character of the population, coal, and other mineral deposits, their harbor and commercial advantages, and in a naval and commercial sense which would be the most advantageous."

On the basis of this evidence and in view of the rapidity with which American capital established itself on the islands it is possible to reach the conclusion that commercial considerations were weighed carefully in the formulation of our Philippine policies. Many advocates of Philippine independence charge that these same commercial considerations have been responsible for the fail-

ure of Congress to take definite action on the several occasions when such action seemed imminent.

Regardless of the motives which guided it, a great deal may be said in favor of American rule on the islands. If we exclude the period of the insurrection it has been, on the whole, an excellent example of colonial government. The succession of men who have guided the destinies of the islands have been almost without exception enlightened, able, and considerate. Under exceedingly difficult circumstances they have maintained peace and promoted progress, with the result that, by American standards at least, the Filipinos are better off to-day than they would have been without American aid and advice.

Opponents of separation point out that the progress of the last quarter century can be maintained only so long as the islands remain dependent and, again purely from the point of view of American standards, they may be right. On the other hand, those who sympathize with the Nationalists point out that the Filipinos are entirely capable of running their own affairs. Moreover, it is held, they want to, and have wanted to, ever since 1898. It is pointed out that the islanders are virtually of one mind in this respect and that every session of the legislature since its organization in 1907 has petitioned unanimously for separation. It is argued that the very foundation of American Government is a recognition of the right of a people to choose how they shall be governed; and while claiming that right ourselves we have no right to deny it to others.

Mr. METCALF. Mr. President, an interesting letter addressed to Senator HAWES by General Aguinaldo, former President of the Philippine Republic, ably discusses the desire for independence of the Philippine people and their relations with our people. I ask that it be printed and referred to the Committee on Territories and Insular Affairs.

There being no objection, the letter was referred to the Committee on Territories and Insular Affairs and ordered to be printed in the RECORD, as follows:

ST. JOSEPH'S HOSPITAL,
Manila, July 25, 1931.

DISTINGUISHED SENATOR: I have read with care the questions you formulated on the subject of Philippine independence. My answers are herein conveyed in the form of a memorial which I have prepared for such use as you may deem convenient. I only regret that due to my confinement in this hospital it has not been possible for me to venture into a fuller discussion of the subject. I hope, however, that although the answers are incomplete you will have an idea of my points of view on the independence of my country.

I am thankful to you from the bottom of my heart for having requested an expression of my opinions on the salient phases of this question, so vital to all of us. The restoration of the Philippine Republic has been the principal longing of my life. That Republic we had erected after tremendous sacrifices; it was the compendium of our dreams as a nation subjugated for three centuries by foreign domination; it forms a part of our very being as a people.

The efforts you are exerting to bring about the restoration of that Republic have the unanimous support of the Filipino people. To you and to your colleagues in the Congress who have assumed the difficult task of helping us in the campaign we all owe a debt of gratitude. In our hearts you will find the monument to your great work.

No one, I believe, without committing an injustice, could question the sincere and unanimous desire of the Filipino people to obtain their coveted independence. Our revolutions are proof of that desire. Since then the sentiment of the Filipinos regarding their emancipation has not changed.

The insinuation that the popular expressions in favor of independence have been secured by intimidation is without justification. On the contrary, it may be said that the political leaders have had to declare themselves openly for independence, because a contrary behavior would have brought popular condemnation upon them.

The demand for independence by the Filipino people will be more and more pressing as the years go by, not only because of the innate desire of peoples for self-determination but also because of the assurances given by the United States through her legitimate representatives, both civil and military, that upon occupying these islands America did not entertain designs of exploitation but of emancipation. The delay, therefore, in the concession of independence serves only to accentuate the people's desire for liberation and at the same time to aggravate the political and economic situation of the country.

It is true that the concession of independence will usher in new domestic problems. But it is then that our statesmen could, and will, dedicate themselves to the consideration of those national problems, preferably the economic, which have been and will continue to be neglected and relegated to the background as long as our political situation is not defined in harmony with our age-long aspirations. If we recall our revolutionary epoch of 1896 and 1898, I may be permitted to state that at that time we faced grave internal problems under the dictatorial and revolutionary governments and later under the Philippine Republic, but, thanks to the patriotism and civic spirit of our people, we emerged successful from the test to which Fate had subjected us.

What is more, I believe that when we are independent we shall have a better kind of democracy than that which prevails in the islands at present. As it is now, it may be said that we have only one political party. The opposition has always been weak, and this is attributable to the system whereby the majority party has intrenched itself formidably in power with the unconscious abetment of the representative of American sovereignty.

Twenty-four years have elapsed since representative government was inaugurated here, and yet the opposition party has not succeeded in coming into power. If things are to continue as they are now, I doubt whether the opposition, no matter what efforts it exerts, could ever succeed the majority party in the government. With independence the opposition will have a better chance; many national questions will be the theme of discussion; party responsibility and fiscalization will always be a serious issue. We could then expect periodical changes in party administration and the consequent betterment of the public service.

The possibility of a civil war or of a general disturbance is not an impediment to the concession of independence. Civil wars and uprisings have in many cases been the price which independent peoples have had to pay in order to consolidate their institutions. If it is written that the Filipino people shall pass through such a terrible ordeal, they will not hesitate to do so provided they could be masters of their destinies. Civil wars, however deplorable, are often inevitable when constitutional means are impotent to restore the reign of law. But, despite all that, I do not believe in the possibility of a civil war or general disorder if independence is granted. By nature we are a peaceful people, lovers of public order, and it is not hazardous to affirm that if we are declared independent there will be a firmer union among the Filipinos brought about by the sense of a common responsibility and desire to support and elevate the country redeemed. This was the case in the days of the Philippine Republic.

With the termination of the present uncertainty in the relations between the Philippines and the United States public attention will be concentrated on our economic problems, capital will emerge from its retirement, and, as a result, the material progress of the country will be emancipated from its present stagnation.

I believe that a delay of 20 or 30 years in the concession of Philippine independence will work irreparable harm to the cause of economic and political progress, aside from the fact that during such a long period of time new difficulties might arise which would necessitate further postponement of the grant. At present the country is literally mortgaged to the United States. Twenty years hence, therefore, the big interests will have intrenched themselves in such a manner and will command such means as would enable them easily to stifle our future as well as our desires for emancipation. Those big interests which made the independence of Cuba a solemn fiction will, if Philippine independence were further delayed, make that independence an eternal aspiration impossible of realization.

If the present situation continue for 20 years more, at the end of that period the Philippines would be a political as well as an economic tributary of American capital. Individual initiative in the manhood of our race will have disappeared, and we will be nothing but a nation of bureaucrats and employees groaning beneath the thumbs of political chieftains, and whatever vestige of democracy we have now will then be a myth.

Other contingencies, too, might arise if the granting of independence were to be delayed further. The difficulties incident upon severance of relations will naturally increase a thousandfold. Various other new interests of the United States might be affected by the continuance of our association. Tariffs on our products will have to be imposed in the meantime if certain American industries are to be saved from extinction. A greater agricultural or industrial development here will have its telling effect on America's own agricultural and industrial interests. The severance of free-trade relations would seem to be inevitable. Congress could not prevent that even if it wanted to. The time, therefore, will surely come when the relations between America and the Philippines will be purely political; we will be a foreign country to her as regards trade relations, but politically we will be under her supervision and protection.

On the other hand, if independence were granted now it would stimulate our initiative as a nation. The idea of political dependence will disappear from our minds. We could begin to fashion the structure of our nationality in our own way. We shall grapple with our problems in accordance with our capacity and means. And we shall have an opportunity to be strong and really prosperous, a thing we never can accomplish under the tutelage of another nation.

The argument that we are not prepared for independence is gratuitous. And in the strict sense, we are not being prepared for independence anyway, even under the ægis of the United States. Where is the preparation for an army and navy, for aviation, and for aerial defense? Where is the preparation in diplomacy and consular service? It is true that much has been accomplished under American guidance; we have better roads, sumptuous government offices, a higher standard of living, and a modern system of public instruction. Nevertheless, as the enemies of independence would interpret the word "preparation," we have not got it in spite of 30 years' tutelage. And two centuries from now we will be told the same thing.

The present uncertainty, as I have stated above, retards the economic development of the country. Capitalists have said that they do not care to make investments here in view of that un-

certainty in our political status. If the uncertainty were terminated, the situation will change. Even in Bolshevistic Russia and in China, with its continuous civil wars, foreign capital keeps pouring in. It can be safely predicted, I believe, that once independent we also can get desirable foreign capital invested here. Our industries and financial growth will also be accelerated. The responsibilities attendant upon the changed status will be so great that our people will exert all their efforts to create more wealth with which to meet their obligations. This has been the experience of countries that have attained their independence. And the Philippines does not have to be the exception.

I would prefer the opening up of world markets for our products. We have many tropical products which are in great demand not only in the United States but also in other lands. If we could place those products in the markets of other lands besides, it would surely be to our advantage. With the possible exception of cotton and steel and machineries, we could produce the things we need locally. We do not need much for our daily living. Foodstuffs we could produce in abundance. The raw materials for the primary manufactures are here also in abundance. We could be in a position to compete in the markets of the world.

The free-trade relations we now have with the United States were established by the Congress. I do not remember that we have asked for this arrangement. It has been beneficial to the islands, to be sure; but from the point of view of our national destiny, it has deprived us of other markets and hence other chances.

The result of this free-trade arrangement is as follows: Encouraged by the demand in the American market we have produced more sugar and we have also increased our production of oil and other products. But this increase is not now looked upon with favor by American agricultural interests, and we are being told to restrict our output, because we are competing with American products in the United States. At the same time we are told to develop our country economically if we desire to be free. It would seem, therefore, that we are between the devil and the deep blue sea.

I venture to assert, then, that the economic structure of the country will be more stable if we secure an access to other markets besides those of the United States, although, for reasons of gratitude and other considerations which we hold toward her, we would be willing always to consider America as the favored nation under equal circumstances.

I am convinced that the contemplated readjustment of free-trade relations should come after the concession of independence. Disposed as we are to face the consequences imposed by new obligations that will arise, our country will intensify its activities in all lines of endeavor with those new obligations in mind.

Necessity is the mother of progress, and on the necessities incident upon an independent government the Filipino people will construct the edifice of their prosperity and national greatness. On the understanding, therefore, that the adjustment regarding free trade should not precede the concession of independence, notwithstanding opinions to the contrary, I would suggest a period of not more than 10 years within which we hope to be able to adjust the economic difficulties attendant upon separation in a way satisfactory to both peoples. Let independence come at the earliest hour, however—at the latest within the next five years—inasmuch as the continuation of the present guardianship will kill our spirit of initiative as well as the characteristic elements of our nationality.

There is no doubt that the danger of a foreign invasion will be greater when we are independent than now under the sovereignty of the United States, this in spite of America's commitment under the quadruple treaty that the Philippines will not be fortified further. The mere presence of the United States here, without necessity of fortifications, is sufficient guarantee against any possible danger of invasion. The country is perfectly aware of this advantage, but it can not sacrifice to it its independence ideal.

It would be desirable, of course, if the principal powers of the Pacific could reach an agreement guaranteeing the neutrality of the islands. International relations are slowly evolving toward concord and peace, and a treaty of neutrality would be a good guarantee of the external safety of the Philippines in the future. But if there should be difficulties in the realization of such a treaty the country will not renounce its ideal because of those difficulties. The Filipino people desire their independence and they will pay the price that destiny might exact.

Our people have waged two revolutions, shed much blood, and sacrificed innumerable lives and fortune in order to attain their political independence; they are disposed now to forego the material advantages they enjoy and even the greater ones they might enjoy in the future in exchange for their liberation. After all, these are transient advantages, and we have seen how, recently, a movement has been started, and is gathering momentum, to terminate the present tariff relations between the Philippines and the United States. Hence, even under the present state of dependence, there is a possibility, not remote, of those advantages disappearing.

The preservation of our public lands for the present and future generation of Filipinos is undoubtedly one of the serious problems which will require most careful study by our statesmen. The present laws, however, offer sufficient guarantees of protection for foreign and for local capital alike, and whatever attempt there will be to liberalize the present public land laws will meet with decided and vehement popular protest. No political party would dare father a measure which would thus rile popular sentiment.

It has been argued that with the advent of independence there will be a backslide in the sanitary conditions of these islands. Nothing is more erroneous. The present sanitary service, which is a success, has been in the hands of Filipino officials for more than 15 years. In case of independence, therefore, the danger is not in a possible backsliding but in going ahead too fast, for then there will be greater desire to serve the country recently emancipated.

The so-called Moro problem has never existed and does not exist. During the life of the short-lived Philippine Republic our Mohammedan kinsmen shared with us in the benefits of that government and abided by the orders and decrees promulgated. I repeat that there is no such problem. It has been fabricated by the enemies of independence in order to discredit us in the eyes of the Government and people of the United States. Our Mohammedan brothers are conscious of our desire and solicitude to impart to them the benefits of civilization enjoyed by the Christian Filipinos.

With respect to the oft-repeated Japanese menace, I would state that Japan has a noble rôle to play in this part of the globe as a nation which is at the vanguard of the other nations of the Far East. It would be a dark day for oriental peoples if Japan would seek to impose her sovereignty on every one of them. The awakening of China and other oriental countries during recent years is not a sign that would encourage Japan to entertain designs of suzerainty over the Far East. On the other hand, it would be to her advantage if she could have the friendship and good will of all her neighbors. Overlordship based on might has never endured. Weak peoples will not continue weak forever. Always there have been upheavals resulting in their emancipation. National conciousness and the instinct of self-preservation have always saved nations, however small, from humiliation and disaster.

There are, it is true, many more Chinese than Japanese in the Philippines. Whether, however, the Chinese constitute a menace to the country is something we can not as yet foresee. Indications are to the contrary. The Chinese here are peaceful and law-abiding. They do not bother the government nor their neighbors. They comply with their obligations and attend industrially to their industrial and commercial speculations in which it is hard to excel them. They mix with Filipinos, they intermarry with Filipino women, and their children become good Filipino citizens. A treaty on immigration between China and the Philippines would be good for the preservation of their friendly relations.

I believe that the fact that there are only about 7,000 Americans who have taken up their residence here is due to the distance from the United States and also to the climate here. Having been born and reared in surroundings vastly different from ours, the lure of home and of dear relations would be too strong for them to want to stay here all their lives.

Our feeling of gratitue toward the United States will be intensified with the grant of independence. This is but natural. America and her illustrious statesmen have repeatedly announced that her presence here is not actuated by selfish motives, nor is it for exploitation, but to aid us in the establishment of a representative system of self-government. We placed implicit faith in her word. Its fulfillment will be the occasion for rejoicing throughout the islands; it will strengthen our faith in the sincerity of the United States. To our people the waiting has been too long. Many Filipinos of worth who have fought for the freedom of the land have already passed on—they would have been glad to witness the restoration of the Republic they proclaimed and defended. If, on the other hand, the United States does not fulfill her promise, then the Filipinos will be convinced of the injustice that has been their fate; they will realize that all their efforts and sacrifices, in war and in peace, have been in vain, and that they made a great mistake for which their children and their children's children will rebuke them, in having trusted in the word of the United States.

Reiterating my sincere gratefulness to you and to those other Members of Congress who are taking an interest in the independence of my country, I am

Very sincerely yours,

EMILIO AGUINALDO.

Senator HARRY B. HAWES,
Manila Hotel, Manila.

LOUISIANA AFFAIRS AND NATIONAL LEGISLATION

Mr. LONG. Mr. President, before proceeding with what remarks I wish to make, I send to the desk and ask to have read by the clerk an article appearing in the Washington Post.

The VICE PRESIDENT. Is there objection to the reading of the article? The Chair hears none, and the clerk will read.

The Chief Clerk read as follows:

[From the Washington Post, March 19, 1932]

JUSTICE IN LOUISIANA

The courts of Louisiana have decided that they have no jurisdiction over the gubernatorial tangle which Senator HUEY P. LONG left at Baton Rouge when he came to Washington. In doing so they have nullified the election of Paul N. Cyr as lieutenant governor and given effect to the dictates of Senator LONG.

When Doctor Cyr filed suit to oust Governor LONG on the ground that he was a United States Senator, and therefore could not legally hold the governorship under the State constitution, the lower court ruled against him. But the Louisiana Supreme

Court overruled that decision and held that the courts had no jurisdiction over the matter. It is obvious that the judiciary of any State is without authority to say when a Senator-elect becomes a Senator, but when the courts disavow jurisdiction over a dispute involving the governorship, it does seem as if they were sidestepping.

In seating Senator BARBOUR, of New Jersey, the Senate held, in effect, that it is not necessary to take the oath of office to become a Senator. Mr. BARBOUR was appointed to succeed Senator Morrow, who had not taken the oath since the beginning of his 6-year term at the time of his death. In spite of that fact, Mr Morrow was held to be a Senator at the time of his death, and Governor Larson was therefore entitled to appoint Mr. BARBOUR to succeed him.

This termination of the Barbour case leaves the strong presumption that HUEY LONG served as governor after becoming a Senator, in violation of the State constitution. Yet he was allowed to depose the elected and qualified lieutenant governor and to set up one of his own loyal confrères as chief executive. Now the courts support him in that action by saying that only the legislature has authority to remove a governor. Apparently the courts did not pass upon the question of the former governor's right to oust, with the aid of the militia, an official elected by the people. The new rule of upholding only those laws and protecting only the rights of those officials who have the approval of HUEY LONG may be popular in Louisiana, but it is not calculated to enhance the prestige of that State anywhere else.

Mr. LONG. Mr. President——

The VICE PRESIDENT. Is there objection to the Senator from Louisiana addressing the Senate at this time? The Chair hears none, and the Senator is recognized.

Mr. LONG. Mr. President, this campaign of newspaper editorials which has gone on in the State of Louisiana has apparently been transferred to Washington. It could not be possible that the number of editorials which have been appearing in the newspapers in Washington, particularly this paper, the Washington Post, could have simply been produced in those columns by chance or by accident.

The editorial which has just been read by the clerk would undertake to inform the ordinary public men of this Capital City that in the State of Louisiana the law was being administered by corrupted courts, that the courts were rendering decisions and handing down decrees in that State in accordance with the will of some one engaged in politics, and that there was no such thing as justice to be secured in that State.

This fight, however, is a little bit broader than the one the editorial entirely discloses. The fight began in the State of Louisiana when it should have begun in the Congress of the United States. It is just about reaching the climax in the Congress of the United States.

In 1928 I was elected Governor of the State of Louisiana by the largest plurality ever given to a candidate up to that time, I think. An impeachment fiasco began one year later, with a lieutenant governor as the party seeking to become the Governor of the State of Louisiana. The impeachment was started when we proposed a bill to tax the Standard Oil Co. 5 cents a barrel on the business of refining oil to support the government of that State, as a result of which a state-wide gathering was called in the capital city of Baton Rouge to repel the undertaking to levy a tax on oil in that State of 5 cents a barrel.

At the same meeting an impeachment resolution was introduced, without any charges being specified at the mass meeting, at which some 100 musicians of the Standard Oil Co. furnished entertainment, the resolution stating that impeachment resolutions were to be filed in the house of representatives on the following day or so in order to make Dr. Paul Cyr the Governor of the State of Louisiana.

The lieutenant governor, Doctor Cyr, had been elected on the Long ticket, on a platform pledging that he was going to support that administration, and every man who supported that ticket knew that one of the provisions in its platform was a pledge to place the taxes in that State on the wealthy interests operating there who were in position to pay those taxes.

The impeachment move failed. Later on, Mr. President, I ran as a candidate for the United States Senate. My platform was that if I were to be elected to the United States Senate, I would not take the oath of office for one year and six months from the date of my election, but that I would remain in the State and serve out my term as governor before coming to the United States Senate.

A year elapsed. We went into another election, in which we proposed to submit to the people of the State of Louisiana again the issues, the verdict on which, by the people, a certain element in that State refused then and refuses now to accept at all, until everyone of them has been put out of office by the people. We went into the election with a ticket of nine candidates, who pledged themselves to undertake to complete the work of the Long administration in the State, and, Mr. President, every man on that ticket, nine out of nine, was elected in the State of Louisiana, and carried, out of 64 parishes, I think 56 or 57, or somewhere about that number.

The lieutenant governor, Doctor Cyr, in the meantime proceeded to take the oath of office as governor, and announced that he had abandoned the office of lieutenant governor. He refused to attend a meeting of the board of pardons, saying he was no longer lieutenant governor. He refused to attend a meeting of the board of liquidation of the State debt, saying he was no longer lieutenant governor. He refused to attend a meeting of the State highway advisory board, saying he was no longer lieutenant governor. He brought a suit and stood in court and said that he was Governor of Louisiana.

It has been held by four courts of last resort in the United States that when one renounces an office which he is holding and claims another office, whether the courts sustain him in his claim to the latter office or not, he forfeits all title to the original office which he held. The lieutenant governor apparently relied on those decisions, because the president pro tempore of the senate moved into the position of lieutenant governor and served as lieutenant governor for four months, until the Supreme Court of Louisiana finally disposed of the case and held that Lieutenant Governor Cyr had not become the governor, and upon having abandoned the lieutenant governor's office the then acting lieutenant governor naturally, under well-founded jurisprudence, succeeded to the office of governor of that State when I took my oath here as United States Senator.

The courts of the State of Louisiana followed the decisions of four other courts of the United States and followed all of the jurisprudence that is relevant on this subject, considering the conduct of the then acting lieutenant governor, who abandoned his own office, and not only abandoned his office, but allowed the salary of that office to be paid to the president pro tempore of the senate, Mr. King; and after Mr. King had drawn the salary for four months, with a lieutenant governor who had been elected having abandoned his own office, taking the position that he had no right to draw his salary as lieutenant governor of the State, then, when the case was finally disposed of, no one could say that the then acting lieutenant governor, Mr. King, could do other than step into the office of governor.

Mr. President, if it had not been for this continuous line of editorial gossip, an attempt to have washed out in Washington the linen of Louisiana politics, I would not at this time undertake to say anything that might be adrift from the sole matter of answering the editorial which has just been read, but I am now going a little further, and I trust that Senators in just a few minutes will see that what I say is relevant and that it is consistent.

A statement was made on the 16th of March by Mr. Julius H. Barnes to which I want to refer. The headlines read:

Trust laws rapped by Barnes at board of trade gathering.

I read from the newspaper account:

The board approved 11 points of a referendum of the United States Chamber of Commerce in regard to Government tax and fiscal problems. The referendum indorsed the balancing of the Federal Budget for the year ending June, 1934, through decreased expenditures, borrowing to keep tax rates from great increases, and by added taxes upon individual and corporate income, the broadening of the individual income tax so that more persons would bear the tax burden; and enactment of an excise or sales tax upon widely used articles not of the first importance.

Mr. Barnes and David Lawrence, publisher of the United States Daily, both analyzed the present economic conditions in their addresses to the trade body.

Stability of government was stressed as of vital importance in the creation of confidence, which was cited as the most important factor influencing a return to normalcy by Mr. Barnes.

With industry's problem no longer production but control, conservation, distribution, and the creation of buying power, antitrust laws and Government regulation of business must be scrapped, Julius H. Barnes, chairman of the board of the United States Chamber of Commerce, told the Washington Board of Trade at the Willard Hotel last night.

Mr. President, every effort that is made in this country to put the taxes where they ought to be put becomes a national issue with that element undertaking to scrap that kind of ingenuity. We undertook to put a tax on the Oil Trust in the State of Louisiana. We voted a severance tax. That was upheld by the Supreme Court of the United States. We voted certain other taxes that were upheld by the Supreme Court of the United States when those taxes were placed upon the oil interests. They have never for one moment since ceased to denounce us and to launch a verbal and editorial and news tirade against the deplorable state of affairs that is supposed to exist in the State of Louisiana, meaning nothing under the living sun except that we placed the tax where the tax ought to have been placed and because we undertook at that time to bolster up the antitrust laws and other laws to protect the common and ordinary individual business man in the State of Louisiana.

The fight has reached the Congress. We have eight Representatives from the State of Louisiana and two Senators. My information is that the eight Representatives from the State of Louisiana are opposing the so-called "coalition leadership" of the Republican Party and the Democratic Party that is exerting power in the Congress. I do not know what this "coalition of leadership" is, and I have not seen anybody else that knows what it is. It is supposed to be a coalition of leadership to balance the Budget, supposed to be a coalition of leadership to save the country, supposed to be a coalition of leadership to relieve the country from distress. We do not know what the coalition of leadership is, but if we are to take it from the Washington papers who are giving the news, considering the attitude which is no doubt being taken here in the Capitol by the delegation which comes from the State of Louisiana, they will say, no doubt, as they have already in their editorial columns, not only that the courts are yielding to the pressure of some political dictatorship in the State of Louisiana, but that the Members of Congress are yielding to some political dictatorship in the State of Louisiana.

There is no political dictatorship in the State of Louisiana. There has not been any political dictatorship in the State of Louisiana. Men are left in that State to run according to their merits and their wishes. The opposition that has reared itself up and formed itself at one time into what was known as the Constitutional League, financed by hundreds of thousands of dollars of public and private funds, has gone before the people of that State undertaking to secure representation different from what the people were willing to vote. So now here in the House of Representatives the fight is coming as it has come up in the State of Louisiana.

The newspaper to which I have referred says that the House of Representatives adjourned in disorder on last Saturday. In my opinion, the House of Representatives adjourned in order on last Saturday for the first time in 12 years, when a majority of the House of Representatives gave it out to the country that they were not going to stand for a coalition of leadership in the Congress that was going to allow taxes on various articles to be saddled on the backs of the people of the country. It is about the first time we have heard of any such thing as a supposed-to-be revolutionary movement. One Member on the Democratic side, Mr. RAINEY, is quoted as having said that the country is on the very verge of communism. He is quoted as saying that a most chaotic state of affairs exists. Other leaders on the Democratic side and on the Republican side of the House are quoted as saying that their personal and political fortunes mean nothing, and that the Members of the House of Representatives ought to leave it to the will of the people to rebuke them when they go back home, but that they should follow the leadership that is engaged in the lower house of Congress—I do not know how far it has gone in the upper house of Congress—in driving through whatever plan they say for us to sponsor, or whatever they, in their good and careful judgment, think to be necessary to balance the Budget of the country.

The leaders want to know where the money is coming from to balance the Budget. Where is the money coming from to balance the Budget? They say that only a certain amount of money can come from the income tax, and that that is too little. They say only a certain amount of money can come from an inheritance tax, and that is too little. They say that only a certain amount of money can come from all the other sources, and that is too little.

But, Mr. President, with all the great efforts that are exerted here in the Congress for the virtues of the tariff, there has not been one of them yet that has arisen and proposed to protect the oil people of the country from the foreign oil that is being imported into the United States. They do not propose, in their protection of everything that is manufactured on the coast and the inner sections of the country, to have any such thing as a tax placed on the products of the Standard Oil Co. and various other and sundry affiliated oil concerns. They do not dare. "Touch not my anointed and do my prophets no harm." They do not dare talk about raising several billions of dollars by a tax on the Standard Oil Co. I might say that well they might profit by the experience I have had in Louisiana and not advocate putting a tax on the Standard Oil Co., because when I proposed it down there in that State I heard nothing but denunciation by mass meeting after mass meeting, threats of impeachment, and every kind of charge that could be made, and every kind of political persecution and personal persecution that could be applied. Well might the Members of the Congress of the United States profit by the experience we have had in the battle we have had to fight in that State ever since we undertook to put the taxes where they belong.

Mr. SHORTRIDGE. Mr. President——

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

Mr. LONG. I am glad to yield.

Mr. SHORTRIDGE. I infer from what the Senator says that he would favor an adequate tariff duty on imported crude oil or petroleum and also an adequate tariff duty on its by-products. Will the Senator permit me to remind him that I have introduced a bill which I earnestly hope will come to early consideration calling for $1 a barrel on crude petroleum and 50 per cent ad valorem on certain of its enumerated by-products? I favor that bill. I think it should be enacted into law and that it should be enforced in the interest of the American laboring man, the American operators, the American people. I trust that I shall have the earnest and, I feel, able support of the distinguished Senator from Louisiana.

Mr. LONG. I agree with the Senator most heartily. Has the coalition passed on that matter? [Laughter.]

Mr. SHORTRIDGE. I do not know.

Mr. LONG. I do not know, myself. I agree with the Senator absolutely, 100 per cent.

Mr. SHORTRIDGE. With or without any "coalition," I believe that the rate I have proposed, namely, $1 a barrel on crude oil and 50 per cent ad valorem on certain by-products, is sound and meritorious, and, to repeat, I do certainly hope that the bill I have introduced will receive the earliest possible attention, be approved by the Congress, and become law.

Mr. LONG. I agree with what the Senator from California has said. What the Senator proposes is sound.

Mr. President, foreign oil imported into this country has not only been used after being brought into this country as a means of unfair competition with American products and American labor, but it has done more. The oils of Mexico and of Venezuela and of Colombia have been brought into

this country to enforce the demands of the Oil Trust in the United States. They have brought oil in from Venezuela by the shipload and by the tank-car load, placed it upon the border of the Gulf at one time and upon the Pacific coast at another time to increase an already abominable surplus, so that an independent oil operator could not weather the storm and survive. I have known the time when we have sold a 16-gravity oil on the coast and the Gulf for as much as $1.80 a barrel, and at the same time, by the importation of Venezuelan crude, they have forced the people in the State of Louisiana to sell 28-gravity oil for 60 cents a barrel and then declined to take more than one-fifth of the output until they brought the independent oil industry to its knees and forced a sacrifice of the properties it had in this country.

So when there was before us a tax proposed to prevent this injustice that was being inflicted, the message came from President Harding, as it has come from his successor in the distinguished Republican Party, "Nothing must be done that will interfere with the agreed policy of this country to put no tariff on oil." There we have the Wall Street banker; there we have the Non-Partisan League, to which one of the Senators so often refers; there we have the great Non-Partisan League urging that there should be a tariff to protect American industries, but when we came up with a proposal to put a tariff on oil the same invisible government that sent the message down here to put a tariff on everything else sent a reverse message that there was not to be a tariff on oil, and just as abjectly and just as discreetly as the Congress of the United States followed their demands for a tariff on everything else, it followed their demand that there was not to be a tariff that would interfere with the dominion of the Oil Trust in this country.

I do not know what the "coalition" is in the House or what the "coalition" is in the Senate, but let us hear from the coalition when it has investigated this proposition if it is going to undertake to put a tariff on oil to protect the labor and the products of the American people.

Mr. President, going just a little further, we are told that we are faced with communism in America. Certainly we are facing communism in America. Why are we facing communism in America? President Wilson evidently saw this thing coming. Back in 1916 he appointed an Industrial Relations Commission to make a study of economic distress which was then creeping upon the country. I want to read an excerpt from the report of the Industrial Relations Commission:

> The ownership of the wealth of the United States has been concentrated to a degree which is difficult to grasp. The recently published researches of a statistician of conservative views have shown that, as nearly as can be estimated, the distribution of wealth in the United States is as follows:
>
> The "rich," 2 per cent of the people, own 60 per cent of the wealth.
>
> The "middle class," 33 per cent of the people, own 35 per cent of the wealth.
>
> The "poor," 65 per cent of the people—
>
> Sixty-five per cent of the people—
>
> own 5 per cent of the wealth.

That was in 1916 when conditions had not become so aggravated. Away back in 1916, 65 per cent of the people of this country, two-thirds of the people, owned less than one-twentieth of the wealth of the country.

Now, we have a report which is somewhat later than the one from which I have quoted. At that time, in 1916, an editorial was published in the Saturday Evening Post. The heading of that editorial was, "How Rich Are We?" The writer of that editorial summed the situation up by saying that along one statistical line this was a country bursting with wealth, but that along another practical and statistical line it was a bloated plutocracy, lording it over the starving hordes, "with a thin margin of merely well-to-do in between." That was the statement of an editorial in the Saturday Evening Post in 1916, I think in the month of October of that year.

I now read as to the condition which was found by the Federal Trade Commission which has been summarized in a little pamphlet entitled "The Country's Plight," by Mr. Charles G. Ross, the correspondent in Washington of the St. Louis Post-Dispatch. In summing up what the Federal Trade Commission found in its report he says:

> It found that 1 per cent—

And I quote this, Mr. President, to show how much worse the country's economic situation is growing so far as the distribution of wealth is concerned—

> It found that 1 per cent of the decedents owned 59 per cent of the estimated wealth.

In other words, in 1916 it was ascertained that 2 per cent of the people owned 60 per cent of the wealth of the country, and a short time ago it was ascertained that 1 per cent of the population of this country owned 59 per cent of the wealth. It is only fair to say from that standpoint, there being a difference of only 1 per cent in the two statistical estimates, the country has become twice as bad off since 1916 in the matter of the concentration of wealth. So in this country economic distress has been gradually intensifying and becoming more aggravated; that process has proceeded ever since 1916 just as fast as a snake ever crawled on the ground.

We have seen concentrated wealth force the closing of many banks and have seen it take in every bank that was allowed to remain open, and the others not taken in are closing at a very rapid rate.

Large commercial interests stepped out and took over the stores which they wanted to take over and closed up the others that they did not want to take over, and so since 1916 the whole length and breadth of the United States has been changed into one commercial chain enterprise from one side to the other.

Where is the independent bank in this country that has not been absorbed by the chain bank? Where is the independent grocery store that has not been absorbed by the chain grocery? Where is the independent dry-goods store that has not been absorbed by the chain dry-goods interests in this country? Where are the drug stores that have not been included in the chain? They have been going out of business at a statistical average rate of 435 places of business a day.

In what position now are the 33 per cent of the people of this country who in 1916 owned 35 per cent of the wealth, those whom the Saturday Evening Post described as the "thin margin of merely well-to-do in between," the people of average means, the so-called middle class embracing the grocery man who might make something like five or six or seven thousand dollars a year, who employed a clerk who probably made $2,000 a year, and perhaps an assistant who made as much as $2,500 a year, and then a delivery man or driver who made something like a thousand dollars a year? These little independent businesses operated by middle-class people, the 33 per cent, have been fading out at the rate of 435 a day for a number of years as the concentration of wealth grew like a snowball going down hill, until we have finally reached the point where it may be asked, "Where is the man who made $7,000 last year and could buy a $2,000 automobile? Where is the man who made $2,000 a year and who could buy a $750 automobile?"

Why was it that the automobile factories became paralyzed? Why was it that the garment workers found no employment in making the finer class of fabrics which had been sold on the market? What has come of the department store that used to sell the $100 dress and the $90 dress? They all found that there was such a maldistribution of profits in this country that the point had been reached where there was hardly a man left who could buy an automobile nor an individual left who could afford the kind of fabrics that his family wore in years past.

We talk in Congress now about putting a tax on the people when they are crying for some relief at the hands of the Congress of the United States, when they have been fastening their eyes on Washington and waiting for the knock to come to their doors followed by visitors who would say, "Your Congress and your Government have sent us to you with the relief that you are requiring in order to

bring you out of this distress." Instead of that, however, it is proposed in the other House by the leaders of the coalition movement—and I do not know what is going to be proposed over here, and perhaps there is nobody else who knows—to impose further taxes on the people. There is not going to be any knocking at their doors by visitors bringing glad tidings, but when the knock is heard at the door and the humble citizen rises from the table to meet the visitor for whom he has been waiting for so many years, instead of a visitor bringing the necessary and needed help for the distressful conditions of this country he finds the tax gatherer coming to levy a tax of 2¼ per cent on everything he buys.

Mr. ROBINSON of Arkansas. Mr. President——

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Arkansas?

Mr. LONG. Yes, sir; I yield.

Mr. ROBINSON of Arkansas. A few moments ago the Senator from Louisiana referred to the tax on crude oil, and I think justified such a provision. He also attacked the House for failure to incorporate a provision on the subject while seeking to impose a general sales tax. I know the Senator desires to be accurate in his statement, and I wondered if the Senator's attention had been called to pages 228 and 229 of the bill which is now before the body at the other end of the Capitol, the bill to provide revenue, and so forth, in which on page 228 there is provision for a tax as follows:

(1) Lubricating oils, of the grades designated (at the time of the enactment of this act) by Society of Automotive Engineers viscosity Nos. 20 to 70, inclusive, 4 cents a gallon.

And on page 229 for a tax on crude petroleum, and so forth, as follows:

(4) Crude petroleum, fuel oil derived from petroleum, gas oil derived from petroleum, and gasoline, imported into the United States, 1 cent a gallon.

Mr. LONG. I had understood that the provision for a tax of a cent a gallon on foreign oil was written in the bill not by the coalition but by the insurgent element.

Mr. ROBINSON of Arkansas. No; the provision was in the bill as reported to the House.

Mr. LONG. Yes; it was reported by the committee.

Mr. ROBINSON of Arkansas. It was reported by the committee.

Mr. LONG. Yes, sir; but it was written in the bill, my understanding is—and if I am wrong, I desire to be corrected—or was proposed by one of the unfortunates outside of the breastworks. I mean it was proposed by members of the committee who were opposed to the sales-tax plan; it was not in the original provision that went to the committee. That is my understanding, but I may be mistaken about it.

Mr. ROBINSON of Arkansas. It was unanimously reported by the committee and it was incorporated in the bill as reported by the committee, and is in the bill now, and I think likely it will be retained.

Mr. LONG. I accept the Senator's statement.

Mr. SHORTRIDGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from California?

Mr. LONG. I yield.

Mr. SHORTRIDGE. I have understood that the committee, as far as it has gone, has provided for a tax of 42 cents a barrel.

Mr. LONG. For 42 cents a barrel, which is far too little to do any good.

Mr. SHORTRIDGE. It is entirely too small.

Mr. LONG. We all know that.

Mr. SHORTRIDGE. I have proposed a tax of $1 per barrel, as the Senator knows.

Mr. LONG. Yes, sir. I understood that a little concession was made in the House in the direction of such a tax.

Mr. ROBINSON of Arkansas. Mr. President, may I ask the Senator, who evidently has made a special study of the subject of a tax on oils, what he has to suggest about the tax on lubricating oil.

Mr. LONG. On imports, does the Senator mean?

Mr. ROBINSON of Arkansas. Yes, sir.

Mr. LONG. Without question, there ought to be a tax on imported oils. I will say this before departing too far from the subject of oil. The proposal to tax oils has managed to survive up to this time at the rate of 42 cents on a barrel of oil of 42 gallons—I believe that is the number of gallons in a barrel, though the Senator probably knows better than I do. We have been that far several times before though; once before we went that far with the proposal to impose a tax of a dollar a barrel, I believe, but we never got far enough to have it enacted into law. Rules have not yet been brought into effect to restrict the amendments that are coming and going, as I understand, in the other House.

But to get back to the point, Mr. President. I was saying that the leaders of the other House of Congress to-day are warning us that communism is almost on its way. I do not wish to misquote anybody, and I am not responsible if this is not an accurate quotation, but I want to read just what was said by one of the leaders of my own party speaking along with the leader of the Republican Party in the House. He said:

You are opposed to communism, and so am I, but I want to say that this Government has gone farther on path toward communism in this session of Congress than any other government except that of Russia.

Mr. President, the country has not gone toward communism during this session of Congress, but the country has been going toward communism ever since the wealth of this country began to get into the hands of a few people. It began to go toward communism when the people saw their independent businesses going out of existence; it began to go toward communism when 1 per cent of the people got hold of 59 per cent of the wealth; it began to go toward communism when every independent bank in this country began to go out of existence; it began to go toward communism when every wholesale and retail independent store in this country began to go out of business. It began to go toward communism when, as I said here on the floor of the Senate some few days ago, according to the estimates of the Federal Trade Commission, less than 2,000,000 people—to be exact, one and one-quarter million people—had cornered practically every resource and business enterprise, and left no livelihood out of which a man could thrive to-day.

What business could a man have gone into? He could not go into the grocery business and make a living to save his life—not against the chain stores. He could not go into the dry-goods business and make a living to save his life—not against the chain stores. He could not go into the banking business and last until water got hot. There was not a business on the living face of the earth that a young, growing, enterprising young man, coming from college or from school, could go into, with the enormously paralyzed conditions facing him as they do now, out of which he could ever expect to become a man of respectable standing or of any means at all.

So we have reached a condition in America where somebody has asserted the right to speak. How long the House will remain that way, I do not know; but, Mr. President, in all my lifetime I never slept with the ease and with the composure and with the satisfaction that I did when I learned that the House of Representatives had rebelled against the leadership of the Republican Party and the Democratic Party in undertaking to put this tax upon the backs of the people of this country.

You ask them to go back home to be sacrificed. You say to them that this bill is more necessary than their personal welfare. For whom are they going to be sacrificed? You ask them to go back to the homes of the congressional districts they are supposed to represent in this country when the American people have been waiting and waiting and waiting and waiting for this condition to come about, that a Congress might meet and have an opportunity to render help back there in that country; and they are to be sent back not as men bearing gifts, not as men bearing

relief, not as men saying, "Here is the opportunity for the revival of this country," but you propose to send back to the State of Louisiana the Congressmen as taxgatherers off the backs of the people to-day suffering from this economic distress!

There is not any one of the eight men from the State of Louisiana in the lower House of Congress, whom I am informed about, who is going to be sent back there by the Democratic leadership of the House to make a collection of 2¼ per cent; and there is at least one man in the United States Senate who is not going to be sent back there to do that.

"Well, how are you going to balance the Budget?" I am for that, Mr. President, above everybody else; and I want to say here that I do not lay the sole responsibility for this condition at the feet of the Democratic Party or the Republican Party, and I do not by any means lay the responsibility for the economic condition that has prevailed here at the feet of the Republican Party. The Democratic leadership in the United States Senate and in the Congress and in——

The VICE PRESIDENT. The Senator can not refer to Senators in a disrespectful way.

Mr. LONG. I am not referring to the leadership, Mr. President. There has been no opposition as a party matter—put it that way—either by the national convention of the Democratic Party or the national convention of the Republican Party; there has been no pronouncement as a party matter by the caucus of the House of Representatives nor by the caucus of the United States Senate, either from the Democrats or from the Republicans, proposing to save the masses of the American people from this economic calamity in a way that would provide for the redistribution of the profits of this land and of the wealth of this land.

"How are you going to balance the Budget?" Mr. President, let it be understood that I am not undertaking to take any party advantage of the situation. I am not undertaking to make it a matter of Democratic politics. I am undertaking simply to say that the fault for this condition lies at the feet of everybody in this country. It lies at the feet of us all for failing to step out and meet the enemy without the gates of the city before the distress came here.

We had plenty of warning before the time this condition came on. We know that the wealthy interests of this country will not consent to anything that is going to impair their fortunes—not to a thing on earth. They are not going to consent to anything that takes the income through which they have piled their concentrated fortunes high. All the more they are not going to consent to or tolerate anything that might for a moment chisel into these concentrated piles that have brought about the paralysis of this country.

We have a little line of authority on that. I am going to take the terrible liberty, if the Chair will permit, of reading a few lines from Josephus' Antiquities of the Jews. He said this, page 207:

> By these examples anyone may learn how many and how great instances of wickedness men will venture upon for the sake of getting money and authority, and that they may not fail of either of them; for as when they are desirous of obtaining the same, they acquire them by 10,000 evil practices; so when they are afraid of losing them, they get them confirmed to them by practices much worse than the former, as if (no) other calamity so terrible could befall them as the failure of acquiring so exalted an authority; and when they have acquired it, and by long custom found the sweetness of it, the losing it again; and since this last would be the heaviest of all afflictions, they all of them contrive and venture upon the most difficult actions out of the fear of losing the same.

And so, as it was written 2,000 years ago, it applies to-day that all of them have contrived upon "the most difficult actions" for fear that they might lose some of the fortune that they have accumulated. Yes; they have contrived the most difficult of actions. When you go back to the toiling and suffering and distressed people of this country to-day who can not pay their taxes, who can not buy shoes for their children here in this land of plenty, this land of wool and cotton piled so high that you can not see the sun for it, but with nobody that has any money to buy it, and foodstuffs that are rotting on the shore and in the inland country and people starving for them and nobody with money enough to buy them—when you go back and contrive and scheme to-day to put taxes upon those people, who can not bear what they now have, you are venturing upon the most unspeakable tyranny that has ever been looked upon by the common man in the streets and by the man at the forks of the creek.

If you love this country and want it preserved as I want it preserved here, you will not go back to the people of America to-day telling them that in this time of economic crisis and with the concentration of wealth as it is, you are going to undertake to solve the troubles of the public Treasury by leveling an additional burden upon them at this time; not if you want, as Mr. RAINEY so ably says, to keep communism from the door of the American people.

Now, Mr. Barnes comes out—but before going into that, how are we going to balance the Budget if we can not balance it with a tax on inheritances? By a tax on inheritances, Mr. President, I mean a tax applying to these cases where a man dies leaving a billion dollars or $2,000,000,000 and transfers that entire $2,000,000,000 to somebody and like a snowball to roll downhill for 25 more years, and then that son dies with probably double that amount of money, and that snowball rolls until it goes downhill. They tell you that these fortunes break up every three or four generations. Some of them do, but there are fewer and fewer fortunes at the end of every 10 years and there is always a smaller per cent owning a greater per cent of the wealth at the end of every decade under this constantly growing system.

Hence, if you can not raise the money from the incomes in the higher brackets, if you can not raise the money from the inheritances—and I think you can raise a great deal there—and from the tax that ought to be put on oil, then what ought to be done?

Let us say that the leadership is correct. Let us say that when we have exhausted those fields we will not have sufficient revenue to meet the deficit now prevailing in the Treasury of the United States. Then, what are we going to do?

Why, Mr. President, I saw the time during the war with Germany, when I was undertaking to defend a man charged with crime, that I was afraid to read Washington's Farewell Address to the jury for fear of being jailed for contempt! We have seen times when the very sacred documents of this country could hardly be quoted by a man who was being tried for his life or his liberty. And, gentlemen of the Senate, and Mr. President, if I might be pardoned, if I might not shock the sensibilities of the great lawmakers of this country, if I might not be revolutionary in undertaking to avoid communism, if we can not raise the funds from the inheritance taxes, if we can not raise the funds from income taxes, if we can not raise the funds from the oil taxes, I wonder if it would be possible for me to say that the Lord propounded the law and pointed out the way. I wonder if it would shock the understanding and the customs of the Senate if we were to turn back to the law that was laid down for man when this earth was created or a short time after it was created.

How would we raise the money? If we could not raise it from incomes, if we could not raise it from inheritances, if we could not raise it from the gambling that occurs in the stock exchanges of this country, then there is a way pointed out in the Bible. Take it from the profit. Mr. Rockefeller, Mr. Baker, Mr. Morgan would sleep considerably more soundly to-night with $100,000,000 under their pillowcases than they are going to sleep during the next 10 years with a billion or two billion dollars under their pillowcases.

I would not take away from them one single luxury that their human appetites could demand or consume. I would not deprive them of the palaces in Spain, in Switzerland, in England, nor the fish ponds for the sports, nor the various and sundry estates for the chase of the hounds, nor anything that is needed to appease the most refined and developed appetite. I would not take away one of the 100

limousines from them; but I would simply say, "When you reach the point in this country where you have so many billions and billions and billions, and another nine hundred millions on top of it is not going to do you any more good than what you have now, we are not going to allow the water to be siphoned out of the spring and have more people left in a little pool, twenty times as many people left in a little pool, as you have; we are not going to let your useless gluttony stagnate this country."

If it will not offend the sensibilities or the standards or the customs of a lawmaking body, I am going to read about three or four lines clipped out of Scripture at random:

> Moreover the profit of the earth is for all: The King himself is served by the field.
> Who gave Jacob for a spoil, and Israel to the robbers?

Who was it that gave America for a spoil, and turned Chicago over to the Capones?

> Did not the Lord, He against whom we have sinned? For they would not walk in His ways, neither were they obedient unto His law.

What were the laws? These were the laws, that every 50 years there would be a jubilee throughout the land, and that wealth would be redistributed in such a way as to keep the common horde of people consuming and enjoying the fruits of the land. That was the first command of the Creator.

The second command of the Creator was that these laws which were prescribed for the Jews were prescribed for all races, and that if the human race would not heed the warning, that the wealth must not be allowed to accumulate in a few hands, there was no country on the earth which could survive with such a failure to heed the warning.

So the Lord spoke further. "If you distribute this wealth, then," the Scripture says, "you will lie down at night in a land of safety and peace, and dwell in a land of comfort and plenty for all. But if you will not do it, there is no country that is going to survive with the accumulation of wealth in the hands of a few people."

Divine law does not seem to mean much in this day and time; it does not mean very much, but there has never been a country which arose on the face of the living earth that has ever been able to stay on the face of the earth if it did not keep the wealth of the country distributed in the hands of the people of the country.

It does not mean much; it is rather resented when one undertakes to go back and quote from the very common causes which have meant the fall of every empire and nation that has ever arisen, but there has never been a country that has ever been able to survive when departing from that law.

Here in the Congress of the United States we have an opportunity. There is a House of Representatives which appears to be willing to declare that we will not put on the backs of the people of this country one single additional burden, that we will not enact one law which will aggravate this condition of the concentration of wealth. We have the opportunity, through the methods which have been proposed, and through a national policy, to accomplish the deconcentration of wealth in the United States.

I know what that means. That is a terrible task to follow. It is a hard road to travel. We all realize the control and the influence of certain commercial interests in the political affairs in this country; and I am the last above all men ever to invite a man to commit suicide, politically speaking. But to-day the opportunity is here. There are the great masters of finance and fortune, with all the power that Samson ever had, with the left arm around one pillar of the temple and the right arm around the other. They have all the goods, all the food to eat, all the clothes to wear, factories which are idle because there is nobody to buy the products to be made because the people have no money with which to purchase them. Here we have the great, towering, masterly Minotaurs of finance and of fortune—I almost said of government—and here they have the opportunity not only of saving the greatest country we know of but of saving themselves.

This country and this Congress should have mercy, not only upon the people generally but mercy upon the masters of finance and fortune, who unless they are restrained from pulling the pillars from underneath the temple, are going to pull the temple down upon themselves, along with the remainder of the people. Unless they are restrained to-day, unless we, in the midst of this economic paralysis, unless this Congress set about these things which will result in the wealth of this country drifting back into the hands of the masses to some reasonable extent, and unless we undertake to make up the deficit, and make the Government discharge the lawful and ordinary purposes that government is supposed to serve, placing the burdens in such a manner that there will be a more nearly equal distribution of wealth, then we are not going to be of any service to this country.

I would not for a moment have it thought that I was stepping out of spirit with the times in what I am saying. I can quote the President of the United States to this effect. I am not out of line with President Hoover. He may not say it any more, but at least he has said something about it. I refer to a speech President Hoover delivered in Indianapolis, and in the same speech the President said, in opposing a large bond issue for new public works:

> The remedy for economic depression is not waste but the creation and distribution of wealth.

That was the stand of Mr. Hoover in a speech he delivered in Indianapolis, that the practical relief for the people during this economic situation was in the distribution of the wealth of the United States.

The Hon. Oscar W. Underwood, who served as leader of the Democratic Party in the Senate and in the House of Representatives for a number of years, near the end of his public career, or perhaps after he had retired from public life, published his memoirs. He finally made the statement, although his record in the two Houses of Congress may not appear to everybody, as it does not to me, to have been consistent with this statement, that it was his opinion as the result of his numbers of years of experience in public life that the conditions which prevailed and the fault with this country were due to the distribution of its wealth in the hands of a few people.

That was the doctrine of the Scriptures. That was the doctrine of every law writer we have ever known. I do not understand that that doctrine is opposed by any conservative leadership that we find in either of the Houses of Congress. I do not hear it being opposed. But Mr. RAINEY, in his speech the other day, said that if we really are intent on a proposition of reducing the fortunes of this country, not to hide behind a screen to do it but to come out into the open and say that we have a motive to try to distribute the wealth of this country more nearly among the people as a whole.

I think it should be not only our paramount, our primary object, but our main purpose, to raise money to support the Government, to provide for this deficit, aye, more, to provide for the various other things which need the help of the Government; but if there is a coalition in the Senate or in the other House, I think it ought to be up to the Congress of the United States, the Senate and the House, to go on record, when we are trying to solve the distress of the Government Treasury, that we are going to prescribe a cure that is going to be for 120,000,000 people.

Let us have it understood that it is our object and that it is our purpose to bring the fruits of this land, the wealth of this land, to be enjoyed by 120,000,000 people; that there will be no surplus of food with people starving; that there will be no overproduction of clothing with people naked; that there will be no empty houses with people sleeping on park benches and walking the roads; that there will be no idleness of factories because people have not the money with which to buy the products those factories make—but that we will distribute the wealth, the products, the fruit, the fortunes of this land not only to support this Government but to provide an economic welfare and a chance to

live and a chance to grow to the people of the United States. [Manifestation of applause in the galleries.]

The VICE PRESIDENT. Under the rules of the Senate, there must be no demonstrations in the galleries.

AMENDMENT OF WORLD WAR VETERANS' ACT

The VICE PRESIDENT laid before the Senate, in the form of a resolution coming over from a previous day, the motion of Mr. NORRIS to discharge the Committee on Finance from the consideration of the bill (S. 929) relating to the taking of depositions in cases arising under section 19 of the World War veterans' act, 1924, as amended.

Mr. NORRIS. Mr. President, this is a motion to discharge the Committee on Finance from the further consideration of Senate bill 929. If the motion is agreed to, the effect will be to place the bill on the calendar.

Mr. President, this bill was introduced in the Senate on December 9, 1931. It was referred to the Judiciary Committee on the 1st day of February. On February 2 it was reported from the Judiciary Committee by the Senator from Indiana [Mr. ROBINSON] and placed on the calendar. On February 5, upon a call of the calendar, when the bill was reached the amendment proposed by the committee was agreed to, and the bill was about to pass, there being up to that time nowhere, either in the subcommittee or the full Committee on the Judiciary or in the Senate, any objection whatsoever to it.

The Senator from Utah [Mr. SMOOT] and the Senator from Pennsylvania [Mr. REED] then called attention to the fact that the bill was an amendment of the World War veterans' act and that since that act had been reported by the Finance Committee the bill ought to have gone to the Finance Committee. I thought and said at the time that the bill had been properly referred to the Judiciary Committee. It refers to litigation and lawsuits pending in the district courts of the United States. It has relation to the taking of depositions where a World War veteran has pending an action against the United States in some district court of the United States.

The VICE PRESIDENT. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The LEGISLATIVE CLERK. A bill (H. R. 9349) making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1933, and for other purposes.

Mr. NORRIS. Mr. President, I ask unanimous consent that the Senate may continue the consideration of my motion and dispose of it.

Mr. JONES. Mr. President, I ask unanimous consent that the unfinished business may be temporarily laid aside for that purpose.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. SMOOT. Mr. President, unless the Senator from Nebraska desires to speak further, I wish to make a brief statement.

Mr. NORRIS. Unless the Senator is willing that my motion shall prevail, I wish to proceed. If he is so willing, I have nothing more to say.

Mr. SMOOT. Will the Senator yield?

Mr. NORRIS. I yield if the Senator does not want to make a speech. If we have to debate it, I want to conclude what I have to say before I yield to him.

Mr. SMOOT. I will assure the Senator I have no desire to debate it at all. I merely wish to make a statement and then I have to attend a meeting of the Committee on Appropriations.

Mr. NORRIS. I yield to the Senator from Utah.

Mr. SMOOT. It is true that the bill was referred to the Finance Committee. We referred it to the Veterans' Bureau, as we do all similar legislation affecting veterans of the World War. Administrator Frank L. Hines addressed a letter to myself as chairman of the Finance Committee, dated February 11, 1932, a copy of which I ask now to have printed in the RECORD.

The VICE PRESIDENT. Without objection, leave is granted.

The letter is as follows:

VETERANS' ADMINISTRATION,
Washington, February 11, 1932.

Hon. REED SMOOT,
Chairman Committee on Finance,
United States Senate, Washington, D. C.

MY DEAR SENATOR SMOOT: This is in response to your request for a report from this administration concerning S. 929, "A bill relating to the taking of depositions in cases arising under section 19 of the World War veterans' act, 1924, as amended." The proposed amendment is as follows:

"In any suit, action, or proceeding brought under the provisions of this section no deposition shall be taken at a greater distance from the place of trial than 100 miles without permission of the court being first had upon proper application and cause shown. No such permission shall be granted unless (1) the application is accompanied by an affidavit setting forth the fact intended to be established by such deposition, and (2) reasonable opportunity has been afforded the opposite party to be present at the hearing upon such application. Where the claimant is suing as a poor person pursuant to the act entitled 'An act providing when plaintiff may sue as a poor person and when counsel shall be assigned by the court,' approved July 20, 1892, as amended, no such permission shall be granted upon application by the United States unless there is deposited with the clerk of the trial court the sum of $25, which sum, or so much thereof as may be necessary, shall be available to the claimant for obtaining representation at the taking of such deposition. Any part of such sum not required therefor shall be returned to the United States. Reasonable notice of the name of the witness and the time and place of the taking of the deposition shall be given in writing to the claimant."

That part of the proposed bill that requires an affidavit setting forth the fact intended to be established by such deposition is objectionable because it compels the Government to disclose in advance of the trial a part of its defense. In other words, it amounts to fishing.

That part of the proposed bill which requires that reasonable opportunity has been afforded the opposite party to be present at the hearing of the application seems unnecessary since it is not thought that any court would grant such application on an ex parte hearing.

Section 500 of the World War veterans' act, as amended, provides that the court may allow the attorney for the successful party to a suit on a war-risk insurance contract a fee not exceeding 10 per cent of the amount recovered. Furthermore, it has been held that in addition to the fee provided for in section 500, the attorney for the successful party may have his necessary expenses.

The proposed bill provides that in addition to the foregoing the Government shall pay an attorney's fee of $25 for each deposition taken. Under the practice of the administration to take the depositions of its doctors rather than for them to appear in court personally many depositions will be taken in each case, and, therefore, to compel the Government to pay a fee of $25 in each case would result in large expenditure being made by the Government. Also the proposed amendment would add to the amount to be received by the attorneys for a plaintiff. On the basis of our present load it is estimated some 50,000 depositions will be taken on behalf of the United States, so the expenditure required by the bill would total approximately $2,500,000. The bill does not set forth the department of the Government which will be called upon to advance the money, but presumably it would be the Department of Justice.

It is, of course, to be assumed that no attorney will file a suit on a contract of war-risk insurance unless he thinks he can secure judgment. Most courts allow an attorney 10 per cent of the full amount of the contract, which results in the attorney receiving the sum of $1,380 in each case in which he is successful. This seems to this administration to be a very liberal fee, and that out of such fee the plaintiff's attorney should be required, if necessary, to pay an attorney for representing his client at the taking of the depositions. This seems especially so since in the general practice of law where an attorney takes a case on a contingent fee he can easily secure attorneys to represent his client at the taking of depositions who will do so for a contingent fee.

The bill is probably objectionable since it seeks to amend an act approved July 20, 1892, which is a general act, by an amendment to a section of a strictly separate act, which is in the nature of a special act.

In view of the foregoing reasons this administration is not in favor of the proposed legislation.

A copy of this letter is inclosed for your use.

Very truly yours,

FRANK T. HINES, *Administrator.*

Mr. SMOOT. So far as I am personally concerned, I have no objection to the motion of the Senator from Nebraska, and allow the bill to be placed upon the calendar.

Mr. NORRIS. Then, I shall have nothing further to say.

Mr. KING. Mr. President——

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

Mr. NORRIS. I yield.

Mr. KING. I would like to ask my colleague whether the bill was considered by the Senator from Massachusetts [Mr. WALSH], the Senator from Pennsylvania [Mr. REED], and the Senator from Georgia [Mr. GEORGE], or by the full committee.

Mr. SMOOT. No; I will say to my colleague that it has not been considered by the committee, nor was it assigned to any of the five subcommittees of that committee to consider. At that time, of course, we had not received an answer from General Hines, but it is an adverse report which we finally did receive, and I am having it printed in the RECORD.

Mr. KING. I would like to ask the Senator another question. In view of the fact that the bill was referred to General Hines and a report has recently been submitted by him and the committee have not had an opportunity to take up the matter, though they have taken up many other bills and passed upon substantially all of them, I was wondering whether the Senator considered it necessary to discharge the Finance Committee? Personally, I have no objection.

Mr. NORRIS. I was proceeding to give those reasons, and I can give them; but if there is no objection to my motion prevailing I do not want to take the time of the Senate to do so.

Mr. McNARY. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Oregon?

Mr. NORRIS. I yield.

Mr. McNARY. The bill was originally referred to the Committee on the Judiciary. Did the Committee on the Judiciary consider the bill on its merits?

Mr. NORRIS. Yes.

Mr. McNARY. Then it was referred to the Finance Committee and I understand an unfavorable report was made by General Hines to the Finance Committee.

Mr. NORRIS. Yes.

Mr. McNARY. Is it the purpose now to place the bill on the calendar?

Mr. NORRIS. If my motion prevails the bill will automatically be placed upon the calendar.

Mr. McNARY. As it has been committed to the Finance Committee, why does it not report the bill and have it placed on the calendar?

Mr. NORRIS. That is the purpose of my motion. Of course, I have not gone into the matter, but the Senator from Utah [Mr. SMOOT], representing the Finance Committee, has no objection to the bill being placed on the calendar, and therefore I do not care to discuss it unless somebody desires further debate on it.

Mr. REED. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Pennsylvania?

Mr. NORRIS. Certainly.

Mr. REED. The bill deserves consideration by a committee before it is reported. It deserves consideration by the committee which has been handling veterans' relief matters. These are days of economy. I am sure the Senate would be surprised to know that the effect of the bill would be to add about two and one-half million dollars to the fees paid by the Government to lawyers of the veterans who bring suits on insurance policies. These lawyers at present are getting something like $1,300 per case, a very liberal fee, and it is coming out of the United States Treasury. The bill adds $25 to that sum. It means a total of about two and one-half million dollars, according to General Hines, added to the amount to be paid to the lawyers. Why should not the Finance Committee have a chance to consider the proposal and to consider how much these lawyers are getting now? We can not act as a Committee of the Whole and pass on details like that.

I do not know why the Senator from Nebraska should be so impatient to discharge the committee. The Finance Committee has been working very earnestly ever since the beginning of the session.

Mr. SMOOT. We have reported nearly 75 bills.

Mr. REED. It is not that we have been idle all this time. I think the Senate, in consideration of the onus of the work before that committee, ought to give us a little more time. There is no disposition on our part to smother the bill.

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

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

Mr. NORRIS. Certainly.

Mr. SMOOT. I stated that, so far as I am concerned, I have no objection to having the bill placed upon the calendar. Even if the Finance Committee should consider the bill and report it adversely, as no doubt it would, based on the report of General Hines, it would go to the calendar, so we might as well let it go there now.

Mr. NORRIS. Of course it will, unless we let the committee put it to sleep in a pigeonhole, where it would stay permanently.

Mr. President, I can see from what the Senator from Pennsylvania has said it is necessary for me to explain the present parliamentary situation, which I now proceed to do, and ask the consideration of the Senate. If I am not able to show a fair, honest procedure by the Judiciary Committee in this case, and if promises made by the Senator from Utah and the Senator from Pennsylvania are not shown to have been disregarded, then let the Senate vote down my motion and let the bill sleep the eternal sleep of death in the pigeonholes of the Finance Committee.

There is no reason why the bill originally should not have gone to the Committee on the Judiciary. I appeal to every lawyer that it was properly referred in the first place. When it was called on the calendar I only consented to having it referred to the Finance Committee on the promise of the Senator from Pennsylvania [Mr. REED] and the Senator from Utah [Mr. SMOOT] that if I would let it go to that committee, all they cared was to have a record of it going there and that they would report it back promptly. I will show what the record was, and I will read what they said on the floor of the Senate when I made that agreement.

This is a bill providing that in the particular litigation referred to by the Senator from Pennsylvania, in a case by a World War veteran on his insurance policy, begun under the law and to be tried in a district court of the United States, that where the Government undertakes to take a deposition, if notice provides for the taking of the deposition at a point more than 100 miles distant from the place of holding court, before they can take such deposition they must make a showing to the court that it is necessary, and if the court finds that it is necessary for them to take such a deposition at that distance, then it will require the Government to pay not to exceed $25 to some lawyer at the place of taking the deposition, to appear and represent the veteran.

As I stated, the bill is here on a recommendation of the World War veterans and their attorneys who have had experience in trying these kinds of cases. I called attention to one case as an illustration, which was pending before one of the district courts of the United States when the Government served notice upon the attorney for the veterans to take depositions. It was in my own State of Nebraska. The notice was to take the deposition of a witness in Richmond, Va., and another in St. Louis, Mo., and still another in Chicago, Ill. I no doubt have the cities wrong, though I am sure Richmond, Va., was one of them. What did that mean? It meant that the veteran was absolutely blocked. He could not go around to take those depositions. He was poor, as most of them are who are suing in similar cases. It was an impossibility for him to attend or to employ an attorney to attend the taking of those depositions.

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

Mr. NORRIS. In just a moment I will yield. All the bill does is to provide that if depositions are to be taken more than 100 miles away from where the court sits, the Govern-

ment must furnish enough money for the veteran to hire a lawyer at the place of taking the deposition to represent the veteran in the suit.

I now yield to the Senator from Alabama.

Mr. BLACK. On Saturday last I received a letter from a veteran in Birmingham, Ala., stating that he has a claim pending in the court there. He had been notified that the Government would take the evidence of three doctors in Washington next week. He was asking me to represent him in cross-examining the witnesses, because he said he was not able to employ a lawyer in Washington to represent him. Of course, I could not represent him as a lawyer in a case against the Government. I have written him that we have this bill pending, which I had supposed would not have serious opposition. But in the meantime he is endeavoring to get representatives of the American Legion here to appear as his representatives to cross-examine the doctors in Washington when the depositions are taken.

Mr. NORRIS. There is another illustration. The man in Nebraska who gave me this information is a professor in the State university, a very able lawyer. He represents veterans in these cases without a fee. He has had a great deal of experience. He told me it was a common thing. He said in some cases he had paid expenses of other attorneys and had himself gone at his own expense, because he was impressed with the justice of his client's case, because the soldier had no money and the great Government of the United States was endeavoring to drag him all over the country where he could not go. Places within 100 miles of the place of holding court are not covered by the bill.

Is there anything wrong about the bill? Does it not appeal to all fair-minded men? I introduced it. It was referred to the Judiciary Committee, and as chairman of that committee I referred it to a subcommittee. The subcommittee had it for a couple of weeks. I gave the subcommittee a large amount of correspondence which they looked over and examined. I told the chairman of the subcommittee if they wanted further evidence, I would wire to this man who had given a great deal of attention to the matter in Lincoln, Nebr., one of the professors in the State university of that State.

After they had examined what they had, the chairman of the subcommittee said, "We do not need any more evidence; it is so fair, as it appears to us, there can be no objection to the bill." The subcommittee reported the bill to the full Judiciary Committee and that committee took it up and considered it. They approved the report of the subcommittee, and unanimously recommended to the Senate the passage of the bill. The Senator from Indiana was designated by me, as chairman of the Judiciary Committee, to make the report, and he did it. The bill was on the calendar; nobody ever dreamed that there would be any objection to it. No suggestion up to that time had ever come to me that the bill ought originally to have been referred to the Finance Committee.

Mr. REED. Mr. President, will the Senator from Nebraska yield for a question?

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Pennsylvania?

Mr. NORRIS. Yes; I yield.

Mr. REED. Did the Senator from Nebraska ask for the opinion of the Veterans' Bureau on the bill before his committee reported it?

Mr. NORRIS. No; and that reminds me to say that there are some things about which I do not need to ask the Veterans' Bureau. I know what it means for a poor man in litigation to have notice served on him to take the deposition of a witness 2,000 miles away. I do not need any advice from the Veterans' Bureau on a subject of that kind. Furthermore, every one of the members of the Judiciary Committee knows more about trying lawsuits than the head of the Veterans' Bureau knows; and I mean no disrespect to him whatever.

Mr. DILL. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Washington?

Mr. NORRIS. I yield.

Mr. DILL. As I understand, the suits in question are brought against the Veterans' Bureau, and one would hardly expect the Veterans' Bureau to be advising legislation that would make their difficulties greater.

Mr. NORRIS. It is the Veterans' Bureau's condition we are trying to remedy by this legislation.

Mr. DILL. And in the light of the record here, in case after case, to the number of hundreds, if it had not been for the lawyers who risked their money, very many of the ex-service men would not have a dollar to-day.

Mr. NORRIS. They would not have a dollar.

Mr. DILL. It seems to me that the opinion of the Veterans' Bureau is not worth very much in this matter.

Mr. NORRIS. Mr. President, is it not possible that the Judiciary Committee of the Senate ought to know something about the trial of an ordinary lawsuit? If not, the Senate ought to dismiss that committee; there should not be a Judiciary Committee. The 18 Senators who are members of that committee know something about taking depositions; they know what it means to have the other side serve notice on a client who has not a dollar to take a deposition in San Francisco and the same day to take another deposition in New York. It means the absolute denial of justice, Mr. President, and nothing else. Those are the things which are going on; that is what we want to remedy.

The Senator from Pennsylvania says it will take millions of dollars out of the Treasury. It will not take 1 cent out of the Treasury unless those who represent the United States make the move that will take it out.

The bill, as I have said, on the call of the calendar came up. Then the Senator from Utah and the Senator from Pennsylvania stated in substance—and if anybody questions it I will read word for word what they said; they said a good deal, and I also said some things when the bill came up—that the Committee on Finance was the committee to which was referred the veterans act, and all amendments to that act, therefore, ought to be referred to that committee. I think there is some reason and some justice in that contention. They further said, however, that there was no objection to the bill, but they wanted it referred to the Finance Committee so that the record would be complete. Under those circumstances I consented to have the bill referred to that committee.

Let me read to the Senate just a few of the statements that were made when action referring the bill to the Finance Committee was taken. That was done on February 5, 1932. To-day is the 21st day of March. Almost two months have elapsed—remember that—and yet, as the Senator from Utah has said, the bill has not even been referred to a subcommittee of the Committee on Finance. With that in mind, listen to what was said on that occasion. I stated, as I have said here, that the bill involved a question of law and it seemed to me it ought to have gone to the Judiciary Committee. It is a question of legal practice.

The Senator from Pennsylvania [Mr. REED], among other things, said:

> Mr. President, the Senator will not have to convince me. On reading the bill, it seems to me to be all right and I have no objection whatever to it. But I think it is highly important that the same committee should consistently act on amendments to the veterans' act. The bill might also go to the Committee on the Judiciary, and we are glad to have their help; but think how ridiculous it would be if, not knowing what the Judiciary Committee were doing to the section affected by the bill, we in the Finance Committee were to report out another bill amending the section to read so and so.

So Senators will see there was no objection to the measure, as the Senator from Pennsylvania said, in so many words:

> On reading the bill, it seems to me to be all right and I have no objection whatever to it.

But it was desired to have the bill go to the Finance Committee in order that the records of the Finance Committee might show that the measure had been referred to that committee and had been reported to the Senate. Later on the Senator from Pennsylvania [Mr. REED] said:

> The chairman of the Finance Committee is here, and I think he expects to have a meeting of the committee very soon, and

I should think this bill could be back on the calendar and passed before this time next week. I will do my best to speed action on it.

"This time next week." That was February 5; this is the 21st day of March, and the bill still slumbers in the Finance Committee. I can read all this debate if Senators desire me to do so; it is all interesting; but I am only going to read an occasional excerpt. I then said:

Mr. President, in the present parliamentary status of the bill, its consideration being subject to objection, I have to comply with the request. I am doing so, however, on the express assurance of the chairman of the Committee on Finance that within a reasonable time the bill will be reported back to the Senate so that we can have action on it.

Then the Senator from Utah [Mr. SMOOT], the chairman of the Finance Committee, who had previously given assurance that this would happen, said:

I assure the Senator that it will be reported next week, perhaps Tuesday or Wednesday.

That was just a few days. February 5 was on Friday; and the Senator from Utah was going to have the bill reported the next Tuesday or Wednesday; but still nothing has been done.

Mr. President, it is not my contention that the Committee on Finance has been derelict; I am making no complaint. That committee is overworked, as are most of the other committees; but we were given to understand that these Senators favored the bill, though they desired to make their records complete, and it was understood that the reference of the bill to the Committee on Finance was merely a matter of form. Now, however, we are confronted with opposition. I have waited now for six weeks for the Finance Committee to report this bill. They could have reported it unfavorably if they had wanted to do so, but no action has been taken.

It seems to me, Mr. President, that the Finance Committee, if they can not consider a bill within the time during which this bill has been before them, ought to be willing to report it back to the Senate, especially when it is a bill which has had the consideration and the unanimous recommendation of a committee that, after all, is the proper committee to consider this kind of legislation. Therefore I ask Senators to vote for this motion.

Mr. REED. Mr. President, when this matter came up last in the Senate, on the 5th of February, I did as all other Senators did, I presume—I glanced at it very hastily—and, as it seemed to be all right, I said that there did not seem to be any objection to it. However, whether the Senator from Nebraska agrees or not, we think it is wise to send bills to the departments which are affected by them, in order to obtain their opinion. The report of the Veterans' Administrator was so strong in opposition to this bill that it put a new light on it.

I make no apology for changing the impression which I had formed on a hasty glance at the bill.

Mr. NORRIS. Mr. President——

The VICE PRESIDENT. Does the Senator from Pennsylvania yield to the Senator from Nebraska?

Mr. REED. I yield to the Senator.

Mr. NORRIS. I concede very frankly that the Senator has a right to change his mind, and I am not finding fault with him for that; but I should like to ask if, under the record as shown here and which I have read, the Senator does not believe that the committee ought to have acted before this, even though they wanted to make an adverse report?

Mr. REED. I grant that, and if the Senator had brought it to my attention I would have been the first to ask that the committee have a meeting and act on the bill, just as I now expect to ask the Senator from Utah to have a meeting to act on the bill.

However, Mr. President, if we are going to pass this kind of legislation without proper committee study of its effects, there is no telling where the end will be. It is not a bill for the relief of the veterans; it is a bill for the relief of the lawyers of the veterans who are already being very generously treated by the Government paying their fees. This is not going to help the veterans any, but the lawyers of the veterans are getting $1,380 per case out of these lawsuits. They could very easily pay the expense involved in calling in an associate in a distant town where a deposition is to be taken; but it is because the lawyers are too stingy to give up one penny of the stated fee which they accept from the Government that we are now asked to make the Government pay two million and a half dollars more for the benefit of those lawyers to relieve them of the responsibility which is theirs of protecting their clients and taking the depositions.

Under all the circumstances, Mr. President, I feel it is my duty to call for the regular order.

The VICE PRESIDENT. The regular order is called for. The motion will go to the calendar.

Mr. NORRIS. Mr. President, I make the point of order that the proceeding is by unanimous consent. I asked unanimous consent, which was granted, to dispose of this motion, even if the hour of 2 o'clock had passed.

The VICE PRESIDENT. Unanimous consent was given only to lay aside temporarily the unfinished business.

Mr. NORRIS. No; before that was requested I asked unanimous consent to take up the motion and dispose of it.

The VICE PRESIDENT. The Chair put the other request for unanimous consent.

Mr. ROBINSON of Indiana. Mr. President, the motion ought to be disposed of, as a matter of fact, if it does not violate the rules completely, because the Senate Committee on the Judiciary once decided this matter and decided it definitely, and there is no occasion for another committee to hold it up for months and months, when unquestionably the relief ought to be granted.

Mr. NORRIS. It is in order at least to make a motion to take this question up, is it not?

The VICE PRESIDENT. It is.

Mr. NORRIS. I make that motion now. If we have got to go through with it a half a dozen times, we might just as well commence now. I move that the Senate proceed to consider the motion.

The VICE PRESIDENT. The question is on the motion of the Senator from Nebraska to discharge the Committee on Finance from the further consideration of the bill S. 929.

Mr. NORRIS. I want to be heard on that; it is a debatable question.

The VICE PRESIDENT. The Senator from Nebraska is recognized.

Mr. ROBINSON of Indiana. Mr. President, will the Senator yield to me for the purpose of suggesting the absence of a quorum?

Mr. NORRIS. I yield.

Mr. ROBINSON of Indiana. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

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

Ashurst	Dale	Jones	Robinson, Ind.
Austin	Davis	Kean	Schall
Bailey	Dickinson	Kendrick	Sheppard
Bankhead	Dill	Keyes	Shipstead
Barbour	Fess	King	Shortridge
Barkley	Fletcher	Logan	Smith
Bingham	Frazier	Long	Smoot
Black	George	McGill	Steiwer
Blaine	Glass	McKellar	Thomas, Idaho
Borah	Glenn	McNary	Thomas, Okla.
Bratton	Goldsborough	Metcalf	Townsend
Broussard	Gore	Morrison	Trammell
Bulkley	Hale	Moses	Tydings
Bulow	Harrison	Neely	Vandenberg
Byrnes	Hastings	Norbeck	Wagner
Capper	Hatfield	Norris	Walcott
Caraway	Hawes	Nye	Walsh, Mass.
Carey	Hayden	Oddie	Waterman
Coolidge	Hebert	Patterson	Watson
Copeland	Howell	Pittman	Wheeler
Costigan	Hull	Reed	White
Couzens	Johnson	Robinson, Ark.	

The VICE PRESIDENT. Eighty-seven Senators have answered to their names. A quorum is present. The Senator from Nebraska has the floor.

Mr. SMOOT. Mr. President——

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

Mr. NORRIS. I yield to the Senator.

Mr. SMOOT. I should like to see the bill go over in favor of the regular order. I have called a meeting of the Committee on Finance for Thursday morning. That is the first time I can have the meeting.

I am going to ask the Senator to allow the committee to make a report on the bill not later than Thursday, and we will settle this whole question.

Mr. NORRIS. Mr. President, I will propose a unanimous-consent agreement; and if it is agreed to, that will settle it.

Mr. ROBINSON of Indiana. Mr. President, will the Senator yield to me?

Mr. NORRIS. I yield.

Mr. ROBINSON of Indiana. I desire to make just one brief observation.

This is simply another instance of the fact that bills and resolutions vitally affecting the service men of the country, and particularly the disabled service men of the country, go into the Committee on Finance and are never heard from afterwards. That is the very thing that led the American Legion, in its national convention last year, to insist that a committee be organized in the United States Senate to handle veterans' legislation and to handle that alone, for the very reason that when such legislation goes before the Finance Committee of the Senate, for some cause or other that is the last that is ever heard of it.

I am not accusing anybody connected with the committee of any conduct that is in the slightest degree or in any sense of the word unbecoming. The work of that committee is tremendous. The committee certainly has enough to do to keep it busy all the time without wrestling with this character of legislation, which frequently and usually involves the expenditure of millions, and sometimes hundreds of millions of dollars. So there ought to be a special committee for that purpose.

Here is this bill, introduced by the senior Senator from Nebraska. It went to the Committee on the Judiciary. The chairman of that committee, who is the senior Senator from Nebraska, appointed a subcommittee, of which I think I had the honor to be the chairman—a subcommittee of three Members of this body and of the committee. The subcommittee unanimously reported the bill back to the entire committee with the recommendation that the bill pass. Then the Judiciary Committee unanimously ordered it reported to the Senate. I had not known until to-day that the Senator from Nebraska had agreed to a unanimous-consent proposal to have the bill then recommitted to the Committee on Finance. There, it seems, it has been until this moment.

While I do not impugn in the slightest degree the motives of members of the Finance Committee, I do say that the press of business in that committee is such that these matters that are vital to hundreds of thousands of service men in the country are lost sight of and never see the light of day.

Mr. SMOOT. Mr. President, I should like to say to the Senator from Indiana, if the Senator from Nebraska will yield.

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

Mr. NORRIS. Not just at the present time. I started to say something, and I want to finish it.

After saying that I was going to comply with the request that was made on February 5, when this bill was reached on the calender, I used this language: I have read it before to-day, but it may be that some Senators have come in since:

> In the present parliamentary status of the bill, its consideration being subject to objection, I have to comply with the request.

That was the request to let it go to the Finance Committee, and they had promised that if I let it go there they would bring it right back. Further, I said this:

> I am doing so, however, on the express assurance of the chairman of the Committee on Finance that within a reasonable time the bill will be reported back to the Senate so that we can have action on it.

Then the Senator from Utah [Mr. SMOOT] said:

> I assure the Senator that it will be reported next week, perhaps Tuesday or Wednesday.

This occurred on Friday, February 5; and, as I have said before, the bill is still unreported, although the committee had a report, which the Senator has put in the RECORD, from General Hines, the Administrator of the Veterans' Bureau, dated February 11, 1932. So they were doing something there. They wrote to the bureau. They got an answer on the 11th day of February. No action was taken, although this is the 21st day of March.

As between gentlemen, as between Senators as well as gentlemen, do you not think that with that agreement that we had when this bill went to the Finance Committee it ought to be back here now, when they agreed to bring it back within a few days—probably the following Tuesday or Wednesday—and that was on Friday?

Six weeks have passed, and before this roll call was asked for to get a quorum I read what the Senator from Pennsylvania [Mr. REED] had said. He said, in so many words, that he had read the bill; that he had no objection whatever to it; that he wanted it to go to the Finance Committee so that their records would be complete, because they had been handling that kind of legislation. Under those circumstances, under that agreement, the bill went to that committee.

I ask any man who wants to be fair whether the time that has elapsed is not sufficient to justify me in making this motion to discharge the committee. Notwithstanding that, I am willing even to go beyond that; and I say now to the Senator from Utah that if he will agree to a unanimous-consent agreement that the bill shall be reported by the Finance Committee on or before Thursday next, and, if not so reported, it shall be placed upon the calendar, we will let it go. Will the Senator agree to that?

Mr. SMOOT. I have already stated that I would do that, Mr. President.

Mr. NORRIS. I ask the Chair, then, to put the proposed unanimous-consent agreement.

The VICE PRESIDENT. Is there objection to the unanimouse-consent agreement suggested by the Senator from Nebraska? The Chair hears none, and it is so ordered.

Mr. SMOOT. Mr. President, just a word.

The VICE PRESIDENT. The Senator withdraws his motion?

Mr. NORRIS. I do not withdraw it. We had an agreement once before. Just let the motion be undisposed of. I have not agreed to withdraw the motion.

The VICE PRESIDENT. The Senator withdraws his request to proceed to the consideration of the motion?

Mr. NORRIS. Oh, yes; I withdraw that; but the motion itself to discharge the committee still lies on the table.

Mr. SMOOT. Mr. President, the Senator from Indiana no doubt can do a great deal more work than can the Senator from Utah or the other members of the Committee on Finance, and perhaps he thinks we have not done anything at this session of Congress. But we have reported out of that committee over 70 bills at this session.

Mr. ROBINSON of Indiana. Mr. President, if the Senator will yield, I am talking about veterans' legislation, and that alone.

Mr. SMOOT. Over 60 veterans' bills have been reported by the committee.

Mr. ROBINSON of Indiana. Even so, I still say that there ought to be a veterans' committee of the Senate.

Mr. SMOOT. I was not going to refer to that. The Senate can do whatever it desires to do about that. If the Senate wants such a committee, it can create it. But so long as such legislation comes before the Committee on Finance, and so long as that is the proper place for such bills, we are going to do the very best we can with the measures which come before the committee.

Mr. ROBINSON of Indiana. Mr. President, may I ask the Senator a question?

Mr. SMOOT. I want to say to the Senator from Nebraska that perhaps I am to blame for the whole situation to which he has referred. I want also to call his attention to the fact that not a single day passes when we have not worked

in some committee, upon some important legislation, ever since this session began.

Mr. NORRIS and Mr. ROBINSON of Indiana addressed the Chair.

The VICE PRESIDENT. Does the Senator from Utah yield; and if so, to whom?

Mr. SMOOT. I yield to the Senator from Nebraska.

Mr. NORRIS. I do not dispute the Senator at all; in fact, I am prepared to admit that the Senator is one of the hardest-worked men in the Senate; but the Senator knew that when he made the agreement to report on the next Tuesday or Wednesday the bill to which I have referred.

Mr. SMOOT. Yes, Mr. President; and that is what I thought we could do. I thought at that time that that could be done.

Mr. NORRIS. Not being able to do that, why does the Senator object now to letting the bill go to the calendar?

Mr. SMOOT. The Senator must remember that when the Senator brought up the matter in the first place I said that as far as I was concerned I had no objection to the bill going on the calendar.

I shall try to get the Finance Committee together, although it is the hardest thing in the world to get a quorum of the committee, because all the committees of the Senate are now worked almost to death. I would like to see the time, and I believe it will come, when there will not be so many as 20 Senators upon one committee. The number is too large, and it results in Senators being on too many committees. It seems impossible for Senators to attend all committee meetings and get out legislation from the committees.

LOANS TO VETERANS ON CERTIFICATES

Mr. BLACK. Mr. President, I desire to ask the chairman of the Committee on Finance a question.

Several weeks ago I called the Senator's attention to Senate bill 272, which was introduced December 9, last, and is No. 7 on the calendar of the Finance Committee. It is a very brief bill.

I would like to ask the Senator whether the Finance Committee could not take up that bill Thursday when they meet. I do not care to make a motion to discharge the committee, of course, if I can obtain action.

Mr. SMOOT. That bill relates to loans to veterans upon their adjusted-service certificates?

Mr. BLACK. It relates to the case of a soldier who did not secure his adjusted-service certificate at the time the law was passed, and under the law, as it is, if a soldier gets his certificate now, he can not obtain a loan until the expiration of two years. It has worked a very unfair discrimination against those veterans who waited, from patriotic motives, because they believed they did not need the money and could get along without it. This measure would amend the law so as to authorize a loan to be made upon a certificate immediately upon its issuance.

There can be no earthly reason that I can imagine why a soldier who served in the same war with the other soldiers should not obtain his loan as quickly as some one who happened to have secured his certificate earlier. The main purpose of the amendment is to accomplish that. There is another provision to it which the committee can take up, but it is a very brief bill.

Mr. SMOOT. Mr. President, the committee received from the Veterans' Bureau an adverse report on this bill. I will say to the Senator that in the Thursday morning meeting I shall ask the committee to consider the bill to which he refers. I do not promise what action the committee will take on it.

Mr. BLACK. The Senator will ask the committee to take it up Thursday morning?

Mr. SMOOT. Thursday morning.

Mr. BLACK. That will be satisfactory.

EMERGENCY HIGHWAY CONSTRUCTION

Mr. HAYDEN. Mr. President, I desire to address the Senate to see whether it might not be possible to temporarily postpone debate on an appropriation bill and proceed to the consideration of the bill (H. R. 9462) to authorize supplemental appropriations for emergency highway construction, with a view to increasing employment. That bill was reported to the House on February 25, passed that body by a vote of 205 to 109 on the 27th of that month, and was promptly reported to the Senate on the 2d of March. It is an emergency measure, as is shown by its title, yet the bill has not received emergency treatment by the Senate.

The bill was discussed on March 11 by the Senator from Nevada [Mr. ODDIE] and the Senator from Kansas [Mr. McGILL] with complete detail to satisfy anyone of its merits. All the affirmative arguments necessary were presented at that time. The Senator from Connecticut [Mr. BINGHAM] on that day spoke briefly, and then subsequently addressed the Senate at greater length on March 16 in opposition to the measure.

The Senate has indicated no disposition to expedite the passage of the appropriation bills. In all my service in Congress I have never seen this late in a long session of Congress but one appropriation bill a law, and that one a deficiency bill. If Senators will look at the back of the calendar they will find that the Agricultural appropriation bill was reported to the Senate on February 18 and was under consideration for 19 days in this body before it passed. The Interior Department appropriation bill was reported on March 1, and it has not as yet passed the Senate. For some unaccountable but very apparent reason the brakes are on. The Senate is not passing appropriation bills. There appears to be no hurry with respect to such measures. But there is urgent need for the passage of the emergency highway construction bill.

One might well suspect that there exists a cold-blooded, deliberate determination to delay the passage of the road bill until the cold weather is over—and to-day is the first day of spring—in the hope that the emergency, like the winter, may pass away and then there would be no necessity for its enactment. With the coming of summer there will be, of course, some increase in seasonal employment which may temporarily take up some of the unemployment slack; but this legislation, which is designed to immediately put men to work, if it is going to be acted upon at all, ought to be passed now.

I have recently noticed in the newspapers kind and philosophical suggestions that the poor be persuaded to plant gardens so that they may sustain themselves on carrots and turnips and string beans and other garden truck. The unemployed can, like cattle in the fields, adopt a vegetable diet. There is no work; let them vegetate.

Then there is spinach, which every dietitian will say is excellent for the human system. By planting crops of spinach the poor can grow healthy even if unemployed. Kind-hearted philanthropists also highly recommend broccoli as wonderful for filling an empty paunch. With a stomach full of broccoli any man out of a job can peek around the corner and see prosperity coming down the street. All such plans may help the unemployed to eke out a mere existence, but what the jobless want is work, not vegetables.

I repeat my protest against delay in the consideration of the emergency highway construction bill. The steering committee should arrange some method whereby the Senate may take it up, give it the consideration it deserves, and pass it. All the committee amendments to the bill have been agreed to, and three perfecting amendments offered by different Senators have been adopted. There is now pending only one amendment to the bill offered by the Senator from Connecticut [Mr. BINGHAM] which provides that the apportionment of Federal-aid funds shall be not in the usual form, on the basis of population, area, and mileage of the postroads, but upon population only.

A change of that kind is an entering wedge to wreck the entire Federal aid highway system. The apportionment of Federal aid funds on a population basis alone does not justify this legislation. The only justification for the appropriations to be made pursuant to this bill is a wise expenditure of funds to the best advantage of a national highway transportation system. The wholesale construction of highways

without regard to future traffic demands is both wasteful and foolish. The State highway departments are all organized to allocate road funds for the highest economic benefit and where the greatest necessity exists. Transportation surveys are cooperatively carried on by the State and Federal authorities to determine accurately where highways should be improved to satisfy the greatest legitimate demand. Justification for the passage of this emergency road bill is the same as was set forth by the President of the United States a little over a year ago, in December, 1930, when he recommended the passage of similar legislation.

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

Mr. HAYDEN. I yield.

Mr. BINGHAM. Will the Senator be so good as to tell us about when he expects to move to take this bill up?

Mr. HAYDEN. I hope that after I have presented this matter to the Senate we may reach an agreement with respect to that very thing. The sooner the better, of course.

Mr. President, in December, 1930, President Hoover sent a special message to Congress transmitting a Budget estimate for $150,000,000 for public works to relieve unemployment. In that message he said:

> The application of this money to work already authorized by the Congress not only limits its application to work already directed by Congress but assures its use in directions the economic importance of which has already been determined by Congress. This plan also avoids the long delays incident to selection of new projects by Congress and the further long delays in technical preparation which new projects would require, both of which would render such action of no purpose in emergency relief of unemployment.

If the amendment suggested by the Senator from Connecticut shall be adopted, the entire system will be changed. More money will be placed in some States in which they do not know where to use it, and less money will go to other States where plans have already been made to carry out that character of work which will give employment to those who sadly need it.

Maricopa County, Ariz., where I was born, is as large as the State of Connecticut, where my father was born. Arizona is as large as all of New England and New York combined. If we are to have a national system of improved highways to bind the States of the Union more firmly together, all the miles in Arizona, just like all the miles in New England now comprising a part of that designated and approved system, must ultimately be built. Area, of necessity, therefore, must be an equal factor with population in the apportionment of Federal aid for highways.

I beg of Senators to be national, to have the vision to see beyond the boundaries of some States that are no larger than some counties, and, as Governor Gilpin, of Colorado, was fond of saying, to "think continentally." My father said that when he was a small boy in the Connecticut River Valley, they spoke of going out West when it was necessary to make a trip to New York State. Communication was so poor and general contact between the people of the two States was so infrequent that there was also a persistent rumor that Dutchmen lived on the Hudson who wore wooden shoes. Now, it is nothing wonderful for Professor Sharp, of Boston University, to go by automobile to Santa Barbara in search of "the better country." One can drive his car from Minneapolis to Galveston on a Federal-aid highway. America is no longer sectional but a nation. Let us build roads as a great nation should.

The Senator from Connecticut [Mr. BINGHAM] is the last Member of this body who should be provincial. He has been in many far and strange places on this earth. As an intrepid explorer and a great traveler he has utilized almost every known method of conveyance from the lowly South American burro to the most speedy airplane. The Senator knows the supreme necessity for good roads and no one sets a higher value on them as a means of national defense. I am surprised that my friend would even offer an amendment the effect of which is to establish a precedent that means that a truly national system of highways can not be built.

The Senator from Connecticut, in the remarks he made a few days ago, indicated that money spent upon the roads in one States is of no benefit to the people of another State. He would have the American people believe that. Permit me to read very briefly from a press release given out by the Bureau of Public Roads on the very day that the emergency highway construction bill passed the House of Representaitves. This is a statement authorized by the Chief of the Bureau of Public Roads. I want to say in this connection that Mr. MacDonald, of the Bureau of Public Roads, like Mr. Norcross of the Forest Service, like Mr. Albright of the National Park Service, and Mr. Dodd of the Indian Service, all of whom appeared before committees of the Senate to discuss road legislation, was not a voluntary witness. Each appeared only at the request of the committee and gave their testimony in answer to questions from Senators. This is what the Bureau of Public Roads said about the final distribution of the road dollar:

> About 75 per cent of the cost of a high-type pavement filters back through the transportation companies and through industry to men who work for salaries and wages far distant from where these highways are built. Most of these men are city workers employed by the transportation companies or in the mills and factories—men who may never see more than a few of the highways. Their efforts help to build, but, who taken altogether, receive several times as much in salaries and wages as is paid to the men who are directly employed in building them.

I ask leave to include the entire press release of the Bureau of Public Roads printed as an exhibit to my remarks.

The PRESIDING OFFICER (Mr. DICKINSON in the chair). Without objection, it is so ordered.

(See Exhibit A.)

Mr. HAYDEN. It is strange to me that those who now object to the passage of emengency highway-construction legislation made no objection in December, 1930, when the President submitted a Budget estimate for $150,000,000 to provide work for the unemployed and included in it $80,000,000 for Federal aid to be expended in the identical manner provided in this bill, to wit, that the money may be used in lieu of State funds to match Federal aid. I ask leave to incorporate in the RECORD as further exhibits to my remarks the Budget estimate submitted by the President, and the act passed pursuant to it, so that those who read the RECORD may see clearly that there is no deviation in principle between what we are proposing to do in this bill and what Congress and the President did a little over a year ago.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See Exhibits B and C.)

Mr. HAYDEN. What has happened in the meantime to induce Senators to say that what was entirely proper in December, 1930, is wholly improper in March, 1932? Has the depression ended? Is there less employment in the United States to-day than there was at that time?

Mr. President, the American people pay for roads whether they have them or not. Why not have roads which must be paid for anyhow? Motor-propelled vehicles now transport the bulk of the Nation's goods of every description. Operated on well-built roads, the cost of transportation is greatly reduced. Driven laboriously over bad roads, the maintenance cost of such vehicles is immediately increased. The people who own automobiles, and most of them do, must pay either way. It may be a gasoline tax or a "mud tax," but they pay it just the same, and one form of tax equals the other.

Dick Wick Hall of Salome, "where she danced," once said that a chuck hole is a bump upside down. However defined, chuck holes and bumps are bad for every kind of a car. Any man who has skidded through the mud into a ditch believes in good roads. Every farmer who is so fortunate as to be able to catch the top of the market by loading some part of his crops on trucks and trailers and quickly moving the same to town over a hard-surfaced road knows that he has saved more than his share of the cost of the highway. And so it is throughout the entire United States. There are none who do not know that well-built roads pay perpetual dividends and that in the end bad roads cost as much as good roads.

The purpose of this bill is to build more good roads, to make a capital investment in roads when they can be bought

for less than ever before and when they will be better built for the money than at any other time in all history. Nine-tenths of every dollar expended on roads ultimately goes to labor. The enactment of this legislation will promote employment by doing road work which is ready to be accomplished. The surveys are done. The plans are made. The location, the grade and curvature, the cuts and fills, are all known, so that there will be no delay in commencing construction.

The testimony of responsible officials given before committees of the Senate and the House of Representatives shows that the sums contained in the bill combined with regular appropriations heretofore authorized from the Federal Treasury for expenditure between the date when it becomes a law and June 30, 1933, will provide employment for labor to about the same extent as was advanced from the same source for the same purpose during the calendar year 1931. This means that approximately an equal number of men will be doing road work during the next 16 months as were employed last year, which is possible because costs of almost every kind have been reduced. If the bill is not passed, tens of thousands of men who were at work on the roads in 1931 will be thrown back into the body of the unemployed, a crime of which the Federal Government should not be guilty.

The Committee on Ways and Means of the House of Representatives has reported a bill designed to raise enough revenue to balance the Federal Budget not on June 30, 1932, but one year later, on June 30, 1933. The passage of this road construction bill and the prompt appropriation of the sums authorized to be expended pursuant to its terms will not interfere with balancing the Budget. Every Senator should know that the sum of all expenditures less the total Federal income is the amount which will be added to the public debt at the beginning of the next fiscal year, July 1, 1932. If the revenue bill as finally enacted levies sufficient taxes, the Treasury will start out with a clean slate and with a fair prospect that thereafter the increased income thus procured will make unnecessary further additions to the public debt.

I therefore do not hesitate to assert that this bill can be passed and the work under it carried on within a balanced Federal Budget such as is proposed to be established by the Committee on Ways and Means and the Treasury Department. The procedure in this instance will differ in no respect whatsoever from that which must be adopted to meet the demands of other emergency measures approved at the present session of Congress, of which the $500,000,000 appropriated for the use of the Reconstruction Finance Corporation is the chief example.

I concede that it may be necessary to borrow every cent that will be expended on highway construction if the bill should become a law. Looking at the Budget in one way, as it exists to-day, certain fixed charges are absorbing the entire revenue of the Federal Government. The total income of the Government is now about $2,300,000,000. The interest on the public debt is about $600,000,000; the cost of national defense, the Army, Navy, and so forth, is about $700,000,000; and $1,000,000,000 more is paid out for the relief of veterans, which sums take up all of the revenue of the Government. That means, of course, that every other expenditure is made out of borrowed money.

Where is the Federal Government going to get the money to pay for the work authorized to be done by this bill? Senators who now so boldly ask that question did not make any such inquiry when the act to create the Reconstruction Finance Corporation was under consideration in this body. Then there was not a whisper from anyone of them to raise a doubt as to where that $500,000,000 could be obtained. Such Senators favored that bill and therefore asked no questions. They are opposed to the purposes of this bill; they do not want to give work to the unemployed and therefore suddenly become most inquisitive. My answer to these Senators is—and I make the answer most respectfully—that this emergency appropriation of $136,000,000 is to come from exactly the same sources as the $500,000,000 to be expended by the Reconstruction Finance Corporation to meet another kind of an emergency. In every taxation and budgetary particular the two appropriations are identical.

The Treasury will end this fiscal year with a deficit of about $2,000,000,000, which must be carried over into the public debt, but if revenue legislation is enacted, as I believe it will be, to raise enough taxes to balance the Budget thereafter, the ordinary operating expenses of the Government will, I repeat, be met by the increased revenue during the coming fiscal year.

At the time they voted for the foreign-debt moratorium last December did Senators say just how the loss of $252,000,000 was to be made up? They did not. The Treasury is out just as much money through failure to make a collection when due as it is by the expenditure of an equal amount. Senators approved of the moratorium secure in the faith that a way would be found to balance the Budget despite that loss. Now there is just as good reason to have faith that all of the sums contained in this bill can be included within a balanced Budget.

France had the money on hand to pay what she owed the United States last December. France is not in financial distress, she has over a quarter of the gold in the whole world, and will pay all that is due on her debt next December. England will also pay whatever sums are due the United States at the close of the year. The English had the sound business sense to quit spending millions in a vain and fruitless effort to maintain the gold standard.

The decline in the gold value of the pound sterling has not only stimulated business in Great Britain with a consequent increase in the revenues of its Government but has also caused a flood of gold to pour into London from India and all parts of the British Empire. A pound sterling, whose purchasing power within the Empire has been but little affected, can now be bought for over a dollar less in gold than its old par value of $4.86. That is why millions of people under the British flag are turning hoarded gold into paper pounds and also explains why the English Government has found means to repay $150,000,000 in bank credits six months before they are due. England will pay next December.

As further proof of Great Britain's ability to pay, I quote from the weekly report of business conditions issued by the Alexander Hamilton Institute on March 12, 1932:

THE BRITISH SITUATION

For quite some time it has been evident that economic conditions in Great Britain were improving. As signs of this improvement there may be mentioned the lowering of the discount rate from 6 to 5 per cent, the improvement in the security markets, and, above all, a substantial rise in the value of the pound. Further evidence of this improvement may be found in the fact that not only was the Bank of England in a position to repay the $250,000,000 due to the Federal reserve banks and the Bank of France but also that the British Government was able to repay a substantial amount of the $400,000,000 contracted last summer in the United States and in France. It is reported that the amount due in the United States was reduced from $200,000,000 to $50,000,000 and the amount due in France was reduced from $200,000,000 to $135,000,000.

I have digressed briefly to mention this source of income to the Federal Treasury to allay the fears of those who are in such a panic that they can not see any way to provide work for the unemployed through road construction. I am well aware that it is not practical to specifically earmark the payments on the debts due from foreign countries for the purpose of paying for highway building in the United States, but it does help to cheer up the pessimists who, after voting for every other emergency appropriation, are now alarmed that Uncle Sam may go broke.

Suppose, for the sake of argument, that there is a difference between the way the money must be found to pay to labor on roads and the way in which it must be found to meet appropriations for the Reconstruction Finance Corporation, and I do not admit for a moment that such is the fact. But suppose that it is, and that in each case the money had to be borrowed. I claim that the purpose of this bill is entirely worthy and that the Government can save enough in the purchase price of the roads to be bought with this money to pay interest even as high as 4 per cent for

over six years. Six years from now, when prices are again restored to their prepanic level, there will be no saving of 25 per cent in the cost of highway construction.

Let me read from the testimony of Mr. Thomas H. MacDonald, Chief of the Bureau of Public Roads, before the Committee on Appropriations of the House of Representatives on December 17, 1931, wherein the cost of roads is discussed:

The CHAIRMAN. There has been a decrease in the cost of construction, has there not?

Mr. MACDONALD. There has been a material decrease, Mr. Chairman. Compositely, we estimate that it is 25 per cent under the base price that prevailed over the 5-year period 1925–1929. It varies as between items, of course, but taking the average cost, or the composite cost, for road work for 1925 to 1929, our estimate on the same basis would be just about 25 per cent under that cost.

The CHAIRMAN. Do you think we will get probably 25 per cent more mileage?

Mr. MACDONALD. Yes, sir.

The CHAIRMAN. For the same amount of money?

Mr. MACDONALD. We will get 25 per cent more units.

This testimony proves that it is entirely possible to carry out the purpose of the bill, which, as I said, is to make a capital investment at a time when more roads can be bought for the same amount of money than ever before in the history of the United States.

I ask Senators to seriously consider this question. Are we going to pass this bill? Is there any hope that it will be considered? If we shall follow the program laid out by the steering committee, let us see where we will arrive. Appropriation bills have the right of way. After that we are to consider, first, an act to amend the tariff act of 1930. There is not a Senator, a regular Republican, on the other side of the Chamber but will say that if that bill shall pass both Houses of Congress it will be vetoed.

The next measure upon the steering committee list is a Senate resolution to investigate the effect of the depreciation of foreign currency values upon importations of important commodities into the United States. Very valuable information, no doubt, will be obtained from such an investigation, but will it give anybody a job? Will it relieve unemployment?

Last upon the list is a bill to authorize the building of the United States Navy to the strength permitted by the Washington-London naval treaty. I have always advocated an adequate Navy; I shall probably vote for the bill; but it will not put anybody to work; it is a mere authorization. We may debate it here for a long, long time. It is perfectly evident that if the consideration of this road bill is to be put behind every appropriation bill, behind all three of the measures mentioned, and it is to take its place behind some other bills on a program hereafter to be laid out by the steering committee, it will be away into the summer before the bill can possibly be enacted.

I have made this statement, Mr. President, with the hope that my colleagues in the Senate will give serious consideration to the question involved in order to ascertain whether or not some way may not be found whereby this important piece of legislation may be placed upon its passage. It represents no wild or extravagant proposal. The emergency highway construction bill makes the total expenditures for road work about equal to what was done last year. The bill will permit work to be done which is ready to be done. Let Congress say that it shall be done.

EXHIBIT A

LABOR GETS GREAT SHARE OF HIGHWAY EXPENDITURE

At least 85 per cent and possibly more than 90 per cent of the money expended for a concrete pavement is ultimately paid out as wages and salaries, according to the Bureau of Public Roads of the United States Department of Agriculture.

This conclusion is reached as a result of studies of typical concrete construction jobs and it is believed to be approximately true for other high-type pavements. Expenditures were traced back through various channels until the money went into personal use.

About 15 per cent of the cost of concrete pavements is paid to men employed directly on the construction jobs. About 12 per cent is paid to men employed in quarries, sand pits, mills, and factories where the materials are produced, and about 14 per cent is paid to men employed by the transportation companies (principally the railroads) for hauling these materials to the jobs. Part of the cost is paid to the men who build the machinery and equipment used in constructing highways. Even more is paid to the men who build the machinery and equipment used in the sand pits, the quarries, the cement mills, and the steel mills where road materials are produced, and to those who build the equipment of companies that deliver these materials. Some is paid to the miners, the men who work in the refineries, and those who work on the pipe lines and in the oil fields—the industries which provide the fuel that produces the power used in producing materials, in transporting them, and in working them into finished pavements.

A part of the cost of high-type roads goes to those industries which furnish the supplies used all along the line. Some goes to the men who make blasting powder; some to those who make hand tools, and even the very minor items, such as cotton waste and the sheet of emery paper with which the mechanic smooths a joint on a machine he is repairing, absorb a bit of the cost at which pavements are built.

About 75 per cent of the cost of a high-type pavement filters back through the transportation companies and through industry to men who work for salaries and wages at points distant from where these highways are built. Most of these men are city workers employed by the transportation companies or in the mills and factories—men who may never see more than a few of the highways their efforts helped to build—but who, taken together, receive several times as much in salaries and wages as is paid to the men who are directly employed in building them.

The bureau's studies further show that out of every $100 paid to the contractors who build concrete pavements—and much the same thing is true of high-type highway construction generally—more than $40 passes through the hands of the transportation companies (principally railroads) and assists these companies in maintaining a profitable volume of business. Approximately $13 is paid to the producers of aggregate (sand, gravel, broken stone, and slag); about $24 goes to the cement mills. At least $16 ultimately goes to the manufacturers of machinery and equipment, including trucks, railroad cars, locomotives, etc. Some is paid to the manufacturers of explosives; some to the producers of coal; some to the gasoline refineries; and much to manufacturers who contribute in lesser degree by supplying materials used by those who produce the materials used in highway construction and those who transport them or who build the equipment used at some point in the long series of processes out of which highways result.

From these facts it is apparent that the construction of highways, particularly those of the higher types, not only provides work for those employed on the job but that it provides a great deal more work for men employed in industry and in transportation; and that, in addition to this, it supplies a large volume of business to those industries through which the materials that must be used are collected, worked, and reworked before they become a part of a finished pavement.

EXHIBIT B

[House Document No. 655, Seventy-first Congress, third session]

EMERGENCY CONSTRUCTION FUND ESTIMATE OF AN APPROPRIATION FOR FISCAL YEAR 1931

THE WHITE HOUSE,
Washington, December 4, 1930.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

SIR: I have the honor to transmit herewith for the consideration of Congress an estimate of appropriation for the fiscal year 1931, amounting to $150,000,000, for an emergency construction fund to enable the Chief Executive to accelerate work on construction projects already authorized by law so as to increase employment.

In my annual message to the Congress I requested that an appropriation of from $100,000,000 to $150,000,000 be granted for this purpose, and this estimate is in furtherance of that request. As I stated in that message, the application of this money to work already authorized by the Congress not only limits its application to work already directed by Congress but assures its use in directions the economic importance of which has already been determined by Congress. This plan also avoids the long delays incident to selection of new projects by Congress and the further long delays in technical preparation which new projects would require, both of which would render such action of no purpose in emergency relief of unemployment.

I suggested in my message that the allocation of the moneys between the different authorized projects should be made upon recommendation of a committee of the Cabinet. Such a committee should comprise the Secretaries of the Treasury, War, Navy, Commerce, and Agriculture, and may be established in the terms of the appropriation or appointed by me.

The test of the value of such relief is the ability to pay wages between now and the end of the fiscal year, and I therefore urge that this estimate be given early consideration.

The details concerning this estimate are set forth in the letter of the Director of the Bureau of the Budget, transmitted herewith.

Respectfully, HERBERT HOOVER.

BUREAU OF THE BUDGET,
Washington, D. C.

SIR: By your direction, I have the honor to submit herewith a supplemental estimate of appropriation for the fiscal year 1931 for the purpose of accelerating during the remainder of the current fiscal year such work on authorized governmental construction projects as will increase employment during the present emergency, as follows:

Emergency construction fund.....$150,000,000

In response to your request I have canvassed the departments with a view to ascertaining how much money could be spent during the next six months with a view to aiding the unemployment situation if additional funds could be provided.

This canvass has been conducted with the limitations which you indicated kept clearly in mind, namely, (1) items which would require additional congressional authorization have been eliminated, (2) items which do not afford direct benefit to the employment situation within the next six months have been eliminated, (3) only such items have been included as are believed to be justified on their merits and for which money would be provided within the next few years as Government finances would permit, and (4) while some of these projects can not be fully completed within the next six months and will necessarily involve some additional future expenditure to complete them, the emphasis has been laid in every case upon the relief which would be afforded to the unemployment situation during the next six months and projects which would involve materially larger expenditures in the future to complete them have been eliminated, except in those cases where the commencement of the project is contemplated in the 1932 estimates now before Congress.

In view of the necessary technical work in the preparation of plans and estimates, the acquisition of sites, etc., it is impossible at this time to make an absolute determination of all the projects upon which money can be effectively and efficiently spent for the purpose of aiding employment within the next six months. I am still conducting hearings on these proposals of the departments in order to be in a position to recommend to you from time to time the projects to which I believe money should be allocated if an appropriation for this purpose is provided.

For your information, I append a list by departments and bureaus of the amounts which it is believed could effectively be spent during the next six months for aid to the employment situation.

By far the greater part of these projects are not provided for in the estimates of appropriations for the fiscal year 1932 transmitted in the Budget, but there are some items in the list which have been so included in the 1932 Budget. It is my understanding that should it be practicable and advisable to allocate part of the emergency appropriation to these items, any money appropriated in the 1932 appropriation acts for the same purpose could be impounded by the department concerned under instruction from you unless required for the continuation of the same project.

It is pertinent to mention a fact which has been repeatedly developed in the course of the hearings upon these items, namely, that the amount of benefit to the employment situation during the next six months is not fully reflected in the amount of money expended by the Government during that period, as on contracting work where there is a lag of from one or two months or more bebetween the actual execution of the work and the Federal payment for it. This is particularly true with regard to Federal-aid highway construction, where the lag frequently exceeds three months. In other words, the contractor is paying the wages of the workmen and buying material for a particular job a month or two before money is paid out of the Federal Treasury to reimburse him.

This supplemental estimate of appropriation is required to meet an emergency which has arisen since the transmission of the Budget for the fiscal year 1931.

Very respectfully,

J. CLAWSON ROOP,
Director of the Bureau of the Budget.

The PRESIDENT,
The White House.

Department of Agriculture

Office of the Secretary	$83,480
Animal Industry	57,995
Biological Survey	489,505
Dairy Industry	114,000
Forest Service	3,540,000
Plant Quarantine and Control	35,000
Weather Bureau	5,000
Federal-aid highway system	80,000,000
Total, Department of Agriculture	84,324,980

Department of Commerce

Air navigation facilities	325,000
Public works, aids to navigation	538,000
Repairs and vessels, Coast Survey	70,000
Construction of stations, Bureau of Fisheries	150,000
Total, Department of Commerce	1,083,000

Department of the Interior

Bureau of Indian Affairs	1,083,000
National Park Service	1,650,000
Office of Education	250,000
St. Elizabeths Hospital	495,000
Howard University	229,000
Freedmen's Hospital	50,000
Total, Department of the Interior	3,757,000

Department of Justice

United States Reformatory (to be located west of the Mississippi River)	$100,000
National Training School for Boys, Washington, D. C.	155,000
Hospital for defective delinquents	100,000
Total, Department of Justice	355,000

Navy Department

Bureau of Yards and Docks: Public works	4,620,000

Treasury Department

Coast Guard	170,000

War Department

Military activities:	
Quartermaster Corps	9,694,500
Seacoast defenses	3,161,000
Signal Corps	393,000
Air Corps	4,751,000
Ordnance Department	6,902,000
Chemical Warfare Service	1,447,000
United States Military Academy	1,465,000
National Guard	2,042,000
Reserve Officers' Training Corps	672,000
Total, military activities	30,527,500
Nonmilitary activities:	
Quartermaster Corps	1,266,300
Corps of Engineers	25,500,000
Total, nonmilitary activities	26,766,300
Grand total, War Department	57,293,800

RECAPITULATION

Department of Agriculture	84,324,980
Department of Commerce	1,083,000
Department of the Interior	3,757,000
Department of Justice	355,000
Navy Department	4,620,000
Treasury Department	170,000
War Department	57,293,800
Total	151,603,780

SUPPLEMENTAL ESTIMATES OF APPROPRIATION REQUIRED FOR THE SERVICE OF THE FISCAL YEAR ENDING JUNE 31, 1931

Emergency construction fund: For the purpose of accelerating during the remainder of the fiscal year ending June 30, 1931, such governmental construction projects as have already been authorized by law and will increase public employment during the present emergency, including repairs and alterations and the expedition of work on rivers and harbors, flood control, buildings, utilities, and appurtenances at military posts, the United States Supreme Court Building, hospitals and domicilliary facilities of the Veterans' Administration, the Federal-aid highway system, roads and trails in national forests and national parks, air-navigation facilities, aids to navigation under the Lighthouse Service, naval vessels and buildings and appurtenances at navy yards and naval stations, penitentiaries, reformatories, jails, and prison camps, the public-buildings program under the act of May 25, 1926, as amended, and the Arlington Memorial Bridge Commission, $150,000,000, to be allocated by the President, in such amounts as he may determine the public interest requires, to the several executive departments and independent establishments charged with the prosecution of such enterprises. Allocations made hereunder shall be to specify projects in stated amounts and each allocation shall be accounted for separately. Allotments, when so specified by the President, shall be available for employment, by contract or otherwise, of outside professional or technical services of persons, firms, or corporations, without reference to the classification act of 1923, as amended, or section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5), and also for the employment in any department or establishment in the District of Columbia and/or in the field of such other personal services as may be necessary hereunder, to be procured and compensated in accordance with existing law. The President is authorized to apportion to the several States under the provisions of the Federal highway act, as amended, any part of the appropriation herein made, as a temporary advance of funds to meet the provisions of such act as to State funds required on Federal-aid projects, the sums so advanced to be reimbursed to the Federal Government over a period of five years, commencing with the fiscal year 1933, by making deductions from regular apportionments made from future authorizations for carrying out the provisions of such act,

as amended and supplemented: *Provided*, That the amounts apportioned in consequence hereof shall be limited in each case to the sum actually paid out by a State for work performed before July 1, 1931, for the construction of Federal-aid projects: *Provided further*, That should any State fail to claim any part of its allotment hereunder the President may reapportion such unclaimed funds to States capable of using them prior to July 1, 1931 (submitted) $150,000,000

EXHIBIT C

PUBLIC, No. 550, SEVENTY-FIRST CONGRESS

An act (H. R. 14804) making supplemental appropriations to provide for emergency construction on certain public works during the remainder of the fiscal year ending June 30, 1931, with a view to increasing employment

Be it enacted, etc., That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of providing for emergency construction on certain public works during the remainder of the fiscal year 1931 with a view to increasing employment, namely:

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

Improvement of national forests: For the construction and maintenance of roads, trails, bridges, fire lanes, etc., including the same objects specified under this head in the agricultural appropriation act for the fiscal year 1931, $3,000,000.

SPECIAL ROAD ITEMS

National forest highways: For the construction and improvement of highways within the boundaries of the national forests, fiscal year 1931, $3,000,000.

Roads on unappropriated or unreserved public lands, nontaxable Indian lands, and so forth: For the survey, construction, reconstruction, and maintenance of main roads through unappropriated or unreserved public lands, nontaxable Indian lands, or other Federal reservations other than the forest reservations, under the provisions of the act entitled "An act to amend the act entitled 'An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes,' approved July 11, 1916, as amended and supplemented, and for other purposes," approved June 24, 1930 (46 Stat. 805), fiscal year 1931, $3,000,000.

Federal-aid highway system: For apportionment to the several States under the provisions of the Federal highway act, as amended, as a temporary advance of funds to meet the provisions of such act as to State funds required on Federal-aid projects, $80,000,000: *Provided*, That the sums so advanced shall be reimbursed to the Federal Government over a period of five years, commencing with the fiscal year 1933, by making deductions from regular apportionments made from future authorizations for carrying out the provisions of such act as amended and supplemented: *Provided further*, That the amounts advanced in consequence hereof shall be limited in each case to the sum actually paid out by a State under such advance for work performed before September 1, 1931, for the construction of Federal-aid projects: *Provided further*, That should any State fail to claim any part of its allotment hereunder the President may reapportion such unclaimed funds to States capable of using them prior to September 1, 1931.

DEPARTMENT OF THE INTERIOR

NATIONAL PARK SERVICE

Roads and trails: For the construction, reconstruction, and improvement of roads and trails, inclusive of necessary bridges, in the national parks and national monuments under the jurisdiction of the Department of the Interior, fiscal year 1931, $1,500,000.

WAR DEPARTMENT

CORPS OF ENGINEERS

Rivers and harbors: For the preservation and maintenance of existing river and harbor works and for the prosecution of such projects heretofore authorized as may be most desirable in the interests of commerce and navigation, etc., including the same objects specified under this head in the War Department appropriation act for the fiscal year 1931, $22,500,000, to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers and to remain available until expended.

Flood control, Mississippi River and tributaries: For prosecuting the work of flood control in accordance with the provisions of the flood control act, approved May 15, 1928 (U. S. C., supp. 3, title 33, sec. 702a), $3,000,000, to remain available until expended.

SEC. 2. The sums herein appropriated shall be available interchangeably for expenditure on the objects named in this act upon order of the President stating the amounts and the appropriations between which such interchanges are to be made.

SEC. 3. A report shall be submitted to Congress on the first day of the next regular session showing by projects or other appropriate detailed classification the amounts allocated under each of the foregoing appropriations, the expenditures under each allocation, and such other information which the President may deem pertinent in advising Congress as to the allocation and expenditure of such appropriations.

Approved, December 20, 1930.

Mr. ODDIE. Mr. President, I have listened with much interest to the Senator from Arizona [Mr. HAYDEN] and thorougly agree with every statement he has made in regard to the emergency road bill. The bill passed the House of Representatives February 27. On March 1, as chairman of the Committee on Post Offices and Post Roads of the Senate, I called a special meeting of that committee, with a view to considering and reporting the bill promptly to the Senate. Considerable progress was made at the first meeting of the committee, and the following day I called another meeting, as a result of which the bill was reported favorably to the Senate by the Senator from Arizona [Mr. HAYDEN], accompanied with an able report, which he prepared, and the bill was placed on the Senate Calendar.

Mr. President, I have been trying since that time to find an opportunity to secure action on the bill. I moved that it be taken up on March 11 during the morning hour. The motion was agreed to, and I made a somewhat detailed statement regarding the bill. We could not dispose of the measure on that occasion before 2 o'clock arrived. I am hoping that we may get another opportunity within the next few days to act on the bill.

Mr. President, I will not now delay the Senate to argue the matter. I made a statement concerning the bill on the 11th of March. At that time I went into detail quite carefully and showed that for every man who works on roads two men work behind the line in the factory and in the mines, and so forth. That statement thoroughly refutes the contention advanced by the Senator from Connecticut [Mr. BINGHAM] a few days ago that a large proportion of the benefits of this legislation, if enacted, would go to sections of the country that have the least population. If the proposed legislation shall be passed, it will mean that men in the large communities now unemployed will obtain work; it will mean a fair distribution of the money which will be expended. The passage of the bill will result in about 800,000 men being placed or kept at work. In my opinion, the number will be nearer a million men. If this bill shall be passed, the men who will be put to work will help start the wheels of industry turning throughout the country.

Mr. President, I am tired of hearing proposed as a remedy for existing conditions the wholesale cutting of expenses, the elimination of necessary activities, which will mean throwing more men out of employment. Why not indulge in a little wholesome optimism and, instead of throwing men out of employment and swelling the army of unemployed and increasing distress, help as best we can in starting the wheels of industry? We are taking a wrong view of the existing situation and suggesting the wrong remedies. We are thus helping to prolong the period of distress. Why not start in to-day and try to set a time for the passage of this bill, and in so doing put an end, so far as possible, to the pessimistic talk and thought that are going through the country and endeavor to breathe a little optimism into our daily lives and into the public mind and help bring back prosperity and normal times once more?

I hope we shall find an opportunity within the next few days to bring this bill up. The President recently declared for continuation of work on waterways and harbor construction and stated that dislocation of construction work and unemployment would otherwise result. The same thing should be done in regard to the emergency road bill we are now discussing. Pass this bill in the Senate and men will be put to work and the end of the period of depression will be nearer in sight.

Mr. President, I ask that there may be printed in the RECORD at this point an interesting article from the Reno Evening Gazette, of Reno, Nev., on March 12, 1932, which discusses a report of the Bureau of Public Roads showing that a large part of the money expended on roads goes to labor.

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

[From the Reno Evening Gazette, March 12, 1932]

ROAD PAVING COIN GOES MOSTLY TO WAGE EARNERS

At least 85 per cent of the money paid for concrete pavement ultimately is paid out as wages and salaries, the Bureau of Public Roads, Department of Agriculture, states, on the basis of studies of movement of money paid in road construction. The conclusion is believed to be true of other high-type pavement also, the bureau said.

The money goes into wages not only in actual construction of highways, the bureau found, but also in railroads, machinery factories, quarries, cement mills, oil fields, mines, and other phases of industry. A statement by the department summarizing the bureau's findings follows in full text:

At least 85 per cent and possibly more than 90 per cent of the money expended for a concrete pavement is ultimately paid out as wages and salaries, according to the Bureau of Public Roads.

This conclusion is reached as a result of studies of typical concrete construction jobs and it is believed to be approximately true for other high-type pavements. Expenditures were traced back through various channels until the money went into personal use.

About 15 per cent of the cost of concrete pavements is paid to men employed directly on the construction jobs. Above 12 per cent is paid to men employed in quarries, sand pits, mills, and factories where the materials are produced, and about 14 per cent is paid to men employed by the transportation companies (principally the railroads) for hauling these materials to the jobs.

Part of the cost is paid to the men who build the machinery and equipment used in constructing highways. Even more is paid to the men who build the machinery and equipment used in the sand pits, the quarries, the cement mills, and the steel mills where road materials are produced, and to those who build the equipment of companies that deliver these materials.

Some is paid to the miners, the men who work in the refineries, and those who work on the pipe lines and in the oil fields—the industries which provide the fuel that produces the power used in producing materials, in transporting them, and in working them into finished pavements.

A part of the cost of high-type roads goes to those industries which furnish the supplies used all along the line. Some goes to the men who make blasting powder; some of those who make hand tools, and even the very minor items, such as cotton waste and the sheet of emery paper with which the mechanic smooths a joint on a machine he is repairing, absorb a bit of the cost at which pavements are built.

About 75 per cent of the cost of a high-type pavement filters back through the transportation companies and through industry to men who work for salaries and wages at points distant from where these highways are built. Most of these men are city workers employed by the transportation companies or in the mills and factories—men who may never see more than a few of the highways their efforts help to build, but who, taken together, receive several times as much in salaries and wages as is paid to the men who are directly employed in building them.

The bureau's studies further show that out of every $100 paid to the contractors who build concrete pavements—and much the same thing is true of high-type highway construction generally—more than $40 passes through the hands of the transportation companies (principally railroads) and assists these companies in maintaining a profitable volume of business. Approximately $13 is paid to the producers of aggregate (sand, gravel, broken stone, and slag); about $24 goes to the cement mills.

At least $16 ultimately goes to the manufacturers of machinery and equipment, including trucks, railroad cars, locomotives, etc. Some is paid to the manufacturers of explosives; some to the producers of coal; some to the gasoline refineries; and much to manufacturers who contribute in lesser degree by supplying materials used by those who produce the materials used in highway construction, and those who transport them or who build the equipment used at some point in the long series of processes out of which highways result.

From these facts it is apparent that the construction of highways, particularly those of the higher types, not only provides work for those employed on the job but that it provides a great deal more work for men employed in industry and in transportation; and that, in addition to this, it supplies a large volume of business to those industries through which the materials that must be used are collected, worked, and reworked before they become a part of a finished pavement.

Mr. JONES. Mr. President, I hope we may now proceed with the pending bill so that we may get it out of the way and perhaps be able to consider some of the other measures, which have been mentioned.

APPROPRIATIONS FOR DEPARTMENTS OF STATE, JUSTICE, ETC.

The Senate resumed the consideration of the bill (H. R. 9349) making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1933, and for other purposes.

The PRESIDING OFFICER. The clerk will read the bill for committee amendments.

The Chief Clerk proceeded to read the bill.

The first amendment of the Committee on Appropriations was, under the heading "Title I—Department of State, foreign intercourse, ambassadors, and ministers," on page 6, line 1, after the word "to," to strike out "the Serbs, Croats, and Slovenes" and insert "Yugoslavia," so as to read:

Envoys extraordinary and ministers plenipotentiary to Albania, Austria, Bolivia, Bulgaria, Czechoslovakia, Colombia, Costa Rica, Denmark, Dominican Republic, Dominion of Canada, Ecuador, Egypt, Finland, Greece, Guatemala, Haiti, Honduras, Hungary, Irish Free State, Liberia, Nicaragua, Norway, Panama, Paraguay, Persia, Portugal, Rumania, Salvador, Siam, Union of South Africa, Sweden, Switzerland, Uruguay, and Venezuela, at $10,000 each; Yugoslavia, $10,000; and to Estonia, Latvia, and Lithuania, $10,000.

The amendment was agreed to.

The next amendment was, under the subhead "Emergencies arising in the Diplomatic and Consular Service," on page 12, at the end of line 3, to strike out "$200,000" and insert "$300,000," so as to read:

To enable the President to meet unforeseen emergencies arising in the Diplomatic and Consular Service, and to extend the commercial and other interests of the United States and to meet the necessary expenses attendant upon the execution of the neutrality act, to be expended pursuant to the requirement of section 291 of the Revised Statutes (U. S. C., title 31, sec. 107), $300,000.

The amendment was agreed to.

The next amendment was, under the subhead "Post allowances to Foreign Service officers," on page 12, line 14, to strike out "$50,000" and insert "$100,000," so as to read:

For post allowances as authorized by the act approved February 23, 1931 (U. S. C., Supp. V, title 22, sec. 12), $100,000.

The amendment was agreed to.

The next amendment was, under the subhead "Representation allowances," on page 12, at the end of line 24, to strike out "$25,000" and insert "$100,000," so as to read:

For representation allowances, as authorized by the act approved February 23, 1931 (U. S. C., Supp. V, title 22, sec. 12), $100,000.

The amendment was agreed to.

Mr. BLAINE. Mr. President, the rate of speed with which the Senate is proceeding to increase the appropriations contained in the bill seems rather strange when we compare the legislative situation with that which prevailed during the consideration of the Interior Department appropriation bill.

As I recall, about one week was spent in discussing an appropriation involving, according to my memory, some $25,000 or $27,000 for the eradication of barberry bushes which produce a spore that causes rust on the farmer's grain. Hours and days were spent in trying to cut that appropriation something like $25,000 or $27,000, and yet I counted the seconds, as nearly as seconds can be counted, and I found that in a twinkling of an eye and without objection the Senate increased the appropriation on page 12, line 3, $100,000.

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

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Tennessee?

Mr. BLAINE. For the Diplomatic and Consular Service overseas the appropriation is increased $100,000, for what purpose, I do not know. There was not a word of explanation why there should be that increase, and there was not even a whisper on the part of the distinguished Senator from Tennessee, who is now on his feet, against that increase; the Senator who so ably fought against any increase in the Interior Department appropriation bill, who so vigorously opposed——

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

Mr. BLAINE. The reinstatement of $25,000 or $27,000 for the eradication of barberry bushes which produce rust upon wheat and other grain of the farmers. Not a protest against the $100,000 increase in this instance was voiced by the Senator from Tennessee, nor was a protest raised by any other Senator.

Then I find that the very next item for Foreign Service officers is increased from $50,000 to $100,000 in less than, to repeat, the twinkling of an eye.

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

Mr. BLAINE. It went through without a protest from the Senators who were so vigorously opposed to the reinstatement of the small amount to which I have referred. We went so fast that I am not certain about which amendment is now pending, but I assume it is the amendment at the bottom of page 12. Let me inquire what is the amendment now pending?

The PRESIDING OFFICER. The clerk informs the Chair that the Senate is now considering the amendment on page 13.

Mr. BLAINE. The amendment on the last line of page 12 is—

For representation allowances, as authorized by the act approved February 23, 1931—

I do not know what that is about, and no one has told us what it is about, but here is an increase over and above the amount allowed by the House of 300 per cent, the appropriation being increased from $25,000 to $100,000, and not even a whisper is heard on the part of those who so vigorously——

Mr. McKELLAR. Will the Senator yield?

Mr. BLAINE. And with economy rushing out of their throats in great floods of oratory——

Mr. McKELLAR. As the Senator apparently is going on without yielding, I will sit down.

Mr. BLAINE. Like water going over Niagara, opposed the small item to which I have referred, and not a moment is spent by the Senate in considering this increase. Now I yield to the distinguished Senator from Tennessee.

Mr. McKELLAR. Mr. President, if the Senator understood the parliamentary situation, I do not think he would grow so eloquent. The other day the Vice President ruled that a motion to recommit with instructions to reduce the amount of appropriations 10 per cent as carried in another bill should be made just before the third reading of the bill and after the bill had been considered and completed. Basing my action on that ruling, I allowed, and the whole Senate allowed, unanimous consent to be granted to have the pending bill read for committee amendments, and it is now being so read.

I want to say to the Senator that I understand it is in accord with parliamentary procedure to move at any time to recommit this bill with instructions to provide a 10 per cent reduction, and I am going to make such a motion as soon as the unanimous consent under which we are now operating has expired.

I want to say to the Senator further that I very much hope that the motion to recommit with instructions to reduce the appropriations carried by the bill 10 per cent on all items or on the total will be agreed to as was a similar motion the other day in the case of the Interior Department appropriation bill, and, if it shall be agreed to, what is now being done is a matter of no importance whatsoever. If, however, the Senate shall not agree to that, then those of us who want to reduce appropriations are out of luck.

I desire to say to the Senator that when these amendments have been passed on, if we have to proceed with the third reading of the bill, there are a number of other amendments that will be offered.

Mr. ASHURST. Mr. President——

Mr. BLAINE. Just a moment, and then I will yield to the Senator.

The Senator suggests that I do not understand the parliamentary status of the bill. I quite well understand the parliamentary status of the bill. I assume from what the Senator has said that he proposes to make a motion to recommit the bill with instructions to reduce the amount of appropriations contained in it 10 per cent below the amount authorized by the House.

Mr. McKELLAR. That is right.

Mr. BLAINE. But the Senator spent nearly two weeks—and I am not criticizing him for it—in his effort to prevent the increases in the Interior Department bill that had been recommended by the Senate committee over and above the House committee recommendations. The Senator, while he was doing that, had just as much assurance that the bill would be recommitted as he has assurance, or at least as he asserts he has assurance, that this bill will be recommitted on his motion in this respect.

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

Mr. BLAINE. But supposing that motion does not prevail. Then the Senate will have approved these enormous increases without any explanation of why they are made.

Mr. McKELLAR. Mr. President, the Senator has the floor. Why does not he ask for an explanation?

Mr. BLAINE. Mr. President, I do not occupy the exclusive franchise on economy that the Senator from Tennessee did in his two weeks' assault upon the $25,000 or $27,000 barberry eradication, and some small amount that was to be taken away from the Indians, and some other cheeseparing proposals for economy.

Mr. McKELLAR. It is open to all 96 of us. There is nothing exclusive about it.

Mr. BLAINE. I simply wanted to call to the attention of the Senate the fact that when these increases were being made of 100 per cent and 300 per cent, these valiant defenders of the Public Treasury and the taxpayers of this country sat in silence. So, Mr. President, it is not sufficient to say that the motion which the Senator proposes to make will prevail. It may not prevail.

I observe that in this appropriation bill there is carried an item of over $11,000,000 for the enforcement of prohibition. When the Senator begins to talk about decreasing the appropriation for prohibition enforcement I wonder whether or not he will have the courage to prevail against the bludgeon of the Anti-Saloon League. Ah! I am not so sure, Mr. President, that there will be any success in recommitting this bill in the face of the proposition to reduce the appropriation for the enforcement of prohibition over a million dollars. How can we have any assurance to that effect when the Senate has so overwhelmingly voted "dry" upon a resolution promoted by the Senator from Connecticut [Mr. BINGHAM]? If we are to take the sentiment of the Senate as recorded by that vote, there is every assurance that the Senator's motion to recommit will not prevail.

Therefore, Mr. President, those of us who believe not in a cheeseparing policy, not in whittling off a penny here and a nickel there, we who believe that economy can be practiced only through cutting off appropriations in great chunks, must deal with the various items in the bill as they arise. The Senator from Tennessee was quite willing to pare off a little here and pare off a little there.

I do not want to point out the Senator from Tennessee particularly. I honor the Senator for the fight he made for economy in some respects. I have not any doubt but that he had the deepest convictions upon the subject. I have not any doubt but that his ability and persuasiveness led the Senate to recommit that bill with instructions to reduce it 10 per cent; but we have not any assurance now that the sentiment that prevails in the Senate upon the question of prohibition is ever going to permit this bill to be recommitted with instruction that 10 per cent be carved off the prohibition enforcement appropriation.

So, Mr. President, in trying to put on the brakes in this excessive speed with which we were going in appropriating additional money over and above what is provided in the House bill, running as high as 300 per cent, I merely thought it might be the part of consistency at least on my part, as one who voted for the motion of the Senator to recommit, to call the attention of the Senate to these particular items, and ask that the Chair at least give an opportunity for a Member to catch his breath, so that he might have the opportunity to inquire of the chairman of the committee what the increase is for, and why it is made.

I now yield to the Senator from Arizona.

Mr. ASHURST. Mr. President, I did not vote for the motion to recommit, which thereby instructed the committee to make a horizontal reduction of 10 per cent. Without in-

tending in an unparliamentary way to criticize the sponsor of the motion or those who voted for it, I believe it will soon be demonstrated that that motion was the climax of foolishness, the apex of ridiculousness in legislative matters, for this reason:

There were items in the appropriation bill which could not be reduced 10 per cent. They were fixed charges. The good faith of the Government was pledged. Contracts were let. How can legislators, therefore, make a horizontal reduction of 10 per cent?

I believe the Senator from Wisconsin is correct now in his conclusion that we can not economize by making a flat reduction, willy nilly, of 10 per cent.

There are items in this bill that ought to be cut 25 or 40 per cent. There are some items that ought to be increased. Oh, how easy would be the task of legislating if we forsooth brought in a bill, looked at the total, and cut it off 10 per cent! It would relieve us of the privilege, rarely employed nowadays, of thinking.

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

Mr. ASHURST. I have not the floor.

Mr. McKELLAR. Will the Senator from Wisconsin yield to me?

Mr. BLAINE. Certainly; I yield.

Mr. McKELLAR. I desire to suggest to the Senator that the motion I made does not require an arbitrary reduction of each item of the bill at all. The committee has full latitude to deal with each item of the bill, just as before. The only thing the 10 per cent reduction motion requires is that the total be reduced 10 per cent; that is all.

Mr. ASHURST. In other words, the Senate is so debilitated and so reduced in courage and in discernment that it is unable to make its own reductions, but it must needs send the bill back to the committee to make reductions for it. Unable to make our own computations, so feeble in mental processes that we can not conduct our own arithmetic, we send the bill back to the committee to compute for us, or in the senile desire to escape responsibility we throw that responsibility upon the committee.

In these days of great excitement it is easy to rise and say majestically, "I stand for virtue, for patriotism, and for economy." Who does not? Who, indeed, does not stand for these? That does not reduce appropriations. Nobody here is better posted on appropriations than the Senator from Tennessee. If the Senator believes an appropriation is unjust and is excessive, let him say so and not dodge the responsibility by sending the item to the committee. I can point out an item or two in this bill that is excessive, but I shall not resort to the expedient of asking somebody else to make the computations for me, or send the bill back to the committee and request it to make the deductions.

So, whilst the Senator from Wisconsin and I did not vote alike the other day, I am glad to see that now, with his pungent intellect, he perceives that it is utterly fantastic to talk about sending the bill back there for the committee to take a pair of shears and shear off 10 per cent. Oh, how easy it would be for us all if we could rescue from oblivion the old Procrustean bed of fixity and, when a man was not long enough, stretch him out; or, if he was too long, cut off his head or his feet! How easy would be the task of legislators!

I think we should proceed with this bill or any other bill in the usual way. If an item is 10 cents too much, cut it off; eliminate it. If it is not enough, increase it. But while I am reluctant to set my judgment on matters of appropriation against that of the senior Senator from Tennessee, I nevertheless stand my ground and prophesy—which is a rare thing for me to do and a dangerous thing for anyone to do—that we will not economize, we will not get anywhere, by transferring the responsibility of reductions from ourselves to the committee. It was not fair to the committee. It was not dealing with them in the way that men ought to deal with each other.

If the Senator from Tennessee thinks any item ought to be reduced, let him say so. Where is the amendment? Where is the item that should be reduced? Is he, as the Senator from Wisconsin says, going to vote to reduce the appropriations to enforce prohibition? I am not. Is he?

Mr. McKELLAR. Indeed I am not.

Mr. ASHURST. Why, of course not.

Mr. McKELLAR. Mr. President, let me interrupt for just a moment.

The Senator has asked why we did not reduce the various items in the bill. If the Senator was here when the agricultural bill was before the Senate—and I think he was——

Mr. ASHURST. The Interior bill.

Mr. McKELLAR. No; the agricultural bill—he will remember that I followed the plan that he is now suggesting. I offered 29 distinct amendments both to abolish and afterward to reduce the appropriations in each one of those 29 particulars; and the Senate, by an average vote of about 45 to 20, voted down every one of them. When the motion was made in the case of the next bill that came up, however, to recommit it to the Appropriations Committee, with instructions to reduce the total 10 per cent, it carried by a vote of 40 to 25.

Mr. ASHURST. Then we are in this situation: The appropriations for the Agricultural Department have not been reduced a flat 10 per cent; but the appropriations for the Interior Department—which is the people's department, or the social-service department, the department more closely concerned with the people of this country than almost any other department—are to be reduced. When we begin to talk about an appropriation that may be of some benefit to the home, the farm, the field, the workshop, that is reduced. Is that the Senator's idea?

Mr. McKELLAR. I take it that the Senate will apply the same rule to each department, and while it is a little more difficult to apply it to the Department of Agriculture, I think the Senator can be absolutely assured that if it is applied to the other departments it will be applied to that department, though it will be applied later.

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

Mr. BLAINE. I yield.

Mr. ODDIE. I will comment on what the Senator from Arizona has just referred to, the sending of the Interior Department appropriation bill back to the Appropriations Committee. The Interior Department appropriation bill deals almost entirely with a few of the Western States. The East is not as interested as the people from the Western States are in this bill. Therefore, I think it is highly unfair that that bill be referred back, as it has been.

Mr. McKELLAR. Mr. President, if the Senator will yield, I suggest to the Senator from Nevada that he will have an opportunity to vote for a reduction in appropriations in connection with each one of the appropriation bills, regardless of whether it more particularly applies to one part of the country than to another. We are going to play no favorites.

Mr. ASHURST. Mr. President, I have no right to do so, and I am not drawing any strictures upon the esteemed Senator from Tennessee. The Senator from Tennessee was not sitting with the Committee on Appropriations for some days, suffering from a very sad bereavement, in which the entire Senate grieved with him. I am not at all charging him with any dereliction with respect to these appropriations. I am not a member of the Committee on Appropriations, but, I repeat, that I could scarcely believe my own ears when it was proposed that, without regard to the justice or propriety thereof, these Interior Department items be reduced 10 per cent, forgetting that many of them were fixed charges, the contracts were let, and that it was the acme of ridiculousness to reduce them a flat 10 per cent.

Oh, how easy it would be to remove the depression if we could just cancel our debts or our commitments 10 per cent. That is no more ridiculous than the proposition to reduce all these appropriations 10 per cent or to increase all of them 10 per cent, whereas some items should be reduced 50 per cent, some should be eliminated, and some should be increased 15 or 20 per cent.

Mr. TYDINGS. Mr. President, will the Senator from Wisconsin yield?

Mr. BLAINE. I yield.

Mr. TYDINGS. I hope the Senator from Wisconsin will touch on the prohibition matter very carefully, because if we are to eliminate this appropriation of $10,000,000, does not the Senator know that crime will break out in the country; that bootleggers will immediately begin to ply their trade; that people will be in a position to buy this outlawed product?

Mr. ASHURST. Mr. President, I do not think the Senator need talk about liquor. Liquor is not good for an empty stomach, and that is what the American people have now. Let us not talk about liquor on an empty stomach.

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

Mr. BLAINE. I just want to suggest to the Senator from Maryland that liquor, of course, is not the question under debate. What is under debate, or what will be under debate, is whether or not we want to expend $11,000,000 in a futile attempt to enforce a foolish law. That is what will be involved in the debate when we arrive at that stage in the bill. Now I yield to the Senator.

Mr. McKELLAR. All I wanted to ask was this: If I recall aright, the other day when a motion was made to recommit the Interior Department appropriation bill, directing a 10 per cent reduction, the Senator from Arizona voted against it, did he not?

Mr. ASHURST. Yes; I did.

Mr. BLAINE. Mr. President, if I may proceed now——

Mr. ASHURST. I have too long trespassed on the courtesy of the Senator from Wisconsin, but let me suggest this for example: On page 62 of the bill we come to the question of appropriations for promoting commerce in Europe and "other areas"—that is to say, such part of the world as is not embraced in Europe—$828,000; for the promotion of commerce in Latin America, $456,000; and so on and so forth. I think Senators may very properly ask for a justification of those items, and there may arise some debate as to whether or not they could stand a cut of 10 per cent.

Mr. TYDINGS. Mr. President, will the Senator from Wisconsin yield?

Mr. BLAINE. Mr. President, the Senator from Arizona ought to realize that there is a $17,000,000 Department of Commerce Building up on Pennsylvania Avenue, with something like 52 or 53 acres of floor space, and a private elevator for the Secretary of Commerce. All of those things are going to cost money. It will cost money to keep the brass knobs properly polished and other things in nice shape. So that it will take a lot of this $800,000, or whatever the amount is, to maintain that building. I want the Senator to realize that before he begins to talk about economy in connection with the Commerce Department. He should not overlook the trifling sum of $800,000. A good big chunk could be lopped off in many such sums.

Mr. ASHURST. Mr. President——

The VICE PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Arizona?

Mr. BLAINE. I yield.

Mr. ASHURST. There is in the world, and has been for a century or more, a class of learned men who have discussed the question, Where is the best place for a boil on the human body? But mankind is agreed that the place for a boil is on the back of the neck—of the other fellow. [Laughter.] The Senate and all legislative bodies seem to agree that economy is something to be practiced by the other fellow, not by ourselves.

Mr. TYDINGS. Mr. President, will the Senator from Wisconsin yield?

Mr. BLAINE. I yield.

Mr. TYDINGS. I hope the Senator will be very careful in suggesting that the prohibition appropriation be curtailed for another reason. As I understand it, the Federal Government now is asking for an appropriation of approximately $5,000,000 for a new Federal prison. Does not the Senator realize that if he could be the means of cutting any of this money off, perhaps that many less people would be arrested for violation of the prohibition laws? Then the Government would be in the ridiculous position of having a beautiful $5,000,000 prison with nobody to put into it, and such inefficiency should not be tolerated by any legislative body. [Laughter.]

Mr. BLAINE. Mr. President, we will get to the prohibition provision after a while. The appropriation proposed in this bill is over $11,000,000. That is more than twice as much as the Senator from Tennessee expects to save by a 10 per cent reduction in the Interior Department appropriation bill. One item alone is more than twice as much as the entire proposed 10 per cent reduction in the Interior Department appropriation bill amounts to. So it is an important question, from the standpoint of economy, and from the standpoint of balancing the Budget, and from the standpoint of preserving the financial integrity and solvency of the United States.

Mr. President, we will undertake to discuss that when we offer an amendment to strike out that enormous appropriation for the perfectly silly operation of undertaking to enforce the Volstead Act.

Mr. McKELLAR. Mr. President, if the Senator will yield, the Senator talks about the small amount which will be saved if this bill is reduced 10 per cent under what the House provided. The House voted in this bill——

Mr. BLAINE. To which bill is the Senator referring?

Mr. McKELLAR. I am talking about the bill under discussion.

Mr. BLAINE. I mentioned especially the amount authorized for the enforcement of prohibition alone.

Mr. McKELLAR. I was just going to say that the entire bill as it came from the House provided for an appropriation of $124,215,000, and therefore the saving, under the 10 per cent provision, would amount to $12,400,000.

Mr. BLAINE. Then I am going to ask the Senator from Tennessee and other Senators to join with us in reducing that by $11,000,000 more by cutting out the amount suggested for prohibition enforcement.

Mr. McKELLAR. Mr. President, that will have to be taken up before the committee.

Mr. BLAINE. That will make a saving of $23,000,000—enough to cover a very large part of the sales tax which some are proposing to put upon the backs of the hungry.

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

Mr. BLAINE. I yield.

Mr. TYDINGS. Of course, we could effect real economy if we could cut out the whole appropriation for the enforcement of prohibition, because the Attorney General says that over half of the present cases are directly attributable to prohibition. Therefore if the Senator from Wisconsin could save to the taxpayers this much money, he would effect a double saving, because then the new prison would not be necessary, and the addition of the $5,000,000 would make $16,000,000 of saving, and that much money would not have to be raised through a sales tax.

The Senator must realize, however, that we can not economize when it comes to prohibition, because already that is one of the major factors in the expenses of the Government. If we did away with that, the body at the other end of the Capitol would have nothing to talk about. There would be no sales-tax proposal. The Senator is only nibbling at the bud, because the minute prohibition is repealed the sales tax will not be necessary, nor will an increase in income taxes be necessary, nor will an increase in estate taxes be necessary, because in that one matter alone enough money will be saved to provide for the needs of the Government and balance the Budget.

Mr. BLAINE. I am quite in accord with the Senator from Maryland. But, of course, we are confronted with this situation. We have this appropriation bill before us now. We can not amend the appropriation bill to levy excise taxes. We must settle each one of these problems as it comes before the Senate. I submit that if $11,000,000 is

cut out of this bill, we will have taken a pretty long step toward eliminating one of the sources of tremendous waste and extravagance in the conduct of our Government.

Mr. McKELLAR. Mr. President, if the Senator will yield, if he believes that expenditures of the Government are extravagant and ought to be reduced, and will vote for the motion which I am going to make in connection with each of the appropriation bills, to reduce it 10 per cent, I think he will find that that will go a long way toward economy, and will save the Government and the taxpayers an enormous amount of money.

Mr. BLAINE. Mr. President, I voted with the Senator the other day on the 10 per cent reduction.

Mr. McKELLAR. I am happy the Senator did, and I hope he will vote for the motion I shall make a little later in connection with the pending bill.

Mr. BLAINE. I voted with the Senator on the only motion he has made to recommit. But I want to reduce these items before we approach that motion, and if we can cut out several million dollars of appropriations for purely useless, wasteful purposes, we will save considerably more than the Senator can hope to save through his 10 per cent reduction.

Mr. President, I confess very frankly that the three amendments which have been adopted by the Senate refer to subjects about which I have no definite or specific information. I am not on the Committee on Appropriations, and I am not on any committee which has to do with the general subject, reference to which has been made in the three appropriation items. Therefore I must ask the Senator from Washington to give me some information.

I may desire to make a motion. I do not want to make that motion unless there is justification for it. I wish to ask the Senator from Washington about the item under "Emergencies Arising in the Diplomatic and Consular Service," pages 11 and 12. What unforeseen emergency could arise and what is the purpose of extending the commercial and other interests of the United States in foreign parts under the present situation of the world economic condition that would justify an increase of 50 per cent in the amount carried in the bill as it passed the House?

Mr. JONES. I wish to say to the Senator that we have not approved all that was estimated for by the Budget, which estimate was based very largely upon our experience during the last five or six years. Since 1926 there has been no time when the amount was less than $230,000 a year, and there have been three years since 1926 when the amount necessary to meet conditions under the act amounted to over $300,000. The Budget estimate was $400,000. In considering the facts and the experience we have had since 1926, the committee felt hardly justified in granting the $400,000, but we did feel wholly justified in granting $300,000.

Mr. BLAINE. Did the committee take into consideration the fact that our foreign commerce has been greatly reduced, and in all probability will continue to recede in the years to come under present world economic conditions and the high tariff walls that have been erected here and abroad?

Mr. JONES. Of course, we might differ as to the effect of the high tariff walls, and so on, but that condition of things was taken into consideration by the committee and that was one reason why we did not grant the Budget estimate of $400,000. I think the committee was influenced more by the actual experience of the Government since 1926. There were only three years, I believe, when the amount was some $230,000 and three years when it was over $300,000, so we concluded $200,000 was a little bit small based upon the actual practical experience of the country during the last six or seven years, and we made it $300,000.

Mr. BLAINE. Would it not have been perfectly safe, on account of the gradual reduction in our foreign commerce, to have adopted the amount provided for by the House?

Mr. JONES. I have really stated to the Senator the reasons why the committee made it $300,000. We know that during the last six years there has been no year when it was less than $232,000. We know that in three years it went over $300,000. Those are the facts which led us to decide on $300,000. The Senate has the information we had, in view of what I have stated with reference to the actual expenditures that we have been called on to make since 1926.

If the Senate thinks the committee has been too cautious under the present condition of things, of course, they will reduce the amount. We think that the facts—not theories, but the facts—and the experience of the Government since 1926 fully justify not only cutting the amount down from $400,000, but in placing it at $300,000 instead of $200,000.

Mr. BLAINE. The second and third amendments are on page 12, one increasing a House appropriation 100 per cent for post allowances in foreign service, and the other item for representation allowances increased by about 300 per cent. I assume they relate to similar matters?

Mr. JONES. In a way they are similar matters, but there are various points where heretofore there has been a small allowance distributed to the minister or to the representative of this Government to help in defraying his expenses. The Budget estimate was $100,000. That amount has been distributed to the various points to help make up the compensation of our representatives there because of the various conditions which confront them, the changes of raiment they have to have on account of climatic conditions and the fact that they are moved from one place to another. They do not know what time they will be moved from a warm climate to a cold climate or from a cold climate to a warm climate. The department can make allowance for those things. We felt that in the distribution all over the world $100,000 was not at all too much. It does not at all defray the expenses to which these representatives of our Government are subjected, even above the amount of the salaries paid to them.

Mr. BLAINE. I presume the committee knew that former Secretary Mellon had been appointed to the Court of St. James. Is some of this allowance going to help him out in changing his raiment?

Mr. JONES. No; none of this will go to him.

Mr. BLAINE. It goes only to the poor?

Mr. JONES. It goes to our representatives abroad who really need something to supplement the salaries that are paid them.

Mr. BLAINE. The representation allowance, I presume, is for entertainment?

Mr. JONES. That is the fact. The Budget estimate was $125,000. The House cut it to $100,000. I care nothing about the entertainment so far as I am personally concerned, but I know that our representatives abroad have to do some things there that they would not have to do at home.

Possibly the standing of our country abroad in many different places is affected more or less by the sort of entertainment that our representatives offer. I have never been abroad. I do not know anything about it personally. I have heard some of our representatives, some Members of the Senate who have represented the National Government abroad, tell of entertainment which they had to furnish, and because they were unable to pay for it out of funds allowed by the Government for that purpose, they had to pay the expense out of their own pockets. This was done in order to maintain the standing of our country abroad. While I feel that our representatives really needed the $125,000, yet we did not grant it. We gave only $100,000. We felt that this was only partial justice to our representatives abroad.

Mr. BLAINE. Mr. President, I thank the Senator for his explanation. Under ordinary circumstances, if the United States Treasury was overflowing with revenue and a surplus of money, then it might be all right to talk about maintaining certain standards on the part of our foreign representatives; it might be all right then to talk about giving them larger funds for the purpose of entertaining their friends and themselves and their relatives when they happened to be abroad visiting the various diplomats. But under the present conditions prevailing in the United States,

the standard of living of several million people has been reduced almost to zero. They have not a dollar with which to buy essential food and clothing.

The thing that surprises me is that the Senate could spend about two weeks debating about a few thousand dollars intended to be used to destroy the pest which destroys the farmers' crops, and then in the adoption of these three amendments spend only a little over three seconds per item in increasing appropriations 50 per cent in one case, 100 per cent in another case, and 300 per cent in another case.

I know we are not going to effect great economies by this method, and yet these are no doubt matters which can await a more prosperous day before we begin to expend additional sums for the purposes defined by the Senator from Washington. Therefore, in view of the situation and in view of the attitude of the Senate on the Interior Department appropriation bill, it seems to me the votes by which the three amendments on page 12 were agreed to should be reconsidered, and I ask unanimous consent that they be reconsidered en bloc.

The PRESIDING OFFICER (Mr. FESS in the chair). Is there objection to the request of the Senator from Wisconsin?

Mr. JONES. Under the circumstances and because of the reasons on which the Senator bases his request, I feel that I must object.

The PRESIDING OFFICER. Objection is made.

Mr. BLAINE. Does the Senator object because I ask that they be reconsidered en bloc?

Mr. JONES. No. I really object because the Senator bases his request on the action of the Senator from Tennessee.

Mr. BLAINE. Oh, no; I am not basing my objection at all upon that condition. I want now to say, not by way of apology but by way of explanation, that when I referred to the Senator from Tennessee I think I did point out, at least I intended to do so, that he was entirely sincere and honest. He had a proper motive in mind when he made his contest on the Interior Department appropriation bill. I am not criticizing him for it at all. I would imply no criticism whatever. I do not, in what I have said this afternoon, imply any criticism of any action upon the part of any Senator respecting these appropriations.

However, I was pointing out that it is a strange spectacle to me, and I think it will be a strange spectacle to the country, that we should spend two weeks here debating the Interior Department appropriation bill, largely a debate over two or three small items, but when this bill is before the Senate in a few seconds we increase the appropriations over the amount fixed by the House far in excess of the specific items that were attacked in the Interior Department appropriation bill.

Mr. JONES. I did not mean to imply that the Senator criticized the Senator from Tennessee.

Mr. BLAINE. The Senator from Tennessee shakes his head in disapproval. I want to complete my statement. The increase in the bill before us in the three items is many times the increase in the two specific items to which I have heretofore referred in the Interior Department appropriation bill, one relating to barberry eradication and the other to furnishing certain agricultural service to the Indians.

Mr. McKELLAR. Mr. President, will the Senator indulge me a moment?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Tennessee?

Mr. BLAINE. Certainly.

Mr. McKELLAR. A while ago I explained to the Senator and the Senate that long ago I would have made a motion to recommit the bill to the Committee on Appropriations, but that I had understood that the Vice President had held that such a motion could not be made until just before the third reading of the bill.

I find upon inquiry that I wholly misunderstood the ruling of the Vice President, and that the motion is permissible at any time. I would be glad to make the motion now, but we are operating under a unanimous-consent agreement to consider committee amendments. In view of that situation, there is no reason to bother about the amendments, because if the motion to recommit the bill with directions to reduce the amount 10 per cent should be agreed to, as I hope it will, it will probably change all the amendments anyway.

Mr. ASHURST. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Arizona?

Mr. BLAINE. I yield.

Mr. ASHURST. The Senator from Wisconsin has the right, no matter upon which side he voted, to move to reconsider at any time within a certain number of days. I wish to say that there is no Senator here whose devotion to the general public is more assiduous and disinterested than that of the Senator from Tennessee; I have followed and shall continue to follow his lead with respect to economy; but, lest it might appear that I had a more or less cynical view of economy, I wish it distinctly understood that I sympathize with all sensible and practical moves toward reducing the expenses of the Government, which have quintupled in my day and generation.

What I fear is that under the guidance and leadership of the Senator from Tennessee I shall be led into a position where I shall not get any economy or any reduced appropriations, and, with all emphasis, I wish to say that I hope the able Senator will take up these items seriatum as we come to them, point out, if he is able to do so, where there is an inadequate appropriation and where there is one that is swollen to a degree beyond that which it should be.

I again say that I am sure we shall get nowhere by recommitting the bill to the committee with instructions to reduce it a flat 10 per cent. Let us see what would result. I call attention to an item that we have not yet reached on page 44 of the bill which deals with the expenses of circuit courts. I believe there are 44 judges of circuit courts of the United States, which are the intermediate courts between the district courts and the Supreme Court of the United States. The bill provides, on page 44, line 19:

> That the maximum salary paid to any law clerk to any circuit judge shall not exceed $2,400 per annum.

Mr. President, I have never been on the circuit bench, but the lawyers here will bear me out in the statement that it is absurd to talk about paying a salary of $2,400 a year to the law clerk to a circuit judge. The business of the circuit courts has expanded enormously during the past 10 years. It is the business of the circuit courts, and I believe they have applied themselves to it, to weed out in every proper way, where they may legally and constitutionally do so, certain cases and thereby relieve the Supreme Court from congestion. Suffice it to say that I doubt if there are in the United States to-day officials who work with more assiduity and more zeal than do the circuit judges.

The law clerk of a circuit judge ought to be a man comparable in intellect, comparable in character, comparable in zeal and learning at least to a clerk of a United States Senator. If the philosophy of the learned Senator from Tennessee should prevail, the salaries of law clerks of the circuit judges, which are limited in this bill to $2,400 a year, would be reduced 10 per cent.

Mr. McKELLAR. Oh, no, Mr. President; the Senator from Arizona wholly misconstrues the purpose of the motion. It is not to reduce such salaries. For instance, I have no idea that the salaries of the circuit judges will be attempted to be interfered with.

Mr. ASHURST. But the salaries of the law clerks will be.

Mr. McKELLAR. Or the salaries of the law clerks. The committee has full authority and power to change some appropriations, to leave others just as they are, and even to raise other appropriations if in its judgment it thinks it proper to do so. The motion, if agreed to, will not interfere with that power of the committee at all.

Mr. ASHURST. The able Senator from Tennessee, as to 27 or 28 items in the Interior Department appropriation bill, asked for reductions; I think I voted with him on a majority of them, and he may think that he should have triumphed, but he did not. Now when the Senate does not agree with

him, he asks the Committee on Appropriations to be the tribunal which will overrule the Senate. When the Senate committee brings the bill back with a reduction of 10 per cent, doubtless the then majority of 2 to 1 that voted against the Senator's reduction will hold the same view; so that we will be going around in a circle.

Mr. President, taking the particular items under consideration, I believe that I ought to and I shall vote against the amendment found on line 3, page 12, where the Senator from Wisconsin points out there is an increase of 50 per cent. On line 14 there is an increase of 100 per cent and on line 24 an increase of 300 per cent. These increases——

Mr. McKELLAR. Mr. President——

Mr. ASHURST. Just a moment. Should be discussed each on its merits, and each one voted up or down upon its merits and not dumped over en bloc to the committee to make the 10 per cent reduction.

Mr. McKELLAR. If the Senator will yield, of course he has a right to do that; he may call for a vote on every one of these amendments; there is no reason in the world why he should not; but I merely want to call his attention to a mistake he has made.

For a number of years, I think for the last five years at least, Congress has been appropriating $400,000 a year for a fund which is known as an entertainment fund. I do not think such a fund ought to be provided at all. I am one of those who believe that entertainments ought to be paid for by the officials who give the entertainments, and that the Government ought not to pay for any official's entertainment. I do not think it is a proper, and I never have thought it was a proper, item to be charged against the Government.

For the last five years, to my certain knowledge, as I have just looked at the figures, Congress has been allowing $400,000 a year for this purpose. In the pending bill the House cut the amount down to $200,000; the Senate committee has restored one-half of the remainder, and recommends an appropriation of $300,000, instead of $400,000 which was appropriated last year. For my part, if the motion which I expect to make to recommit the bill to the Appropriations Committee shall be adopted, I am going to take the same position which I have always taken regarding this item. It ought to be stricken out entirely; no amount should be appropriated for the purpose specified, and, especially at a time when our Government is over $2,000,000,000 in the hole, we ought not to be appropriating the enormous sum of $400,000 to allow our diplomats to wine and dine people, and I am opposed to it.

Mr. BLAINE. Mr. President——

Mr. JONES. I should like to correct a statement which has been made.

Mr. BLAINE. I will yield in just a moment. When the bill before us was taken up, as I recall, the first amendment occurred on page 6, a very informal and inconsequential amendment. The clerk is a very efficient clerk, a very excellent clerk, and of course, in the exercise of his splendid efficiency, he turned immediately to page 12, as I recall, stated that the next amendment was on line 3 on that page to strike out $200,000 and insert $300,000, and the Chair immediately announced that, without objection, the amendment was agreed to.

At the rate of speed with which the proceedings were being conducted it was practically impossible for a Member of the Senate to have thumbed the pages from 6 to 12 in the time taken to state the amendment and adopt it. As a matter of fact, exercising as great speed as I could, I did not reach page 12 until the third amendment on that page had been stated. There are three amendments on that page, making an aggregate increase in three appropriations of $225,000, and almost as quickly as one could snap his finger they were agreed to. I think in all fairness the Senate ought to have an opportunity to pass on those increases, and for that reason I asked unanimous consent to have the vote by which the amendments were agreed to reconsidered. That unanimous consent having been denied, I now move that the vote by which the amendment on page 12, line 3, was adopted may be reconsidered, and I shall then make the same motion respecting the other two amendments on that page.

Mr. McKELLAR. Mr. President, I want to express to my friend from Washington [Mr. JONES], the chairman of the committee, the hope that he will consent, without action on the motion, to the unanimous consent which I ask that the votes by which the amendments in line 3, line 14, and line 24, on page 12, were agreed to may be reconsidered. I hope the Senator will not object to that.

Mr. JONES. I want to say that I rose to suggest that very thing. Under the circumstances I am willing to do that for the Senator from Wisconsin, although it does seem to me that he deliberately allowed these amendments to be adopted. I will admit, however, that we went through them very speedily as we sometimes do.

Mr. BLAINE. The Senator will have to eliminate the word "deliberately."

Mr. JONES. I will withdraw that word.

Mr. BLAINE. There was not very much deliberation in regard to the amendments.

Mr. JONES. That is the reason I said they went through very fast. I know there was not any deliberation, but I thought they were allowed to go as fast as they did go without objection.

Now, Mr. President, I wish to make a suggestion. I understand the Senator from Tennessee, regardless of the outcome of the consideration of this bill, regardless of the action which may be taken on the amendments, proposes to move to recommit the bill to the Committee on Appropriations with instructions to report it back with a reduction of 10 per cent below the amount carried by the bill as passed by the House.

I do not think that the unanimous-consent agreement to consider committee amendments before other amendments precludes such a motion being made at any time, and, if the Senator is going to make such a motion, I should like to have him make the motion now and let the Senate not waste its time considering the various amendments to the bill and then have them all stricken out and the appropriations cut 10 per cent below the amount provided in the House bill.

Mr. McKELLAR. Mr. President, if the Senator will yield to me, after the request for unanimous consent shall have been granted and the amendments referred to have been reconsidered, then, as soon as I can get the floor, in view of the Senator's statement as to the parliamentary situation, I shall be very happy to make the motion to recommit.

Mr. JONES. I withdraw my objection to the request of the Senator from Wisconsin.

Mr. McNARY. Mr. President, as I understand the parliamentary situation, unanimous consent was granted first to consider committee amendments.

Mr. McKELLAR. Yes; that is what I understood.

Mr. McNARY. And acting under that unanimous-consent agreement, the Senate proceeded to consider the committee amendments. That agreement can not now be altered other than by unanimous consent.

Mr. McKELLAR. That was my idea, but the Senator from Washington stated that he thought it would be in order to make the motion to recommit at any time.

Mr. McNARY. I do not entertain that view at all. I am addressing myself to the question of procedure. Unanimous consent was given to pursue a particular course, which was to consider committee amendments to the bill. That agreement can be modified only by similar action, namely, by unanimous consent. After that shall have been done and the committee amendments shall have been considered it will be timely, prudent, and proper for the Senator from Tennessee to make his motion.

Mr. McKELLAR. If I make the motion and it is objected to, then I will ask unanimous consent, and then, if that is objected to, I will have to wait, I imagine, until after the consideration of the bill shall have been concluded.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Tennessee?

Mr. McNARY. I do not know what the request of the Senator from Tennessee is.

Mr. McKELLAR. It is to reconsider the votes by which the three amendments on page 12 were adopted, so that the Senator from Wisconsin may have a vote on each one.

Mr. McNARY. I have no objection to a reconsideration of the votes whereby the amendments were agreed to.

The PRESIDING OFFICER. Does the Senator from Washington object?

Mr. JONES. No; I withdraw my objection.

The PRESIDING OFFICER. There is no objection. The Chair understands the Senator from Wisconsin to withdraw his formal motion to reconsider.

Mr. BLAINE. I withdraw the motion to reconsider.

The PRESIDING OFFICER. By unanimous consent the votes where the amendments were agreed to are reconsidered. The clerk will state the first amendment on page 12.

The LEGISLATIVE CLERK. On page 12, at the end of line 3, it is proposed to strike out "$200,000" and insert "$300,000."

Mr. BLAINE. During the discussion of this amendment, particularly the discussion relating to what the amendment covers, there has been only a handful of Senators on the floor. I doubt if 8 or 10 or 12 Senators should legislate $225,000 in or out without some fair representation on the floor. I, therefore, suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

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

Ashurst	Dale	Jones	Robinson, Ind.
Austin	Davis	Kean	Schall
Bailey	Dickinson	Kendrick	Sheppard
Bankhead	Dill	Keyes	Shipstead
Barbour	Fess	King	Shortridge
Barkley	Fletcher	Logan	Smith
Bingham	Frazier	Long	Smoot
Black	George	McGill	Steiwer
Blaine	Glass	McKellar	Thomas, Idaho
Borah	Glenn	McNary	Thomas, Okla.
Bratton	Goldsborough	Metcalf	Townsend
Broussard	Gore	Morrison	Trammell
Bulkley	Hale	Moses	Tydings
Bulow	Harrison	Neely	Vandenberg
Byrnes	Hastings	Norbeck	Wagner
Capper	Hatfield	Norris	Walcott
Caraway	Hawes	Nye	Walsh, Mass.
Carey	Hayden	Oddie	Waterman
Coolidge	Hebert	Patterson	Watson
Copeland	Howell	Pittman	Wheeler
Costigan	Hull	Reed	White
Couzens	Johnson	Robinson, Ark.	

The PRESIDING OFFICER. Eighty-seven Senators having answered to their names, a quorum is present.

Mr. JONES. Mr. President, the Senator from Tennessee announces that he proposes to move to recommit this bill to the Committee on Appropriations with instructions to strike out 10 per cent of the amount carried by the bill as it passed the House.

It seems to some of us that it is useless for us to take the time and effort to go clear through this bill if at the end of that time we are to have our work all undone and thrown away, and the bill is to be sent back to the committee with instructions to report the bill with the amount reduced 10 per cent below the total appropriated by the House. So I am perfectly willing to have that motion voted upon at this time.

Mr. McKELLAR. Mr. President, I offer the following motion:

I move that the pending bill, H. R. 9349, making appropriations for the Departments of State and Justice and for the judiciary and for the Departments of Commerce and Labor be recommitted to the Committee on Appropriations with instructions to report the same back to the Senate with amendments providing an aggregate reduction of 10 per cent in the amount of the appropriations contained in the bill as received from the House of Representatives.

Mr. President, I am going to take just a moment of the Senate's time to give the reasons for that motion.

If Senators will turn to page 2 of the bill, they will find that it is proposed to appropriate $1,915,540 for the office of the Secretary of State. I find that in 1928 we appropriated for that office $1,089,000; in 1929, $1,045,000; even as late as 1930 we appropriated $1,340,000; and now, for the fiscal year 1933, the appropriation is jumped up to $1,915,000. In other words, these appropriations have almost doubled in the period of five years, and they have doubled at a time when they should not have doubled, because, as everybody knows, the country is in a very different condition than it was five years ago.

Then if Senators will turn to page 4, they will find there an appropriation for contingent expenses of $101,000. In 1928 this appropriation was $43,000; so that in the five years it has more than doubled.

The next item, printing and binding, was $190,000. It is increased to $258,000, as will be seen there.

As to passport agencies, the increase was not so great. Five years ago the appropriation was $63,000. Now it is only $77,000.

On page 5 practically the same thing is shown, but on the next page I call especial attention to the item of "salaries of clerks in the Foreign Service." Five years ago that appropriation was $1,400,000; the next year, $1,462,000; the next year, $1,692,000; the next year, $2,364,000; the next year, $2,502,000; and this year it is about the same.

I turn now to page 8. The first item is for $847,000. The next two items are merely unobligated balances, which are reappropriated. I doubt whether anything should be reappropriated. The unobligated balances should be paid to the Treasury. But that is another matter.

I next come to an appropriation for contingent expenses—United States consulates. That is found on pages 8, 9, and 10, but the full amount of the appropriation, $815,000, is stated on page 10.

Mr. VANDENBERG. Mr. President, I call the Senator's attention to the fact that all of these items he is now reading in respect to the Consular Service are, to a large degree, duplicated in the back of the bill, under the independent foreign service, which is operated in the Department of Commerce.

Mr. McKELLAR. Yes.

Mr. VANDENBERG. I take the liberty of suggesting to the Senator that if we were bent in a practical fashion upon reaching economies in the operation of the Government, the prime method of doing it in respect to this particular bill would be to clothe somebody with authority to redistribute and consolidate these bureaus so that we could get economy.

Mr. McKELLAR. Yes, Mr. President; I think the Senator from Michigan is right in his statement. Even larger savings could be secured. But unquestionably there would not be the slightest difficulty, if this bill were recommitted, in effecting a saving of 10 per cent, without injuring the service in the slightest, and the items I have mentioned I think amply sustain that view. In other words, in the State Department, just as in all the other departments, in five years these increases in appropriations of somewhere between 75 and 100 per cent for doing substantially the same work have been made.

Mr. NORRIS. Mr. President, I call the Senator's attention to three items on page 12, as to which I understand the votes were reconsidered.

Mr. McKELLAR. Yes.

Mr. NORRIS. I was called out of the Chamber, and was not here when that was done. One of those is on line 3, one on line 14, and one on line 24. What are those items for?

Mr. McKELLAR. In the first item the House appropriated $200,000, but the Senate committee raised it to $300,000. That is an item in which $400,000 has been allowed for the last five years. It is for entertaining.

Mr. JONES. Mr. President, the Senator is mistaken about that; $125,000 is for entertainment.

Mr. McKELLAR. Four hundred thousand dollars has been allowed.

Mr. BLAINE. Mr. President, which item includes the change in raiment which seems to be essential for these diplomats?

Mr. McKELLAR. I think there is no change in raiment, so far as I know, provided for in this; but perhaps the chairman of the committee can enlighten us about that.

Mr. NORRIS. Mr. President, there ought to be a change of raiment. We can not expect these fellows to wear the same clothes for four or five years.

Mr. McKELLAR. Does the Senator think there ought to be an addition for knee breeches?

Mr. NORRIS. There ought to be some new knee breeches. This has been going on for so long that they are worn out.

Mr. JONES. I suggest to the Senator that this does not apply to activities in this country, and it is not brought about by customs which I would follow myself. This matter of change of raiment really comes under the post allowances, as to which we have raised $50,000 to $100,000.

Mr. McKELLAR. I think that is what the Senator is referring to. I am going to vote against the $50,000 increase. If it is allowed, it will be to enable Mr. Mellon to have knee trousers.

Mr. NORRIS. I ask the chairman of the committee what the $300,000 is for?

Mr. JONES. It is for carrying out neutrality laws and things of that kind. The Budget estimate was for $400,000.

Mr. NORRIS. Just what is it for?

Mr. JONES. There are different controversies. There has been no year when the expenditures for this purpose have been less than $230,000 a year, and there have been three years when they were over $300,000 a year, for carrying out the neutrality laws.

Mr. NORRIS. That is under the head of Consular Service?

Mr. JONES. Yes.

Mr. NORRIS. Is that money expended here in Washington or in foreign countries?

Mr. JONES. That, I think, is expended largely in foreign countries.

Mr. McKELLAR. It is Diplomatic and Foreign Service. That expenditure is for entertainment also.

Mr. JONES. That is not used by any of the departments for entertaining purposes at all.

Mr. McKELLAR. The department has a right to direct that it be so used, I am quite sure.

Mr. JONES. The $100,000 at the bottom of page 12 is for entertainment purposes. There is no question about that.

Mr. McKELLAR. The other can be used for that purpose.

Mr. JONES. I can not think so. I do not think there is any law which would allow that money to be used for that purpose.

Mr. NORRIS. How about the amendment on line 14?

Mr. JONES. That is for changes of various kinds allowed to various officers.

Mr. NORRIS. For what?

Mr. JONES. It really supplements the compensation allowed to some of the officers at various places. For instance, a man may be in a torrid zone and be transferred in winter to a northern zone, where it is cold; or there may be some such change as that. Of course, that entails different raiment, different methods of living, and so on. They make some allowances for those purposes. There is no specific amount, but that just illustrates what is done. It is really a supplement to the compensation paid to men in positions where they get very small compensation.

Mr. McKELLAR. Mr. President, I think that is about all I desire to say. I think the motion should be submitted to the Senate at this time, and I hope we may have a vote on it.

Mr. BLAINE. Mr. President, as I understand, we are now proceeding under a unanimous-consent agreement for the consideration of committee amendments.

The PRESIDING OFFICER. The motion before the Senate is to recommit the bill, a motion offered by the Senator from Tennessee.

Mr. McNARY. Mr. President, is it the desire of the Senator from Tennessee to press his motion to-morrow morning?

Mr. McKELLAR. If we have a quorum, I see no reason why we should not vote on the motion now.

Mr. McNARY. It is a very important matter, and Senators did not know it would be brought to a vote this evening. I was going to suggest that the motion be considered as pending, and that we take a recess now until to-morrow.

Mr. BLAINE. I desire to enter my objection to the motion, on the ground that we are acting under a unanimous-consent agreement to consider committee amendments, and it seems that a motion such as that the Senator from Tennessee has made can not be in order now.

The PRESIDING OFFICER. Does the Senator from Wisconsin suggest that as a point of order?

Mr. BLAINE. I make that as a point of order.

The PRESIDING OFFICER. The point of order is overruled.

RECESS

Mr. McNARY. I move that the Senate now take a recess until 12 o'clock to-morrow.

The motion was agreed to; and the Senate (at 4 o'clock and 50 minutes p. m.) took a recess until to-morrow, Tuesday, March 22, 1932, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

MONDAY, MARCH 21, 1932

The House met at 12 o'clock noon.

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

Heavenly Father, we praise Thee for a continuance of Thy merciful goodness, utterly marvelous, miraculous, and strange. It supplies a hope very dear and precious—a hope that looks forward into the distant ages of God; let its hymn be sung in all our hearts; cleanse Thou us from secret faults. May we not soil the page of life with thoughtless, heedless, sinful fingerprints. Each day may there be in us the process of the formation of habits of mind, of character, and of life that shall carry us forward into those regions where goodness inspires every faculty of our being. Heavenly Father, quiet fretful voices and irritations and ease the minds of care. Help to have conquest over unwise propensities and let justice and wisdom dictate all conclusions. Gracious Lord, guide us through these troublesome times. May the good of country be our whole mission and a restful conscience the reward of our toil. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of Saturday, March 19, 1932, was read and approved.

REVENUE BILL OF 1932

Mr. KETCHAM. Mr. Speaker, I ask unanimous consent to proceed for one minute in order to make an announcement.

The SPEAKER. Is there objection?

There was no objection.

Mr. KETCHAM. Mr. Speaker, a few days ago I prepared and published in my remarks some tables showing the distribution of the manufacturers' sales tax among the several States, using as the basis of such distribution the value of such products in each State in comparison with the total for the Nation. Comparison was also shown between the present system of internal-revenue taxation and the manufacturers' sales tax, if the latter should be substituted entirely for the present system. Several Members have suggested that it would be very helpful and informative if a table were prepared showing a comparison in the distribution of the taxation upon incomes and corporations alone in contrast to that under a manufacturers' sales tax. I have prepared such a table and under general leave to extend already granted will insert the same at this point. I hope it will be interesting and helpful in the consideration of this important subject.

Mr. Speaker, when the House of Representatives shows such a determination to reject a major recommendation of one of its leading committees, all but unanimously reported, as has been witnessed in the past few days in the storm of opposition to the manufacturers' sales tax, it is a fair assumption that there must be sound reasons for the determined opposition. Many of these reasons have been pre-

sented clearly and vigorously. Individual and corporate income and profits have heretofore been the principal source of Federal taxation. Ability to pay has been the standard of assessment. The manufacturers' sales tax sets up a new policy. Production rather than profits is the new base upon which this tax is to be levied. If the tax is passed on it becomes a consumption tax, and the big manufacturers will be best able to pass it on, thus introducing a new and harmful element of competition.

With entire frankness some Members have admitted that the term "manufacturers' sales tax" is a misnomer and that for the most part the tax imposed will be passed on. One committee member frankly stated that such was the purpose of the plan.

To anyone who has not completely lost all conception of the terrific burden of local taxation the people of the country are now bearing, even the possibility of adding thereto by a Federal tax levy on consumption is unthinkable. Much has been heard about increasing Federal taxation until it approaches "a capital levy." Local taxes paid by farmers and small home owners have been "capital levies" in a very high percentage of cases this past year, and in fact in recent years. The average in Michigan is $32.37 per $1,000 valuation. These taxes support local government and local and State institutions, and constitute a far heavier relative burden than the Federal income-tax payer carries. Not another penny should be imposed on such taxpayers under this proposed sales tax.

Considerable emphasis has been put on the attempt to shift the burden of income and corporation taxes to this new base of sales or consumption tax. The chief newspaper propagandist for a sales tax openly urges such a shift. In the tables I inserted in my remarks on page 6073 I showed what a shift from the total internal revenue to a sales-tax base would mean to each State.

Internal-revenue collections include levies upon tobacco, narcotics, theaters, and so forth, in addition to income and corporation taxes. The tables I present to-day compare the distribution of $500,000,000 of Federal taxes among the States under the present income and corporation plan with that of the sales-tax plan. I am hopeful that members will note the comparison with interest.

The income and corporation data is from pages 60 and 61 of the Report of the Commissioner of Internal Revenue for 1931, House Document No. 11, and the data on manufacturing is from the Bureau of the Census for the census of 1921.

Comparison of distribution of $500,000,000 Federal tax under sales-tax plan and income and corporation tax plan

State	Manufacturers' tax	Amount	Income and corporation tax	Amount
	Per cent		*Per cent*	
Alabama	0.8	$4,000,000	0.23	$1,150,000
Arizona	.28	1,400,000	.12	600,000
Arkansas	.29	1,450,000	.098	490,000
California	4.4	22,000,000	5.03	25,150,000
Colorado	.48	2,400,000	.82	4,100,000
Connecticut	2.1	10,500,000	1.88	9,400,000
Delaware	.21	1,050,000	1.77	8,850,000
Florida	.3	1,500,000	.42	2,100,000
Georgia	1.02	5,100,000	.34	1,700,000
Idaho	.19	950,000	.036	180,000
Illinois	8.9	44,500,000	9.03	45,150,000
Indiana	3.5	17,500,000	1.02	5,100,000
Iowa	1.3	6,500,000	.53	2,650,000
Kansas	1.4	5,200,000	.72	3,600,000
Kentucky	.7	3,500,000	.57	2,850,000
Louisiana	.98	4,900,000	.41	2,050,000
Maine	.56	2,800,000	.34	1,700,000
Maryland	1.6	8,000,000	1.48	7,400,000
Massachusetts	4.75	23,750,000	4.5	22,500,000
Michigan	6.6	33,000,000	5.5	27,500,000
Minnesota	1.67	8,350,000	1.12	5,600,000
Mississippi	.31	1,550,000	.081	405,000
Missouri	2.62	13,100,000	2.2	11,000,000
Montana	.35	1,750,000	.091	455,000
Nebraska	.69	3,450,000	.245	1,225,000
Nevada	.05	250,000	.07	350,000
New Hampshire	.49	2,450,000	.15	750,000
New Jersey	5.6	28,000,000	3.85	19,250,000
New Mexico	.05	250,000	.033	165,000
New York	14	70,000,000	33.05	165,250,000
North Carolina	1.8	9,000,000	.73	3,650,000
North Dakota	.08	400,000	.019	95,000

Comparison of distribution of $500,000,000 Federal tax under sales-tax plan and income and corporation tax plan—Continued

State	Manufacturers' tax	Amount	Income and corporation tax	Amount
	Per cent		*Per cent*	
Ohio	8.6	$43,000,000	5.16	$25,800,000
Oklahoma	.64	3,200,000	.79	3,950,000
Oregon	.59	2,950,000	.22	1,100,000
Pennsylvania	10.5	52,500,000	9.36	46,800,000
Rhode Island	.95	4,750,000	.53	2,650,000
South Carolina	.55	2,750,000	.096	480,000
South Dakota	.14	700,000	.033	165,000
Tennessee	1.08	5,400,000	.49	2,450,000
Texas	2.06	10,300,000	1.7	8,500,000
Utah	.3	1,500,000	.13	650,000
Vermont	.25	1,250,000	.091	455,000
Virginia	1.04	5,200,000	1.03	5,150,000
Washington	1.13	5,650,000	.58	2,900,000
West Virginia	.7	3,500,000	.47	2,350,000
Wisconsin	3	15,000,000	1.42	7,100,000
Wyoming	.13	650,000	.036	180,000
District of Columbia	.12	600,000	.7	3,500,000
	98.77	----------	99.283	----------

It will be noted that under the manufacturers' sales tax plan eight States and the District of Columbia pay less than they would under the income and corporation plans. Delaware and New York would enjoy the chief advantage. Delaware would shift $7,800,000 and New York $95,250,000 to 40 other States. Ohio would pay $17,200,000 more, Indiana follows with $12,400,000 more, New Jersey $8,750,000 more, Wisconsin $7,900,000 more.

Your special attention is invited to New York. It will be noted that she pays 33 per cent plus of the income and corporation taxes of the country. She would pay 14 per cent of the manufacturers' sales tax. In money she pays $165,250,000 of each $500,000,000 income and corporation taxes of the country. She would pay $70,000,000 of each $500,000,000 of sales tax. Naturally every New Yorker might be expected to shout for the sales tax. Up-State New Yorkers should take a second look, however. Greater New York City pays 88.2 per cent and up-State 11.8 per cent of the whole State's share of Federal income and corporation taxes.

In money this division is $145,750,500 paid by Greater New York and $19,499,500 by up-State under the present plan. Turning now to the sales-tax plan, Greater New York City has 60 per cent of the value of all manufactured products of the State and up-State 40 per cent. Dividing the $70,000,000 on this basis, gives $42,000,000 to Greater New York and $28,000,000 up-State. If the $70,000,000 were divided between city and up-State by the income and corporation plan, or on the basis of 88.2 per cent and 11.8 per cent, the result would be $61,740,000 to the city and $8,260,000 up-State.

Summarizing, then, Greater New York City pays $145,750,500 of the whole State's $165,250,000 of each $500,000,000 Federal income and corporation tax. Under the proposed sales-tax plan she would pay $42,000,000 and shift $84,010,500 to the country at large and $19,740,000 to up-State New York. That is a total shift of $103,750,500.

Contemplating these figures might one not fairly say that they afford some explanation of the unusual interest of William Randolph Hearst and his large New York City interests in the proposed sales-tax plan!

Your particular attention is called to the shift of $19,740,000 or 13.6 per cent from Greater New York City to up-State under the proposed sales-tax plan. It is worthy of special note by Representatives of other States having large cities. It is my belief that similar situations would be found.

Other interesting comparisons will be suggested by the tables. Note Delaware particularly. Under the present income and corporation tax plan she pays $8,850,000 of each $500,000,000 collected. Under the proposed sales-tax plan she would pay $1,050,000, or $7,800,000 less. One can easily understand the special interest in that State in the proposed sales-tax plan or other plan to shift Federal income and corporation taxes.

I am aware that it will be argued that the income and corporation tax payers of Delaware and New York are to have their increases under this bill. Conceded. But so are the income-tax payers of the 40 States to whom the shift described above is being made. By what logic should New Jersey take on $5,750,000 of the burden of New York, or Tennessee bear an extra $2,950,000?

These tables and comments have been submitted in an earnest effort to defeat the proposed sales-tax plan. Patriotism has been frequently invoked during the last few days. I fail to see its application to the present situation, so far as the merits of the sales tax are concerned. We must reduce expenses and impose taxes temporarily. But a general sales tax such as proposed should be stricken from this bill and forgotten as a Federal tax policy.

DR. RICHARD BARTHOLDT

Mr. DYER. Mr. Speaker, I ask unanimous consent to proceed for one minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. DYER. Mr. Speaker, Dr. Richard Bartholdt, who served as a Member of this House in the Fifty-third to the Sixty-third Congresses, inclusive, died at his home in St. Louis Saturday, March 19, 1932, at the age of 76.

During his long service here he was greatly admired and respected by his colleagues.

I came to the House a short time before Doctor Bartholdt voluntarily retired. He was a great help to me in the beginning of my legislative service here.

He was an able public servant and a fine citizen. It was my good fortune to know him and to have his friendship for more than a quarter of a century.

Doctor Bartholdt was born November 2, 1855, in Schleitz, Germany, and came to the United States after being graduated from high school.

Stopping first in Brooklyn, he entered newspaper work as a printer. From there he went to Philadelphia and later to St. Louis. After receiving his citizenship, Doctor Bartholdt returned to Germany, where he studied law.

Coming back to St. Louis in 1884, he took charge of the Tribune, evening German daily. During his previous stay he was married to Cecilie Niedner, who died several years ago.

Entering politics first as a member of the school board, Doctor Bartholdt made an unsuccessful campaign for Congress in the tenth Missouri district. He ran again in 1892 and was elected at the age of 37. He served continuously for 22 years.

Doctor Bartholdt described his career in his autobiography, From Steerage to Congress, published in 1930. In his book he told of his arrival in the United States in the steerage and details of his rise to Congressman.

As the Albany correspondent for the New York Staats-Zeitung he met Chester A. Arthur, Grover Cleveland, and Theodore Roosevelt. He gave Roosevelt lessons in German.

Mr. Bartholdt, familiarly known as Doctor Bartholdt, became interested in the cause of world peace at the start of his career in the House of Representatives and played an important part in it. He attended the First Hague Peace Conference in 1899 and the conference of the Interparliamentary Union at Christiania, Norway, the same year.

He again went to the Interparliamentary Union in 1903 and extended to the members an invitation to hold their meeting in St. Louis in 1904. He personally arranged the conference, since he had issued the invitation, and was president of the arbitration group. He presided at the conference.

With only one or two exceptions thereafter, Doctor Bartholdt went every year to Europe to attend the meetings of the union.

In recognition of his work with the union his associates suggested him three times for the Nobel peace prize. He was the author of a model arbitration treaty which has received close study among leaders in the world peace movement.

Doctor Bartholdt's activities in Congress included successful work for the rebuilding of Jefferson Barracks and improvement of the Mississippi and Missouri Rivers. He supported liberal immigration laws and was largely responsible for the $5,000,000 Government appropriation for the Louisiana Purchase Exposition in St. Louis.

Doctor Bartholdt was appointed by President Taft in 1911 as a special envoy to present a statue of Baron von Steuben, German hero in the American Revolution, to Kaiser Wilhelm of Germany. Doctor Bartholdt had sponsored a bill providing for the erection of the original of the statue, which was placed in Washington. He knew many international statesmen, including Count Bismarck, Germany's Iron Chancellor.

Doctor Bartholdt was a life-long Republican, but his liberal views caused him to bolt the party in the last two presidential elections. He supported Alfred E. Smith in 1928 and the late Senator La Follette in 1924.

He made his fifty-sixth crossing of the Atlantic when he went to Germany last year. He returned to St. Louis last October, and in January the University of Jena, Germany, conferred honorary membership on him "for having, while a Member of the United States Congress, always manfully and successfully championed the rights and welfare of his native Germany."

Since his retirement from Congress in 1915, Doctor Bartholdt had lived quietly at his home in St. Louis.

Doctor Bartholdt, noted as an orator in the German and English languages, was often sought as speaker, be it for the celebration of German event or an American. An ardent foe of prohibition, he was often called on to make speeches against this act whenever the occasion called for it.

Doctor Bartholdt as a member of the Liederkranz Club, one of the strongest social organizations of St. Louis, came in contact with all the leading St. Louisians of German birth or abstraction. In turner circles and in benevolent associations, organized and conducted by the German element of St. Louis, Doctor Bartholdt always was a leading figure.

Though he had avowedly retired from politics in 1915, Doctor Bartholdt was urged by his many friends and political followers to reenter politics in 1926 and seek the seat in Congress which he had so long held before. However, on advice of his physician and because of his age, he declined to follow their calling.

PROPOSED AMENDMENTS TO THE TAX BILL OF 1932

Mr. LAGUARDIA. Mr. Speaker, I ask unanimous consent to insert at this point in the RECORD, for the information of the membership, amendments which I intend to offer to the pending revenue bill at the proper time. The amendments are on the subject of the taxing of stock transfers. I do this because I have had many requests from Members for the exact wording of my proposed amendments.

The SPEAKER. Is there objection?

There was no objection.

Mr. LAGUARDIA. The first amendment will be as follows:

Page 257, line 21, strike out the figure "100," the balance of the line, all of lines 22, 23, 24, and all of line 1 on page 258 and the words "may be" in line 2 thereof and insert in lieu thereof the following: "on each sale, or agreement to sell, or memorandum of sales or delivery of, or transfers of legal title to any of the shares or certificates, one-fourth of one per cent of the sale or transfer price of the share, provided that in no case shall the amount of such tax be less than 4 cents a share."

This amendment simply provides a tax of one-fourth of one per cent on all transfers of stock and on all transactions of the various stock exchanges. In order to meet the situation, on short sales a separate provision will be offered in the form of a separate and distinct section, as follows: Page 259, after line 10, add the following paragraph:

(b) In addition to the tax provided for in subsection (a) there shall be an additional tax on each short sale, or agreement to sell short, or memorandum of short sale, or delivery of, or transfer of legal title to any shares or certificates of stock or rights to subscribe for or to receive such shares or certificates of stock, made before the seller acquires title and unqualified ownership of the shares so sold, of an additional one-fourth of one

per cent of the sale or transfer price of the shares, whether made upon or shown by the books of the corporation or other organization, or by any assignment in blank, or by any delivery, or by any paper or agreement or memorandum of other evidence of transfer or sale (whether entitling the holder in any manner to the benefit of such share, certificate, interest, or rights, or not): *Provided*, That it is not intended by this title to impose a tax upon an agreement evidencing a deposit of certificates as collateral security for money loaned thereon, which certificates are not actually sold, nor upon the delivery or transfer for such purpose of certificates so deposited, nor upon the return of stock loaned: *Provided further*, That the tax shall not be imposed upon deliveries or transfers to a broker for sale, nor upon deliveries or transfers by a broker to a customer for whom and upon whose order he has purchased same, but such deliveries or transfers shall be accompanied by a certificate setting forth the facts: *Provided further*, That in case of sale where the evidence of transfer is shown only by the books of the corporation or other organization the stamp shall be placed upon such books; and where the change of ownership is by transfer of the certificate the stamp shall be placed upon the certificate; and in cases of an agreement to sell or where the transfer is by delivery of the certificate assigned in blank there shall be made and delivered by the seller to the buyer a bill or memorandum of such sale, to which the stamp shall be affixed; and every bill or memorandum of sale or agreement to sell before mentioned shall show the date thereof, the name of the seller, the amount of the sale, and the matter or thing to which it refers. Any person liable to pay the tax as herein provided, or anyone who acts in the matter as agent or broker for such person, who makes any such sale, or who in pursuance of any such sale delivers any certificate or evidence of the sale of any stock, share, interest or right, or bill or memorandum thereof, as herein required, without having the proper stamps affixed thereto, with intent to evade the foregoing provisions, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall pay a fine of not exceeding $1,000, or be imprisoned not more than six months, or both.

(c) Subsections (a) and (b) shall take effect on the 15th day after the date of the enactment of this act.

PERMISSION TO ADDRESS THE HOUSE

Mr. PARKS. Mr. Speaker, I ask unanimous consent that immediately after the disposition of business on the Speaker's table to-morrow I may be permitted to address the House for 10 minutes.

The SPEAKER. The gentleman from Arkansas asks unanimous consent that immediately after the disposition of business on the Speaker's table he may be permitted to address the House to-morrow for 10 minutes. Is there objection?

There was no objection.

MEET THE DEFICIT BY CUTTING EXPENSES

Mr. LAMNECK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the sales tax.

The SPEAKER. The gentleman has that permission under the general order of the House.

Mr. LAMNECK. Mr. Speaker, probably no bill has been presented at this session of Congress that is of greater importance than the so-called tax bill, known as H. R. 10236. All reports will show that the revenues of the Government at present are insufficient to pay the expenses. One of two proposals must be followed in order to make the revenue and the expenses meet. One is to increase taxes. The other is to reduce expenditures. As a substitute for the two foregoing proposals, perhaps a combination of the two might produce the desired results, namely, make up a part of the deficit by cutting expenses, and increase taxes slightly. I am of the opinion that a great deal of our present problem has been caused by the fact that the Federal Government, during the past decade, has interested itself in affairs with which it should not have had anything to do, which has increased the cost of the Federal Government to a point where taxes have become very burdensome.

Section 8 of the Constitution provides that Congress shall have power to lay and collect taxes, duties, imports, and excises, to pay the debts and provide for the common defense and general welfare of the United States. If our activities were confined to this section of the Constitution, I am of the opinion that most, if not all, of the following items could be eliminated from our present Federal expenditures. I believe in this list of expenditures there are items which, if eliminated, would solve our present deficiency problem.

I offer the suggestion to the Congress for its serious consideration:

Eradication Mediterranean fruit fly	$4,250,000.00
Do	3,240,000.00
Do	290,000.00
Prevention of spread of pink bollworm	587,500.00
Construction of rural post roads	31,400,000.00
Topographic survey	1,077,000.00
Gaging streams	942,000.00
Rural sanitation	338,000.00
Farmers' cooperative demonstration work	1,550,000.00
Animal husbandry	719,535.00
Citrus-canker eradication	419,920.00
Phony-peach eradication	170,000.00
Forest-fire prevention	3,475,000.00
Investigation of soils, State experiment station	310,000.00
Soil-erosion investigation	370,000.00
Investigation road management	203,680.00
Livestock investigation in South	92,000.00
Agricultural investigation in South	40,000.00
One-half cost of bridge, Hazard, Ky	31,000.00
Yorktown celebration	200,000.00
Agricultural extension work	1,000,000.00
State experimental farm	500.00
Prevention of epidemics	400,000.00
Prevention of spread of contagious diseases	68,040.00
Barberry eradication	377,140.00
Distribution of tree seeds	95,000.00
Investigation of soils	323,705.00
Chemical and physical test food products	1,315,865.00
Bureau of Prohibition	9,024,770.78
National Park Commissioners	15,749.76
Federal Farm Board	1,353,359.17
Planning Commission	1,187,897.48
War Finance Corporation	172,453.88
Alaska relief funds	17,750.26
Alien Property Custodian	500.00
American National Red Cross	43,035.91
Board of Mediation	192,725.71
Bureau of Efficiency	172,960.57
Commission of Fine Arts	9,667.84
Federal Board for Vocational Education	9,100,114.48
United States Shipping Board	33,961,996.34
Federal Oil Conservation Board	9,371.73
Housing Corporation	73,736.11
National Advisory Committee for Aeronautics	1,556,891.01
Porto Rican Hurricane Relief Commission	3,180,444.78
Smithsonian Institution	431,282.17
National Museum	777,429.00
United States Geographic Board	10,137.88
George Rogers Clark Sesquicentennial Commission	188,202.18
George Washington Bicentennial Commission	209,301.30
Investigation of enforcement of prohibition and other laws	244,452.51
Mount Rushmore National Memorial Commission	7,023.00
Protection of interests of United States in oil leases and oil lands	105,247.66
United States-Yorktown Sesquicentennial Commission	20,197.16
Plant quarantine	5,197,003.22
Roads and trails	762,670.34
Road construction	171,022,579.45
Bureau of Public Roads	588,831.03
Enforcement grain futures	165,765.49
Office of the Secretary of Agriculture	1,175,884.65
Office of Information, Department of Agriculture	1,351,857.31
Library, Department of Agriculture	103,652.89
Office of Experiment Stations	4,733,590.14
Extension Service	1,710,349.48
Cooperative agricultural extension work	8,650,229.21
Bureau of Animal Industry	9,885,815.37
Bureau of Dairy Industry	771,845.08
Bureau of Plant Industry	5,433,500.36
Forest Service	18,515,996.72
Cooperative work, Forest Service	2,202,002.79
Payment to States and Territories from national forest fund	1,718,875.33
Acquisition of lands for protection of watersheds and streams	2,195,415.07
Bureau of Chemistry and Soils	1,825,004.58
Bureau of Entomology	2,662,348.09
Bureau of Biological Survey	1,956,514.96
Bureau of Agricultural Economics	6,237,833.53
Bureau of Home Economics	209,024.57
Loans to farmers in storm, flood, and drought-stricken areas	42,568,607.12
Agricultural credits and rehabilitation emergency relief	6,173,780.64
General Land Office	4,648,654.17
Bureau of Reclamation	13,942,762.06
National Park Service	9,142,608.51
Women's Bureau	140,351.07
Bureau of Labor Statistics	393,262.07
Federal Farm Loan Bureau	999,787.66
Bureau of Prohibition, enforcement of narcotic and national prohibition acts	599,552.17
Bureau of Industrial Alcohol, salaries and expenses	4,461,349.67
Bureau of Narcotics	1,611,820.95
Public Health Service	11,000,541.90

Treasury miscellaneous	$74,999.98
Post Office deficit	145,643,613.12
Agricultural marketing act	191,506,622.54
Bureau of Prohibition, Treasury	434.30
Bureau of Industrial Alcohol	148,883.59
Total	797,491,794.85

PERMISSION TO ADDRESS THE HOUSE

Mr. HOWARD. Mr. Speaker, I ask unanimous consent that I may be privileged to address the House to-morrow for 10 minutes immediately following the address of the gentleman from Arkansas.

The SPEAKER. Is there objection?

There was no objection.

MUD RIVER IN THE STATE OF KENTUCKY

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

The Clerk called the first bill on the Consent Calendar, H. R. 5865, declaring the Mud River in the State of Kentucky a nonnavigable stream.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BROWNING. Mr. Speaker, I object.

IMPROVEMENT OF CHEVY CHASE CIRCLE

The next business on the Consent Calendar was House Joint Resolution 152, for the improvement of Chevy Chase Circle with a fountain and appropriate landscape treatment.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, there seems to be anything but unanimity of opinion on the part of residents in and around this circle as to the advisability of this proposed fountain. It seems to me there is some merit in the objection that is being made to the effect that the donation of $10,000 would put up a very meager fountain at this point. I think that rather than rushing the bill through—and I do not think there is any immediate urgency—it would be well to allow this matter to go over for a while. I will be glad to give the gentleman from New York [Mr. BLOOM] the objections I have, so that he may straighten them out.

Mr. BLOOM. I will say to the gentleman that no one appeared before the committee and objected to this proposition. If it requires an additional sum, the people are willing to donate it. What we would like to do is to have this started for the bicentennial year; and if we do not get it started now, we will not be able to finish it in time.

Mr. LAGUARDIA. I am sure a $10,000 fountain at Chevy Chase Circle will not be a very impressive monument.

Mr. BLOOM. It has to be submitted to the Fine Arts Commission, Mr. Speaker.

Mr. LAGUARDIA. I think the gentleman had better let this go over for a while. I have no personal interest in the matter except we do not want to mar the city beautiful of Washington, and this would certainly do it.

Mr. BLOOM. I will say to the gentleman that the beauty of the city could not be marred, because this has to be approved by the Fine Arts Commission, and there is no reason for any objection of that kind.

Mr. LAGUARDIA. That is just what I want to do. I want to take it up with the Fine Arts Commission, and I ask unanimous consent that the bill go over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. LAGUARDIA]?

There was no objection.

PORTRAIT OF FORMER PRESIDENT COOLIDGE

The Clerk called the next business on the Consent Calendar, S. J. Res. 75, a joint resolution authorizing the Joint Committee on the Library to procure an oil portrait of former President Calvin Coolidge.

Mr. PATTERSON. Mr. Speaker, I ask unanimous consent that this bill go over without prejudice.

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

There was no objection.

WITHDRAWALS OF PUBLIC LANDS

The Clerk called the next bill on the Consent Calendar, H. R. 8087, a bill authorizing the Secretary of the Interior to vacate withdrawals of public lands under the reclamation law, with reservation of rights, ways, and easements.

Mr. STAFFORD. Mr. Speaker, this is an important bill and I ask that this go over without prejudice. The Committee on the Public Lands will have the call on Calendar Wednesday very shortly.

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

There was no objection.

BRIDGE ACROSS FOX RIVER IN KANE COUNTY, ILL.

The Clerk called the next bill on the Consent Calendar, H. R. 8236, a bill granting the consent of Congress to the State of Illinois to reconstruct a free highway bridge across the Fox River at Geneva, in Kane County, State of Illinois.

Mr. MILLIGAN. Mr. Speaker, I ask unanimous consent that this bill be recommitted to the Committee on Interstate and Foreign Commerce.

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

There was no objection.

BRIDGE ACROSS FOX RIVER IN M'HENRY COUNTY, ILL.

The Clerk called the next bill on the Consent Calendar, H. R. 8237, a bill granting the consent of Congress to the State of Illinois to construct a free highway bridge across the Fox River, 5½ miles south of McHenry, in McHenry County, State of Illinois.

Mr. MILLIGAN. Mr. Speaker, I make the same request as to this bill.

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

There was no objection.

JURISDICTION OF WAR DEPARTMENT OF INDIAN COUNTRY

The Clerk called the next bill on the Consent Calendar, H. R. 8178, a bill to transfer certain jurisdiction from the War Department in the management of Indian country.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER. There is a similar Senate bill at the desk.

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the Senate bill (S. 3322) be considered in lieu of the House bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That the provisions of section 2139 of the United States Revised Statutes, and the act of January 30, 1897 (29 Stat. 506), now section 241, title 25, United States Code, be amended so as to read as follows:

"SEC. 241. Intoxicating liquors; sale to Indians or introducing into Indian country: No ardent spirits, ale, beer, wine, or intoxicating liquor or liquors of whatever kind shall be introduced, under any pretense, into the Indian country. Every person who sells, exchanges, gives, barters, or disposes of any ardent spirits, ale, beer, wine, or intoxicating liquors of any kind to any Indian under charge of an Indian superintendent or agent, or introduces or attempts to introduce any ardent spirits, ale, wine, beer, or intoxicating liquors of any kind into the Indian country shall be punished by imprisonment for not more than two years and by fine of not more than $300 for each offense.

"Any person who shall sell, give away, dispose of, exchange, or barter any malt, spirituous, or vinous liquor, including beer, ale, wine, or any ardent or other intoxicating liquor of any kind whatsoever, or any essence, extract, bitters, preparation, compound, composition, or any article whatsoever, under any name, label, or brand, which produces intoxication, to any Indian or ward of the Government under charge of any Indian superintendent or agent, or any Indian, including mixed bloods, over whom the Government, through its departments, exercises guardianship, and any person who shall introduce or attempt to introduce any malt, spirituous, or vinous liquor, including beer, ale, and wine, or any ardent or intoxicating liquor of any kind whatsoever into the Indian country, shall be punished by imprisonment for not less than 60 days and by a fine of not less than $100 for the first offense and not less than $200 for each offense thereafter: *Pro-*

vided, however, That the person convicted shall be committed until fine and costs are paid. But it shall be a sufficient defense to any charge of introducing or attempting to introduce ardent spirits, ale, beer, wine, or intoxicating liquors into Indian country that the acts charged were done under authority, in writing, from the Interior Department or any officer duly authorized thereunto by the Interior Department."

Mr. BLANTON. Mr. Speaker, I move to strike out the last word. I merely want to call the attention of the House to the fact that with the wet leader, the distinguished gentleman from Maryland [Mr. LINTHICUM], present on the floor, and also with the distinguished gentleman from New York [Mr. LAGUARDIA], the wet leader from the Republican side of the aisle, present on the floor, both of them vigilant, active always, one of the most drastic prohibition laws in the history of the country has come up for passage by unanimous consent. It applies, however, to the first Americans—the Indians. It prevents all kinds of liquor from being given to, sold to, or used by them.

Mr. LAGUARDIA. This was the law where I was raised, in Arizona, 50 years ago.

Mr. BLANTON. Yes; the gentleman was raised on it, just like he was on the milk bottle, but he has gotten away from it all, except with reference to the Indians. [Laughter.]

Mr. LAGUARDIA. Prohibition has nothing to do with this.

Mr. BLANTON. These wet gentlemen recognize that prohibition is good for the Indians and they let it pass by unanimous consent without objection.

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

A motion to reconsider was laid on the table.

A similar House bill was laid on the table.

COEUR D'ALENE AND ST. JOE NATIONAL FORESTS

The Clerk read the title of the next bill on the Consent Calendar, H. R. 6659, for the inclusion of certain lands in the Coeur d'Alene and St. Joe National Forests, in the State of Idaho, and for other purposes.

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that this bill go over without prejudice.

There was no objection.

ACT TO AMEND SECTION 8 OF THE ACT OF JUNE 19, 1886

The Clerk read the title of the next bill on the Consent Calendar, H. R. 8875, to amend section 8 of the act of June 19, 1886, as amended by section 2 of the act of February 17, 1898 (U. S. C., title 46, sec. 289).

Mr. BOYLAN. Mr. Speaker, I object.

Mr. LAGUARDIA. I ask, Mr. Speaker, that the bill go over without prejudice.

Mr. BLANTON. I object to that.

Mr. BOYLAN. I object to the bill.

SINGERS AND CHORISTERS

The Clerk read the title of the next bill on the Consent Calendar, H. R. 8978, to clarify the application of the contract labor provisions of the immigration laws to singers and choristers.

Mr. STAFFORD. Reserving the right to object, I am not in sympathy with the latter-day policy of keeping out artists who come here to entertain the American public.

Mr. JOHNSON of Washington. If the gentleman will examine the bill——

Mr. STAFFORD. I have examined the bill carefully.

Mr. JOHNSON of Washington. The bill is carefully written and is designed to protect singers and artists in this country.

Mr. STAFFORD. The bill would keep out many performers who have entertained Presidents.

Mr. JOHNSON of Washington. Oh, no; it protects the contract-labor provisions with regard to the arrival of talented singers, and I think it takes care of such as organizations.

Mr. STAFFORD. I ask, Mr. Speaker, that the bill go over without prejudice.

Mr. DYER. Reserving the right to object, I want to ask the gentleman from Wisconsin if he will not withdraw his objection?

Mr. STAFFORD. No.

Mr. DYER. This is for the purpose of protecting American artists in this country.

The SPEAKER. Does the gentleman from Wisconsin object?

Mr. STAFFORD. I do.

IMPROVING INLAND WATERWAY FROM NORFOLK, VA., TO BEAUFORT, N. C.

The Clerk read the title of the next bill on the Consent Calendar, H. R. 6184, for the improvement of the inland waterway from Norfolk, Va., to Beaufort Inlet, N. C.

Mr. STAFFORD. Mr. Speaker, I wish to give further consideration to this bill. Since it was last up I have made some investigation, but there is one further question I wish to investigate. I have written the Chief of Engineers in regard to the matter, and would like to have it go over for another two weeks.

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

There was no objection.

BRIDGE ACROSS MISSOURI RIVER, RANDOLPH, MO.

The next business on the Consent Calendar was the bill (H. R. 8072) to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Randolph, Mo.

The SPEAKER. Is there objection?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, I would not object to the bill if it is amended so as to limit this to a railroad bridge, in conformity with the recommendation of the Roads Bureau. This is a third extension that this promotion has had, and seemingly it has not materialized yet.

Mr. MILLIGAN. Mr. Speaker, it has not, for the reason that there have been negotiations between certain railroads out there, and they have not been able to complete those negotiations.

Mr. LAGUARDIA. I am not objecting to it as a railroad bridge, if the gentleman will accept an amendment in line 4, after the word "of," strike out the word "the" and insert "a railroad," so that it will read "construction of a railroad bridge," and so forth.

Mr. MILLIGAN. I could not agree to that without consulting the Member who introduced the bill. I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

PRIVILEGES, RULES, AND REGULATIONS FOR CANAL ZONE

The next business on the Consent Calendar was the bill (H. R. 7518) to amend an act entitled "An act extending certain privileges of canal employees to other officials on the Canal Zone and authorizing the President to make rules and regulations affecting health, sanitation, quarantine, taxation, public roads, self-propelled vehicles, and police powers on the Canal Zone, and for other purposes, including provision as to certain fees, money orders, and interest deposits," approved August 21, 1916.

The SPEAKER. Is there objection?

Mr. LAGUARDIA. Mr. Speaker, I reserve the right to object. The gentleman from California [Mr. LEA] was kind enough two weeks ago to let this matter go over. I have looked into it, and I find that as a result of existing regulations the Governor of the Panama Canal Zone has so modified the sanitary laws and the quarantine laws as to create a great deal of havoc in the policy of this Government. For instance, he has issued a regulation under the powers now vested in him, under existing law, permitting all vessels to enter the Canal Zone with a simple certificate from any local official, while the quarantine laws of the United States require a health certificate from the American consul.

In other words, any ship leaving a foreign port and coming to the United States or to any possession of the United

States must have a bill of health from the American consul, but owing to the powers given to the Governor of the Panama Canal Zone he has so changed the regulations as to have thrown into confusion the Department of State and the Department of the Treasury. The amendment which the gentleman from California was kind enough to submit to me, while at first blush seemed satisfactory, still leaves with the governor entirely too much discretion. What we desire to do is to have some sort of standard requirements for the practice of medicine in the Canal Zone. I suggest the following amendment to the gentleman from California, that in line 9 of the bill, page 2, after the word "issued," insert a colon and the following:

Provided, That all applicants for a license to practice the healing art shall qualify before a licensing board, the members of which shall be the senior medical officers of the Army, Navy, and Public Health Service on duty in the Canal Zone and one member selected by the governor.

That would establish a reasonable control, and while the territory is small, surely the gentleman from California can see the danger that might ensue if at any time we had a governor who had peculiar or fixed notions in respect to the matter of medicine or the art of healing.

Mr. LEA. The only physicians permitted to practice there at the present time, those who are licensed, are employees of the Government, outside of physicians from the Republic of Panama, who are permitted to practice in the Canal Zone.

Mr. LAGUARDIA. I do not think the bill is really necessary.

Mr. LEA. There is a board of health there. Will the gentleman be willing to let them pass on the sufficiency of the applicant? The present regulations are copied after those of the District of Columbia.

Mr. LAGUARDIA. Who is on the board of health?

Mr. LEA. I could not tell you.

Mr. LAGUARDIA. It is a governmental board of health.

Mr. LEA. Yes; it is a Canal Zone Board of Health.

Mr. LAGUARDIA. That would be satisfactory.

Mr. LEA. Then suppose we amend it so that it will read "under regulations prescribed by him," that being the President, and strike out the words "under regulations to be prescribed by the governor" and insert "the Board of Health of the Canal Zone."

Mr. LAGUARDIA. Yes. That would be satisfactory.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. With that understanding, I shall not object.

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 1 of the act approved August 21, 1916 (ch. 371, 39 Stat. 527), is hereby amended to read as follows: "That, until otherwise provided by Congress, the President is authorized to make rules and regulations in matters of sanitation, health, and quarantine for the Canal Zone or to modify or change existing rules and regulations and those hereafter made from time to time: *Provided*, That the President may authorize the Governor of the Panama Canal to issue licenses to practice the healing art under regulations to be prescribed by the governor, which regulations shall include conditions under which such licenses shall be issued and include provisions for revocation for cause of licenses issued. Violations of any quarantine regulations provided for herein shall be punished by fine not to exceed $500 or by imprisonment in jail not to exceed 90 days, or by both such fine and imprisonment, in the discretion of the court; and a violation of any sanitary or health regulation authorized hereunder shall be punished by a fine not to exceed $25 or by imprisonment in jail not to exceed 30 days, or by both such fine and imprisonment, in the discretion of the court. Each day such violation may continue shall constitute a separate offense."

SEC. 2. That section 4 of the act approved August 21, 1916 (ch. 371, 39 Stat. 527), is hereby amended to read as follows:

"SEC. 4. Whoever shall be guilty of any conduct which tends to disturb the peace or the orderly administration of government, or injure the morals, safety, or health of the community, shall be punished as for a misdemeanor, except as may be otherwise specifically provided in the laws of the Canal Zone."

SEC. 3. That section 5 of said act approved August 21, 1916, is hereby amended to read as follows:

"SEC. 5. Any person who commits any act or who carries on any business, trade, or occupation in the Canal Zone without complying with the rules and regulations established by the President for the levying, assessing, and collecting of taxes, or who violates any rules or regulations for the use of the public roads and highways, or who violates any rules and regulations touching the licensing, taxes, operation, and use of self-propelled vehicles, shall be punished by fine not to exceed $25 or by imprisonment in jail not to exceed 30 days, or by both such fine and imprisonment, in the court's discretion."

With the following committee amendment:

Strike out sections 2 and 3.

The committee amendment was agreed to.

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

The Clerk read as follows:

Amendment offered by Mr. LEA: Page 2, line 4, after the word "President," insert "under regulations prescribed by him," and after the word "the," in the same line, strike out the word "Governor" and insert "Public Health Board of the Canal Zone"; and in line 5, after the word "art," strike out the words "under regulations to be prescribed by the Governor."

The SPEAKER. The question is on agreeing to the amendments offered by the gentleman from California.

The amendments were agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

AMENDING THE PENAL CODE OF THE CANAL ZONE

The Clerk called the next bill on the Consent Calendar, H. R. 7519, to amend the Penal Code of the Canal Zone.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object—of course, I shall not object—I simply want to confess I have not had time to study the bill carefully and therefore I am disqualified to pass judgment upon it.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, as this and the next bill provide for the criminal procedure applicable to the Canal Zone and as they are quite lengthy, I thought it might be practicable if both bills be passed over temporarily, to be taken up later in the afternoon.

Mr. COLLINS. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. COLLINS. I think it would be well for the gentleman from California [Mr. LEA] to state who prepared these codifications of laws. There are other similar bills that will be reached soon on the calendar.

Mr. LEA. I gave a full statement to the House at the session two weeks ago, explaining somewhat in detail the way in which this codification was prepared. A special codifier was employed, furnished by the West Publishing Co. He went to Panama and studied these measures for 15 months. As a committee working with him were the district judge of the Canal Zone and also the district attorney. Subsequently the bills were studied and revised by a committee of eight, appointed by the governor. Then, subsequent to that, the bar association studied them.

Mr. COLLINS. Who composed that committee of eight?

Mr. LEA. They were appointees of the governor and employees of the Canal Zone. Of course, all American citizens there are employees. Six of those men were lawyers, members of that committee. In addition to that the bar association made a study of them, and also the Metal Trades Council appointed a committee which made a study of the bills after they were printed. All agree that they would prefer to have the bills passed as they are. Some of them preferred changes, but, taking these measures as they are, all persons interested in the zone preferred to have the bills passed rather than have any delay.

Mr. COLLINS. Has the gentleman the changes that were suggested?

Mr. LEA. Yes; the changes are set forth more or less in detail in the report, but in the main they are a revision of the existing law, except the Civil Code, which is a new code.

Mr. COLLINS. What has the commission done on this situation? The administration of the civil laws of the Canal Zone is under the War Department. The War Department recommends the judge, the district attorney, and the other court officers. I believe the administration of civil justice

on the Canal Zone ought to be under the jurisdiction of officials responsible to civilian authority.

Mr. LEA. The President now has authority to place it under the Attorney General, and the governor and the Secretary of War have agreed that shall be done. We contemplated offering legislation covering that matter, but inasmuch as the President has the power already, and the governor has consented to this exercise, as well as the Secretary of War, we concluded to dispose of it in that way.

Mr. COLLINS. There is nothing in these codification bills that might be regarded as a continuation of the old system, is there?

Mr. LEA. Not in that respect. We have already passed a bill which more or less radically changes the judicial system, and we tried to give the judge more independence than he has ever had before. We have placed the marshal and the district attorney under the direct appointment of the President.

Mr. COLLINS. Who recommends the appointment of the judge, the district attorney, and the marshal under the new system?

Mr. LEA. The Attorney General would recommend the appointment as soon as that system is made the order.

Mr. STAFFORD. Mr. Speaker, under reservation of objection, if it is the wish of the gentleman from California to go ahead with this and the next bill at the present time, I have no objection. I thought it would expedite consideration of the bills finally if we passed over these two revision bills temporarily.

Mr. LEA. Mr. Speaker, after the passage of this bill, if it is passed, I will ask unanimous consent that we dispense with the reading of the two large codes to follow in order to save time. I would say to the Speaker that one of these codes involves over 500 pages, and it would manifestly be hard to read to-day.

Mr. STAFFORD. Will the gentleman yield?

Mr. LEA. I yield.

Mr. STAFFORD. I have examined somewhat carefully the bill at present under consideration, and the following bill providing, respectively, for the codification of the Penal Code and of the Code of Criminal Procedure, but I have not examined the two lengthy bills following, and I am going to ask unanimous consent to have those two following bills passed over without prejudice. These two I am ready to have disposed of at the present time.

Mr. LEA. Well, I would not object to that.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., that section 1 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SECTION 1. That this act shall hereafter be known as the 'Criminal Code of the Canal Zone.'"

SEC. 2. That section 4 of the Penal Code of the Canal Zone is hereby repealed.

SEC. 3. That section 6 of the Penal Code of the Canal Zone is hereby repealed.

SEC. 4a. That section 14 of the Penal Code is hereby amended to read as follows:

"SEC. 14. As to all offenses included in this code, a felony is a crime which is punishable with death or by imprisonment in the penitentiary. Every other crime is a misdemeanor. When a crime punishable by imprisonment in the penitentiary is also punishable by fine or imprisonment in jail, in the discretion of the court, it shall be deemed a misdemeanor for all purposes after a judgment imposing a punishment other than imprisonment in the penitentiary.

"As to all offenses against the general laws of the United States applicable to the Canal Zone, a felony is a crime which may be punished by death or imprisonment for a term exceeding one year, and all other such offenses shall be deemed misdemeanors."

SEC. 5. That section 15 of the Penal Code is hereby amended to read as follows:

"SEC. 15. Except in cases where a different punishment is prescribed by law, every offense declared to be a felony is punishable by imprisonment in the penitentiary not exceeding five years or by a fine not exceeding $5,000, or by both such fine and imprisonment."

SEC. 6. That section 16 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 16. Except in cases where a different punishment is prescribed by law, every offense declared to be a misdemeanor is punishable by imprisonment in jail not exceeding 30 days or by a fine not exceeding $100, or by both."

SEC. 7. That section 20 of the Penal Code of the Canal Zone is hereby repealed.

SEC. 8. That Title II of the Penal Code of the Canal Zone is hereby amended by inserting therein after section 23 a new section numbered 23a to read as follows:

"SEC. 23a. The district court of the Canal Zone, in exercise of its original jurisdiction of criminal actions, when it shall appear to the satisfaction of the court that the ends of justice and the best interests of the public, as well as the defendant, will be subserved thereby, shall have power, after conviction or after a plea of guilty for any crime or offense not punishable by death or life imprisonment, to suspend the imposition or execution of sentence and to place the defendant upon probation for such period and upon such terms and conditions as the court deems best; or the court may impose a fine and may also place the defendant upon probation in the manner aforesaid. The court may revoke or modify any condition of probation, or may change the period of probation. The period of probation, together with any extension thereof, shall not exceed five years.

"While on probation the defendant may be required to pay in one or several sums a fine imposed at the time of being placed on probation and may also be required to make restitution or reparation to the aggrieved party or parties for actual damages or loss caused by the offense for which conviction was had, and may also be required to provide for the support of any person or persons for whose support he is legally responsible."

SEC. 9. That section 26 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 26. A sentence of imprisonment in jail, when imposed, may be executed by confinement in any jail of the Canal Zone."

SEC. 10. That section 29 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 29. Whenever any person is declared punishable for a crime by imprisonment in the penitentiary for a term not less than any specified number of years, and no limit of the duration of such imprisonment is declared, the court authorized to pronounce judgment upon such conviction may, in its discretion, sentence such offender to imprisonment for any number of years not less than that prescribed."

SEC. 11. That subdivision 2 of section 34 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"2. All who commit any offense without the Canal Zone which, if committed within the Canal Zone, would be larceny, robbery, or embezzlement under the laws of the Canal Zone, and bring the property stolen or embezzled, or any part of it, or are found with it, or any part of it, within the Canal Zone."

SEC. 12. That section 37 of the Penal Code is hereby amended by adding, after the word "court" in sentence 2, the words "or jury."

SEC. 13. That Title III of the Penal Code of the Canal Zone is hereby amended by inserting therein after section 43 a new section numbered 43a to read as follows:

"SEC. 43a. The Postal Laws and Regulations of the United States, not locally inapplicable, which define crimes against the Postal Service, and prescribe punishments therefor, are hereby extended to the Canal Zone and shall be enforceable in the courts of the Canal Zone in the manner and form prescribed for other criminal cases by the Canal Zone laws."

SEC. 14. That the word "intent" in section 44 of the Penal Code is hereby amended to read "attempt."

SEC. 15. That section 49 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 49. The right of self-defense in no case extends to the infliction of more harm than is necessary for the purpose of defense."

SEC. 16. That the word "magistrate" in sections 58, 59, and 60 shall hereafter be deemed to refer to the magistrates authorized by section 7 of the Panama Canal act, approved August 24, 1912, as amended.

SEC. 16a. That Title VIII of the Penal Code of the Canal Zone is hereby amended by inserting therein, preceding section 75, a new section numbered 74a, to read as follows:

"SEC. 74a. The words 'executive office' as used in this title shall be construed to mean such offices as are occupied and administered by the Governor of the Panama Canal and the heads of the various departments or divisions of the Panama Canal and the Panama Railroad Co., and the words 'executive officer' to mean the Governor of the Panama Canal and the heads of the various departments or divisions of the Panama Canal and the Panama Railroad Co."

SEC. 17. That section 79 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 79. Every executive or ministerial officer who knowingly asks or receives any emolument, gratuity, or reward, or any promise thereof, excepting such as may be authorized by law, for doing any official act, is guilty of a felony."

SEC. 17a. That section 80 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 80. No officer or agent of any corporation, joint-stock company, or association, and no member or agent of any firm, or person directly or indirectly interested in the pecuniary profits or contracts of such corporation, joint-stock company, association,

or firm, shall be employed or shall act as an officer or agent of the United States, the Panama Canal, or the Panama Railroad Co., for the transaction of business with such corporation, joint-stock company, association, or firm. Whoever shall violate the provisions of this section shall be fined not more than $2,000 and imprisoned in the penitentiary not more than two years."

SEC. 18. That section 83 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 83. Every public officer who, for any gratuity or reward, appoints another person to a public office, or permits another person to exercise or discharge any of the duties of his office, is guilty of a felony, and in addition thereto forfeits his office, and is forever disqualified from holding any office in the Government of the Canal Zone."

SEC. 19. That section 89, section 90, section 91, section 92, and section 93 of the Penal Code of the Canal Zone, defining under Title IX crimes against the legislative power, are hereby repealed.

SEC. 20. That section 94 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 94. Every person who gives or offers to give a bribe to any judicial officer, juror, referee, arbitrator, or umpire, or to any person who may be authorized by law to hear or determine any question or controversy, with intent to influence his vote, opinion, or decision upon any matter or question which is brought before him for a decision, is punishable by imprisonment in the penitentiary not more than 10 years."

SEC. 21. That section 95 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 95. Every judicial officer, juror, referee, arbitrator, or umpire, and every person authorized by law to hear or determine any question or controversy, who asks, receives, or agrees to receive, any bribe, upon any agreement or understanding that his vote, opinion, or decision upon any matter or question which is or may be brought before him for decision, shall be influenced thereby, is punishable by imprisonment in the penitentiary not more than 10 years."

SEC. 22. That section 96 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 96. Every judicial officer who asks or receives any emolument, gratuity, or reward, or any promise thereof, except such as may be authorized by law, for doing an official act, is guilty of a felony."

SEC. 23. That section 98 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 98. Every person who corruptly attempts to influence a juror, or any person summoned or drawn as a juror, or chosen as an arbitrator, or umpire, or appointed a referee, in respect to his verdict in, or decision of any cause, or proceeding, pending, or about to be brought before him, either:

"1. By means of any communication, oral or written, had with him except in the regular course of proceedings;

"2. By means of any book, paper, or instrument exhibited, otherwise than in the regular course of proceedings;

"3. By means of any threat, intimidation, persuasion, or entreaty; or,

"4. By means of any promise, or assurance of any pecuniary or other advantage;

"Is punishable by a fine not exceeding $5,000, or by imprisonment in the penitentiary not exceeding five years."

SEC. 24. That section 99 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 99. Every juror, or person drawn or summoned as a juror, or chosen abitrator or umpire, or appointed referee, who either:

"1. Makes any promise or agreement to give a verdict or decision for or against any party; or,

"2. Willfully and corruptly permits any communication to be made to him, or receives any book, paper, instrument, or information relating to any cause or matter pending before him, except according to the regular course of proceedings, is punishable by fine not exceeding $5,000, or by imprisonment in the penitentiary not exceeding five years."

SEC. 25. That section 102 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 102. Every person, not an officer referred to in the preceding section, who is guilty of any of the acts specified in that section, is punishable by imprisonment either in the penitentiary not exceeding five years, or in jail not exceeding one year, or by a fine not exceeding $1,000, or both such fine and imprisonment."

SEC. 26. That Chapter II of Title X of the Penal Code of the Canal Zone is hereby amended by inserting therein after section 103 a new section numbered 103a to read as follows:

"SEC. 103a. Every person who adds any names to the list of persons selected to serve as jurors, either by placing the same in the jury box, or otherwise, or extracts any name therefrom, or destroys the jury box or any of the pieces of paper containing the names of jurors, or mutilates or defaces such names so that the same can not be read, or changes such names on the pieces of paper, except in cases allowed by law, is guilty of a felony."

SEC. 27. That Chapter II of Title X of the Penal Code of the Canal Zone is hereby amended by inserting therein after section 103a a new section numbered 103b, to read as follows:

"SEC. 103b. Every officer or person required by law to certify to the list of persons selected as jurors who maliciously, corruptly, or willfully certifies to a false or incorrect list, or a list containing other names than those selected, or who, being required by law to write down the names placed on the certified lists on separate pieces of paper, does not write down and place in the jury box the same names that are on the certified list, and no more and no less than are on such list, is guilty of a felony."

SEC. 28. That Chapter III of Title X of the Penal Code of the Canal Zone is hereby amended by inserting therein after section 104 a new section numbered 104a to read as follows:

"SEC. 104a. Any person who, in any affidavit taken before any person authorized to administer oaths, swears, affirms, declares, deposes, or certifies that he will testify, declare, depose, or certify before any competent tribunal, officer, or person, in any case then pending or thereafter to be instituted, in any particular manner, or to any particular fact, and in such affidavit willfully and contrary to such oath states as true any material matter which he knows to be false, is guilty of perjury. In any prosecution under this section, the subsequent testimony of such person, in any action involving the matters in such affidavit contained, which is contrary to any of the matters in such affidavit contained, shall be prima facie evidence that the matters in such affidavit were false."

SEC. 29. That section 110 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 110. Perjury is punishable by imprisonment in the penitentiary for a term not exceeding 10 years."

SEC. 30. That section 113 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 113. Every person who practices any fraud or deceit, or knowingly makes or exhibits any false statement, representation, token, or writing, to any witness, or person about to be called as a witness upon any trial, proceeding, inquiry, or investigation whatever authorized by law, with intent to affect the testimony of such witness, is guilty of a felony."

SEC. 31. That section 115 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 115. Every person who, knowing that any book, paper, record, instrument in writing or other matter or thing, is about to be produced in evidence upon any trial, inquiry, or investigation whatever authorized by law, willfully destroys or conceals the same, with intent thereby to prevent it from being produced, is guilty of a felony."

SEC. 32. That section 116 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 116. Every person who willfully prevents or dissuades any person who is or may become a witness from attending upon any trial, proceeding, or inquiry authorized by law is guilty of a felony."

SEC. 33. That section 122 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 122. Every officer, warden or jailer, or guard who is guilty of willful inhumanity toward any prisoner under his care or in his custody is punishable by imprisonment in jail not exceeding one year or by a fine not exceeding $2,000, or by both such fine and imprisonment, and by removal from office."

SEC. 34. That section 123 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 123. Every person who willfully resists, delays, or obstructs any public officer in the discharge, or attempt to discharge any duty of his office, when no other punishment is prescribed, is punishable by fine not exceeding $5,000 or imprisonment in jail not exceeding one year, or by both such fine and imprisonment."

SEC. 35. That section 124 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 124. Every public officer who, under color of authority, without lawful necessity, assaults, wrongs, oppresses, or beats any person is guilty of a felony."

SEC. 36. That section 127 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 127. Every debtor who fraudulently removes his property or effects beyond the jurisdiction of the courts, or faudulently sells, conveys, assigns, or conceals his property, with intent to defraud, hinder, or delay his creditors of their rights, claims, or demands is punishable by imprisonment in the penitentiary not exceeding one year or by a fine not exceeding $5,000, or by both."

SEC. 37. That section 131 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 131. A person guilty of misbehavior in the presence of or so near a court, judge, or magistrate as to obstruct the administration of justice, including the refusal of a person present in court to be sworn as a witness or to answer as a witness when lawfully required, shall be guilty of contempt, which the court may punish summarily by imprisonment in jail not exceeding 10 days or by fine not exceeding $100, or by both such fine and imprisonment."

SEC. 38. That the Penal Code of the Canal Zone is hereby amended by inserting section 131a, to read as follows:

"SEC. 131a. A person guilty of any of the following acts may be punished as for contempt:

"1. Disobedience of or resistance to a lawful writ, process, order, judgment, or command of the district or a magistrate's court, or injunction granted by the district court or judge;

"2. Misbehavior of an officer of a court in the performance of his official duties, or in his official transactions;

"3. A failure to obey a subpœna duly served;

"4. The rescue, or attempted rescue, of a person or property in the custody of an officer by virtue of an order or process of a court held by him."

SEC. 39. That the Penal Code of the Canal Zone is hereby amended by inserting section 131b, to read as follows:

"SEC. 131b. The court shall determine whether the accused is guilty of contempt, and, if he be adjudged guilty, he may be fined

not exceeding $100 or imprisoned not more than 10 days, or both. If the contempt consists in the violation of an injunction, the person guilty of such contempt may also be ordered to make complete restitution to the party injured by such violation."

SEC. 40. That section 132 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 132. Every public officer authorized by law to make or give any certificate or other writing who makes and delivers as true any such certificate or writing containing statements which he knows to be false is guilty of a felony."

SEC. 41. That section 133 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 133. Every district attorney, clerk, judge, or other officer who, except by issuing or in executing a warrant of arrest, willfully discloses the facts of a presentment or information having been made for a felony until the defendant has been arrested is guilty of a felony."

SEC. 42. That section 135 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 135. Every captain, master of a vessel, or other person who willfully imports, brings, or sends, or causes or procures to be brought or sent into the Canal Zone, any person who is a foreign convict of any crime which, if committed within the Canal Zone, would be punishable as a felony, or who is delivered or sent to him from any prison or place of confinement in any place without the Canal Zone, is guilty of a felony, and every person so landing shall also be guilty of a felony."

SEC. 43. That section 136 of the Penal Code of the Canal Zone is hereby amended by adding after the word "imprisonment," in subsection 3 thereof, the words "in the penitentiary."

SEC. 44. That section 137 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 137. Every person who willfully injures or destroys, or takes or attempts to take, or assists any person in taking or attempting to take, from the custody of any officer or person, any personal property which such officer or person has in charge under any process of law is guilty of a felony."

"SEC. 45. That Chapter V of Title X of the Penal Code of the Canal Zone is hereby amended by inserting therein after section 141 a new section No. 141a to read as follows:

"SEC. 141a. Any person who willfully assists any inmate of a hospital of the Government of the Canal Zone to escape, or in an attempt to escape therefrom, is guilty of a misdemeanor."

SEC. 46. That section 142 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 142. Every officer or person to whom a writ of habeas corpus may be directed who, after service thereof, neglects or refuses to obey the command thereof, is guilty of a felony."

SEC. 47. That section 143 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 143. Every person who, either solely or as a member of a court, knowingly and unlawfully recommits, imprisons, or restrains of his liberty, for the same cause, any person who has been discharged upon a writ of habeas corpus, is guilty of a felony."

SEC. 48. That section 144 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 144. Every person having in his custody, or under his restraint or power, any person for whose relief a writ of habeas corpus has been issued, who, with intent to elude the service of such writ, or to avoid the effect thereof, transfers such person to the custody of another, or places him under the power or control of another, or conceals or changes the place of confinement or restraint, or removes him without the jurisdiction of the court or judge issuing the writ, is guilty of a felony."

SEC. 49. That chapter 5 of Title X of the Penal Code of the Canal Zone is hereby amended by adding thereto the following sections:

"145a. Every attorney who, whether as attorney or as counselor, either—

"1. Is guilty of any deceit or collusion, or consents to any deceit or collusion, with intent to deceive the court or any party; or

"2. Willfully delays his client's suit with a view to his own gain; or

"3. Willfully receives any money or allowance for or on account of any money which he has not laid out or become answerable for, is guilty of a felony.

"145b. Every attorney who, either directly or indirectly, buys or is interested in buying any evidence of debt or thing in action, with intent to bring suit thereon, is guilty of a felony.

"145c. Any person other than one regularly admitted to the bar of the district court of the Canal Zone who advertises or represents himself as practicing or entitled to practice law in any court of the Canal Zone, other than for himself, is guilty of a misdemeanor."

SEC. 50. That section 148 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 148. Murder which is perpetrated by means of poison, lying in wait, torture, or by other willful, deliberate, or premeditated act or acts, or which is committed in the perpetration or attempt to perpetrate arson, rape, robbery, burglary, or mayhem is murder of the first degree, and all other kinds of murders are of the second degree."

SEC. 50a. That section 162 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 162. Kidnaping is punishable by imprisonment in the penitentiary not more than 50 years."

SEC. 50b. That section 163 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 163. Every person who maliciously, forcibly, or fraudulently takes or entices away any child under the age of 12 years, with intent to detain and conceal such child from its parent, guardian, or other person having the lawful charge of such child, is punishable by imprisonment in the penitentiary for not more than 50 years."

SEC. 50c. That section 164 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 164. Every person who, with intent to kill, administers, or causes or procures to be administered to another, any poison or other noxious or destructive substance or liquid, but by which death is not caused, is punishable by imprisonment in the penitentiary not more than 20 years."

SEC. 50d. That section 165 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 165. Every person who assaults another with intent to commit murder is punishable by imprisonment in the penitentiary not more than 20 years."

SEC. 50e. That section 166 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 166. Every person who shall unlawfully throw out a switch, remove a rail, or place any obstruction on any railroad, tramway, or electric railway, with the intent of derailing any passenger, freight, or other car, or who shall unlawfully board any passenger train with intent of robbing the same, or who shall unlawfully place any dynamite or any other explosive material or any obstruction on the track of any railroad, tramway, or electric railway, with the intent of blowing up or derailing any passenger, freight, or other car, or who shall unlawfully set afire to any railroad, tramway, or electric railway, bridge or trestle, over which any passenger, freight, or other car must pass, with intent of wrecking said car, upon conviction thereof shall be adjudged guilty of a felony, and shall be punishable by imprisonment in the penitentiary for not more than 40 years."

SEC. 51. That section 167 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 167. Every physician who, in a state of intoxication, does any act as such physician to another person by which the life of such other person is endangered, is guilty of a felony."

SEC. 51a. That section 168 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 168. Every person who willfully mingles any poison with any food, drink, or medicine, with intent that the same shall be taken by any human being, to his injury, and every person who willfully poisons any spring, well, or reservoir of water, is punishable by imprisonment in the penitentiary for a term not more than 20 years."

SEC. 51b. That section 169 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 169. Every person who assaults another with intent to commit rape, the infamous crime against nature, mayhem, robbery, or grand larceny is punishable by imprisonment in the penitentiary not more than 14 years."

SEC. 51c. That section 182 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 182. Every person who willfully and maliciously places or throws, or causes to be placed or thrown, upon the person of another any vitriol, corrosive acid, or caustic chemical of any nature with the intent to injure the flesh or disfigure the body of such person is punishable by imprisonment in the penitentiary not more than 14 years."

SEC. 52. That section 188 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 188. False imprisonment is punishable by fine not exceeding $5,000, or by imprisonment in the penitentiary not more than one year, or both."

SEC. 53. That section 190 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 190. Every person who willfully and with a malicious intent to injure another publishes or procures to be published any libel is punishable by a fine not exceeding $5,000, or imprisonment in the penitentiary not exceeding one year."

SEC. 54. That section 192 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 192. In all criminal prosecutions for libel the truth may be given in evidence to the jury, and if it appears to the jury that the matter charged as libelous is true and was published with good motives and for justifiable ends the party shall be acquitted."

SEC. 55. That section 198 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 198. Every person who threatens another to publish a libel concerning him, or any parent, husband, wife, or child of such person or member of his family, and every person who offers to prevent the publication of any libel upon another person, with intent to extort any money or other valuable consideration from any person, is guilty of a felony."

SEC. 56. That section 204 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 204. Rape is punishable by imprisonment in the penitentiary not more than 50 years, except where the offense is under subdivision 1 of section 201 of the Penal Code, in which case the punishment shall be either by imprisonment in jail for not more than 1 year or in the penitentiary for not more than 50 years, and in such case the jury shall recommend by their verdict

whether the punishment shall be by imprisonment in jail or in the penitentiary; provided that when the defendant pleads guilty of an offense under subdivision 1 of section 201 of the Penal Code the punishment shall be in the discretion of the trial court, either by imprisonment in jail for not more than 1 year or in the penitentiary for not more than 50 years."

SEC. 56a. That section 205 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 205. Every person who takes any woman unlawfully, again her will, and by force, menace, or duress, compels her to marry him, or to marry any other person, or to be defiled, is punishable by imprisonment in the penitentiary not more than 14 years."

SEC. 56b. That section 211 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 211. Every person who provides, supplies, or administers to any pregnant woman, or procures any such woman to take any medicine, drug or substance, or uses or employs any instrument or other means whatever, with intent thereby to procure the miscarriage of such woman, unless the same is necessary to preserve her life, is punishable by imprisonment in the penitentiary not more than five years."

SEC. 56c. That section 212 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 212. Every woman who solicits of any person any medicine, drug, or substance whatever, and takes the same, or who submits to any operation, or to the use of any means whatever, with intent thereby to procure a miscarriage, unless the same is necessary to preserve her life, is punishable by imprisonment in the penitentiary not more than five years."

SEC. 56cc. That section 213 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 213. Every person who willfully writes, composes, or publishes any notice or advertisement of any medicine or means for producing or facilitating a miscarriage or abortion, or who offers his services by any notice, advertisement, or otherwise, to assist in the accomplishment of any such purpose, is guilty of a felony: *Provided*, That nothing in the laws applicable to the Canal Zone shall be construed to forbid regular physicians from giving contraceptive information to their patients in the regular course of practice or to make nonmailable standard medical works, standard medical and scientific journals and reprints therefrom which contain information with reference to the preventing of conception."

SEC. 56d. That section 218 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 218. Bigamy is punishable as a felony."

SEC. 57. That section 220 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 220. Persons being within the degrees of consanguinity within which marriages are declared by this section to be incestuous, who intermarry with each other, or who commit fornication or adultery with each other, are punishable by imprisonment in the penitentiary not exceeding 10 years. Marriages between parents and children, ancestors and descendants of every degree, and between brothers and sisters of the half as well as the whole blood, and between uncles and nieces, or aunts and nephews, are incestuous, whether the relationship is legitimate or illegitimate."

SEC. 58. That section 221 and section 222 of the Penal Code of the Canal Zone are hereby repealed.

SEC. 59. That chapter V of title XII of the Penal Code of the Canal Zone is hereby amended by inserting therein after section 223 a new section, No. 223a, to read as follows:

"SEC. 223a. Any person who shall willfully and lewdly commit any lewd or lascivious act other than the acts constituting other crimes provided for in this code upon or with the body, or any part or member thereof, of a child under the age of 13 years, with the intent of arousing, appealing to, or gratifying the lust or passions or sexual desires of such person or of such child, shall be guilty of a felony and shall be imprisoned in the penitentiary for a term not exceeding 10 years."

SEC. 60. That section 227 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 227. Every person who shall bury or inter, or cause to be buried or interred, the dead body of any human being, or any human remains, in any place other than in a cemetery or place of burial now existing under the laws of the Canal Zone, and in which interments have been made or that is now or may hereafter be established or organized, except with the permission of the Governor of the Panama Canal, shall be guilty of a misdemeanor."

SEC. 61. That section 229 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 229. Every person who is authorized or enjoined to arrest any person for a violation of subdivision 3 of the preceding section is equally authorized and enjoined to seize any obscene or indecent writing, paper, book, picture, print, or figure found in possession or under the control of the person so arrested, and to deliver the same to the magistrate before whom the person so arrested is required to be taken."

SEC. 62. That section 230 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 230. The magistrate to whom any obscene or indecent writing, paper, book, picture, print, or figure is delivered, pursuant to the foregoing section, must, upon the examination of the accused, or if the examination is delayed or prevented, without awaiting such examination, determine the character of such writing, paper, book, picture, print, or figure, and if he finds it to be obscene or indecent, he must deliver one copy to the district attorney."

SEC. 63. That section 235 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 235. Whoever, through invitation or device, prevails upon any person to visit any room, building, or other places kept for the purposes of prostitution is guilty of a misdemeanor; and upon conviction thereof shall be imprisoned in jail not exceeding six months, or fined not exceeding $500, or be punished by both such fine and imprisonment."

SEC. 64. That sections 236 to 241, inclusive, of the Penal Code of the Canal Zone, are hereby repealed.

SEC. 65. That section 243 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 243. Every member of a partnership who commits any fraud upon the other members in the affairs of the partnership is punishable by imprisonment in the penitentiary for not more than five years."

SEC. 66. That section 244 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 244. Every person guilty of any harsh, cruel, or unkind treatment of, or any neglect of duty toward any idiot, lunatic, or insane person is guilty of a felony."

SEC. 67. That section 245 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 245. Every person who makes, issues, or puts in circulation any bill, check, ticket, certificate, promissory note, or the paper of any bank, to circulate as money, except as authorized by the laws of the United States or the Canal Zone, is guilty of a felony."

SEC. 67a. That section 248 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 248. Every person having charge of any steam boiler or steam engine, or other apparatus for generating or employing steam used in any manufactory or on any railroad or in any vessel or in any kind of mechanical work who willfully or from ignorance or neglect creates, or allows to be created, such an undue quantity of steam as to burst or break the boiler, engine, or apparatus, or to cause any other accident whereby the death of a human being is produced is punishable by imprisonment in the penitentiary for not more than 10 years."

SEC. 67b. That section 250 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 250. Every conductor, engineer, brakeman, switchman, or other person having charge, wholly or in part, of any railroad car, locomotive, or train which is used as a common carrier who willfully or negligently suffers or causes the same to collide with another car, locomotive, or train, or with any other object or thing whereby the death of a human being is produced, is punishable by imprisonment in the penitentiary not more than 10 years."

SEC. 68. That Title XIII of the Penal Code of the Canal Zone is hereby amended by inserting therein after section 250 a new section, numbered 250a, to read as follows:

"SEC. 250a. Whenever an automobile, motor cycle, or other motor vehicle, or any vehicle whatsoever, regardless of the power by which the same may be propelled or drawn, strikes any person, or collides with any vehicle containing a person, the driver of, and all persons in, such automobile, motor cycle, or other motor vehicle, or other vehicle, who have or assume authority over such driver, shall immediately cause such automobile, motor cycle, or other motor vehicle, or other vehicle, to stop and shall render to the person struck, or to the occupants of the vehicle collided with, all necessary assistance, including the carrying of such person or occupant to a physician or surgeon for medical or surgical treatment, if such treatment be required, or if such carrying is requested by the person struck or the occupant of the vehicle struck; and such driver, and person having or assuming authority over such driver, shall further remain at the scene of the accident until the arrival of the police authorities or shall communicate without delay to the nearest police authorities a full report of the accident.

"Any person violating any of the provisions of this section is punishable by imprisonment in the penitentiary not exceeding five years or in jail not exceeding one year, or by fine not exceeding $5,000, or by both such fine and imprisonment."

SEC. 69. That Title XIII of the Penal Code of the Canal Zone is hereby amended by inserting therein after section 250a a new section, numbered 250b, to read as follows:

"SEC. 250b. Any person operating or driving an automobile, motor cycle, or other motor vehicle who becomes or is intoxicated while so engaged in operating or driving such automobile, motor cycle, or other motor vehicle shall be guilty of a misdemeanor."

SEC. 70. That Title XIII of the Penal Code of the Canal Zone is hereby amended by inserting therein after section 250b a new section, numbered 250c, to read as follows:

"SEC. 250c. Any person operating or driving an automobile, motor cycle, or other motor vehicle who becomes or is intoxicated while so engaged in operating or driving such automobile, motor cycle, or other motor vehicle, and who by reason of such intoxication does any act, or neglects any duty imposed by law, which act or neglect of duty causes the death of, or bodily injury to, any person, shall be punishable by imprisonment in the penitentiary not exceeding 10 years, or in jail not exceeding 1 year, or by fine not exceeding $500, or by both such fine and imprisonment."

SEC. 71. That section 255 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 255. Every person who makes or keeps on the zone or transports on or across the zone more than 5 pounds of gunpowder, nitroglycerin, or other highly explosive substance without a permit from the governor so to do is guilty of a misdemeanor."

SEC. 72. That section 258 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 258. Any person who places in bales, bags, boxes, barrels, or other packages of sugar, tobacco, coffee, rice, or other goods usually sold in bales, bags, boxes, barrels, or other packages, by weight or otherwise, and conceals therein anything whatever for the purposes of increasing the weight or measurement of such bales, bags, boxes, barrels, or other packages, with intent thereby to sell the goods therein, or to enable another to sell the same for an increased weight or measurement, is guilty of a misdemeanor."

SEC. 73. That section 269 of the Penal Code of the Canal Zone is hereby repealed.

SEC. 74. That section 270 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 270. If the owner of a ferocious, vicious, or mischievous animal, knowing its propensities, willfully suffers it to go at large, or keeps it without ordinary care, and such animal, while so at large, or while not kept with ordinary care, kills any human being who has taken all the precautions which the circumstances permitted, or which a reasonable person would ordinarily take in the same situation, such owner is guilty of a felony."

SEC. 75. That Title XIII of the Penal Code of the Canal Zone is hereby amended by inserting therein a new section, No. 270a, to read as follows:

"SEC. 270a. If the owner of a ferocious, vicious, or mischievous animal, knowing its propensities, willfully suffers it to go at large, or keeps it without ordinary care, and such animal, while so at large, or while not kept with ordinary care, attacks, bites, or maims any human being who has taken all the precautions which the circumstances permitted, or which a reasonable person would ordinarily take in the same situation, such owner is punishable by imprisonment in jail not exceeding one year, or by fine not exceeding $500, or both."

SEC. 76. That section 276 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 276. Every person who brings into the Canal Zone any cattle, horses, mules, or asses, after the governor has made proclamation holding in quarantine, for the purpose of inspection for contagious or infectious diseases, such animals, and allows the same or any of them to leave the place of their first arrival in the Canal Zone until they have been examined by the health department, and a certificate has been obtained therefrom that such animals are free from disease, or permits any such animals to run at large, or to be removed, or to escape, before such certificate has been received, is punishable by a fine not exceeding $500."

SEC. 77. That section 279 of the Penal Code of the Canal Zone is hereby repealed.

SEC. 78. That section 282 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 282. Every person who participates in any riot is punishable by imprisonment in the penitentiary not exceeding two years, or by fine not exceeding $2,000, or both."

SEC. 79. That section 283 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 283. Whenever two or more persons, assembled and acting together, make any attempt or advance toward the commission of an act which would be a riot if actually committed, such assembly is a rout."

SEC. 80. That section 285 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 285. Every person who participates in any rout or unlawful assembly is guilty of a misdemeanor."

SEC. 81. That section 286 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 286. Every person remaining present at the place of any riot, rout, or unlawful assembly, after the same has been lawfully warned to disperse, except public officers and persons assisting them in attempting to disperse the same, is guilty of a misdemeanor."

SEC. 82. That section 293a of the Penal Code of the Canal Zone, as added by the Executive order of January 9, 1908, is hereby amended to read as follows:

"SEC. 293a. Every vagrant or person found within the Canal Zone without legitimate business or visible means of support; and

"2. Every mendicant or habitual beggar found within the Canal Zone; and

"3. Every person found within or loitering about any laborers' camp, mess house, quarters, or other Canal Zone building, or any railroad car or station or other building of the Panama Railroad Co., or any dwelling or other building owned by any private person without due and proper authority and permission so to be; or peddling goods or merchandise about any laborers' camp or mess house during hours when laborers are ordinarily employed at work or in or about places where groups of men are at work; and

"4. Every person found in any public place in such a state of intoxication as to disturb others, or unable by reason of his condition to care for his own safety or the safety of others, shall upon conviction thereof be punished by a fine of not to exceed $25 or by imprisonment in jail not to exceed 30 days, or by both such fine and imprisonment."

SEC. 82a. That the last paragraph of section 294 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"Is punishable by imprisonment in the penitentiary for not more than 10 years, and is disqualified from holding any office in the Canal Zone."

SEC. 83. That section 295 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 295. Any employee of the United States, the Panama Canal, or the Panama Railroad Co. who collects or receives public moneys:

"1. Who fails, fully and promptly, to account for any and all public funds, fines, internal-revenue stamps, licenses, receipts, books, documents, records, papers, or any other form of public property; or

"2. Who is guilty of any extortion or willful oppression under color of law; or

"3. Who knowingly demands other or greater sums than are authorized by law or receives any fee, compensation, or award, except as herein provided for the performance of any duty; or

"4. Who willfully neglects to perform any of the duties enjoined upon him by laws; or

"5. Who conspires or colludes with any person to defraud the public revenues; or

"6. Who makes opportunities for any person to defraud the public revenues; or

"7. Who does or omits to do any act with intent to enable any other person to defraud the public revenues; or

"8. Who, negligently or designedly, permits any violation of the law by any person; or

"9. Who makes or signs any false entry in any book, or makes or signs any false certificate or return in any case where he is required by law to make any entry, certificate, or return; or

"10. Who, having knowledge or information of the violation of any provision of the laws respecting public revenues by any person, or of fraud committed by any person against the public revenues, fails to report in writing such violation or fraud to the designated authority; or

"11. Who demands, accepts, or attempts to collect, directly or indirectly, as payment, gift, or otherwise, any sum of money or other thing of value for the compromise, adjustment, or settlement of any charge or complaint for any violation or alleged violation of the laws respecting public revenues; or

"12. Who shall divulge or make known, in any manner whatsoever not provided by law, to any persons, the accounts, condition of business affairs, or manner of conducting the same of any person, association, or corporation whose books, accounts, and business operations may have been investigated in the discharge of their duties, shall be dismissed from office and shall be guilty of a felony, and, upon conviction, shall be fined not more than $2,000, or be imprisoned in the penitentiary not more than five years, or both, at the discretion of the court. For the purpose of this section, all funds, moneys, and properties of the Panama Railroad Co. shall be deemed public funds."

SEC. 84. That section 297 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 297. The phrase 'public moneys,' as used in the preceding sections, includes all bonds and evidences of indebtedness, and all moneys belonging to the United States, the government of the Canal Zone, the Panama Canal, or the Panama Railroad Co., and all moneys, bonds, and evidences of indebtedness received or held by Canal Zone or Panama Railroad officers or employees in their official capacity."

SEC. 85. That section 298 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 298. If any clerk, marshal, or other officer, who receives any fine or forfeiture or other moneys, refuses or neglects to pay over the same according to law, and within 30 days after the receipt thereof, he is punishable by imprisonment in jail not exceeding six months, or by a fine not exceeding $500, or by both."

SEC. 86. That sections 299, 300, 301, and 302 of the Penal Code of the Canal Zone are hereby repealed.

SEC. 87. That section 305 of the Penal Code of the Canal Zone is hereby repealed.

SEC. 88. That section 306 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 306. Arson is the willful and malicious burning of a building with intent to destroy it."

SEC. 88a. That section 311 of the Penal Code of the Canal Zone is hereby repealed.

SEC. 89. That section 324 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 324. Forgery is punishable by imprisonment in the penitentiary for a term not exceeding 14 years."

SEC. 90. That section 325 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 325. Every person who knowingly and willfully sends by telegraph or telephone to any person a false or forged message, purporting to be from a telegraph or telephone office, or from any other person, or who willfully delivers or causes to be delivered to any person any such message falsely purporting to have been received by telegraph or telephone, or who furnishes, or conspires to furnish, or causes to be furnished to any agent, operator, or employee, to be sent by telegraph or telephone, or to be delivered, any such message, knowing the same to be false or forged, with the intent to deceive, injure, or defraud another, is punishable by imprisonment in the penitentiary not exceeding five years, or in

jail not exceeding one year, or by fine not exceeding $5,000, or by both such fine and imprisonment."

SEC. 91. That section 326 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 326. Every person who has in his possession, or receives from another person, any forged promissory note or bank bill, or bills for payment of money or property, with the intention to pass the same or to permit, cause, or procure the same to be uttered or passed, with the intention to defraud any person, knowing the same to be forged or counterfeited, or has or keeps in his possession any blank or unfinished note or bill made in the form or similitude of any promissory note or bill for payment of money or property, made to be issued by any incorporated bank or banking company, with intention to fill up and complete such blank and unfinished note or bill, or to permit, or cause, or procure the same to be filled up and completed, in order to utter or pass the same, or to permit, or cause, or procure the same to be uttered or passed, or to defraud any person, is punishable by a fine of not more than $1,000 or by imprisonment at hard labor in the penitentiary not more than five years, or by both."

SEC. 91a. That section 327 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 327. Every person who makes, passes, utters, or publishes, with intention to defraud any other person, or who, with the like intention, attempts to pass, utter, or publish, or who has in his possession, with like intent to utter, pass, or publish, any fictitious bill, note, or check, purporting to be the bill, note, or check or other instrument in writing for the payment of money or property of some bank, corporation, copartnership, or individual, when in fact, there is no such bank, corporation, copartnership, or individual in existence, knowing the bill, note, check, or instrument in writing to be fictitious, is punishable by imprisonment in the penitentiary for not more than five years."

SEC. 92. That Chapter IV of Title XVI of the Penal Code of the Canal Zone is hereby amended by inserting therein after section 327 a new section numbered 327a to read as follows:

"SEC. 327a. Every person who for himself or as the agent or representative of another or as an officer of a corporation, willfully, with intent to defraud, makes or draws or utters or delivers to another person any check or draft on a bank, banker, or depositary for the payment of money, knowing at the time of such making, drawing, uttering, or delivery, that he or his principal or the corporation of which he is an officer has not sufficient funds in, or credit with such bank, banker, or depositary, to meet such check or draft in full upon its presentation, is punishable by imprisonment in jail for not more than 1 year or in the penitentiary for not more than 14 years. The word 'credit' as herein used shall be construed to be an arrangement or understanding with the bank or depositary for the payment of such check or draft."

SEC. 92a. That section 329 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 329. Counterfeiting is punishable by imprisonment in the penitentiary for not more than five years."

SEC. 92b. That section 330 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 330. Every person who has in his possession, or receives from any other person, any counterfeit gold or silver coin of the species current in the Canal Zone, or any counterfeit gold dust, gold or silver bullion, or bars, lumps, pieces, or nuggets, with the intention to sell, utter, put off, or pass the same, or permits, causes, or procures the same to be sold, uttered, or passed, with intention to defraud any person, knowing the same to be counterfeit, is punishable by imprisonment in the penitentiary not more than five years."

SEC. 93. That section 336 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 336. That every person who, within the Canal Zone, shall have in his possession any such false, forged, or counterfeited bond, certificate, obligation, security, Treasury note, bill, promise to pay, bank note, or bill issued by a bank or other corporation of the United States, State, or Territory thereof, or any foreign country, with intent to utter, pass, or put off the same, or to deliver the same to any other person with intent that the same may thereafter be uttered, passed, or put off as true, or who shall knowingly deliver the same to any other person with such intent, shall, upon conviction thereof as aforesaid, be punished by a fine of not more than $1,000 or by imprisonment at hard labor in the penitentiary not more than five years, or by both."

SEC. 94. That section 339 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 339. Every person who, for the purpose of restoring to its original appearance and nominal value in whole or in part, removes, conceals, fills up, or obliterates the cuts, marks, punch holes, or other evidence of cancellation from any ticket, check, order, coupon, receipt for fare, or pass issued by any railroad company, or any lessee or manager thereof, canceled in whole or in part, with intent to dispose of by sale or gift, or to circulate the same, or with intent to defraud the railroad company, or lessees thereof, or any other person, or who, with like intent to defraud, offers for sale or in payment of fare on the railroad of the company such ticket, check, order, coupon, or pass, knowing the same to have been so restored, in whole or in part, is punishable by imprisonment in jail not exceeding six months or by fine not exceeding $1,000, or by both imprisonment and fine."

SEC. 94a. That the Penal Code of the Canal Zone is hereby amended by inserting after section 339 thereof a new section, numbered 339a, reading as follows:

"SEC. 339a. Every person who, with intent to defraud, alters any clubhouse, commissary, or restaurant check, ticket, coupon, or other evidence of a transaction with such clubhouse, commissary, or restaurant, is guilty of a misdemeanor punishable by imprisonment in jail not exceeding six months or by fine not exceeding $1,000, or by both such fine and imprisonment."

SEC. 95. That section 345 of the Penal Code of the Canal Zone is hereby repealed.

SEC. 96. That section 352 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 352. Every person who, in any country or State of the United States, embezzles or steals the property of another, or receives such property knowing it to have been embezzled or stolen, and brings the same into the Canal Zone, may be convicted and punished in the same manner as if such embezzlement, larceny, or receiving had been committed in the Canal Zone."

SEC. 97. That Chapter V of Title XVI of the Penal Code of the Canal Zone is hereby amended by inserting therein after section 354 a new section, numbered 354a, to read as follows:

"SEC. 354a. Any person who shall, without the permission of the owner thereof, take any automobile, bicycle, motor cycle, or other vehicle for the purpose of temporarily using or operating the same shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding $200 or by imprisonment in jail not exceeding three months, or by both such fine and imprisonment."

SEC. 98. That Chapter V of Title XVI of the Penal Code of the Canal Zone is hereby amended by inserting therein after section 354a a new section, numbered 354b, to read as follows:

"SEC. 354b. Every owner or manager of an automobile garage, or agent or employee of such owner or manager, or any other person having the care, custody, or possession of any automobile, who takes, hires, runs, drives, or uses such automobile, or who takes or removes therefrom any part thereof, without the owner's consent, is punishable by a fine not exceeding $1,000 or by imprisonment in jail not exceeding one year, or by both such fine and imprisonment."

SEC. 98a. That section 355 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 355. Every person who saves from fire, or from a building endangered by fire, any property, and for two days thereafter corruptly neglects to notify the owner thereof, is punishable by imprisonment in the penitentiary not more than 10 years."

SEC. 99. That section 359 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 359. Every officer of the government of the Canal Zone, and every deputy, clerk, or servant of any such officer, and every officer, director, trustee, clerk, servant, attorney, or agent of any association, society, or corporation (public or private), and any other person who fraudulently appropriates to any use or purpose not in the due and lawful execution of his trust, any property which he has in his possession or under his control by virtue of his trust, or secretes it with a fraudulent intent to appropriate it to such use or purpose, is guilty of embezzlement."

SEC. 100. That section 366 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 366. The fact that the accused intended to restore the property embezzled is no ground of defense or of mitigation of punishment, if it has not been restored before a complaint has been laid before a magistrate or an information has been filed before the district court, charging the commission of the offense."

SEC. 101. That section 367 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 367. Whenever, prior to any complaint laid before a magistrate or an information filed in the district court, charging the commission of embezzlement, the person accused voluntarily and actually restored or tendered restoration of the property alleged to have been embezzled, or any part thereof, such fact is not a ground of defense, but it authorizes the court to mitigate punishment, in its discretion."

SEC. 101a. That section 383 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 383. Every person who, after once selling, bartering, or disposing of any property, real or personal, or any interest therein, or after executing any bond or agreement for the sale of any of such property, again willfully and with intent to defraud previous or subsequent purchasers, sells, barters, or disposes of the same property, or any part thereof, or interest therein, or willfully and with intent to defraud previous or subsequent purchasers, executes any bond or agreement to sell, barter, or dispose of the same property, or any part thereof, or interest therein, to any other person for a valuable consideration, is punishable by imprisonment in the penitentiary not more than 10 years."

SEC. 102. That section 386 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 386. Every commission merchant, broker, agent, factor, or consignee, who shall willfully and corruptly make, or cause to be made, to the principal or consignor of such commission merchant, agent, broker, factor, or consignee, a false statement concerning the price obtained for or the quality or quantity of any property consigned or intrusted to such commission merchant, agent, broker, factor, or consignee, for sale, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding $500, or imprisonment in jail not exceeding six months, or by both such fine and imprisonment."

SEC. 102a. That the Penal Code of the Canal Zone is hereby amended by adding thereto, after section 389, a new section, reading as follows:

"SEC. 389a. Every person who, after mortgaging any personal property, during the existence of such mortgage, with intent to defraud the mortgagee, his representative or assigns, takes, drives, carries away, or otherwise removes or permits the taking, driving, or carrying away, or other removal of the mortgaged property, or any part thereof, from the Canal Zone, without the written consent of the mortgagee; or who sells, transfers, or in any manner further incumbers the said mortgaged property, or any part thereof, or causes the same to be sold, transferred, or further incumbered, is guilty of larceny and is punishable accordingly; unless at or before the time of making such sale, transfer, or incumbrance, such mortgagor informs the person to whom such sale, transfer, or incumbrance is made, of the existence of the prior mortgage, and also informs the prior mortgagee of the intended sale, transfer, or incumbrance, in writing, by giving the name and place of residence of the party to whom the sale, transfer, or incumbrance is to be made."

SEC. 102b. That section 390 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 390. Every person who willfully burns or in any other manner injures or destroys any property which is at the time insured against loss or damage by fire, or by any other casualty, with intent to defraud or prejudice the insurer, whether the same be the property of or in the possession of such person, or of any other, is punishable by imprisonment in the penitentiary not more than 10 years."

SEC. 102c. That section 401 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 401. Every director, officer, or agent of any corporation or joint-stock association who knowingly receives or possesses himself of any property of such corporation or association otherwise than in payment of a just demand, and who, with intent to defraud, omits to make, or to cause or direct to be made, a full and true entry thereof in the books or accounts of such corporations or associations, and every director, officer, agent, or member of any corporation or joint-stock association, who, with intent to defraud, destroys, alters, mutilates, or falsifies any of the books, papers, writings, or securities belonging to such corporation or association, or makes, or concurs in making, any false entries, or omits, or concurs in omitting, to make any material entry in any book of accounts, or other record or document kept by such corporation or association, is punishable by imprisonment in the penitentiary not more than 10 years or a fine not exceeding $500, or by both such fine and imprisonment."

SEC. 103. That Chapter XIII of Title XVI of the Penal Code of the Canal Zone is hereby amended by inserting therein after section 420 a new section numbered 420a to read as follows:

"SEC. 420a. Any person who throws or deposits any glass bottle, glass, nails, tacks, hoops, wire, cans, or any other substance likely to injure any person, animal, or vehicle upon any public highway in the Canal Zone shall be guilty of a misdemeanor."

SEC. 104. That section 424 of the Penal Code of the Canal Zone is hereby repealed.

SEC. 105. That subsections 4, 5, and 6 of section 426 of the Penal Code of the Canal Zone are hereby amended to read as follows:

"Every person who willfully commits any trespass by either—

"4. Digging, taking, or carrying away from any lot situated within the Canal Zone, without the license of the owner or legal occupant thereof, any earth, soil, or stone; or,

"5. Digging, taking, or carrying away from any land in the Canal Zone, recognized or established as a street, alley, avenue, or park, without the license of the proper authorities, any earth, soil, or stone; or,

"6. Putting up, affixing, fastening, printing, or painting upon any property of any person, without license from the owner, any notice, advertisement, or designation of, or any name for any commodity, whether for sale or otherwise, or any picture, sign, or device intended to call attention thereto, is guilty of a misdemeanor."

SEC. 106. That section 431 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 431. Every person who willfully and maliciously cuts, breaks, injures, or destroys any bridge, dam, canal, flume, aqueduct, levee, embankment, reservoir, or other structure erected to create hydraulic power, or to drain or reclaim any swamp and overflowed tide or marsh land, or to store or conduct water for agricultural or other purposes, or for the supply of the inhabitants of any city or town, or any embankment necessary to the same, or either of them, or willfully or maliciously makes, or causes to be made, any aperture in such dam, canal, flume, aqueduct, reservoir, embankment, levee, or structure, with intent to injure or destroy the same, or draws up, cuts, or injures any piles fixed in the ground for the purpose of securing any sea bank, or sea walls, or any dock, quay, or jetty, lock, or sea wall, is guilty of a felony, and upon conviction, punishable by a fine not exceeding $1,000, or by imprisonment in the penitentiary not exceeding two years, or by both."

SEC. 107. That section 434 of the Penal Code of the Canal Zone is hereby repealed.

SEC. 108. That section 435 of the Penal Code of the Canal Zone is hereby repealed.

SEC. 109. That section 436 of the Penal Code of the Canal Zone, as amended by the Executive order of April 24, 1908, is hereby amended to read as follows:

"SEC. 436. Every person who willfully injures, defaces, or removes any signal, monument, building, or appurtenance thereto, placed, erected, or used by persons engaged in the United States Coast and Geodetic Survey, the Military Survey of the United States Army, the Hydrographic Office of the United States Navy, or any other Government surveys, or the Panama Canal, or any public-service company within the Canal Zone, knowing the same to be a boundary or survey monument, is guilty of a felony."

SEC. 110. That section 438 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 438. Every person who maliciously mutilates, tears, defaces, obliterates, or destroys any written instrument, the property of another, the false making of which would be forgery, is punishable by imprisonment in the penitentiary for a term not exceeding five years."

SEC. 111. That section 440 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 440. Every person, not the owner thereof, who willfully injures, disfigures, or destroys any monument, work of art, or useful or ornamental improvement within the limits of the Canal Zone, or any shade tree or ornamental plant growing therein, whether situated upon private grounds or on any street, sidewalk, or public park, or place, is guilty of a misdemeanor."

SEC. 112. That section 444 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 444. Every person who, by means of any machine, instrument, or contrivance, or in any other manner, willfully and fraudulently reads, or attempts to read, any message, or to learn the contents thereof, whilst the same is being sent over any telegraph line, or willfully and fraudulently, or clandestinely learns, or attempts to learn, the contents or meaning of any message while the same is in any telegraph or cable office, or is being received thereat or sent therefrom, or who uses or attempts to use, or communicates to others, any information so obtained, is punishable by imprisonment in the penitentiary for not more than five years, or by fine of not to exceed $5,000, or both."

SEC. 113. That section 445 of the Penal Code of the Canal Zone is hereby amended to read as follows:

"SEC. 445. Every person who, by the payment or promise of any bribe, inducement, or reward, procures, or attempts to procure, any telegraph or cable agent, operator, or employee to disclose any private message, or the contents, purport, substance, or meaning thereof, or offers to any such agent, operator, or employee any bribe, compensation, or reward for the disclosure of any private information received by him by reason of his trust as such agent, operator, or employee, or uses, or attempts to use, any such information so obtained, is punishable by imprisonment in the penitentiary for not more than five years, or by a fine of not more than $5,000, or both."

SEC. 114. That the first subdivision of section 461 of the Penal Code of the Canal Zone, defining the word "willfully," is hereby amended to read as follows:

"First. The word 'willfully,' when applied to the intent with which an act is done or omitted, implies simply a purpose or willingness to commit the act, or make the omission referred to. It does not require any intent to violate law, or to injure another, or to acquire any advantage."

With the following committee amendments:

Line 1, page 2, strike out "4a" and insert "4."

Page 3, line 11, strike out the words "the district" and insert "any trial," and in line 12 strike out the word "original."

Page 4, at the beginning of line 2, after the word "years," insert "in the district court, or one year in a magistrate court."

Page 18, line 5, after the word "any," strike out the words "inmate of" and insert in lieu thereof the words "person legally confined in."

Page 19, line 24, strike out the word "felony" and insert in lieu thereof the word "misdemeanor."

Page 29, line 23, strike out the words "five years" and insert in lieu thereof the words "one year."

Page 32, line 4, strike out the word "further" and insert in lieu thereof the word "either."

The committee amendments were agreed to.

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

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

PRIVILEGES, RULES, AND REGULATIONS FOR THE CANAL ZONE

Mr. LEA. Mr. Speaker, I find that in adopting an amendment a while ago we duplicated some of the existing language. In order to make that clerical correction I ask unanimous consent to return to the bill (H. R. 7518) to amend an act entitled "An act extending certain privileges of canal employees to other officials on the Canal Zone and authorizing the President to make rules and regulations affecting health, sanitation, quarantine, taxation, public roads, self-propelled vehicles, and police powers on the Canal Zone, and for other purposes, including provision as to certain fees, money orders, and interest deposits, and vacate the proceedings by which that bill was passed."

The SPEAKER. The gentleman from California asks unanimous consent to return to the bill H. R. 7518 and

vacate the proceedings by which that bill was passed, for the purpose of making a correction. Is there objection?

There was no objection.

Mr. LEA. Mr. Speaker, I offer an amendment. On page 2, line 4, strike out the words "of the Panama Canal."

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

The Clerk read as follows:

Amendment offered by Mr. LEA: On page 2, line 4, strike out the words "of the Panama Canal."

The amendment was agreed to.

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

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

AMENDMENT OF THE CODE OF CRIMINAL PROCEDURE FOR THE CANAL ZONE

The Clerk called the next bill, H. R. 7520, to amend the Code of Criminal Procedure for the Canal Zone.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I think it is due the House that the gentleman should make a brief explanation of this important bill, which relates to the criminal procedure that will be applicable to the Canal Zone, particularly so far as it affects the jury system and the changes in the rules of evidence that are prescribed in this bill.

Mr. LEA. Mr. Speaker, this is a revision of the criminal law adopted for the Canal Zone by order of the Isthmian Canal Commission in 1904. The partial adoption of the Penal Code of California at that time was intended to be temporary. It was done hastily and not in a thorough manner. It is found defective in many respects. Since that time the jury-trial system has been adopted for the Canal Zone. In 1908 a man was hanged in the Canal Zone without a jury trial, as the law provided no jury trial. Since that a law providing for jury trials has been adopted.

Mr. STAFFORD. Was that a trial by the court in the district court?

Mr. LEA. It was tried by three judges under the system that prevailed at that time. Those courts have since been abolished. That led to the establishment of the jury system, so that one purpose of revising this Criminal Code is to adapt it to the jury system of trial.

Another thing proposed by this code is to provide a probation system for the Canal Zone, which does not exist at the present time. This code applies that system both to the district court and the magistrate courts for a limited period.

Another important phase of this revision is that in the main it eliminates the minimum penalties and leaves the penalty in the discretion of the judge, limited only by the maximum penalty. Then there is a change in the jurisdiction of the magistrate courts, raising the fine that may be imposed from $25 to $100 in criminal cases.

Then there is also a provision definitely permitting the imprisonment of a man in any of the jails in the zone instead of requiring him to be confined in a particular jail in the district where he is convicted.

Mr. STAFFORD. Will the gentleman yield?

Mr. LEA. Yes.

Mr. STAFFORD. My attention was directed to the amendment of section 9 as found on page 11 of the report, where you make all laws of the United States applicable to the Canal Zone. I wish to inquire whether under existing practice there is such an extensive and all-pervading provision making the laws of the United States, so far as applicable, cover the Canal Zone? I direct the gentleman's attention to page 11 of the report, section 9.

Every person is liable to punishment by the law of the Canal Zone.

And here is the amendment:

Or by the laws of the United States applicable to the Canal Zone, for an offense committed by him therein.

So you are extending very generally the criminal laws of the United States—of course, so far as they may be applicable—to the Canal Zone, whereas before a person could only be punished for violation of the laws of the Canal Zone.

Mr. LEA. The reason for this section grew out of the dispute among lawyers as to what are laws of the Canal Zone. The contention by one group of lawyers is that laws can not be called Canal Zone laws unless they are made especially for the Canal Zone. So they have made this distinction between the laws. One class they call the Canal Zone laws and the other the United States laws, which are specifically made applicable to the Canal Zone.

Mr. STAFFORD. Here you are going to extend all criminal law, so far as applicable to the Canal Zone, as being the basis for punishment for offenses in the Canal Zone.

Mr. LEA. No; it is not the intention to make all laws of the United States applicable, but only those that are made applicable specifically.

Mr. STAFFORD. That is not the reading of the amendment, and I think we should hesitate before we go ahead with the consideration of the bill under unanimous consent. Section 9, as appears in the report at page 11, reads, as amended, as follows:

Every person is liable to punishment by the law of the Canal Zone, or by the laws of the United States applicable to the Canal Zone, for an offense committed by him therein.

You are now broadening very generally by that language—and counter to the opinion of the gentleman just expressed, that it is only the intention to make those laws applicable for offenses which are designated to be applicable in the Canal Zone.

Mr. LEA. I am under the impression that the terms of the bill itself sustain the distinction I make.

Mr. STAFFORD. I am making my inquiry based upon the change of existing law as found in the report on page 11.

Mr. HOCH. Will the gentleman yield?

Mr. STAFFORD. Surely.

Mr. HOCH. As I read this, I think the gentleman misinterprets the intention. The language is, "or by the laws of the United States applicable to the Canal Zone." This would seem to me to limit it to the laws of the United States which in their terms are made applicable to the Canal Zone.

Mr. STAFFORD. With all due deference, I think it would bear a much broader construction. Any criminal law that would be applicable would be held under that phraseology to embody offenses committed in the Canal Zone.

Mr. HOCH. Will the gentleman note that language again very carefully, and let us read the whole section:

Every person is liable to punishment by the law of the Canal Zone, or by the laws of the United States applicable to the Canal Zone, for an offense committed by him therein.

It seems to me that plainly means simply those laws of the United States which are applicable to the Canal Zone, and they could only be applicable to the Canal Zone when they are specifically made applicable in the statute itself.

Mr. STAFFORD. I think there ought to be a clarifying amendment to express the intendment of the Congress.

Mr. HOCH. If we would insert after the words "United States," the words "which are," would not that make it beyond any question?

Mr. STAFFORD. I think so.

Mr. LEA. That would be agreeable.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 2 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 2. No person can be convicted of a public offense unless by the verdict of a jury, accepted and recorded by the court, or upon a plea of guilty, or upon a judgment of the district court, a jury having been waived, or upon the judgment of a magistrate's court."

SEC. 2. That section 3 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 3. Every offense of which the district court has original jurisdiction must be prosecuted by information signed by the district attorney, or in the case of his absence by an assistant district attorney. The information must state that it is based upon due investigation of the facts relating to the crime charged therein."

SEC. 2a. That the Code of Criminal Procedure for the Canal Zone is hereby amended by adding a new section numbered 3a, reading as follows:

"SEC. 3a. Wherever the designation 'district attorney' appears in this code such designation shall include an assistant district attorney: *Provided, however,* That this section shall only apply during the absence or disability of the district attorney or during a vacancy in the office of district attorney."

SEC. 3. That section 8 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 8. The jurisdiction of an offense triable either in the district or magistrates' courts shall be in the division or subdivision where the offense has been committed."

SEC. 4. That section 9 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 9. Every person is liable to punishment by the law of the Canal Zone, or by the laws of the United States applicable to the Canal Zone, for an offense committed by him therein."

SEC. 5. That section 11 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 11. In a criminal action, the defendant is entitled—

"1. To a speedy and public trial.

"2. To be allowed counsel as in civil actions, or to appear and defend in person and with counsel.

"3. To produce witnesses on his behalf and to be confronted with the witnesses against him, in the presence of the court, except that where the charge has been preliminarily examined before a committing magistrate and the testimony taken down by question and answer in the presence of the defendant, who has, either in person or by counsel, cross-examined or had an opportunity to cross-examine the witness; or where the testimony of a witness on the part of the Government, who is unable to give security for his appearance, has been taken conditionally in the like manner in the presence of the defendant, who has, either in person or by counsel, cross-examined or had an opportunity to cross-examine the witness, the deposition of such witness may be read, upon its being satisfactorily shown to the court that he is dead or insane, or can not with due diligence be found within the Canal Zone; and except also that in the case of offenses hereafter committed the testimony on behalf of the Government or the defendant of a witness deceased, insane, out of jurisdiction, or who can not, with due diligence, be found within the Canal Zone, given on a former trial of the action in the presence of the defendant, who has, either in person or by counsel, cross-examined or had an opportunity to cross-examine the witness, may be admitted."

SEC. 6. That section 12 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 12. The magistrates and the district attorney shall have power to issue warrants for the arrest of persons charged with public offenses."

SEC. 7. That section 14 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 14. One magistrate may conduct the proceedings of the magistrate of the other subdivision upon inability to act, sickness, or any other cause. In such cases the proper entry of the proceedings of such magistrate so acting shall be made in the docket of the magistrate for whom he so acts."

SEC. 7a. That section 18 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 18. Before a magistrate shall issue a warrant in any case, a complaint must be made by affidavit of the complaining witness, clearly charging therein the offense committed, and such affidavit must be signed by said complaining witness."

SEC. 8. That section 19 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 19. Every affidavit shall contain as particularly as can be done the nature of the offense charged and the particulars as to the time, place, person, and property, so as to enable the defendant to understand the nature and character of such offense."

SEC. 9. That section 20 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 20. After a complaint has been made charging that an offense has been committed against the laws of the Canal Zone, and the magistrate before whom such complaint was made is satisfied that the complaint charges an offense, he shall forthwith issue a warrant of arrest for the offending party, directed to any peace officer, commanding the said peace officer to forthwith arrest the offender and bring him before the said magistrate."

SEC. 11. That the Code of Criminal Procedure for the Canal Zone be amended by inserting therein, following section 21, a new section numbered 21a, to read as follows:

"SEC. 21a. The warrant must specify the name of the defendant, or, if it is unknown to the magistrate, the defendant may be designated therein by any name. It must also state the time of issuing it, and the place where it is issued, and be signed by the magistrate, with his name and office. The warrant must be directed to and executed by a peace officer."

SEC. 12. That the Code of Criminal Procedure for the Canal Zone is hereby amended by inserting therein, following section 21a, a new section numbered 21b, to read as follows:

"SEC. 21b. The following are peace officers: The marshal and deputy marshals of the Canal Zone, constables of the magistrate courts, and all officers and members of the police force of the Canal Zone."

SEC. 13. That section 22 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 22. In the event that the offense charged against the person be triable in the magistrate's court, the defendant may be admitted to bail upon executing a bond in a sum to be fixed by the magistrate not exceeding $500. Such bond shall be in favor of the 'government of the Canal Zone' upon condition that the defendant shall be and appear before said magistrate at a certain date therein mentioned; said bond shall be signed by the defendant and two or more good and sufficient sureties. The date of the appearance shall not be later than three days from the signing of the bond. Should the defendant fail to enter into such bond, the said magistrate shall commit him to jail awaiting trial."

SEC. 14. That section 23 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 23. Whenever a person arrested charged with an offense cognizable by a magistrate is placed on trial, he shall give the names of his witnesses, if he has any, and their places of abode; and the magistrate shall forthwith issue subpœnas for the same to testify in said cause. The subpœnas shall state the day, hour, and place of trial."

SEC. 15. That section 24 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 24. When a defendant is put upon trial in a magistrate's court, the magistrate shall read the complaint to the defendant, whereupon the defendant may plead to the same, which plea shall be 'guilty' or 'not guilty.' Should the defendant refuse to answer or plead to the same, the magistrate shall enter a plea of not guilty. Should the defendant plead guilty, the magistrate shall, after hearing testimony to determine the gravity of the offense, within 24 hours thereafter render his decision as to the amount of punishment to be inflicted."

SEC. 16. That section 25 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 25. After having heard the charge, if the defendant plead 'not guilty,' the proceedings shall be as follows:

"First. The witnesses for the prosecution shall be examined under oath. The oath shall be as follows: 'You do solemnly swear before Almighty God that you will tell the truth, the whole truth, and nothing but the truth, in the matter now pending before me.'

"Second. The witnesses for the defendant, including the defendant himself if he wishes to testify, shall be examined under oath; if the defendant does not testify, that fact can not be used against him.

"Third. Witnesses for the prosecution may be called to testify in rebuttal only of testimony given by the defendant or his witnesses.

"Fourth. The court shall then consider the evidence, and within 24 hours thereafter render his decision. The trial must be had and a decision rendered in the presence of the defendant. When a decision is in favor of the defendant by acquitting him of the charge, he shall be at once released. Should the decision be that the defendant is guilty, the court shall, within the time limit, fine or commit the defendant to jail, or both, as the case may be."

SEC. 17. That section 26 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 26. A private person who has arrested another for the commission of an offense must without unnecessary delay take the person arrested before a magistrate or deliver him to a peace officer."

SEC. 18. That section 30 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 30. If the offense charged is bailable and the defendant is arrested in another division or subdivision, the officer must, upon being required by the defendant, take him before the magistrate in that subdivision, who may admit the defendant to bail to answer before the magistrate issuing the warrant within a reasonable time."

SEC. 19. That section 32 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 32. If, on the admission of the defendant to bail, the bail is not forthwith given, the officer must take the defendant before the magistrate who issued the warrant or to whom it is made returnable."

SEC. 20. That section 33 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 33. When a magistrate orders the defendant to be held to answer, after preliminary investigation in cases triable in the district court, he must make out a commitment signed by him, with his name and office, and deliver it, with the defendant, to the officer to whom he is committed, or if that officer is not present, to a peace officer, who must deliver the defendant to the proper custody, together with the commitment."

SEC. 21. That section 40 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 40. Any attorney at law entitled to practice in the courts of the Canal Zone may, at the request of a prisoner, after his arrest, visit the person so arrested."

SEC. 22. That section 41 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 41. Whenever any person is charged, other than by information direct, with an offense not triable before the magistrate, the said magistrate shall hold a preliminary hearing, and if the magistrate be satisfied that the offense has been committed, and there exists probable cause that the defendant has committed the same, he shall remand the defendant to jail, or admit him to bail, as the case may be, for his appearance before the district court to answer said charge. If there be no evidence that an offense has

been committed, or no probable cause showing the defendant's connection therewith, he shall be discharged."

SEC. 23. That section 44 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 44. An appeal from the judgment of a magistrate's court may be taken by the defendant by giving notice in open court of his intention so to do at the time the judgment is rendered. Upon the perfection of such an appeal the magistrate shall forthwith transmit the warrant and the complaint to the clerk of the district court."

SEC. 24. That section 50 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 50. When a judgment is rendered against a defendant that he pay a fine and the cost of said proceeding, should he fail to do so at once, the magistrate shall commit him to jail, to be confined one day for each $1 fine and costs remaining unpaid: *Provided, however*, That such imprisonment shall not exceed 30 days in any case."

SEC. 25. That the second and third subsections of section 52 of the Code of Criminal Procedure for the Canal Zone are hereby amended to read, respectively, as follows:

"SEC. 52. * * *

"Second. To enforce order in the proceedings before him.

"Third. To provide for the orderly conduct of proceedings before him."

SEC. 26. That section 59 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 59. It shall be the duty of magistrates to keep all papers relating to criminal matters in which preliminary examination has been held in good order and on file in their offices for a term not to exceed two days, and within said time to deliver to the district attorney a transcript of all proceedings had in such cases and all papers relating to such cases, including original complaint and warrant, affidavits, and the names of the witnesses. The district attorney shall return all such papers to the magistrate in every case where the district attorney does not file an information."

SEC. 27. That section 60 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 60. It shall be the duty of the magistrates, after the filing of an information by the district attorney, to turn over to the clerk of the district court all undertakings or moneys deposited in lieu thereof with the magistrate for appearance in the district court."

SEC. 28. That section 62 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 62. The first pleading on part of the government in all criminal matters within the original jurisdiction of the district court is the information."

SEC. 29. That section 64 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 64. All informations must be filed with the clerk of the district court."

SEC. 30. That section 67 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 67. It may be substantially in the following form:

"'In the district court in and for the division of ———, Canal Zone.

"'The government of the Canal Zone against ———: Information.

"'———, district attorney for the Canal Zone, comes into the district court for the said division, and for the government of the Canal Zone gives the court here to be informed and to understand that: ———, on the — day of ———, A. D. 19—, in the division aforesaid, did then and there (here set forth the act or omission charged as an offense) and so did then and there commit the offense of (here state the character of the offense committed, whether it be murder, arson, larceny, or the like, or designating it as a felony or misdemeanor) contrary to the law in such case made and provided and against the peace and dignity of the government of the Canal Zone.

"'This information is based upon due investigation of the facts relating to the crime charged therein, and I believe there is just cause for the filing of this information.

"'Signed this ——— day of ———, A. D. 19—.

———, ———,

"'*District Attorney.*'"

SEC. 30a. That sections 68 and 69 of the Code of Criminal Procedure for the Canal Zone are hereby repealed.

SEC. 31. That the word "directed," in section 70 of the Code of Criminal Procedure for the Canal Zone, is hereby amended to read "direct."

SEC. 32. That subdivision 2 of section 77 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"2. That the information be signed and filed by the district attorney of the Canal Zone."

SEC. 33. That the Code of Criminal Procedure for the Canal Zone be amended by inserting therein, following section 86, a new section, No. 86a, to read as follows:

"SEC. 86a. In charging in an information the fact of a previous conviction of felony, or of an attempt to commit an offense which, if perpetrated, would have been a felony, or of petit larceny, it is sufficient to state, 'That the defendant, before the commission of the offense charged in this information, was in (giving the title of the court in which the conviction was had) convicted of a felony (or attempt, etc., or of petit larceny).' If more than one previous conviction is charged, the date of the judgment upon each conviction must be stated, but not more than two previous convictions must be charged in any one information."

SEC. 34. That section 90 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 90. The district attorney shall have the power to issue subpœnas for witnesses."

SEC. 35. That section 92 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 92. When a defendant has been committed as provided in sections 33 and 41, the district attorney may, within 20 days thereafter, issue subpœnas for witnesses and examine such witnesses under oath as to the offense charged. Such examination shall be conducted in private."

SEC. 36. That section 93 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 93. If, after investigation, it appears either that no public offense has been committed, or that there is not sufficient cause to believe the defendant guilty, the district attorney must, within such 20-day period, order that the defendant be discharged, and shall file with the committing magistrate the original proceedings indorsed thereon as follows: 'There being no sufficient cause to believe the within named, A. B., to be guilty of an offense, I order his discharge.'"

SEC. 37. That section 84 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 94. If, however, it appears from the examination that a public offense has been committed, and that there is sufficient cause to believe the defendant guilty thereof, the district attorney shall, within such 20-day period, file an information against such person in the division of the district court in which the offense is triable, charging the defendant with such offense."

SEC. 38. That section 97 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 97. All offenses triable in the magistrates' courts, when appealed to the district court, shall be tried de novo on the original complaint and warrant: *Provided, however*, That the complaint may be amended in the district court as to matters of form or substance where the rights of the defendant are not substantially prejudiced thereby; but the amended complaint may not charge a crime different from that charged or sought to be charged, in the original complaint."

SEC. 38a. That section 103 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 103. A docket must be kept by the clerk of the district court denominated a criminal docket, in which he shall enter each criminal action and whatever proceedings are had therein, and a statement of the costs. The clerk shall at the end of each month turn over to the collector of the Panama Canal all the government revenues collected or paid to him of whatever character or nature."

SEC. 39. That section 105 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 105. The clerk shall perform such other duties as may from time to time be assigned him by the judge of said court."

SEC. 40. That section 113 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 113. If the offense charged is a felony, the arrest may be made on any day and at any time of day or night. If it is a misdemeanor, the arrest can not be made at night, except upon direction of a magistrate by indorsement on the warrant, or except when the offense is committed in the presence of the arresting officer."

SEC. 41. That the Code of Criminal Procedure for the Canal Zone is hereby amended by inserting therein, following section 114, a new section, No. 114a, to read as follows:

"SEC. 114a. A warrant of arrest may be executed in either division or subdivision of the Canal Zone."

SEC. 42. That section 116 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 116. If a person about to be arrested either flees or forcibly resists, after he has been informed of the intention of the arresting officer to place him under arrest, the officer may use all reasonable means to effect the arrest."

SEC. 43. That section 119 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 119. Any person making an arrest may take from the person arrested all dangerous weapons which he may have about his person."

SEC. 44. That section 125 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 125. The defendant must be personally present on arraignment for felony. If the offense be a misdemeanor, he need not be arraigned, but when the trial begins the clerk shall read the information."

SEC. 45. That section 129 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 129. The bench warrant upon the information must be substantially in the following form:

In the district court of the Canal Zone division of
The government of the Canal Zone.

BENCH WARRANT

To the Marshal or Any Peace Officer of the Canal Zone:

An information having been filed on the ——— day of ———, A. D. ———, in the ——— division of the district court of the Canal Zone, charging ——— with the crime of (designating it generally), you are therefore commanded forthwith to arrest the above named ——— and bring him before the court (or if the

information has been sent to the other division, that division must be named as the place to bring the defendant) to answer said information; or if the court be not in session, that you deliver him into the custody of the warden of said district.

Given under my hand, with the seal of the court affixed, this ——— day of ———, A. D. ———.

By order of the court.

[SEAL.] ——— ———,

Clerk of the Court."

SEC. 46. That section 134 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 134. If the defendant appears for arraignment without counsel, he must be informed by the court that it is his right to have counsel before being arraigned, and must be asked if he desires the aid of counsel. If he desires and is unable to employ counsel, the court may assign counsel to defend him."

SEC. 47. That section 138 of the Code of Criminal Procedure for the Canal Zone as amended by Executive order of August 16, 1910, is hereby amended to read as follows:

"SEC. 138. When the information is not subscribed by the district attorney, it must be set aside by the court in which the defendant is arraigned, upon his motion."

SEC. 48. That section 140 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 140. The motion must be heard at the time it is made, unless, for cause, the court postpones the hearing to another time. If the motion is denied, the defendant must immediately answer the information either by demurring or pleading thereto. If the motion is granted, the court must order that the defendant, if in custody, be discharged therefrom; or, if admitted to bail, that his bail be exonerated; or, if he has deposited money instead of bail, that the same be refunded to him, unless it directs that an information be filed by the district attorney."

SEC. 49. That section 150 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 150. An information may be amended by the district attorney without leave of court, at any time before the defendant pleads. Such amendment may be made at any time thereafter, in the discretion of the court, where it can be done without prejudice to the substantial rights of the defendant. If a demurrer is allowed, the judgment is final upon the information demurred to, and is a bar to another prosecution for the same offense, unless the court, being of the opinion that the objection on which the demurrer is sustained may be avoided in a new information, directs a new information to be filed."

SEC. 50. That the Code of Criminal Procedure for the Canal Zone is hereby amended by inserting therein, following section 163, a new section numbered 163a, to read as follows:

"SEC. 163a. When a defendant who is charged in the information with having suffered a previous conviction, pleads either guilty or not guilty of the offense for which he is informed against, he must be asked whether he has suffered such previous conviction. If he answers that he has, his answer must be entered by the clerk in the minutes of the court, and must, unless withdrawn by consent of the court, be conclusive of the fact of his having suffered such previous conviction in all subsequent proceedings. If he answers that he has not, his answer must be entered by the clerk in the minutes of the court, and the question whether or not he has suffered such previous conviction must be tried by the court or jury which tries the issue upon the plea of not guilty, or in case of a plea of guilty, by the court or a jury impaneled for that purpose. The refusal of the defendant to answer is equivalent to a denial that he has suffered such previous conviction. In case the defendant pleads not guilty, and answers that he has suffered the previous conviction, the charge of the previous conviction must not be read to the court or jury, nor alluded to on the trial."

SEC. 51. That the Code of Criminal Procedure for the Canal Zone is hereby amended by inserting therein, following section 169, a new section numbered 169a, to read as follows:

"SEC. 169a. The court may also order the removal of the action from one division to the other upon the agreement of the parties."

SEC. 52. That section 170 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 170. An issue of fact arises:

"1. Upon a plea of not guilty.

"2. Upon a plea of a former conviction or acquittal of the same offense.

"3. Upon a plea of once in jeopardy."

SEC. 53. That section 171 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 171. Issues of fact in criminal cases within the original jurisdiction of the district court of the Canal Zone must be tried by jury, unless a trial by jury be waived."

SEC. 54. That section 175 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 175. After his plea the defendant is entitled to at least two days to prepare for trial."

SEC. 55. That Chapter I of Title VII of the Code of Criminal Procedure for the Canal Zone is hereby amended by inserting therein, before section 177, new sections numbered 176a, b, c, d, e, f, g, h, i, j, k, l, m, n, o, oo, p, q, r, s, t, u, v, w, x, y, and z, reading as follows:

"SEC. 176a. A challenge is an objection made to the trial jurors, and is of two kinds:

"1. To the panel;

"2. To an individual juror.

"SEC. 176b. When several defendants are tried together they can not sever their challenges, but must joint therein.

"SEC. 176c. The panel is a list of jurors to serve for a particular period or for the trial of a particular action.

"SEC. 176d. A challenge to the panel is an objection made to all the jurors returned, and may be taken by either party.

"SEC. 176e. A challenge to the panel can be founded only on a material departure from the forms prescribed in respect to the drawing and return of the jury, or on the intentional omission of the marshal to summon one or more of the jurors drawn.

"SEC. 176f. A challenge to the panel must be taken before a juror is sworn and must be in writing or be noted by the reporter, and must plainly and distinctly state the facts constituting the ground of challenge.

"SEC. 176g. If the sufficiency of the facts alleged as ground of the challenge is denied, the adverse party may except to the challenge. The exception need not be in writing, but must be entered on the minutes of the court, or of the reporter, and thereupon the court must proceed to try the sufficiency of the challenge, assuming the facts alleged therein to be true.

"SEC. 176h. If on exception the court finds the challenge sufficient, it may, if justice requires it, permit the party excepting to withdraw his exception and to deny the facts alleged in the challenge. If the exception is allowed, the court may, in like manner, permit an amendment of the challenge.

"SEC. 176i. If the challenge is denied, the denial may be oral, and must be entered on the minutes of the court, or of the reporter, and the court must proceed to try the question of fact; and upon such trial, the officers, whether judicial or ministerial, whose irregularity is complained of, as well as any other persons, may be examined to prove or disprove the facts alleged as the ground of the challenge.

"SEC. 176j. When the panel is formed from persons whose names are not drawn as jurors, a challenge may be taken to the panel on account of any bias of the officer who summoned them, which would be good ground of challenge to a juror. Such challenge must be made in the same form, and determined in the same manner, as if made to a juror.

"SEC. 176k. If, either upon an exception to the challenge or a denial of the facts, the challenge is allowed, the court must discharge the jury so far as the trial in question is concerned. If it is disallowed, the court must direct the jury to be impaneled.

"SEC. 176l. Before a juror is called the defendant must be informed by the court, or under its direction, that if he intends to challenge an individual juror he must do so when the juror appears and before he is sworn.

"SEC. 176m. A challenge to an individual juror is either—

"1. Peremptory; or

"2. For cause.

"SEC. 176n. It must be taken when the juror appears and before he is sworn to try the cause; but the court may for cause permit it to be taken after the juror is sworn and before the jury is completed.

"SEC. 176o. A peremptory challenge can be taken by either party, and may be oral. It is an objection to a juror for which no reason need be given, but upon which the court must exclude him.

"SEC. 176oo. Upon a trial by jury each side shall be entitled to six peremptory challenges. A waiver of a challenge by either party shall preclude such party, except by consent of court, from thereafter challenging peremptorily any juror then in the jury box, and the remaining challenges of such party shall be limited to jurors thereafter called.

"SEC. 176p. A challenge for cause may be taken by either party. It is an objection to a particular juror, and is either—

"1. General—that the juror is disqualified from serving in any case; or

"2. Particular—that he is disqualified from serving in the action on trial.

"SEC. 176q. General causes of challenge are:

"1. A conviction for felony;

"2. A want of any of the qualifications prescribed by law to render a person a competent juror;

"3. Unsoundness of mind, or such defect in the faculties of the mind or organs of the body as to render him incapable of performing the duties of a juror.

"SEC. 176r. Particular causes of challenge are of two kinds:

"First. For such a bias as, when the existence of the facts is ascertained, in judgment of law disqualifies the juror and which is known in this code as implied bias.

"Second. For the existence of a state of mind on the part of the juror in reference to the case, or to either of the parties, which will prevent him from acting with entire impartiality and without prejudice to the substantial rights of either party, which is known in this code as actual bias.

"SEC. 176s. A challenge for implied bias may be taken for all or any of the following causes, and for no other:

"1. Consanguinity or affinity within the fourth degree to the person alleged to be injured by the offense charged, or on whose complaint the prosecution was instituted, or to the defendant.

"2. Standing in the relation of guardian and ward, attorney and client, master and servant, or landlord and tenant, or being a member of the family of the defendant, or of the person alleged to be injured by the offense charged, or on whose complaint the prosecution was instituted, or in his employment on wages.

"3. Being a party adverse to the defendant in a civil action or having complained against or been accused by him in a criminal prosecution.

"4. Having served on a trial jury which has tried another person for the offense charged.

"5. Having been one of a jury formerly sworn to try the same charge and whose verdict was set aside, or which was discharged without a verdict after the case was submitted to it.

"6. Having served as a juror in a civil action brought against the defendant for the act charged as an offense.

"7. If the offense charged be punishable with death, the entertaining of such conscientious opinions as would preclude his finding the defendant guilty, in which case he must neither be permitted nor compelled to serve as a juror.

"SEC. 176t. An exemption from service on a jury is not a cause of challenge, but the privilege of the person exempted.

"SEC. 176u. In a challenge for implied bias one or more of the causes stated in section 176s must be alleged. In a challenge for actual bias the cause stated in the second subdivision of section 176r must be alleged; but no person shall be disqualified as a juror by reason of having formed or expressed an opinion upon the matter or cause to be submitted to such jury, founded upon public rumor, statements in public journals, or common notoriety, provided it appear to the court upon his declaration, upon oath or otherwise, that he can and will, notwithstanding such an opinion, act impartially and fairly upon the matters to be submitted to him. The challenge may be oral, but must be entered in the minutes of the court or of the reporter.

"SEC. 176v. The adverse party may except to the challenge in the same manner as to a challenge to the panel, and the same proceedings must be had thereon as are prescribed in section 176g, except that if the exception be allowed the juror must be excluded. The adverse party may also orally deny the facts alleged as the ground of challenge.

"SEC. 176w. If the facts are denied, the challenge must be tried by the court.

"SEC. 176x. Upon the trial of a challenge to an individual juror, the juror challenged may be examined as a witness to prove or disprove the challenge and must answer every question pertinent to the inquiry.

"SEC. 176y. Other witnesses may also be examined on either side, and the rules of evidence applicable to the trial of other issues govern the admission or exclusion of evidence on the trial of the challenge.

"SEC. 176z. The court must allow or disallow the challenge, and its decision must be entered in the minutes of the court."

SEC. 56. That the word "respectfully" in subsection 3 of section 177 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read "respectively."

SEC. 57. That the Code of Criminal Procedure for the Canal Zone is hereby amended by inserting therein, following section 184, a new section numbered 184a, to read as follows:

"SEC. 184a. The rules of evidence in civil actions are applicable also to criminal actions, except as otherwise provided in this code."

SEC. 58. That the Code of Criminal Procedure for the Canal Zone is hereby amended by inserting therein, following section 184a, a new section numbered 184b, to read as follows:

"SEC. 184b. Perjury must be proved by the testimony of two witnesses, or of one witness and corroborating circumstances."

SEC. 59. That section 199 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 199. When, in the opinion of the court, it is proper that the jury should view the place in which the offense is charged to have been committed, or in which any other material fact occurred, it may order the jury to be conducted in a body, in the custody of the marshal, to the place, which must be shown to them by a person appointed by the court for that purpose; and the marshal must be sworn to suffer no person to speak or communicate with the jury, nor to do so himself, on any subject connected with the trial, and to return them into court without unnecessary delay or at a specified time."

SEC. 60. That the Code of Criminal Procedure for the Canal Zone is hereby amended by inserting therein, following section 202, a new section numbered 202a, to read as follows:

"SEC. 202a. When the jury have agreed upon their verdict they must be conducted into court by the officer having them in charge. When the jury appear they must be asked by the court, or clerk, whether they have agreed upon their verdict, and if the foreman answers in the affirmative, they must, on being required, declare the same."

SEC. 61. That the Code of Criminal Procedure for the Canal Zone is hereby amended by inserting therein, following section 202a, a new section numbered 202b, to read as follows:

"SEC. 202b. The jury may render a general verdict, or, when they are in doubt as to the legal effects of the facts proved, they may, except upon a trial for libel, find a special verdict."

SEC. 62. That the Code of Criminal Procedure for the Canal Zone is hereby amended by inserting therein following section 202b, a new section numbered 202c, to read as follows:

"SEC. 202c. A special verdict is that by which the jury find the facts only, leaving the judgment to the court. It must present the conclusions of fact as established by the evidence, and not the evidence to prove them, and these conclusions of fact must be so presented as that nothing remains to the court but to draw conclusions of law upon them."

SEC. 63. That the Code of Criminal Procedure for the Canal Zone is hereby amended by inserting therein, following section 202c, a new section numbered 202d, to read as follows:

"SEC. 202d. The special verdict must be reduced to writing by the jury, or in their presence entered upon the minutes of the court, read to the jury and agreed to by them, before they are discharged."

SEC. 64. That the Code of Criminal Procedure for the Canal Zone is hereby amended by inserting therein, following section 202d, a new section numbered 202e, to read as follows:

"SEC. 202e. The special verdict need not be in any particular form, but is sufficient if it present intelligibly the facts found by the jury."

SEC. 65. That the Code of Criminal Procedure for the Canal Zone is hereby amended by inserting therein, following section 202e, a new section numbered 202f, to read as follows:

"SEC. 202f. The court must give judgment upon the special verdict as follows:

"1. If the plea is not guilty, and the facts prove the defendant guilty of the offense charged in the information or of any other offense of which he could be convicted under that information, judgment must be given accordingly. But if otherwise, judgment of acquittal must be given.

"2. If the plea is a former conviction or acquittal of the same offense, the court must give judgment of acquittal or conviction, as the facts prove or fail to prove the former conviction or acquittal."

SEC. 66. That the Code of Criminal Procedure for the Canal Zone is hereby amended by inserting therein, following section 202f, a new section numbered 202g, to read as follows:

"SEC. 202g. If the jury do not, in a special verdict, pronounce affirmatively or negatively on the facts necessary to enable the court to give judgment, or if they find the evidence of facts merely, and not the conclusions of fact, from the evidence, as established to their satisfaction, the court must order a new trial."

SEC. 67. That the Code of Criminal Procedure for the Canal Zone is hereby amended by inserting therein, following section 202g, a new section numbered 202h, to read as follows:

"SEC. 202h. When there is a verdict of conviction, in which it appears to the court that the jury have mistaken the law, the court may explain the reason for that opinion and direct the jury to reconsider their verdict, and if, after the reconsideration, they return the same verdict, it must be entered; but when there is a verdict of acquittal, the court can not require the jury to reconsider it. If the jury render a verdict which is neither general nor special, the court may direct them to reconsider it, and it can not be recorded until it is rendered in some form from which it can be clearly understood that the intent of the jury is either to render a general verdict or to find the facts specially and to leave the judgment to the court."

SEC. 68. That the Code of Criminal Procedure for the Canal Zone is hereby amended by inserting therein, following section 202i, a new section numbered 202j, to read as follows:

"SEC. 202i. If the jury persist in finding an informal verdict, from which, however, it can be clearly understood that their intention is to find in favor of the defendant upon the issue, it must be entered in the terms in which it is found, and the court must give judgment of acquittal. But no judgment of conviction can be given unless the jury expressly find against a defendant upon the issue, or judgment is given against him on a special verdict."

SEC. 69. That the Code of Criminal Procedure for the Canal Zone is hereby amended by inserting therein, following section 202i, a new section numbered 202j, to read as follows:

"SEC. 202j. When a verdict is rendered, and before it is recorded, the jury may be polled, at the request of either party, in which case they must be severally asked whether it is their verdict, and if anyone answer in the negative, the jury must be sent out for further deliberation."

SEC. 70. That the Code of Criminal Procedure for the Canal Zone is hereby amended by inserting therein, following section 202j, a new section numbered 202k, to read as follows:

"SEC. 202k. When the verdict given is such as the court may receive, the clerk must immediately record it in full upon the minutes, read it to the jury, and inquire of them whether it is their verdict. If any juror disagree, the fact must be entered upon the minutes and the jury again sent out; but if no disagreement is expressed, the verdict is complete, and the jury must be discharged from the case."

SEC. 71. That section 206 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 206. Whenever the fact of a previous conviction of another offense is charged in an information, the court or jury, if it finds a verdict of guilty of the offense with which he is charged, must also, unless the answer of the defendant admits the charge, find whether or not he has suffered such previous conviction. The verdict of the court or jury upon a charge of a previous conviction may be: 'The charge of previous conviction is true,' or 'The charge of previous conviction is not true.'"

SEC. 72. That section 207 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 207. The court or jury may find the defendant guilty of any offense, the commission of which is necessarily included in that with which he is charged, or of an attempt to commit the offense."

SEC. 73. That section 208 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 208. On an information against several, if the court or jury can not agree upon a verdict as to all, they may render a verdict as to those in regard to whom they do agree, on which a judgment must be entered accordingly, and the case as to the others may be retried."

SEC. 74. That the Code of Criminal Procedure for the Canal Zone is hereby amended by inserting therein, following section 209, a new section numbered 209a, to read as follows:

"SEC. 209a. The court may, without regard to the consent or objection of parties, direct the jury, in case they should agree, to sign the verdict, place it in an envelope, and return it into open court, or may direct the marshal to permit the jury, upon agreement, to sign and seal their verdict and return it into open court the following morning, or, upon the jury's coming into court to report agreement, counsel being absent, may instruct the jury to seal their verdict and return it into court on the following day."

SEC. 75. That the Code of Criminal Procedure for the Canal Zone is hereby amended by inserting therein, following section 209a, a new section numbered 209b, to read as follows:

"SEC. 209b. All criminal cases in the district court in which a jury is had shall be tried by a jury of 12, all of whom must concur to render a verdict."

SEC. 76. That section 210 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 210. An exception is an objection upon a matter of law to a decision made by a court, tribunal, judge, or other judicial officer in an action or proceeding. Except as provided in section 212, the exception must be taken at the time the decision is made. Rulings of the court upon minor discretionary matters, such as adjournments, postponements of trials, and the like, shall not be subject to exception."

SEC. 77. That section 212 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 212. The verdict of the jury, the final decision in an action or proceeding, an interlocutory order or decision finally determining the rights of the parties or some of them, an order or decision from which an appeal may be taken, an order sustaining or overruling a demurrer, granting or refusing a motion to set aside an information, a motion in arrest of judgment, a motion for a new trial, making or refusing to make an order after judgment affecting any substantial rights of the parties, refusing to grant a change of the place of trial, allowing or refusing to allow an amendment to a pleading, striking out a pleading or a portion thereof, an order made upon ex parte application, an order or decision made in the absence of a party, and instructions given or refused, are deemed to have been excepted to."

SEC. 78. That section 214 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 214. Where a party desires to have the exceptions settled in a bill of exceptions, the draft of a bill must be prepared by him and presented, upon notice of at least two days to the adverse party, to the judge for settlement within 10 days after the announcement of the verdict, unless further time is granted by the judge, or within that period the draft must be delivered to the clerk of the court for the judge. When received by the clerk, he must deliver it to the judge, or transmit it to him at the earliest period practicable. When settled, the bill must be signed by the judge and filed with the clerk of the court. If the judge in any case refuses to allow an exception in accordance with the facts, the party desiring the bill settled may apply by petition to the United States Circuit Court of Appeals for the Fifth Circuit to prove the same. The application may be made in the mode and manner and under such regulations as the court may prescribe; and the bill, when proven, must be certified by the court as correct and filed with the clerk of the court in which the action was tried, and when so filed it has the same force and effect as if settled by the judge who tried the cause. If the judge who presided at the trial ceases to hold office before the bill is tendered or settled, he may nevertheless settle such bill, or the party may, as provided in this section, apply to the Circuit Court of Appeals for the Fifth Circuit to prove the same."

SEC. 79. That section 215 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 215. A bill of exceptions must contain only so much of the evidence as may be necessary to present clearly the questions of law involved in the rulings to which exceptions are reserved, and such evidence as is embraced therein shall be set forth in condensed and narrative form, save as a proper understanding of the questions presented may require that parts of it be set forth otherwise."

SEC. 80. That the Code of Criminal Procedure for the Canal Zone is hereby amended by inserting therein, following section 215, a new section numbered 215a, to read as follows:

"SEC. 215a. No bill of exceptions shall be allowed which shall contain the charge of the court at large to the jury upon any general exception to the whole of such charge. But the party excepting shall be required to state distinctly the several matters of law in such charge to which he excepts; and those matters of law, and those only, shall be inserted in the bill of exceptions and allowed by the court."

SEC. 81. That section 219 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"A motion for a new trial shall be made only after verdict of the jury or decision by the court, and before judgment. Such motion shall be filed within five days after verdict of the jury or decision by the court, unless, for good cause shown, the court or judge, within such 5-day period, extends such time. Such motion shall be in writing and must set out specifically the grounds upon which the same is made. When a ground of a motion is the insufficiency of the evidence to justify the verdict or decision, the motion must specify the particulars in which the evidence is alleged to be insufficient. If a ground of the motion be error in law occurring at the trial and excepted to by the moving party, the motion must specify the particular errors upon which the party will rely, and in the case of a question as to the admissibility of evidence the question, objection or motion, ruling, and exception thereto must be fully set out. Such motion shall be heard and determined as speedily as possible after the same is filed."

SEC. 82. That section 237 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 237. A judgment that the defendant pay a fine and costs may also direct that he be imprisoned until the fine and costs be satisfied. But the judgment must specify the extent of the imprisonment, which must not exceed one day for every dollar of the fine and costs, nor extend in any case beyond the term for which the defendant might be sentenced to imprisonment for the offense of which he has been convicted."

SEC. 84. That subsection 1 of section 241 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 241. * * *

"1. The information, and a copy of the minutes of the plea or demurrer."

SEC. 84a. That section 242 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 242. When a judgment, other than death, has been pronounced, the clerk shall forthwith furnish a mittimus to the officer whose duty it is to execute the judgment, and no other warrant or authority is necessary to justify or require its execution."

SEC. 85. That section 243 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 243. If the judgment is for a fine and costs alone, execution may be issued thereon attaching the property of the defendant."

SEC. 86. That section 244 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 244. If the judgment is for imprisonment, or a fine and costs and imprisonment until they be paid, the defendant must forthwith be committed to the custody of the proper officer, and by him detained until the judgment is complied with."

SEC. 87. That section 289 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 289. After conviction of an offense not punishable with death, a defendant who has appealed may be admitted to bail—

"1. As a matter of right, when the appeal is from a judgment imposing a fine only.

"2. As a matter of right, when the appeal is from a judgment imposing imprisonment in cases of misdemeanor.

"3. As a matter of discretion in all other cases."

SEC. 88. That section 290 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 290. If the offense is bailable, the defendant may be admitted to bail before conviction—

"1. For his appearance before a magistrate for trial or for preliminary investigation in cases triable in the district court.

"2. To appear at the court to which the magistrate is required to return the complaint and warrant, upon the defendant being held to answer after investigation.

"3. After the information is filed either before the bench warrant is issued for his arrest, or upon any order of the court committing him, or enlarging the amount of bail, or upon his being surrendered by his bail, to answer the information in the court in which it is found or to which it may be transferred for trial.

"And after conviction, and upon appeal—

"4. If the appeal is from a judgment imposing a fine only, on the undertaking of bail that he will pay the same, or such part of it as the appellate court may direct, if the judgment is affirmed or modified, or the appeal is dismissed.

"5. If judgment of imprisonment has been given, that he will surrender himself in execution of the judgment, upon its being affirmed or modified, or that in case the judgment be reversed and the cause be remanded for a new trial, that he will appear in the court to which said cause may be remanded, and submit himself to the orders and process thereof."

SEC. 88-A. That the Code of Criminal Procedure for the Canal Zone is hereby amended by adding after section 291 thereof a section reading as follows:

"SEC. 291a. When an arrest is made, either with or without a warrant, in a misdemeanor case triable in a magistrate's court, and for any reason the officer making the arrest is unable to take the offender forthwith before a magistrate, he may take such offender forthwith to the nearest police station and the officer in charge thereof may accept bond, or a cash deposit in lieu thereof, in a sum not exceeding $500, to secure the appearance of the offender before the magistrate having jurisdiction of the case, and the offender shall then be released from custody, and the bond, or cash deposit in lieu thereof, shall be delivered to the magistrate having jurisdiction of the case, and a receipt for such bond or deposit shall be given to such officer by said magistrate.

"When a money deposit is made in lieu of bail bond the deposit shall be held and disposed of in accordance with the provisions of sections 305, 306, 307, 310, and 311."

SEC. 89. That section 293 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 293. Bail upon being held to answer after a preliminary investigation is a written undertaking, executed by two sufficient sureties (with or without the defendant, in the discretion of the court or magistrate), and acknowledged before the court or magistrate in substantially the following form:

"'An order having been made on the ——— day of ——— A. D. 19—, by ——— (as the officer may be), that ——— be held to answer upon a charge of (stating briefly the nature of the offense) upon which he has been admitted to bail in the sum of ——— dollars; we, ——— and ——— of ——— (stating their place of residence and occupation), hereby undertake that the above-named ———, will appear and answer any information growing out of the charge above mentioned, in whatever court it may be prosecuted, and will at all times hold himself amenable to the order and process of the court, and if convicted, will appear for judgment, and render himself in execution thereof; or, if he fails to perform either of these conditions, that we will pay to the government of the Canal Zone the sum of ——— dollars (inserting the sum in which the defendant is admitted to bail).'"

SEC. 90. That subdivision 1 of section 294 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"1. Each of them must be a resident of the Canal Zone."

SEC. 91. That section 297 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 297. The bail fixed by a magistrate under sections 292 to 296 upon holding the defendant to answer for an offense triable in the district court shall be construed to continue so as to require the defendant to appear and answer the information filed in the district court and to at all times render himself amenable to the orders and process of the court, and if convicted to appear for judgment and render himself in execution thereof."

SEC. 92. That section 302 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 302. After the filing of an information, the court in which the charge is pending may fix or, upon good cause shown, either increase or reduce the amount of bail. If the amount be increased, the court may order the defendant to be committed to actual custody, unless he give bail in such increased amount. If application be made by the defendant for a reduction of the amount, notice of the application must be served on the district attorney."

SEC. 93. That section 304 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 304. The sureties must possess the qualifications and the bail must be put in, in all respects as provided in sections 292 to 296, except that the undertaking must be conditioned as prescribed in section 290 for undertakings of bail on appeal."

SEC. 94. That section 305 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 305. The defendant in a criminal proceeding may make a cash deposit in lieu of a bail bond and a certificate of deposit shall be issued to the defendant in each case by the magistrate or clerk of the district court, as the case may be."

SEC. 95. That section 307 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 307. When money has been deposited, if it remains on deposit at the time of a judgment for the payment of a fine, the magistrate, or the clerk of the district court under the direction of the court, as the case may be, must apply the money in satisfaction thereof, and, after satisfying the fine and costs, must refund the surplus, if any, to the defendant. If the defendant be not found within a period of two years from the date of the judgment, the magistrate or the clerk of the district court, as the case may be, shall turn over such surplus to the collector of the Panama Canal to be accounted for by him in the same manner as fines are accounted for."

SEC. 96. That section 313 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 313. If, by reason of the neglect of the defendant to appear, money deposited instead of bail is forfeited, and the forfeiture is not discharged or remitted, the magistrate or the clerk of the district court, as the case may be, with whom it is deposited must pay over the same to the collector of the Panama Canal in the manner prescribed for the paying over of other funds."

SEC. 97. That section 315 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 315. The court to which the magistrate commits the defendant, or in which an information or appeal is pending, or to which a judgment on appeal is remitted to be carried into effect, may, by an order entered upon its minutes, direct the arrest of the defendant and his commitment to the officer to whose custody he was committed at the time of giving bail, and his detention until legally discharged, in the following cases:

"1. When, by reason of his failure to appear, he has incurred a forfeiture of his bail or of money deposited instead thereof.

"2. When it satisfactorily appears to the court that his bail, or either of them, are dead or insufficient or have removed from the Canal Zone."

SEC. 98. That section 320 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 320. When the defendant is admitted to bail, the bail may be taken by any magistrate."

SEC. 99. That section 322 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 322. The process by which the attendance of a witness before a court or magistrate is required is a subpœna. It may be signed and issued by:

"1. A magistrate before whom a complaint is made, for witnesses in the Canal Zone, either on behalf of the Government or of the defendant.

"2. The judge of the district court.

"3. The clerk of the district court upon application of either the district attorney or the defendant."

SEC. 100. That section 323 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 323. A subpœna authorized by the preceding section must be substantially in the following form:

"'The government of the Canal Zone:

"'You are commanded to appear before (the district court or the magistrate) of ——— (division or subdivision) (or as the case may be) at (naming the place) on (stating the day and hour), as a witness in a criminal action prosecuted by the government of the Canal Zone.

"'Given under my hand this —— day of ———, A. D. 19— (Magistrate, or "By order of the court, ———, clerk," or as the case may be).' If books, papers, or documents are required, a direction to the following effect must be contained in the subpœna: 'And you are required also to bring with you the following (describing intelligibly the books, papers, or documents required).'"

SEC. 101. That section 325 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 325. When a person attends before a magistrate or court as a witness in a criminal case, upon a subpœna or in pursuance of an undertaking to testify on behalf of the prosecution, and it appears that he has come from a place more than 3 miles distant from the place where he is to appear, or that he is poor and unable to pay the expenses of such attendance, the court, in its discretion, if the attendance of the witness be upon a trial, by an order upon its minutes, or in any other case, the judge, at his discretion, by a written order, may direct the clerk of the court to pay the witness a reasonable sum to pay his expenses, which shall be charged against his per diem."

SEC. 102. That the Code of Criminal Procedure for the Canal Zone is hereby amended by inserting therein, following section 328, a new section numbered 328a, to read as follows:

"SEC. 328a. The rules for determining the competency of witnesses in civil actions are applicable also to criminal actions and proceedings except as otherwise provided in this code."

SEC. 103. That the Code of Criminal Procedure for the Canal Zone is hereby amended by inserting therein, following section 328a, a new section numbered 328b, to read as follows:

"SEC. 328b. Neither husband nor wife is a competent witness for or against the other in a criminal action or proceeding to which one or both are parties, except with the consent of both, or in case of criminal actions or proceedings for a crime committed by one against the person or property of the other, or in cases of criminal violence upon one by the other, or in cases of criminal actions or proceedings for bigamy, or adultery, or in cases of criminal actions or proceedings brought under provisions of law requiring the husband to furnish proper maintenance and support to wife and minor children and providing for punishment for abandonment of wife or minor children."

SEC. 104. That the Code of Criminal Procedure for the Canal Zone is hereby amended by inserting therein, following section 328b, a new section numbered 328c, to read as follows:

"SEC. 328c. A defendant in a criminal action or proceeding can not be compelled to be a witness against himself; but if he offers himself as a witness, he may be cross-examined by the counsel for the government as to all matters about which he was examined in chief. His neglect or refusal to be a witness can not in any manner prejudice him nor be used against him on the trial or proceeding."

SEC. 105. That section 329 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 329. When defendant has been held to answer a charge for a public offense, either or both defendant and the government may, either before or after an information, have witnesses examined conditionally in his or its behalf, as prescribed in this chapter."

SEC. 106. That section 330 of the Code of Criminal procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 330. When a material witness for the defendant, or for the government, is about to leave the Canal Zone, or is so sick or infirm as to afford reasonable grounds for apprehension that he will be unable to attend the trial, the defendant or the government may apply for an order that the witness be examined conditionally."

SEC. 107. That section 331 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 331. The application must be made upon affidavit stating:

"1. The nature of the offense charged.

"2. The state of the proceedings in the action.

"3. The name and residence of the witness, and that his testimony is material to the defense or the prosecution of the action.

"4. That the witness is about to leave the Canal Zone, or is so sick or infirm as to afford reasonable grounds for apprehending that he will not be able to attend the trial.

"The application may be made to the district court or the judge thereof, and in case of his absence or inability to act may be made to a magistrate, and must be made upon three days' notice to the opposite party."

SEC. 108. That section 332 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 332. If the court, judge, or magistrate is satisfied that the examination of the witness is necessary, an order must be made that the witness be examined conditionally, at a specified time and place, and before a magistrate designated therein."

SEC. 109. That section 333 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 333. The defendant has the right to be present in person and with counsel at such examination, and if the defendant is in custody, the officer in whose custody he is, must be informed of the time and place of such examination and must take the defendant thereto and keep him in the presence and hearing of the witness during the examination."

SEC. 110. That section 334 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 334. If, at the time and place so designated, it is shown to the satisfaction of the magistrate that the witness is not about to leave the Canal Zone, or is not sick or infirm, or that the application was made to avoid the examination of the witness on the trial, the examination can not take place."

SEC. 111. That the word "sixty" in subsection 1 of section 362 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read "twenty."

SEC. 112. That section 366 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 366. An order for the dismissal of the action, as provided in this chapter, is a bar to any other prosecution for the same offense, if it is a misdemeanor, unless such order is explicitly made for the purpose of amending the complaint in such action, in which instance such order for dismissal of the action shall not act as a bar to a prosecution upon such amended complaint; but an order for the dismissal of the action is not a bar if the offense is a felony."

SEC. 113. That section 368 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 368. The summons must be served at least five days before the day of appearance fixed therein, by delivering a copy thereof and showing the original to the president or other head of the corporation, or to the secretary, cashier, or managing agent within the Canal Zone."

SEC. 114. That section 379 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 379. If the property stolen or embezzled is not claimed by the owner before the expiration of six months from the conviction of a person for stealing or embezzling it, the court shall order it sold on such terms and under such conditions as the court shall direct. The officer making such sale shall return the proceeds into court, whereupon the court shall order the balance of such proceeds, after deducting therefrom the expenses incurred in the preservation and sale of the property, to be delivered to the collector of the Panama Canal to be covered into the Treasury of the United States as miscellaneous receipts."

SEC. 115. That section 399 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 399. Any person who has been committed on a criminal charge may be brought before the district judge on a writ of habeas corpus."

SEC. 116. The Code of Criminal Procedure for the Canal Zone is hereby amended by inserting therein, following section 413, a new section numbered 413a, to read as follows:

"SEC. 413a. During the absence of the district judge, the powers conferred upon said judge and the jurisdiction conferred upon the district court by this chapter may be exercised by a magistrate or a magistrate's court: *Provided, however,* That the magistrate herein referred to must be one other than one who has committed the party to jail. In the event the magistrate or magistrate's court denies the writ, the proceedings may be begun and proceeded with de novo before the district judge or district court upon the return of the district judge."

SEC. 117. That section 427 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 427. When the property is delivered to a court, judge, or magistrate, he must, if it was stolen or embezzled, dispose of it as provided in sections 376 to 381, inclusive. If it was taken on a warrant issued on the grounds stated in the second and third subdivisions of section 415, he must retain it in his possession, subject to the order of the court to which he is required to return the proceedings before him, or of any other court in which the offense in respect to which the property taken is triable."

SEC. 118. That section 447 of the Code of Criminal Procedure for the Canal Zone is hereby amended to read as follows:

"SEC. 447. In case in any penal institution there should not be sufficient room for the prisoners confined therein, or, in the cases of women prisoners or of prisoners under 18 years of age, if the governor determines that the public welfare will best be subserved by their imprisonment elsewhere than at Gamboa, they shall be transferred to such penal institutions within the Canal Zone as the governor may designate.

"This transfer, however, will not aggravate or affect in any way the condition of the prisoners, who will serve in accordance with the penalty to which they have been sentenced."

SEC. 119. That the following sections of the Code of Criminal Procedure for the Canal Zone be, and they are hereby, repealed: Sections 13, 29, 39, 42, 54, 55, 56, 65, 68, 69, 91, 95, 98, 99, 100, 102, 104, 106, 120, 121, 130, 132, 152, 203, 211, 238, 240, 298, 299, 300, and 301.

That the Executive order of July 28, 1925, prescribing rules of practice and procedure for the District Court of the Canal Zone, be, and it is hereby, repealed.

With the following committee amendments:

Page 2, line 9, after the word "therein," insert "and on the sworn testimony of one or more witnesses."

Page 15, line 2, after the word "therein," insert the words "and on the sworn testimony of one or more witnesses."

Page 52, line 23, strike out the word "defendant" with quotation marks and insert in lieu thereof "defendant" without quotation marks.

Page 52, insert after line 23 the following:

"4. A magistrate or the clerk of the district court must, at any time and without charge, issue subpœnas for witnesses for the defendant upon his request."

The committee amendments were agreed to.

Mr. STAFFORD. Mr. Speaker, I offer the following amendment, at page 3, line 6, after the word "States," insert "which are made."

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 3, line 6, after the word "States," insert the words "which are made."

The amendment was agreed to.

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

A motion to reconsider was laid on the table.

CODE OF CIVIL PROCEDURE FOR THE CANAL ZONE

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the next two bills on the Consent Calendar (H. R. 7521 and H. R. 7522) be passed over without prejudice.

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

There was no objection.

MAILING OF SECOND-CLASS MATTER

The Clerk read the title of the next bill on the Consent Calendar, H. R. 4594, to fix the rate of postage on publications mailed at the post office of entry for delivery at another post office within the postal district in which the headquarters or general business offices of the publisher are located.

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object, I notice that the committee by the proposed bill is granting a preference to the publishers who have already availed themselves of the privilege of establishing subsidiary branch offices. That is accomplished by the last clause beginning on line 11:

But this provision shall not be applicable to publications already entered as second-class matter which retain their entry at the post office where now entered.

Mr. KELLY of Pennsylvania. The purpose of the bill is to prevent an abuse in the future and is recommended by the department and the committee on that ground.

Mr. STAFFORD. To what extent has it been abused?

Mr. KELLY of Pennsylvania. There are, perhaps, 100 publications of this character. I will say that applies largely to publications of a religious, educational, and fraternal class issued by associations that are not operated for profit. Under the law they are chargeable with postage at the rate of 1 or 2 cents a copy, according to the frequency of the issue of the publication or the weight of the publication. Sometimes they will go 50 miles from the office of publication and secure entry in order to avoid payment of this postage rate and secure instead a rate of 1½ cents a pound.

Mr. STAFFORD. Does not the gentleman think that the bill would be improved by inserting at the end of line 4, page 2, the phrase "such or at"?

Mr. KELLY of Pennsylvania. It would have to be at a "different" post office. They could not get the low rate unless it was.

Mr. LAGUARDIA. If this change is necessary and beneficial, why is the last provision inserted in the bill?—

But this provision shall not be applicable to publications already entered as second-class matter which retain their entry at the post office where now entered.

Mr. KELLY of Pennsylvania. This is the question that the gentleman from Wisconsin put, and I have just answered by pointing out the character of these publications and suggesting that we had best confine this provision to future action.

Mr. LAGUARDIA. I beg the gentleman's pardon, I was absent from the Chamber for a few moments.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 286 of title 39 of the United States Code is hereby amended by the addition of the following sentence:

"Copies of a publication, other than a weekly, hereafter admitted to the second class of mail matter, when mailed by the publisher or registered news agent at a post office where it is entered, for delivery by letter carriers at a different post office within the delivery limits of which the headquarters or general business offices of the publisher are located, shall be chargeable with postage at the rate that would be applicable if the copies were mailed at the latter office, unless the postage chargeable at the pound rates from the office of mailing is higher, in which case such higher rates shall apply, but this provision shall not be applicable to publications already entered as second-class matter which retain their entry at the post office where now entered."

With the following committee amendment:

In line 3, page 1, strike out "section 286 of title 39 of the United States Code" and insert in lieu thereof "section 25 of the act entitled 'An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1880, and for other purposes,' approved March 3, 1879 (20 Stat. 361, U. S. C., title 39, sec. 286)."

The committee amendment was agreed to.

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

A motion to reconsider was laid on the table.

BRIDGE ACROSS THE MISSOURI RIVER AT OR NEAR ARROW ROCK, MO.

The Clerk read the title of the next bill on the Consent Calendar, H. R. 8379, to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Arrow Rock, Mo.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of the bridge across the Missouri River at or near Arrow Rock, Mo., authorized to be built by the St. Louis-Kansas City Short Line Railroad Co., a corporation of the State of Missouri, and their successors and assigns, by the act of Congress approved March 2, 1929, are hereby extended one and three years, respectively, from March 2, 1932.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

Page 1, line 6, after the word "Company," strike out the words "a corporation."

Strike out all of line 7.

The committee amendments were agreed to.

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

A motion to reconsider was laid on the table.

BRIDGE ACROSS MISSOURI RIVER, ST. CHARLES, MO.

The next business on the Consent Calendar was the bill (H. R. 8394) to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near St. Charles, Mo.

The SPEAKER. Is there objection?

Mr. DYER. Mr. Speaker, reserving the right to object, what has so far been done, if anything, toward this project?

Mr. MILLIGAN. I do not think anything has been done. Does the gentleman mean the actual work upon the bridge?

Mr. DYER. Yes.

Mr. MILLIGAN. I do not think anything.

Mr. DYER. Is it to be simply a bridge for this company, a rail bridge for the street-car company?

Mr. MILLIGAN. Yes.

Mr. STAFFORD. I direct the gentleman's attention to letter of the vice president of the railroad company which says $265,000 up to the present time has been expended.

Mr. MILLIGAN. I was referring to the actual work on the bridge.

Mr. STAFFORD. That is obtaining rights of way?

Mr. MILLIGAN. Yes.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of the bridge across the Missouri River at or near St. Charles, Mo., authorized to be built by the St. Louis-Kansas City Short Line Railroad Co., a corporation of the State of Missouri, and their successors and assigns, by the act of Congress approved March 2, 1929, are hereby extended one and three years, respectively, from March 2, 1932.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Page 1, line 6, after the word "Company," strike out the comma and the words "a certain corporation of the State of Missouri, and their successors and assigns."

The committee amendment was agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS ROCK RIVER, PROPHETSTOWN, ILL.

The next business on the Consent Calendar was the bill (H. R. 8396) granting the consent of Congress to the State of Illinois to construct a free highway bridge across the Rock River at or near Prophetstown, Ill.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

Strike out all after the enacting clause and insert:

"That the times for commencing and completing the construction of a bridge across the Rock River at or near Prophetstown, Ill., in section 28, township 20 north, range 5 east, fourth principal meridian, authorized to be built by the State of Illinois by an act of Congress approved March 28, 1930, are hereby extended one and three years, respectively, from the date of approval hereof.

"SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended to read: "A bill to extend the times for commencing and completing the construction of a bridge across the Rock River at or near Prophetstown, Ill."

BRIDGE ACROSS MAHONING RIVER, NEW CASTLE, PA.

The next business on the Consent Calendar was the bill (H. R. 8506) to extend the times for commencing and completing the construction of a bridge across the Mahoning River at New Castle, Lawrence County, Pa.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the Mahoning River at a point just south of New Castle, Lawrence County, Pa., now served by a structure known locally as the Willow Grove Bridge, authorized to be built by the State Highway Department, Commonwealth of Pennsylvania, by the act of Congress approved March 2, 1931, are hereby extended one and three years, respectively, from March 2, 1932.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS ST. LAWRENCE RIVER, ALEXANDRIA BAY, N. Y.

The next business on the Consent Calendar was the bill (H. R. 8696) to extend the times for commencing and completing the construction of a bridge across the St. Lawrence River near Alexandria Bay, N. Y.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the St. Lawrence River at or near Alexandria Bay, N. Y., authorized to be built by the New York Development Association (Inc.), a corporation organized under and by virtue of the membership corporation laws of the State of New York, its successors and assigns, by an act of Congress approved March 4, 1929, are hereby extended one and four years, respectively, from March 4, 1932.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

Page 2, line 1, after the figures "1929," insert "and heretofore extended by an act of Congress approved February 13, 1931," and line 2, page 2, after the word "hereby," insert the word "further," and in line 3, page 2, strike out the word "four" and insert the word "three."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

BRIDGE ACROSS MISSISSIPPI RIVER, BETTENDORF, IOWA

The next business on the Consent Calendar was the bill (H. R. 9066) to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Tenth Street in Bettendorf, Iowa.

The SPEAKER. Is there objection?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, I have been objecting to this bill. It is a private enterprise, and I understand that no progress has been made on the promotion.

Mr. JACOBSEN. There has not been on the promotion.

Mr. ALLEN. The bridge is being financed now by the city.

Mr. JACOBSEN. Yes; the city voted it 3 to 1.

Mr. LAGUARDIA. The gentleman states this concession has been turned over to the city of Bettendorf?

Mr. JACOBSEN. Yes.

Mr. LAGUARDIA. And they have authorized a bond issue?

Mr. JACOBSEN. Yes.

Mr. LAGUARDIA. So that it will be a municipal enterprise?

Mr. JACOBSEN. Yes.

Mr. ALLEN. In order to float the bond issue, they have to have an extension.

Mr. LAGUARDIA. I have no objection.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of the bridge across the Mississippi River at or near Tenth Street in Bettendorf, Iowa, authorized to be built by B. F. Peek, G. A. Shallberg, and C. I. Josephson, of Moline, Ill.; J. W. Bettendorf, A. J. Russell, and J. L. Hecht, of Bettendorf and Davenport, Iowa, their heirs, legal representatives, and assigns, by the act of Congress approved May 26, 1928, heretofore extended by an act of Congress approved June 10, 1930, are hereby further extended one and three years, respectively, from the date of approval hereof, whether said bridge shall be constructed by said B. F. Peek and associates above named or be constructed by said city of Davenport or other municipality, political subdivision, corporation, or person by virtue of a sale, assignment, or transfer of the rights, powers, and privileges conferred by said act of Congress approved May 26, 1928.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

Page 2, line 3, strike out the words "an act" and insert "acts," and after the word "approved," in the same line, insert the words "March 2, 1929, and"; and on the same page in line 5, after the word "hereof," strike out the comma and the remainder of the paragraph.

The committee amendments were agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

HIGHWAY BRIDGE ACROSS ST. FRANCIS RIVER AT OR NEAR MADISON, ARK.

The next business on the Consent Calendar was the bill (H. R. 9264) to extend the times for commencing and completing the construction of a free highway bridge across the St. Francis River at or near Madison, Ark., on State highway No. 70.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a free highway bridge across the St. Francis River, at a point suitable to the interests of navigation, at or near Madison, Ark., on State highway No. 70, authorized to be constructed, maintained, and operated by the State of Arkansas, through its State highway department, by an act of Congress approved March 3, 1931, are hereby further extended one and three years, respectively, from such date.

With the following committee amendments:

Page 1, line 5, after the word "River," strike out the words "at a point suitable to the interests of navigation."

Page 1, line 7, strike out the words "constructed, maintained, and operated" and insert in lieu thereof the word "built."

Page 2, line 2, after the word "hereby," strike out the word "further."

Page 2, line 3, after the word "from," strike out the words "such date" and insert in lieu thereof the words "March 3, 1932."

Page 2, line 4, insert: "Sec. 2. The right to alter, amend, or repeal this act is hereby expressly reserved."

The committee amendments were agreed to.

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

A motion to reconsider was laid on the table.

HIGHWAY BRIDGE ACROSS ST. FRANCIS RIVER AT LAKE CITY, ARK.

The Clerk called the next bill on the Consent Calendar, H. R. 9266, granting the consent of Congress to the State of Arkansas, through its State highway department, to construct, maintain, and operate a free highway bridge across St. Francis River at or near Lake City, Ark., on State Highway No. 18.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the State of Arkansas, through its State highway department, to construct, maintain, and operate a free highway bridge and approaches thereto across the St. Francis River, at a point suitable to the interests of navigation, at or near Lake City, Ark., on State Highway No. 18, in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

Strike out after the enacting clause and insert the following, on page 2, line 8:

"That the times for commencing and completing the construction of a bridge across the St. Francis River at or near Lake City, Ark., on State Highway No. 18, authorized to be built by the State of Arkansas, through its State highway department, by an act of Congress approved June 30, 1930, are hereby extended one and three years, respectively, from the date of approval hereof.

"SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved."

The committee amendments were agreed to.

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

A motion to reconsider was laid on the table.

The title was amended to read: "A bill to extend the times for commencing and completing the construction of a bridge across the St. Francis River at or near Lake City, Ark."

BRIDGE ACROSS THE MISSISSIPPI RIVER AT GRAND RAPIDS, MINN.

The Clerk called the next bill on the Consent Calendar, S. 3237, to legalize a bridge across the Mississippi River at Grand Rapids, Minn.

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the bridge now being constructed by the State of Minnesota across the Mississippi River at Grand Rapids, Minn., and located on trunk highway No. 35, if completed in accordance with the plans accepted by the Chief of Engineers and the Secretary of War, shall be a lawful structure, and shall, together with the persons owning or controlling it, be subject to the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

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

A motion to reconsider was laid on the table.

BRIDGE ACROSS BAY OF SAN FRANCISCO FROM RINCON HILL DISTRICT IN SAN FRANCISCO BY WAY OF GOAT ISLAND TO OAKLAND

The Clerk called the next bill on the Consent Calendar, S. 3282, to extend the times for commencing and completing the construction of a bridge across the Bay of San Francisco from the Rincon Hill district in San Francisco by way of Goat Island to Oakland.

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the times for commencing and completing construction of a bridge across the Bay of San Francisco, at or near the general site from Rincon Hill, in the city and county of San Francisco, to and across Goat Island, in San Francisco Bay, thence to Oakland, in the county of Alameda, authorized to be built by the State of California, by an act of Congress approved February 20, 1931, are hereby extended two and seven years, respectively, from February 20, 1932.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Page 2, line 1, strike out the word "seven" and insert in lieu thereof the word "five."

Mr. STAFFORD. Mr. Speaker, I ask recognition in opposition to the amendment.

Will the lady from California inform the House what, if any, progress has been made under this valuable franchise that was granted by the last Congress?

Mrs. KAHN. There certainly has been progress made. The State appropriated $650,000 to start the work. All the preliminary borings have been made. We simply have this bill as a safeguard, because the State expects to sell the bonds, and this bill is simply a safeguard for the bonds.

Mr. STAFFORD. Can the lady give any estimate as to when this great project is likely to be completed, so persons going across the continent may have the advantage of this great highway bridge?

Mrs. KAHN. They hope to have it completed within the time limit set by the committee. The Senate gave them a little longer, but the House committee, as I understand, has a rule about not extending the time beyond a certain number of years for completion. Of course, I do not know, in this period of depression, how successful they will be, but we hope they will be able to sell the $75,000,000 of bonds. Meantime they have appropriated out of the public treasury an amount of $650,000, and the work has progressed.

The committee amendment was agreed to.

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

A motion to reconsider was laid on the table.

PROTECTION OF THE PALO VERDE VALLEY, STATE OF CALIFORNIA

The Clerk called the next bill, H. R. 4715, for the protection of the Palo Verde Valley, State of California, against injury or destruction by reason of Colorado River floods.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, I find this language in the letter from the Secretary of the Interior to the chairman of the committee:

My suggestion is that transfer of the sum of $70,000 to the reclamation fund under one of the flood control bills now pending before the House be authorized as an emergency measure.

I note the bill provides for an authorization of $200,000 annually for five years. How are you going to finance this?

Mr. BLANTON. Mr. Speaker, I am going to object to the bill because it is not in accordance with the President's financial program. It involves the large sum of $1,000,000. The Interior Department reports that the expenditure at this time of this $1,000,000 would not be in accord with the financial program of the President. I am against spending every million dollars that is not necessary and which can be saved. Only by stopping these expenditures may we ever expect to balance the Budget. Therefore, Mr. Speaker, I object.

The SPEAKER. Is there objection?

Mr. BLANTON. I object.

EXTENSION OF BENEFITS OF HOSPITALIZATION IN THE SOLDIERS' HOMES TO CERTAIN PERSONS WHO SERVED IN THE QUARTERMASTER CORPS

The Clerk called the next bill, H. R. 4724, to confer to certain persons who served in the Quartermaster Corps or under the jurisdiction of the Quartermaster General during the war with Spain, the Philippine insurrection, or the China relief expedition the benefits of hospitalization and the privileges of the soldiers' homes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, since this bill was last under consideration I have noted that they are seeking to extend the provisions of the World War veterans' act to these former employees of the Quartermaster Corps. I wish to confer with the author of the bill, and I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

INDIAN CEMETERY RESERVES ON THE WICHITA INDIAN RESERVATION IN OKLAHOMA

The Clerk called the next bill, H. R. 8691, authorizing the Secretary of the Interior to sell certain unused Indian cemetery reserves on the Wichita Indian Reservation in Oklahoma to provide funds for purchase of other suitable burial sites for the Wichita Indians and affiliated bands.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. HASTINGS. Mr. Speaker, I ask unanimous consent to substitute Senate bill 3409 for the House bill.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized, in his discretion, to advertise and sell to the highest bidder for cash, at not less than the appraised value, the following-described tracts of land on the Wichita Indian Reservation in Oklahoma: SE. ¼ SE. ¼, sec. 3, T. 9 N., R. 10 W., Indian meridian, in Oklahoma, 40 acres; and N. ½ NE. ¼ NW. ¼ and SE. ¼ NE. ¼ NW. ¼, sec. 10, T. 7 N., R. 10 W., Indian meridian, in Oklahoma, 30 acres: *Provided*, That the proceeds derived therefrom shall be used by the Secretary of the Interior in purchasing suitable tracts of land more conveniently situated, which may be desired by the Wichita and affiliated bands of Indians for cemetery purposes.

Mr. LEAVITT. Mr. Speaker, I offer the House committee amendment.

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

The Clerk read as follows:

Amendment offered by Mr. LEAVITT: At the end of the bill insert: "*And provided further*, That there shall be reserved to the Indian owners all coal, oil, gas, or other mineral deposits found at any time in the land."

The amendment was agreed to.

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

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

A similar House bill (H. R. 8691) was laid on the table.

STATUES OF GEORGE WASHINGTON AND ROBERT E. LEE

The next business on the Consent Calendar was House Concurrent Resolution 24, thanking the Governor of the State of Virginia for the statues of George Washington and Robert E. Lee.

The SPEAKER. Is there objection to the present consideration of the concurrent resolution?

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that this resolution go over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

CONTINUATION OF AUTHORIZATION FOR THE CONSTRUCTION OF ROADS AND TRAILS IN THE NATIONAL PARKS AND MONUMENTS

The Clerk called the next bill, H. R. 6059, to continue the authorization for the construction, reconstruction, and improvement of roads and trails, inclusive of necessary bridges in and approach roads to the national parks and monuments under the jurisdiction of the Department of the Interior, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, why can not this be carried out through the provisions of the road bill we passed a few days ago?

Mr. LEAVITT. That was an emergency bill only and this provides, during the fiscal years 1934 and 1935, for a continuation of the authorization for work that has always gone on in the national parks. Without this legislation the work can not be done during the two years covered in this bill.

Mr. LAGUARDIA. But under the provisions of the emergency road bill, if you want to call it that, you certainly could do the work next year that you contemplate doing this year.

Mr. LEAVITT. For one year, but it does not give the authorization necessary for the orderly carrying on of the work in the parks. This is a smaller amount than the old authorization, I will say to the gentleman.

Mr. LAGUARDIA. It is only $5,000,000, of which not to exceed $1,000,000 may be allocated each year. I think the road bill covers this sufficiently.

Mr. LEAVITT. It does not.

Mr. LAGUARDIA. What does the gentleman from Texas think about it?

Mr. BLANTON. I think it does. Why put this additional burden on the Government when the other bill covers it absolutely.

Mr. LEAVITT. No; it does not, except for one year, and not either of those in this bill.

Mr. BLANTON. Does the gentleman think he needs to go now up to 1934, 1935, and 1936? Does he not think Congress is going to meet before then?

Mr. LAGUARDIA. I would advise the gentleman not to press this bill.

Mr. BLANTON. Mr. Speaker, this bill involves $5,000,000, and I object.

CONCURRENT POLICE JURISDICTION OVER THE RIGHTS OF WAY OF THE BLACKFEET HIGHWAY

The Clerk called the next bill, H. R. 8914, to accept the grant by the State of Montana of concurrent police jurisdiction over the rights of way of the Blackfeet Highway, and over the rights of way of its connections with the Glacier National Park road system on the Blackfeet Indian Reservation in the State of Montana.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, how is this road going to be policed?

Mr. LEAVITT. It is policed by a motorcycle policeman who now operates along the east side of the Glacier National Park. He has authority on those parts of the road that are within the park but he has no authority over the connecting roads outside.

Mr. LAGUARDIA. Does the whole police force consist of one man?

Mr. LEAVITT. Sometimes two.

Mr. LAGUARDIA. Do we need an act of Congress for this purpose?

Mr. LEAVITT. Yes; because you can not confer any jurisdiction on the National Park Service except by accepting the grant of concurrent jurisdiction offered by the State of Montana.

Mr. BLANTON. If the gentleman will yield, I want to ask the gentleman from Montana if he does not think that with a bill of this character there should be a report from a department showing its probable cost to the Government and also showing the uttermost limit of cost?

Mr. LEAVITT. I can state that. It will not cost any more than it does now.

Mr. BLANTON. There is no report from the department on the probable cost to the Government, and inasmuch as the gentleman has passed so many bills here—I think he has the record on the number of bills passed in a Congress—he ought to know that sometimes these things get away from us; and even when the Member who introduces them does not believe they are going to cost much, yet in the final analysis they cost tremendous sums and sometimes amount to hundreds of thousands of dollars.

Mr. LAGUARDIA. Mr. Speaker, I do not desire to reduce the batting average of our colleague from Montana——

Mr. COLLINS. Mr. Speaker, I have another objection to this bill. The Federal Government is called upon to police a State road, a practice that should not be started; therefore, I object to the bill.

COMPACTS OR AGREEMENTS BETWEEN STATES

The next business on the Consent Calendar was the bill (H. R. 8897) to authorize compacts or agreements between States relating to service of process and production of witnesses in criminal cases.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I would like to inquire of some member of the Committee on the Judiciary as to the reason for the committee amendment eliminating approval by the legislatures of the respective compacts that are entered into. I should think that the legislatures should certainly exercise their function in passing upon these compacts.

Mr. DYER. If the gentleman will permit, I think they are to do that under the first paragraph, and the other was considered unnecessary.

Mr. LAGUARDIA. No; I think there is something in what the gentleman from Wisconsin says, and the matter came up in committee. The second section provides first for the ratification of the compact after the agreement has been made, and then it is to be submitted for approval, but the gentleman from Texas [Mr. SUMNERS], the author of the bill, is here and I am sure the gentleman will explain it.

Mr. STAFFORD. I would like to inquire, and I am sure other Members of the House would like to know, why the committee recommended the elimination of approval by the legislatures before these compacts would be effectual.

Mr. SUMNERS of Texas. I am not sure that I caught the gentleman's question.

Mr. STAFFORD. This is a bill which the gentleman introduced granting the consent of Congress to the various States to enter into agreements providing for the service of process upon a person living in another State and compelling his attendance as a witness in criminal proceedings. Section 2 of the bill, as the gentleman originally introduced it, provided that these agreements should not be binding unless they had been approved by the legislatures and also by the Congress of the United States. I am not so much concerned about having them approved by the Congress of the United States as I am about having them receive approval by the legislatures.

Mr. SUMNERS of Texas. Mr. Speaker, may I say to the gentleman who has propounded the interrogation that the reason that particular change was made—I assume the gentleman has no question about having stricken out the provision requiring congressional approval.

Mr. STAFFORD. No; I have no objection to that at all.

Mr. SUMNERS of Texas. However, with regard to the second proposition, the committee, or at least myself—and I think that is the view of the committee generally—did not think it would be proper—or at least I had that notion—for the Congress to suggest to the State through what agency the State should indicate its approval. This was my own view. Here is a State, and the State legislature has created agencies that may speak for the State, make arrangements for the State, enter into negotiations for the State, and I thought we might leave it to the people of the

State to select the agency through which the State could express its approval.

Mr. DYER. If the gentleman will permit, is there any other agency known to the gentleman from Texas, other than the legislature, to pass upon a matter of this kind?

Mr. SUMNERS of Texas. No; I do not know of any other, but I do not want Congress dictating to States as to these agencies through which they may act.

Mr. McKEOWN. I want to state to the gentleman that the process by which these agreements are entered into is usually that the legislature in the first instance, after Congress consents, enacts the resolution authorizing the governor of the State to enter into negotiations, and the governor is authorized to conduct these negotiations, and after that is done it has never been looked upon as necessary——

Mr. STAFFORD. As explained by the gentleman from Texas [Mr. SUMNERS] and as confirmed by the gentleman from Oklahoma [Mr. McKEOWN], the legislature does virtually grant its consent by delegating to certain agencies the right to enter into these compacts.

Mr. SUMNERS of Texas. I will say to my friend from Wisconsin it is my judgment that probably there is no agency in any State that is authorized to enter into these compacts other than the legislature.

Mr. STAFFORD. That was the query in my mind, whether the governor, ipso facto, without authority deputed to him by the legislature, would have the right to enter into compacts or agreements.

Mr. SUMNERS of Texas. No.

Mr. STAFFORD. I assume the gentleman would agree that they should not without legislative authorization.

Mr. SUMNERS of Texas. Not unless the legislature, in the first instance, has created an agency that has the right to do this; and if it has, I do not think it is any business of the Congress to interfere.

Mr. COLLINS. Will the gentleman yield?

Mr. STAFFORD. Surely.

Mr. COLLINS. I am in sympathy with the purpose of the bill. I fear, however, with its passage a very doubtful policy is begun. I notice this language in the committee's report:

> The purpose of this bill is to remove the constitutional limitation upon the right of States to enter into compacts or agreements and make it possible for them by such agreements to provide that process may run beyond the border of the State issuing the process into a State a party to such agreement.

Mr. SUMNERS of Texas. Yes.

Mr. COLLINS. Now, how is it possible for this Congress to remove the constitutional limitation?

Mr. SUMNERS of Texas. This is it. There is a provision in the Federal Constitution prohibiting States entering into compacts except by the consent of Congress. What we propose to do by this act is to remove that limitation in the Federal Constitution and leave the States free to negotiate in regard to the matter.

Mr. COLLINS. Does not the gentleman get himself into this situation? The idea back of that constitutional provision is to give Congress the right to veto or approve of a compact entered into by two or more States. In this case, in advance, the Congress is giving up this right, and are we not indirectly violating this provision of the Constitution?

Mr. SUMNERS of Texas. Not at all. The only matter involved is the proposition in regard to this compact, in that a subsequent Congress reserves the right to examine the compact and give its approval. It is a very simple proposition, simply relieving the States from the constitutional limitation.

Mr. COLLINS. Let us take another case. Suppose the States of Alabama and Tennessee and other Southern States adjacent to Muscle Shoals should make an agreement suitable to them as to a division of power generated at Muscle Shoals, could the Congress in advance of any such agreement ratify that agreement?

Mr. SUMNERS of Texas. I hope the gentleman will not take us so far afield.

Mr. COLLINS. I am afraid that we are setting a very bad precedent. Not that I have any objection to the purpose of this particular bill, but it seems that we are getting into territory that we ought to stay out of. We ought not in advance of these compacts to ratify them.

Mr. SUMNERS of Texas. Let me state the concrete proposition. What is it? That States may enter into compacts to do a definite thing—remove the barrier and make it possible for the process of the State to reach beyond the border of a single State. This is very important. The Committee on the Judiciary is under tremendous pressure to increase the jurisdiction of the Federal courts. The rapidity of transportation makes it possible for criminals and witnesses to get quickly beyond the border of the State in which the crime is supposed to be committed. There is freedom of movement between these States. Almost the only time the State barrier goes up is when a State is pursuing a criminal or seeking to get witnesses. This is a plain, practical, common-sense proposition. If we do not move in the direction indicated by this bill, the Federal Government has got to take over jurisdiction as to crimes where it is made possible because of the greatly extended interstate provisions. I hope the gentleman will not object.

Mr. COLLINS. Let me say that I think this bill ought to go over, so that Members may think about the far-reaching possibilities of such legislation. Also its constitutionality.

Mr. McKEOWN. I would like to make a short statement. The gentleman from Mississippi raises a very important question as to whether Congress shall give its consent in advance to do certain things in regard to compacts between the States. The Supreme Court of the United States has held that the States can enter into compacts without the consent of Congress given in advance and may sometimes by act of Congress later ratify it. It has been held that where States have entered into a compact, like Virginia and Maryland, and that compact is permitted to go on for years without objection, that that was virtually ratified. So the objection of the gentleman has no effect on the situation.

Mr. COLLINS. The gentleman is just arguing my side of the proposition.

Mr. McKEOWN. We had a proposition of this kind up between the State of Texas and the State of Oklahoma.

Mr. DYER. This is not new.

Mr. COLLINS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

INTERPARLIAMENTARY UNION

The next business on the Consent Calendar was House Joint Resolution 320, to authorize an appropriation for the American group of the Interparliamentary Union.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. GREENWOOD. Mr. Speaker, I reserve the right to object. I understand that this is the same appropriation usually made. I would like to have some explanation of what the money is used for in connection with this conference.

Mrs. OWEN. This appropriation covers the expenses of the American delegates.

Mr. GREENWOOD. How many delegates go?

Mrs. OWEN. The selection of the delegates depends upon the will of the interparliamentary group in Congress. The year that I attended, 1930, we had 15 delegates.

Mr. GREENWOOD. What practical results have ever come from these conferences in proposing legislation?

Mrs. OWEN. I should be very glad to answer the gentleman's question, citing my own personal experience. When I went as a delegate in 1930 I was appointed to the International Committee on Legislation for Women, Children, and Labor. This permitted me not only to participate in the international discussions of this subcommittee at London, but it makes me now the recipient of all the international surveys on those questions. Since our 1930 meeting

the committee, under the leadership of our chairman, Senator Francois, of Belgium, has been gathering together statistical surveys of all of the legislation on these subjects.

Mr. JOHNSON of Washington. Is not that very work being done in connection with other leagues of an international character? All these labor statistics come from Geneva from another international organization.

Mrs. OWEN. I believe there is no other in which the members of parliaments have an opportunity to discuss these questions amongst themselves.

Mr. JOHNSON of Washington. Where are the documents belonging to the Congress of the United States?

Mrs. OWEN. The major purpose of the Interparliamentary Union is to permit members of the congresses and parliaments to benefit by the discussion of public questions. A further benefit is represented by the subsequent work of the subcommittees, through which members may familiarize themselves with the experience of all nations in respect to a given problem.

Mr. JOHNSON of Washington. This thing has gone on year in and year out, and what has been accomplished from it? Nothing but talk, conversation, and good feeling, apparently to very little purpose.

Mr. BLANTON. Mr. Speaker, I will state to our friend from Washington [Mr. JOHNSON] and to our friend from Indiana [Mr. GREENWOOD] that if they were here when the Interparliamentary Union met several years ago in this Chamber, representing some 44 countries, they would have seen some of the benefits that I think are derived from this convention by all of the people of all the countries.

So far as the meeting at Geneva is concerned, Congress appropriated $300,000, and this sum now asked is a mere bagatelle compared with the Geneva appropriation, this little $10,000 that is being asked for here.

Mr. PARKS. What good does it do?

Mr. BLANTON. I think it does a great deal of good.

Mr. PARKS. What?

Mr. BLANTON. It gives the members of every congress of every nation the privilege of meeting and exchanging views on vital subjects, out of which grows friendly contacts helpful to all peoples.

Mr. PARKS. Was that of very great value to the country?

Mr. BLANTON. I deem it well worth $10,000 to the United States, as the absence of our delegates would be especially noted to the detriment of our Nation.

The SPEAKER. Is there objection?

Mr. DYER. Mr. Speaker, I object.

TRANSFERRING CERTAIN LAND TO THE NAVY DEPARTMENT, VALLEJO, CALIF.

The next business on the Consent Calendar was the bill (H. R. 9146) authorizing the transfer of certain lands near Vallejo, Calif., from the United States Housing Corporation to the Navy Department for naval purposes.

The SPEAKER. Is there objection?

Mr. CHAVEZ. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

LEASING OF INDIAN LANDS, RED LAKE RESERVATION, MINN.

The next business on the Consent Calendar was the bill (H. R. 472) to authorize the leasing of unallotted tribal Indian lands in the Red Lake Indian Reservation, Minn.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that this bill go over without prejudice. The Indian Committee will have a day very shortly.

The SPEAKER. Is there objection?

There was no objection.

CLAIMS OF EASTERN EMMIGRANT AND WESTERN CHEROKEE INDIANS

The next business on the Consent Calendar was the bill (H. R. 9441) to confer jurisdiction on the Court of Claims to hear and determine certain claims of the Eastern Emmigrant and Western Cherokee Indians of Oklahoma and North Carolina.

The SPEAKER. Is there objection?

Mr. BALDRIGE. I object.

Mr. HASTINGS. Will the gentleman withhold his objection?

Mr. BALDRIGE. Yes.

Mr. HASTINGS. Mr. Speaker, I think I can make a satisfactory explanation of the bill. This bill passed the House at the last session of Congress. It passed the Senate a few days ago. All that the bill does is to permit the two divisions or parties of the Cherokee Tribe to intervene in suits that are already pending in the Court of Claims, brought under the act of March 19, 1924. When the Cherokee Tribe of Indians resided east of the Mississippi River, occupying the territory around Chattanooga, in Georgia, Tennessee, and North Carolina, certain of them removed west prior to the treaty of 1925. That constituted about one-fourth of the tribe.

They were afterwards known as old settlers. Some of them moved west subsequent to the treaty of 1835, and they were thereafter known as Eastern or Emmigrant Cherokee. Congress, by an act of March 19, 1924, authorized the Cherokee Nation to bring suit in the Court of Claims for any claim which it might have against the Government of the United States, with the right of appeal to the Supreme Court. It is suggested that perhaps these two divisions, namely, about one-fourth of them that removed west as old settlers prior to the treaty of 1835, and those who removed subsequent to the treaty of 1835, known as Eastern Emmigrant Cherokees, might have some claims that will not be adjudicated in these suits, and this bill only gives those two divisions of the Cherokee Tribe a right to intervene in those suits.

That is all it is. The suits are already pending. This will give them one year within which to intervene in the pending suits. I can not see any possible objection to the bill. This bill passed the last session of Congress. It did not pass the Senate on account of the congestion. It passed the Senate the other day, and there is a Senate bill on the Speaker's table.

Mr. STAFFORD. Will the gentleman yield?

Mr. HASTINGS. I yield.

Mr. STAFFORD. Does the gentleman say that this bill passed the last Congress?

Mr. HASTINGS. Yes, sir; in exactly these identical words, because I copied and reintroduced the bill as it passed.

Mr. STAFFORD. It got by me, then.

Mr. HASTINGS. Oh, no. The gentleman understood it. I explained it to the gentleman in colloquy, because we eliminated the objection of the Secretary of the Interior in the amended bill. I have reintroduced it exactly as it passed last year.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BALDRIGE. Mr. Speaker, I object.

TRANSFERRING JURISDICTION OVER PUBLIC LANDS IN THE DISTRICT OF COLUMBIA

The Clerk called the next bill on the Consent Calendar, S. 2498, to authorize the transfer of jurisdiction over public land in the District of Columbia.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COLLINS. Mr. Speaker, I object.

Mr. DALLINGER. Will the gentleman withhold his objection?

Mr. COLLINS. I will reserve the objection.

Mr. DALLINGER. May I ask the gentleman what his objections are to this bill?

Mr. COLLINS. My objection is based upon my experience in dealing with the affairs of the District of Columbia. In several instances in the past I have noticed that the District has traded away land for other land of comparable size, but the land traded was worth three or four times as much as

the land it acquired. I think these bills to exchange property should come to Congress for its approval.

Mr. DALLINGER. This does not. This only transfers jurisdiction.

Mr. COLLINS. That is exactly what I want to prevent.

Mr. DALLINGER. It has to be by mutual agreement between the authorities of the Federal Government and the authorities of the District of Columbia.

Mr. COLLINS. I understand that, but I have seen instances where I thought the right was abused.

Mr. STAFFORD. Will the gentleman yield?

Mr. DALLINGER. I yield.

Mr. STAFFORD. Under this bill, would it permit the Commission on Public Buildings and Parks, or the authority which has jurisdiction over the Botanic Gardens, to get together and say, "We will transfer this to another agency," without the knowledge of Congress?

Mr. DALLINGER. Oh, no.

Mr. STAFFORD. Why not?

Mr. DALLINGER. Not at all.

Mr. STAFFORD. Why not? The phraseology is all pervasive.

Mr. DALLINGER. This simply transfers jurisdiction.

Mr. STAFFORD. It would authorize the District authorities to get together with the respective Federal bodies and agree upon a transfer of jurisdiction without notice to Congress whatever.

The SPEAKER. Is there objection?

Mr. COLLINS. Mr. Speaker, I object.

Mr. STAFFORD. I object.

EMPLOYEES' COMPENSATION ACT TO AID THE TOTALLY DISABLED

The Clerk called the next bill on the Consent Calendar, H. R. 92, to amend an act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, and acts in amendment thereof.

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that this bill go over without prejudice.

Mr. LAGUARDIA. Mr. Speaker, I object.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, the author of the bill is not present.

Mr. BLANTON. I object for the present, Mr. Speaker.

The SPEAKER. Three objections are necessary.

Mr. STAFFORD. I object, in view of the gentleman not allowing it to go over without prejudice.

Mr. COLLINS. I object.

SILVER SERVICE TO ALABAMA SOCIETY OF FINE ARTS

The Clerk called the next bill on the Consent Calendar, H. R. 6444, authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the Alabama Society of Fine Arts, the silver service presented to the United States for the U. S. S. *Montgomery*.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I have no objection to the fundamental principle, but customarily in these bills provision is made so that the department may recall the silver service in case of need. I suppose it is the intention of the chairman of the committee to permit this silver service, in case there would be another vessel named in honor of the city which he so creditably represents, to have it recalled for that purpose?

Mr. HILL of Alabama. That will be perfectly agreeable.

Mr. STAFFORD. I have prepared an amendment to offer at the end of the bill providing for that.

Mr. HILL of Alabama. There will be no objection to that.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy is authorized, in his discretion, to deliver to the custody of the Alabama Society of Fine Arts, for preservation and exhibition, the silver service which was presented to the United States for the U. S. S. *Montgomery* by the citizens of that State: Provided, That no expense shall be incurred by the United States for the delivery of such silver service.

Mr. STAFFORD offered the following amendment:

In line 9, page 1, after the word "service," insert a colon and the following: "*Provided further*, That said silver service shall be subject to recall when, in the opinion of the Secretary of the Navy, it may be of service to the Navy."

The amendment was agreed to.

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

A motion to reconsider was laid on the table.

ADJUSTMENT OF THE BOUNDARIES OF THE SIUSLAW NATIONAL PARK

The Clerk called the next bill, H. R. 8548, authorizing the adjustment of the boundaries of the Siuslaw National Forest, in the State of Oregon, and for other purposes.

There being no objection, the bill was read, as follows:

Be it enacted, etc., That the provisions of the act of Congress approved March 20, 1922 (42 Stat. 465), section 485, title 16, Code of Lands of the United States, be, and the same are hereby, extended, and made applicable, to any lands within township 12 south, ranges 6 and 7 west, Willamette meridian, Benton County, State of Oregon. Lands conveyed to the United States under this act shall, upon acceptance of title, become parts of the Siuslaw National Forest and subject to all laws relating thereto.

With the following committee amendment:

Page 1, line 5, strike out the word "Lands" and insert in lieu thereof the word "Laws."

The committee amendment was agreed to.

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

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

INCREASED EXPENDITURES FOR ENFORCEMENT OF CONTRACT-LABOR PROVISIONS OF IMMIGRATION LAW

The Clerk called the next bill, H. R. 9598, to authorize increased expenditures for the enforcement of the contract-labor provisions of the immigration law.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. PATTERSON. Mr. Speaker, the gentleman from Alabama [Mr. OLIVER] requested me to ask that this bill be passed over without prejudice. He wants to study it.

The SPEAKER. The gentleman from Alabama asks unanimous consent that this bill be passed over without prejudice. Is there objection?

Mr. DICKSTEIN. Mr. Speaker, reserving the right to object, I wish the gentleman would ask that this bill go to the bottom of the calendar and that it be passed over temporarily.

Mr. PATTERSON. Mr. Speaker, I will make that request.

The SPEAKER. The gentleman from Alabama asks unanimous consent that this bill be temporarily passed over. Is there objection?

Mr. JOHNSON of Washington. Mr. Speaker, reserving the right to object, I desire to make a very brief statement. The title makes it appear that this would call for an increased expenditure, but the committee struck the word "increased" from the title, as the bill calls for no increase.

Mr. PATTERSON. I am for the bill, but the gentleman from Alabama desires to study it.

Mr. JOHNSON of Washington. I want to state now that this transfers to the sum authorized in the act of 1917 an additional $100,000 of money already appropriated to be used in the detection of alien criminals who are entering the United States by airplane and otherwise and for breaking up alien gangs of counterfeiters of Government passports and other documents.

Mr. PATTERSON. I do not think there is any opposition to it. It does not call for any additional appropriation and I think the bill ought to pass.

Mr. JOHNSON of Washington. I am sorry it can not be passed to-day.

The SPEAKER. Is there objection to the request of the gentleman from Alabama that this bill be passed over temporarily?

There was no objection.

ATTENDANCE OF NAVY BAND AT CONVENTION OF VETERANS OF FOREIGN WARS

The Clerk called the next bill, H. R. 5828, to authorize the attendance of the Navy Band at the convention of the Veterans of Foreign Wars of the United States at Sacramento, Calif.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BLANTON. Mr. Speaker, reserving the right to object, just now I hardly believe it would be advisable to spend $15,838 on such a trip, and I object. Fifteen thousand eight hundred and thirty-eight dollars and eighty-eight cents is not such a large sum, it is true, but the time has now come when we must retrench and stop spending. No matter how much we preach economy, we will never balance the Budget unless we practice economy. There is but one way to practice it, and that is to quit passing bills that appropriate sums of money that are not needed. With regard to all of these bills the first question I ask when taking them up for consideration is, "Can we get along without this; is it necessary?" In my judgment, it is not necessary that this $15,838.88 should be spent; therefore, Mr. Speaker, I object.

ATTENDANCE OF MARINE BAND AT UNITED SPANISH WAR VETERANS' CONVENTION

The Clerk called the next bill, H. R. 8635, to authorize the attendance of the Marine Band at the United Spanish War Veterans' convention at Milwaukee.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BLANTON. Mr. Speaker, for the same reason I object. This bill carries over $11,000, or, to be exact, it would cost the people $11,645.08. If we expect to balance the Budget, we must stop spending. We must stop the many small items sought to be appropriated as well as the large ones. While this $11,645.08 is a comparatively small sum, yet when added to the many other items continually appropriated, the aggregate is a large amount during the fiscal year. My opinion is that this money should not be so spent. Therefore, Mr. Speaker, I object.

CONVEYANCE OF LAND BY UNITED STATES TO THE STATE OF MINNESOTA

The Clerk called the next bill, H. R. 5603, to authorize the conveyance by the United States to the State of Minnesota of lot 4, section 18, township 131 north, range 29 west, in the county of Morrison, Minn.

There being no objection, the bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to convey to the State of Minnesota all right, title, and interest of the United States in and to lot 4, section 18, township 131 north, range 29 west, fifth principal meridian, in the county of Morrison, State of Minnesota, formerly a part of Fort Ripley Military Reservation and restored to homestead entry by act of April 1, 1880 (21 Stat. L. 69), for military purposes and specifically as part of Camp Ripley Military Reservation. Such conveyence shall contain the express condition that if said State of Minnesota shall at any time cease to use such lot for such purpose or shall alienate, or attempt to alienate, such lot, title thereto shall revert to the United States.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider laid on the table.

REHABILITATION OF THE STANFIELD PROJECT, OREGON

The Clerk called up the next bill, H. R. 8164, for the rehabilitation of the Stanfield project, Oregon.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BLANTON. Mr. Speaker, reserving the right to object, I want to ask the gentleman from Oregon whether this is going to require an expenditure of $100,000?

Mr. BUTLER. The bill authorizes $100,000, or so much as may be necessary, out of the reclamation fund.

Mr. BLANTON. Does not the gentleman think that we can hold this up, this proposed $100,000 expenditure, for a year or so, until we get out of this depression?

Mr. BUTLER. Well, of course it could be held up, and would be held up if the gentleman objects, but not without injury to the settlers and the Government.

Mr. BLANTON. I object, Mr. Speaker.

EQUIPMENT ALLOWANCE TO THIRD-CLASS POSTMASTERS

The Clerk called the next bill, H. R. 4602, granting equipment allowance to third-class postmasters.

The SPEAKER. Is there objection to the present consideration of the bill.

Mr. LAGUARDIA. Mr. Speaker, I object for the present.

Mr. PATTERSON. Will the gentleman reserve his objection. We want to make a statement about this important bill.

Mr. LAGUARDIA. Mr. Speaker, I will withhold my objection.

Mr. ROMJUE. Mr. Speaker, the postmasters of this class have to furnish their own equipment for their own offices. This bill provides that inasmuch as that law is in effect the postmasters be allowed 50 per cent of the returns from the box rentals. However, as soon as the Government equips the post offices all the box rentals from the equipment will go to the Government.

Mr. DYER. Will the gentleman yield?

Mr. ROMJUE. In just a moment.

The fact of the business is that you will find the revenues from these offices will increase somewhat over what the revenue is at the present time. Why? Simply because the postmasters will be entitled to receive 50 per cent of the box rents. Criticize it if you will, but where there is no advantage to the postmaster whatever he is not as apt to push the rental of the boxes as he would if he were entitled to a part of the receipts from the rents, and he will try to rent more boxes and install more boxes and rent them when he gets a part of the return; but if he receives no part of the rental he will be slow to furnish additional boxes at his own expense.

Mr. DYER. Is not this the same bill we had up a few days ago?

Mr. PATTERSON. Yes; but we want to bring out the merits of this bill, and I hope the gentleman will not object.

Mr. DYER. I am not objecting.

Mr. ROMJUE. I want to be fair with the Members of the House. There is only one reason in the world why any Member of the House should have any legitimate reason for being opposed to this bill, in my judgment, and that is if you have any complaint with this bill it must be on the ground that it may take some revenue from the Government. I think if that is your position you have a perfectly legitimate right to object to the bill at this time. If that is the basis on which you put your objection, I shall find no complaint with any man objecting to the bill; but the Government ought to come to this policy finally, and at some time it will do so in fairness to itself and to the postmasters who now have to equip their own offices. When a man is appointed postmaster and the office is turned over to him, there is no reason why the postmaster should equip that office at his own expense, because he has no life tenure on the office and is apt to be there not very long, and then to go out; and if his successor does not choose to purchase his equipment, then it is a total loss in some instances and a heavy partial loss in others, because he has installed something that he has no further use for under the sun when he goes out of office. You might as well say that a road overseer should pay for his own plows and scrapers and road graders.

Mr. PARKS. Will the gentleman yield?

Mr. ROMJUE. Yes.

Mr. PARKS. In the case of these third-class postmasters, if they fit up the post office, buy all the equipment, and then a new postmaster is appointed and they can not sell to him, their equipment is a dead loss, is it not?

Mr. ROMJUE. Yes; that is true. The gentleman is entirely correct.

Mr. PARKS. And becomes junk.

Mr. ROMJUE. Absolutely; or at least it may become a heavy or total loss.

Mr. LINTHICUM. Will the gentleman yield?

Mr. ROMJUE. Yes.

Mr. LINTHICUM. Suppose the landlord owns the equipment—who gets the rent then?

Mr. ROMJUE. If the landlord owns the equipment he has to make some arrangement with the postmaster himself along with the lease, and he is at liberty to agree with the postmaster.

Mr. LINTHICUM. They do not always do it. We allowed them a certain rental here a few years ago, and I know of some postmasters who put the money in their pockets and the landlords got none of it. Why do you not make some provision for the landlord in the case where he owns the equipment?

Mr. ROMJUE. As a matter of fact, if the landlord furnishes the building, and if he chooses to furnish the equipment, he should take care to make a proper contract for rental pay for the equipment by the postmaster or arrange to sell him the equipment.

Mr. LINTHICUM. I shall have to object to the bill at this time. If the gentleman will make some provision for the landlords, then I will be with the gentleman.

The SPEAKER. Is there objection?

Mr. LINTHICUM. I object, Mr. Speaker.

Mr. PATTERSON. Will not the gentleman withhold his objection a moment? There is one other explanation I want to make.

Mr. LINTHICUM. I will withhold it a moment.

Mr. PATTERSON. I just want two minutes to make this explanation to the House with respect to this bill. Every postmaster in the first and second class has his equipment furnished. The fourth-class postmasters are paid an allowance for their equipment, and a part of the third-class postmasters have the equipment furnished them, but the balance of the third-class postmasters have to furnish their own equipment.

Mr. STAFFORD. Does the gentleman make the statement that the fourth-class postmasters are not required to furnish their equipment?

Mr. PATTERSON. They are required to furnish their equipment, but they have allowance paid to them for rental, heat, and so on.

Mr. HOGG of Indiana. They get 15 per cent of their receipts as an allowance.

Mr. STAFFORD. Will any member of the Committee on the Post Office state what 50 per cent of these receipts will amount to in a year?

Mr. PATTERSON. Wait a minute. Here is all that is asked for. Part of these postmasters, as I have said, have this equipment furnished them, and the remainder of these third-class postmasters buy their own equipment, rent it out to the box holders, and turn every dollar of this rent over to the department and do not get a cent for it. When the equipment is worn out they have a loss, and the purpose of this bill is to permit them to get one-half of the rentals on their own equipment that they buy.

Mr. STAFFORD. How much will this amount to?

Mr. PATTERSON. It amounts to several hundred thousand dollars.

Mr. STAFFORD. A million dollars, it has been stated; and in these times when we are going to levy a tax on consumers, is the gentleman in favor of giving $1,000,000 to the postmasters——

Mr. PATTERSON. Do you think they ought to be required to buy something and rent it out and turn the receipts back to the Government?

Mr. STAFFORD. I believe the ultimate policy of the Government should be to furnish this equipment, but we can not do it at this time.

Mr. PATTERSON. I believe these postmasters are entitled to this relief, and I believe the gentleman from Wisconsin would agree with me if he had heard the witnesses who appeared before our committee or had he time to read the hearings.

The SPEAKER. Is there objection?

Mr. LAGUARDIA. I object, Mr. Speaker.

TO DEFER REDUCTIONS IN POST-OFFICE SALARIES OF POSTMASTERS AND EMPLOYEES

The Clerk read the title of the next bill on the Consent Calendar, H. R. 6305, to amend the act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes.

The SPEAKER. Is there objection?

Mr. LAGUARDIA. Reserving the right to object——

Mr. PATTERSON. The gentleman from New York is always in favor of the unemployed. He is sincere in his purpose, and that is the purpose of this bill. A number of post offices have their receipts reduced so that they are going back into a lower class, and when they do they invariably discharge a number of people. The purpose of this bill is to give temporary relief and keep the men from being discharged. It is the same thing that has been done for big business in this country.

Mr. JOHNSON of Washington. Until this Congress determines where it is going to raise revenue, why should we pass these bills that are costing so much money?

Mr. PATTERSON. This does not cost any extra money. We passed the Reconstruction Finance Corporation $2,000,000,000 bill, and yet some people try to prevent this most deserved relief to this deserving class of our citizens.

Mr. STAFFORD. And that was to rescue the small banks in the gentleman's State.

Mr. PATTERSON. I hope no member of this committee will object to this legislation.

Mr. JOHNSON of Washington. Mr. Speaker, I object.

Mr. PATTERSON. Mr. Speaker, I am for economy as strongly as any man in this House, and have, I believe, supported as many economy moves in the last three years as any man in this House, but to kill this bill is not, in my judgment, economy, but its passage would be a splendid relief to a large number of the people who will be out of work if this bill is not enacted into law. I hope those who object to this legislation will study this bill, and that they will see fit later to withdraw their objection.

STANDARDIZATION OF BALE COVERING FOR COTTON

The Clerk read the title of the next bill on the Consent Calendar, H. R. 8559, to provide for the use of net weights in interstate and foreign commerce transactions in cotton, to provide for the standardization of bale covering for cotton, and for other purposes.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, this is one of two bills that I did not have on my list, and I ask that it go over without prejudice.

Mr. LAGUARDIA. Reserving the right to object, may I suggest that if this is to go over for two weeks I have an amendment I would like to have the author consider.

Mr. PATTERSON. I am not the author of the bill, but what is the gentleman's suggestion?

Mr. LAGUARDIA. I want to be helpful, and I am in sympathy with the bill. What I want to suggest is this: On page 3, line 13, after the word "be," insert "of cotton and," so that it will read, "shall be of cotton and of sizes, weights," and so forth, so that regardless of the investigation and regardless of law it provides for a cotton wrapping.

Mr. PATTERSON. I think we would accept that.

Mr. STAFFORD. Mr. Speaker, I ask that the bill go over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

AMENDING THE PENAL LAWS OF THE UNITED STATES

The Clerk read the title of the next bill on the Consent Calendar, H. R. 300, to amend section 319 of the act en-

titled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909.

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object, I would like to inquire of the Delegate from Alaska or some member of the Committee on Territories whether the District of Alaska has passed through its legislature similar laws relating to the recording of marriage licenses. If the District of Alaska has done like the Territory of Hawaii, then there is no need for this section of the code. It should be stricken out entirely, because the very purpose of the original enactment was that it should apply to Territories. Now, you propose to except the Territory of Hawaii when we have only the Territory of Alaska.

Mr. JOHNSON of Washington. As a member of the Committee on Territories, I will ask that it go over without prejudice.

Mr. McKEOWN. This bill comes from the Committee on the Judiciary, and not from the Committee on Territories. I will say, however, that if the Alaska situation is as the gentleman describes he is correct in his assumption.

The SPEAKER. The gentleman from Washington asks that the bill go over without prejudice. Is there objection?

There was no objection.

Mr. STAFFORD. In the interim will the gentleman make inquiry, because there is no need of amending a law that no longer has any effect.

Mr. HOUSTON of Hawaii. The Federal judiciary in Alaska is much more extensive, and the Territory is so large it may be necessary in that Territory to carry on registration as it is here.

Mr. STAFFORD. Will the gentleman make inquiry between now and next consent day?

The SPEAKER. Is there objection to passing the bill over without prejudice?

There was no objection.

FEDERAL BUILDING, PONCA CITY, OKLA.

The next business on the Consent Calendar was the bill (H. R. 8075) relating to the construction of a Federal building at Ponca City, Okla.

The SPEAKER. Is there objection?

Mr. BLANTON. Mr. Speaker, I reserve the right to object. Why is it that this particular building is taken out of the general class and given precedence over all other public buildings?

Mr. CHAVEZ. The money already has been appropriated for the Federal building at Ponca City, Okla., and this bill was introduced by the gentleman from Oklahoma [Mr. GARBER]. At the time the money was appropriated and the plans were drawn, no provision was made for Federal-court accommodations.

Mr. BLANTON. This is to increase the appropriation from $250,000 to $360,000.

Mr. STAFFORD. Oh, no.

Mr. CHAVEZ. It will not take any appropriation whatsoever.

Mr. BLANTON. I read from the letter of Acting Secretary Lowman of the Treasury Department:

> The proposed change would require an increase in the limit of cost for the project from $250,000 to $360,000.

So you see it is an increase of $100,000. For Ponca City, Okla., that seems to me to be a tremendous increase. Why should we pass this special bill raising it to $350,000? Two hundred and fifty thousand dollars is about as much as some pretty good-sized cities get for a building. In any event this splendid little city in Oklahoma should wait until the general bill comes in here making provision for all cities to which buildings have been allocated. In other words, it should take its turn, and come in with the rest, and not ask for this special advantage. Mr. Speaker, I object.

LAWRENCE (MASS.) POST-OFFICE SITE

The next business on the Consent Calendar was the bill (H. R. 8907) to authorize the Secretary of the Treasury to acquire land adjoining the Lawrence (Mass.) post-office site.

There being no objection, the Clerk read the bill, as follows:

> *Be it enacted, etc.*, That the provision of the act of Congress approved July 3, 1930 (46 Stat. 899), for extension and remodeling of the post-office building at Lawrence, Mass., be, and the same is hereby, amended so as to provide for the acquisition by the Secretary of the Treasury by purchase, condemnation, or otherwise, of such land adjoining said post-office site as may be needed in connection with said extension; and the unexpended balance of the appropriation for said remodeling and extension shall be available for the acquisition of said additional land.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider laid on the table.

LEASING COAL AND ASPHALT DEPOSITS OF CHOCTAW AND CHICKASAW INDIANS

The next business on the Consent Calendar was the bill (H. R. 9496) to provide for the leasing of the segregated coal and asphalt deposits of the Choctaw and Chickasaw Indian Tribes, Oklahoma, and for an extension of time within which purchasers of such deposits may complete payments.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, I ask unanimous consent that this bill go over without prejudice.

Mr. HASTINGS. Mr. Speaker, will the gentleman reserve that?

Give me an opportunity to make a moment's explanation. This bill was introduced at the request of the department. The bill has passed the Senate. The report of the committee substitutes the Senate bill. The Senate bill is on the Speaker's table. The Choctaws and Chickasaws are represented by the governor of the Choctaws and the principal chief of the Chickasaws and their two attorneys. They also have a mining trustee. They are all here in the city. The representatives of the two tribes have gotten together with the department officials, and they have drafted this bill, which is acceptable to every one of them without objection. There is no objection to it from any source. The Indian Office approves it; the Choctaws and the Chickasaws and the tribal attorneys and mining trustee and the coal miners in Oklahoma indorse it. There are about three or four hundred thousand acres of these coal deposits. They have had leases of them. These leases are about to expire, and practically all of them will expire in September next. It is absolutely necessary between now and then to make some provision for the continuance of the leasing of these coal deposits. It is important to those two tribes. It does not affect anybody else. Everyone in that section is agreeable to the provisions of this bill. The departmental officials appeared at a hearing before the Indian Committee the other day and orally stated that it was entirely agreeable to them and asked that a favorable report be made upon it.

Mr. LAGUARDIA. Who are the lessees?

Mr. HASTINGS. The lessees are people who are leasing the coal deposits in Oklahoma.

Mr. LAGUARDIA. Are not they the real beneficiaries?

Mr. HASTINGS. Oh, no. The Choctaw and Chickasaw Tribes are the beneficiaries. Practically all of these leases are terminated in September.

Mr. LAGUARDIA. Have they been paid their current leases?

Mr. HASTINGS. Some of them have, and this provides for collections.

Mr. LAGUARDIA. It provides for collections?

Mr. HASTINGS. Yes. It provides for adjustment in making certain collections that are agreeable under these depressed times to the representatives of the tribes.

Mr. LAGUARDIA. If it is for the benefit of the Indians, of course, I would not object.

Mr. HASTINGS. They are the ones who are pressing it.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the bill go over for two weeks.

The SPEAKER. Is there objection?

There was no objection.

PRELIMINARY EXAMINATION OF FLINT RIVER, ALA. AND TENN.

The Clerk called the next bill on the Consent Calendar, H. R. 9451, to provide a preliminary examination of the Flint River, Ala. and Tenn., with a view to the control of its floods.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Reserving the right to object, I believe we ought to decide, as a matter of policy, whether these surveys on floods are to come up in this way on the Consent Calendar. I believe we will be absolutely swamped with bills of this kind. It is impossible to go into details of them. They are not like general legislation where we have an opportunity to be informed about them. There is no way to find out about local conditions. I have no objection to the bill on its merits, but I believe that we should not encourage bills of this kind on the Consent Calendar.

The SPEAKER. Is there objection?

Mr. LAGUARDIA. Mr. Speaker, I object to these bills for the time being.

Mr. ALMON. Will the gentleman withhold his objection?

Mr. LAGUARDIA. Certainly.

Mr. ALMON. I just want to say that this merely provides for a preliminary survey. It will not cost anything; and, if the survey is made, it may be a permanent survey or it may not. It is for the purpose of flood control. It had the unanimous approval of the Committee on Flood Control, and I hope the gentleman will not object.

Mr. JOHNSON of Washington. Until we find where we will get the funds for future flood control, I shall object.

The SPEAKER. Is there objection?

Mr. LAGUARDIA. Mr. Speaker, I object.

PRELIMINARY EXAMINATION OF FLINT CREEK AND ITS BRANCHES IN MORGAN COUNTY, ALA.

The Clerk called the next bill on the Consent Calendar, H. R. 9452, to provide a preliminary examination of Flint Creek and its branches in Morgan County, Ala., with a view to the control of its floods.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, I object.

PRELIMINARY EXAMINATION OF CATACO CREEK AND ITS BRANCHES IN MORGAN COUNTY, ALA.

The Clerk called the next bill on the Consent Calendar, H. R. 9453, to provide a preliminary examination of Cataco Creek and its branches in Morgan County, Ala., with a view to the control of its floods.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, I object.

APPROVAL OF GENERAL COUNCIL OF THE SEMINOLE TRIBE FOR DISPOSAL OF TRIBAL LAND

The Clerk called the next bill on the Consent Calendar, H. R. 10362, to require the approval of the General Council of the Seminole Tribe or Nation in case of the disposal of any tribal land.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, this seems to be a harmless bill, but I was wondering whether a bill of this importance should not be considered when the Committee on Indian Affairs has its day on Calendar Wednesday, in the near future?

Mr. McKEOWN. They asked us to bring it in. There is just a little property of this poor old Seminole Tribe left. The committee heard the case thoroughly. This is to prevent them from selling their property. It is a very meritorious bill.

Mr. STAFFORD. As I understand from reading the letter of the Commissioner of Indian Affairs, the commission does not intend to dispose of the rights anyway.

Mr. McKEOWN. For the present. He will not say that he will not do it in the future. The feeling of the members of the committee was that as soon as Congress adjourned, he might proceed to sell the lands.

Mr. STAFFORD. Is it the purpose of the bill to tie up the disposition of these rights for all time?

Mr. McKEOWN. No, no; until he is ready to be heard on the sale of his property.

Mr. STAFFORD. Mr. Speaker, I withdraw the reservation of objection.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That hereafter the Secretary of the Interior shall not sell, lease, encumber, or in any manner dispose of, any land or any interest in land belonging to the Seminole Tribe or Nation in Oklahoma or reserved for the benefit of such tribe, except with the approval of the Seminole Tribe or Nation acting through its general council selected in pursuance of Seminole customs.

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

A motion to reconsider was laid on the table.

TRANSFER OF PORTION OF UNITED STATES RANGE LIVESTOCK EXPERIMENT STATION, MONTANA

The Clerk called the next bill on the Consent Calendar, H. R. 8923, authorizing transfer of an unused portion of the United States Range Livestock Experiment Station, Montana, to the State of Montana for use as a fish-cultural station, game reserve, and public recreation ground, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Reserving the right to object, Mr. Speaker, I would like to inquire of the gentleman from Montana [Mr. LEAVITT] whether he has any objection, or the State of Montana has any objection, to paying for this land at the appraised value when it is turned over by the National Government?

Mr. LEAVITT. The only objection is the difficulty of securing an appropriation through the State legislature. It would have to be raised locally among the people, and it goes from one public purpose to another.

Mr. STAFFORD. But we are establishing a precedent here.

Mr. LEAVITT. But I will say to the gentleman that has already been established.

Mr. STAFFORD. Then we are extending the precedent, if that is the case. The policy of the National Government should be, when it has no further need for property, to give preference in the transfer to the States or some subdivision thereof.

Mr. LEAVITT. Of course, I can not have any objection. If the gentleman wants to amend it, I will not oppose the amendment.

Mr. STAFFORD. I could not consistently allow this bill to go through without an amendment.

Mr. DYER. Is the property worth something?

Mr. STAFFORD. I have no knowledge of that. There may be improvements or there may not be.

Mr. LEAVITT. I shall not oppose the gentleman's amendment, although the committee thought that passing from one public service to another there should be no charge.

Mr. STAFFORD. I may say to the gentleman that the Committee on Military Affairs has the same proposition before it, and that is the position that some of us are taking.

With the understanding that that amendment will be accepted, I will not offer any objection.

Mr. GOSS. Reserving the right to object, Mr. speaker, has the amendment which the commissioner suggested been offered to this bill?

Mr. LEAVITT. The bill has been rewritten in that language.

Mr. GOSS. And it carried the suggested amendment?

Mr. LEAVITT. Except it left out the $1.25 per acre.

Mr. GOSS. That was what they recommended.

Mr. LEAVITT. They recommended $1.25 an acre.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Interior, upon agreement of the Secretary of Agriculture, be, and he is hereby, authorized and directed to transfer to the State of Montana, for use as a fish-cultural station, game reserve, public recreation ground, and similar purposes, lot 10 of section 3 and lot 9 of section 4, township 7 north, range 47 east, and lot 15 of section 33 and lot 4 of section 34, township 8 north, range 47 east, Montana principal meridian, containing approximately 122.98 acres and now being an unused portion of the United States Range Livestock Experiment Station.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That the provisions of the act of Congress approved April 15, 1924 (43 Stat. 99), in so far as said act places under the control of the Department of Agriculture the lands described as lot 10, section 3, and lot 9, section 4, township 7 north, range 47 east, and lot 15, section 33, and lot 4, section 34, township 8 north, range 47 east, Montana principal meridian, containing approximately 122.98 acres, be hereby repealed, and that the Secretary of the Interior be, and he is hereby, authorized and directed to issue patent to the State of Montana for the lands hereinbefore described for use as a fish-cultural station, game reserve, public recreation ground, and similar purposes, with a reservation to the United States of all coal, oil, gas, and other minerals, together with the right of the United States, its grantees, or permittees, to prospect for, mine, and remove the same."

Mr. STAFFORD. Mr. Speaker, I offer the following amendment: On page 2, line 15, after the word "to," insert the words "have an appraisal made thereof and upon payment of the appraisal price, to."

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

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Amend the committee amendment, on page 2, line 15, after the word "to," where it occurs the first time, and insert the following: "have an appraisal made thereof and upon payment of the appraisal price, to."

The amendment to the committee amendment was agreed to.

The committee amendment as amended was agreed to.

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

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

EXEMPTION FROM THE QUOTA OF FATHERS AND MOTHERS OVER 60 YEARS OF AGE OF UNITED STATES CITIZENS

The Clerk called the next bill, H. R. 8174, to exempt from the quota fathers and mothers over 60 years of age of United States citizens.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. PERKINS, Mr. GREEN, and Mr. STAFFORD objected.

AMENDMENT OF THE SIXTH EXCEPTION IN SECTION 3 OF THE IMMIGRATION ACT OF 1924

The Clerk called the next bill, H. R. 8766, to amend the sixth exception in section 3 of the immigration act of 1924 with reference to nonimmigration status of certain aliens.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. STAFFORD, Mr. PERKINS, and Mr. PATTERSON objected.

AMENDMENT OF THE ACT AUTHORIZING THE WICHITA AND AFFILIATED BANDS OF INDIANS IN OKLAHOMA TO SUBMIT CLAIMS TO THE COURT OF CLAIMS

The Clerk called the next bill, S. 1719, amending the act of Congress entitled "An act authorizing the Wichita and affiliated bands of Indians in Oklahoma to submit claims to the Court of Claims," approved June 4, 1924.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BLANTON. Mr. Speaker, I object.

EXPENDITURES FOR THE ENFORCEMENT OF THE CONTRACT-LABOR PROVISIONS OF THE IMMIGRATION LAW

Mr. PATTERSON. Mr. Speaker, I ask unanimous consent for the consideration of the bill (H. R. 9598) to authorize increased expenditures for the enforcement of the contract-labor provisions of the immigration law, which was temporarily laid aside. I have conferred with the gentleman from Alabama [Mr. OLIVER], and he has no objection to this bill.

The SPEAKER. The gentleman from Alabama asks unanimous consent for the consideration of the bill H. R. 9598, which was temporarily laid aside. The Clerk will report the bill by title.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. DYER. Mr. Speaker, reserving the right to object, how much of an expenditure will this amount to?

Mr. DICKSTEIN. None at all.

Mr. DYER. Does it involve any money at all?

Mr. STAFFORD. Of course, it involves the expenditure of an additional $100,000.

Mr. JOHNSON of Washington. The title as shown on the calendar is misleading. The committee amended the title so that the word "increased" is stricken out. What the bill does is to permit the transfer of funds already appropriated to be added to the $100,000 authorized in section 24 of the immigration act of 1917, under which that money is used for the enforcement of the contract-labor provisions of the immigration law, and certain other provisions of that law. That money is now needed in the worst way in order to take necessary steps toward the breaking up of these gangs of alien smugglers.

Mr. DYER. Unless this bill is passed that money can not be used?

Mr. DICKSTEIN. It will be used in the department. The present law fixes the amount at $100,000 for that purpose, and this permits $200,000. We are not asking any more money than that which has already been appropriated.

Mr. DYER. Then it does involve more money.

Mr. JOHNSON of Washington. All money for the Immigration Service is provided in a lump sum. The basic law specifies that $100,000 of that lump sum shall be used for the enforcement of the contract-labor provisions of the immigration law and certain other provisions of that law. This transfers $100,000 from the lump sum to the uses provided for in section 24 of the immigration act of 1917.

Mr. STAFFORD. An additional $100,000.

Mr. JOHNSON of Washington. It is a fund which is used for the enforcement of the contract-labor provisions of the immigration law. It does not take another new dollar, and it will break up these gangs of alien smugglers. Twenty or thirty were arrested in Buffalo a few weeks ago, many others in Chicago, and some in Detroit. They are being indicted and convicted.

Mr. DYER. I will not oppose this legislation if I have the assurance of the gentleman from Washington and the gentleman from Alabama that this will not mean an additional burden upon the Government, but as far as any additional burdens on the Government are concerned I propose to object until the Congress enacts revenue legislation to take care of obligations.

Mr. JOHNSON of Washington. I would be with the gentleman if that was what the bill did, but it does not.

Mr. PATTERSON. If the gentleman will permit, I will read the bill, as it is very short:

That section 24 of the immigration act of February 5, 1917 (39 Stat. 874), is amended by striking out the figures "$100,000" where they appear in said section and inserting in lieu thereof the figures "$200,000."

Mr. JOHNSON of Washington. Which sum is already in the lump-sum appropriation.

Mr. LAGUARDIA. I might add, if the gentleman will permit, that this $100,000 has been in the act of 1917 and is to carry out the purposes of the act of 1883.

Mr. JOHNSON of Washington. Exactly; the contract-labor provision of that date.

Mr. STAFFORD. And they are circumscribed so as to be limited to $100,000.

Mr. LAGUARDIA. Yes.

Mr. STAFFORD. The condition I find in my own city is that they are using the Immigration Service to ferret out every little offender and harass him.

Mr. JOHNSON of Washington. But now they are after the big alien criminals and have made a mighty good start.

Mr. STAFFORD. No; I think they are abusing their power in many cases.

Mr. LAGUARDIA. This is limited to contract labor and to people unlawfully coming into the United States.

Mr. DICKSTEIN. If the gentleman will permit, I can assure the gentleman I have given this matter very careful consideration. The Secretary of Labor has been before the committee in executive session, and his facts have been properly presented. I recommended that this bill pass, and I can assure the gentleman that the money is not going to be used as indicated by him, because I am opposed to that very thing myself.

Mr. PARKS. Mr. Speaker, reserving the right to object, may I ask how this money is to be used and who is to get the money?

Mr. DICKSTEIN. No one is to get this money. It is in the department appropriation and has been appropriated.

Mr. LAGUARDIA. I have the original act here and can read it to the gentleman:

That the Secretary in the enforcement of that portion of this act which excludes contract laborers and induced and assisted immigrants may employ for such purposes and for detail upon additional service under this act when not so engaged, without reference to the provisions of the said civil service act or various acts relating to the compilation of the official registers, such persons as he may deem advisable and from time to time fix their compensation. He may draw annually from the appropriation for the enforcement of this act $100,000—

And the bill increases that to $200,000.

Mr. PARKS. I have no objection, Mr. Speaker.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 24 of the immigration act of February 5, 1917 (39 Stat. 874), is amended by striking out the figures "$100,000" where they appear in said section and inserting in lieu thereof the figures "$200,000."

With the following committee amendment:

Amend the title to read as follows: "A bill to authorize expenditures for the enforcement of the contract-labor provisions of the immigration law."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended.

RELIEF OF WATER USERS ON IRRIGATION PROJECTS

Mr. HALL of Mississippi. 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 (S. 3706) for the temporary relief of water users on irrigation projects constructed and operated under the reclamation law.

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 S. 3706, with Mr. KELLER in the chair.

The Clerk read the title of the bill.

Mr. BANKHEAD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BANKHEAD. As I recall the parliamentary situation, this bill by unanimous consent was given a privileged status and was called up on a former occasion, and general debate was pursued for a few minutes and then it was found that they could not proceed further on account of the expiration of the time on that day. Will the general debate that was had on the bill be counted as a part of the one hour that the proponents of the bill had?

The CHAIRMAN. It will.

Mr. BANKHEAD. Mr. Chairman, how much time was consumed in debate on that occasion?

The CHAIRMAN. The remaining time is divided as follows: The gentleman from Wisconsin [Mr. STAFFORD] has 52 minutes and the gentleman from Mississippi [Mr. HALL] has 15 minutes.

Mr. BANKHEAD. I understood the gentleman from Wisconsin [Mr. STAFFORD] might be in a frame of mind to-day to cut down on general debate in order that we may get some action.

Mr. STAFFORD. I wish to assure the gentleman from Alabama I do not intend to take up all the time at my disposal, although I could readily do so.

Mr. BANKHEAD. I know that.

Mr. STAFFORD. I am of a disposing mind to-day.

Mr. Chairman, when this bill was under consideration on the last occasion, considerable opposition was manifested, particularly to one provision, that, as to these deferred payments and charges, no interest charge was to be levied against the recipients of the Government's favor. The gentleman from Idaho [Mr. SMITH] not only once but more than three times justified the passage of this moratorium on the ground that we had just granted 40,000,000 bushels of wheat to the poor people of the country, and this established a precedent for giving away further money.

Mr. PARSONS. Will the gentleman yield?

Mr. STAFFORD. Not at present.

The gentleman stated then that this would not cost the Government one cent of money. As I stated to the gentleman from Alabama, I am in a disposing mood to pass this legislation. I think it is only fair to the committee to set forth just what this does as a moratorium for a year and a half. It is more than that—it also suspends the payment that the Reclamation Service is bound to pay back into the Treasury, beginning July 1, 1932, of $2,000,000, until July 1, 1935.

Since this bill has been under consideration there have been some conferences between those who violently oppose the bill, primarily because it did not carry any provision for interest on deferred payments, these opponents believing it would set up a dangerous precedent if that policy were established; that we could not justify charging interest to the poor farmers when we loan them money for seed with a lien on their crops if we should allow these persons having water rights on irrigation projects to be relieved of payment of interest when payment of the annual installment is deferred.

So there has been an understanding so far as the interest is concerned, and amendments will be proposed to carry that agreement out.

On page 2, line 9, strike out the language: "No interest or penalty shall be payable on that portion of the charges herein authorized to be deferred," and insert in lieu thereof "and otherwise the deferred payments herein authorized shall bear interest until paid at such rate and shall be paid at such times as the Secretary of the Interior shall determine."

That is for the purpose of having these deferred interest payments bear interest until such times as may be agreed upon between the water users and the Secretary of the Interior.

Another amendment, suggested by the gentleman from New York [Mr. TABER], is at the end of section 1:

Page 2, line 18: "*And provided further*, That the payments for construction charges and interest payments on the cost of the power systems referred to in this act shall not be deemed waived, but only deferred, and shall be paid in the manner set forth in section 4 of this act."

Section 3 relates to the construction projects, both in Colorado—the Uncompahgre reclamation project and the Grand Valley reclamation project. It is proposed to strike out the clause "without interest and penalty," and add at the end of the section the following:

Under the terms as provided in this act.

Again, carrying out the same idea, section 6, line 3, at the end of the line insert:

The rate of interest to be fixed by the Secretary of the Interior.

That carries out the former idea.

Now, section 9, it is proposed to strike out the words "6 per cent per annum."

The last amendment is vital, and it is to strike out "1935" and insert "1934," so that the annual payments of $2,000,000 to the Treasury will begin July 1, 1934, instead of 1935.

I realize that all legislation is a compromise. The Commissioner of Reclamation in his testimony before the subcommittee of the House Committee on Appropriations on the Interior Department bill, page 87, et seq., very strongly opposed this moratorium. In view of the request of certain Members who oppose the bill, I have taken upon myself to study the hearings before the Senate committee. I gave special consideration to the hearings relating to the projects in the district of the gentleman from Texas, a Rio Grande project. Those hearings disclose what was a good case. It affected nearly 80 per cent of all of the users of that project.

The department takes the position that we are establishing a dangerous precedent of having the National Government act merely as a ward to all of these person who cultivate the soil on irrigation projects.

I think the Commissioner of Irrigation sets forth the arguments in support of that position very strongly. I do not wish to contest this legislation, though I would feel impelled to vote against it and to strongly oppose it if these amendments I have suggested were not accepted. Those who are strongly in favor of the bill, the gentleman from Mississippi [Mr. HALL], the two gentlemen from Idaho [Mr. SMITH and Mr. FRENCH], the gentleman from Nebraska [Mr. SIMMONS], the two gentlemen from Washington [Mr. JOHNSON and Mr. SUMMERS], the gentleman from Nevada [Mr. ARENTZ], and the gentleman from Wyoming [Mr. CARTER], are favorable to the acceptance of these amendments as being meritorious. Unless there is further request for time, I shall reserve the remainder of my time.

Mr. JOHNSON of Washington. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. JOHNSON of Washington. A moratorium act is not a pleasant thing, but I make the prediction that before a year is gone there will be more moratorium acts upon the part of the Federal Government in respect to payments to the Federal Government.

Mr. STAFFORD. There is no question but that this is a most dangerous precedent.

Mr. JOHNSON of Washington. But it is necessary, and still other moratoriums will be necessary.

Mr. STAFFORD. Fifty per cent of those occupying the land are in a position not only to pay but they have paid. It is only another illustration of Government paternalism. When we get into Government operation then these people appeal to Uncle Sam for gratuities and continued gratuities. Here is a Reclamation Service that does not pay any interest on these millions and millions of dollars that the Government has advanced to it. We have voted a $9,000,000 subsidy already to this Reclamation Service.

We are deferring for a year and a half the payments due under the law, but we are requiring by these proposed amendments that they shall pay interest at such rates as the Secretary determines, and we have now with these amendments a harmonized bill. While it may in the future be a perplexing precedent against us, I think under the circumstances the bill should be passed to provide for the ne'er-do-wells who are cultivating the land, who have big loans with farm-loan banks, who have taxes unpaid, and who asked to be let off from the water charges so that they will be able to pay the banks and their taxes. This bill is largely for the benefit of the banks who have mortgages and claims against these projects in that it relieves the users of the obligation to pay the Government under the existing contracts.

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

Mr. STAFFORD. Yes.

Mr. PARSONS. What the gentleman has been saying is true in a measure, but has not every measure that we have enacted here for the relief situation been in favor of the banking interests and the larger interests all the way through?

Mr. STAFFORD. No. The benefits were designed to seep through ultimately for the benefit of the people generally.

Mr. PARSONS. That is what this does.

Mr. STAFFORD. We passed the Reconstruction Finance Corporation bill primarily for the relief of small banks in the Southern and Western States that were on the verge of bankruptcy. That Finance Corporation has come to the rescue of those banks and it is saving the depositors and the communities. I reserve the remainder of my time.

Mr. HALL of Mississippi. Mr. Chairman, the committee has no objection to the amendments proposed by the gentleman. I ask now that the bill be read for amendment.

Mr. MILLARD. Before that is done will the gentleman from Wisconsin yield?

Mr. STAFFORD. Yes.

Mr. MILLARD. A statement was made that some of the people could pay. Is there any provision in the bill to compel them to pay?

Mr. STAFFORD. The Secretary of the Interior and the Director of Reclamation took the position that we should not come to the rescue of those who are able to pay and who have paid. This bill comes to the aid of all.

Mr. EATON of Colorado. The interest charge will operate to cause those farmers who can pay, to pay the charges. Perhaps the gentleman from New York [Mr. MILLARD] did not understand the effect of the amendments proposed. Those who have the money to pay the annual charges can be depended upon not to undertake the obligation of having to pay the charges and interest in addition thereto.

Perhaps the gentleman does not understand that the basis of this reclamation fund is from the proceeds of the sales of public lands from Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Washington, and Wyoming. At page 166 of the 1931 report of the Secretary of the Interior it is stated that $110,957,828 proceeds from the sale of public lands were placed in and amount to 41.4 per cent of the reclamation funds. Forty million seven hundred and thirty-six thousand two hundred and fifty-six dollars have been placed in the reclamation fund from the royalties received for mineral leasing and power licenses. This is 15.2 per cent of the fund; every dollar has been produced out of the land of the reclamation States. There appears to be $17,582,746 in special appropriation and unpaid Treasury loans, or 6.7 per cent of the fund. The balance of the fund, consisting of $99,006,720, or 36.9 per cent, has been paid back in the fund by collections from the settlers.

When you consider that $206,041,522 has been spent in the construction of these projects and realize that the settlers have paid back practically $100,000,000, you immediately realize how serious the situation is when they ask for a moratorium to permit the less fortunate to continue operating their lands. That construction cost 76.8 per cent of the total amount spent; the operation and maintenance during all these years has taken 16.4 per cent of the total, $44,067,641. Incidental operation and other items, $13,301,-440, make 6 per cent of the amount spent, and on June 30, 1931, there was available 1.8 per cent of the total collections up to that date for the use during the current year. The amount was $4,872,947. I can not tell how much of it is left to-day for maintenance and construction costs on existing projects.

Remember that practically every cent of this $268,283,550 has come out of the pockets of the project settlers, the sale of public lands, and the royalties from oil produced in some of the reclamation States. Remember that every project settler is bound to pay the balance upon his contract for his land and water and has no land title upon which he can make an ordinary farm loan. And then think that there are only 1,550,967 acres in the total acreage in all the Federal irrigation projects. Why, in the State of Colorado we have 12 counties, in each of which there is a bigger acreage.

I submit that neither the gentleman from New York [Mr. MILLARD] nor his colleague [Mr. TABER] nor the other gen-

tlemen who evidenced concern over this bill realized what the actual financial situation is as disclosed by the foregoing facts. Every forecast of any kind of business would indicate that every single settler who can find the money to pay his annual charges would do so and thus save an additional interest charge upon the amount. It is an omnibus bill that will be availed of by all.

Mr. STAFFORD. It is fair to say that perhaps the interest charge will deter the progressive up-to-date farmers on these lands from taking advantage of the moratorium, because they will have to pay some time or other. If they have the money they would rather have the mortgage paid off and the charges paid off than to pay interest perhaps at 6 per cent.

Mr. BLANTON. Mr. Chairman, will the gentleman yield me 10 minutes?

Mr. STAFFORD. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Chairman, I do not like the reference which the gentleman from Wisconsin slurringly made to the farmers when he called them "ne'er-do-wells."

Some of the Members here who do not live in Milwaukee know that the farmers are the backbone of this Nation. It is true that they have gone through this depression, with other citizens, and, in addition to that, they have gone through, in some places, three years of continuous drought preceding the past year, when they did make a good crop and could not get anything for it. Nothing has been done of any consequence in this Congress for the farmers of the Nation. We thought we were helping them when we gave the Secretary of Agriculture a fund to make loans to them this year. I am in receipt of letters and telegrams during the past few days and this morning, from my district, showing that the Secretary of Agriculture, under Mr. Warburton, has required of every farmer seeking a loan in Texas, a contract requiring such farmer to reduce his cotton crop one-third.

From the printed Regulations Relative to Loans for Crop Production During the Year 1932, dated February 10, 1932, and signed by Hon. Arthur M. Hyde, Secretary of Agriculture, and which control in making all loans to farmers for crop production, I quote the following paragraph:

No loan will be made to any individual or to the tenants or share croppers of any landlord to finance or assist in financing the planting of an acreage of cotton or tobacco in excess of 65 per cent of the acreage of such crops planted by such individual or by the tenants or share croppers of such landlord in the spring of 1931, and unless such individual or landlord agrees that he will not have any interest whatsoever in any such crops in excess of 65 per cent of the acreage of such crops to which he had an interest in 1931: *Provided*, That the foregoing shall not apply to the farmer, tenant, or share cropper who, in 1931, planted not more than 10 acres of cotton or 3 acres of tobacco.

I have just received the above this morning from Hon. T. N. Carswell, secretary, chamber of commerce, of my home city of Abilene, Tex., stating that farmers are required to put the above provision in their contracts, agreed to by their landlords, where they are renters, agreeing to reduce their cotton crop one-third of what it was in 1931, and that such requirement was tantamount to a denial of all loans to farmers, for they had already reduced their acreage for 1931, and to again reduce it one-third would be ruinous, as cotton is their money crop.

Under such bureau requirements, if a farmer had planted only 10½ acres of cotton for 1931, he is required to reduce such small acreage one-third for 1932 in order to get a loan.

What authority has been given to Mr. Secretary Hyde to demand a contract requiring a farmer to reduce his crop at least one-third? Congress did not so authorize him. Congress, when providing this money, authorized crop loans to be made to farmers. That will not help him. The farmers will not be able to do that, and they are thereby deprived of any loan or of any help whatever. They are not getting the loans that we intended for them, and I want to say that Secretary Hyde and his administrator, Mr. Warburton, are not carrying out the will of Congress when they are denying loans to farmers because they will not kowtow to them and get down on their knees and accept any kind of a proposition they demand of them.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. BLANTON. I yield to the gentleman from Washington, because he does not call the farmers "ne'er-do-wells."

Mr. JOHNSON of Washington. I think they are most unfortunate, particularly those who have been inveigled recently onto homesteads or reclamation projects; but the trouble with the loan business seems to be that the landlord can not agree with the tenant as to how they shall mortgage the crop. The tenant wants to make a loan in order to make a crop and the landlord himself does not give it.

Mr. BLANTON. That is not altogether the case. We have no such trouble in Texas. There is only a certain per cent of the farmers who are compelled to make loans. Other farmers who are not compelled to make loans are not going to be controlled by the Secretary of Agriculture in Washington as to the amount of crop that they shall plant, and therefore the regulation that he has put into effect to reduce acreage on certain crops, like cotton, will not become effective and will avail nothing. He is preventing the farmers all over a great portion of the United States from getting any loans at all because they can not comply with the terms of the contract demanded.

Mr. HOPKINS. Will the gentleman yield?

Mr. BLANTON. I yield.

Mr. HOPKINS. The gentleman knows that in the law it is stated they can not get a loan if they do increase their crop acreage.

Mr. BLANTON. That is all right. But the farmers are not trying to increase. We did not say that they must agree to reduce their crops. Mr. Secretary Hyde is requiring them to reduce their crops one-third before he will give them a loan.

Mr. HOPKINS. No; but we did limit it.

Mr. BLANTON. We limited it only by requiring them not to increase. That is as far as the Secretary of Agriculture ought to have gone—within the limitation fixed by Congress—but he has not done that. He and Mr. Warburton require them to agree to reduce their crop acreage one-third. I am going to put into the RECORD in connection with my remarks that entire provision of the contract partly quoted by me, which shows they are demanding of the farmers right now that they reduce their acreage one-third. They have no right to do it. I make a public demand of the Secretary of Agriculture that he conform to the will of Congress expressed in the act we passed when providing this money in the promulgation of his contract and his regulations and that he not require that the farmers shall do what Congress did not intend.

Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. HALL of Mississippi. Mr. Chairman, I ask that the Clerk read the bill.

The Clerk read as follows:

Be it enacted, etc., That any irrigation district, water-users' association, or other water-users' organization under contract with the United States for payment of construction charges under the act of June 17, 1902 (32 Stat. 388), or acts amendatory thereof or supplementary thereto, including the act of February 21, 1911 (36 Stat. 923) (upon acceptance of this act by resolution of its board of directors or corresponding body), shall be required to make no payment on the regular construction charge for the calendar year 1931, and in lieu of the regular installment of construction charge provided for under existing contracts may pay for the calendar year 1932 on the basis of 50 per cent of the amount which for this act would be payable under said contracts, such amount to be computed and determined for that year in the manner provided in said contracts and the law applicable thereto. Interest and penalty as now provided by law and contracts for nonpayments when due shall apply on all charges for 1932 adjusted as herein authorized. No interest or penalty shall be payable on that portion of the charges herein authorized to be deferred: *Provided*, That in determining the rate for the sale of power during the irrigation season of 1931 to irrigation districts from any power plant operated by the

Bureau of Reclamation interest on the cost of the power system shall not be included as an element, but interest at the rate of 2½ per cent per annum shall be included as an element of such rate for the sale of power to such districts during the irrigation season of 1932.

Mr. STAFFORD offered the following amendment:

Page 2, line 9, after the word "authorized," strike out the period and the words "no interest or penalty shall be payable on that portion of the charges herein authorized to be deferred" and insert a semicolon and the following words: "And otherwise deferred payments herein authorized shall bear interest until paid, at such rate and shall be paid at such times as the Secretary of the Interior shall determine."

The amendment was agreed to.

Mr. TABER offered the following amendment at the end of the paragraph:

Page 2, line 18, after the figures "1932," strike out the period, insert a semicolon and the following: "*And provided further*, That the payments for construction charges and interest payments on the cost of the power systems referred to in this act shall not be deemed waived, but only deferred, and shall be paid in the manner set forth in section 4 of this act."

The amendment was agreed to.

The Clerk read as follows:

SEC. 2. On projects or divisions of projects where no irrigation district, water-users' association, or other water-users' organization has assumed joint obligation for payment of construction charges individual water-right applicants or entrymen upon acceptance of this act in a manner satisfactory to the Secretary of the Interior, shall be required to make no payment on the regular construction charge for the calendar year 1931, and in lieu of the installments payable under existing contracts, may pay their regular installments of construction charges for the calendar year 1932 on the same basis as that authorized in section 1 hereof for districts, associations, and other water-users' organizations.

Mr. PATTERSON. Mr. Chairman, I move to strike out the last word. I want to call the attention of the House to contracts made in lending the seed-loan funds to farmers. I do this in connection with the gentleman from Texas [Mr. BLANTON], who pointed out the inequities of these contracts a few minutes ago. I recall that quite a number of us—and probably the gentleman was among that group—saw the Secretary of Agriculture before these contracts were finally issued. We pointed out the danger in making the kind of contract they now have, as the gentleman from Texas has pointed out. I think that most of us will agree with him that under the law the Secretary is at least stretching a point when he requires such a contract with the farmers. Then, it seems to me there is another danger in that kind of a contract, and it is especially true of my section, as it may be in all of the sections represented by the Members of this House. I think most of us agree that the southern farmers should reduce their cotton crops, and that if the Secretary of Agriculture puts this in the contract, so few will get the benefit of it that the others who do not need it will go ahead and increase their crops and thus defeat the very thing we wish for and need so much.

Mr. BLANTON. Will the gentleman yield?

Mr. PATTERSON. Yes.

Mr. BLANTON. As the gentleman knows, the farmers who will get loans from the Government will be few as compared to other farmers engaged in the same kind of crop production. Now, if the Secretary of Agriculture requires a few who need loans to agree to reduce their crops he would simply make them "the goat," because the ones who do not need loans and who are not under any restrictions at all will naturally increase their acreage, and they will produce much greater crops than they otherwise would.

Mr. PATTERSON. That is what we pointed out to the Secretary. We questioned then, and I do now, the legal right of the Secretary of Agriculture to do it, and the doing of it will in all probability have the result which the gentleman from Texas has just pointed out. In that very meeting I, along with other Members, pointed out this very danger.

Mr. BLANTON. Mr. Warburton ought to rescind his action of requiring this restriction to go in their contracts.

Mr. PATTERSON. The Secretary after this meeting did make some valuable modifications, and I regret that he did not go further, for if there was ever a time when the farmer needs help and leniency it is now.

Mr. LANKFORD of Georgia. Mr. Chairman, I rise in opposition to the pro forma amendment, for the purpose of saying I heartily indorse what has just been said in opposition to the red tape which the Department of Agriculture is wrapping about the production loans which Congress authorized for the farmers of the Nation.

Scores of telegrams and letters reach my office every day complaining of the unfair tactics which the department is using in connection with these loans. Once and twice a day I am taking these complaints up with the department. Several changes have been promised, and yet the situation is nothing short of outrageous.

Congress intended that these loans be made to certain farmers, and the Department of Agriculture ignores and overrides the will of Congress and provides that the loans shall only be made to such farmers as the department selects after it puts them through a sweating process of a specially concocted third degree.

Is this department, intended for the farmers, to become the department of aggravation, with an extermination service specially set up for use on the unfortunate farmers? It is certainly succeeding in aggravating and exterminating the farmers.

During all these years millions and millions have been spent by the department in urging the farmers in every way possible to produce more abundantly, and now the department is persecuting the farmers for following this advice.

Approximately one-third of the department's time is now taken up madly trying to undo what the department has been trying to do all these years. Another third is used doing over poorly what has already been done, and the rest of the time is used devising means to thwart the will of Congress and carry forward the further enslaving of the farmers of the Nation.

God knows Congress does far too little for the farmer, and now for the farmer to be subjected to all the plagues devised by this department is simply adding outrageous insult to the already unfair burdens of these noble people of the farm.

The Department of Agriculture has set itself up as a law-making body and is promulgating rules and laws in defiance of all laws of decency and in the teeth of the Federal Constitution.

A law enacted by the State legislature or Congress can be tested by the courts and set aside if unconstitutional. Not so with these departmental requirements, for the farmers must yield to the unjust requirements if he is to get his loan in time to make his crop. He is simply held up and must sign on the dotted line or suffer the threatened dire consequences of punishment to be borne by him and by his wife and children.

The farmer can no more appeal the unfair rule of this department than a father or mother can appeal the kidnaping of their child. The kidnaper demands ransom in exchange for the safety of the child. The department demands the surrender of the constitutional rights of the farmers and the abject abandonment of liberties dear to the heart of every free American in exchange for a paltry reloan of money already taxed out of the farmer. Both are unfair and the act of either a criminal or a person acting without due regard for the rights of others. Neither outrage is subject to appeal to a tribunal of justice. Both are enforced by the fear of punishment of innocent women and children.

If the Department of Agriculture was abolished, most of the farmers of the Nation would only know it by finding that they are annoyed less or by seeing the news item.

Speaking of consolidation of bureaus and departments, I suggest that if the Department of Agriculture is to continue its fight on the farmers, then this department should be abolished and its activities handled by the War Department. The name would not be so misleading. The farmers would at least know what to expect.

I may suggest, though, that there would be very little or nothing to transfer, if Congress would only eliminate all the

efforts of this department to undo what it has done, do over without improvement what it has already done, and to do what it should never do.

Certain it is that there would be no necessity for spending millions and millions of money to build one of the largest and most expensive office buildings in the world for this department as is now being done. If the activities just mentioned were eliminated, there would be only about three left, and to my mind all of these are among those which should never occur.

The Secretary very probably would want to continue to give out erroneous crop and other reports and thus drive down the prices of farm products; give out statements that the farmers are very prosperous and extremely happy and furthermore endeavor to convince the public that the Federal Farm Board act is perfect and that the Federal Farm Board should be retained without any amendment to this act. If these three unfair and unnecessary activities just had to be carried on at Government cost, this little job could be done in one little room, by one little man, at very little expense.

It is hard to be temperate in thought and language when one realizes just what has been done and is now being done under the reconstruction finance act for the great corporations of the country and the unfair deal that is being given the farmers under the same act.

Just here let me say there are in the Department of Agriculture and the extension service some of the most splendid men and women I ever saw. They are truly friends of the farmers of the Nation. Many of them are among the best friends I have on earth. I am not criticizing them. I am criticizing, though, those officials who purposely and deliberately make it so difficult for the farmers to get any real good out of anything Congress attempts to do for them. I resent as unfair any effort on the part of the department to force the borrowers of the little production loans to make curtailments of acreage of any crop unless that same curtailment scheme is voluntarily made and entered into by the rich as well as the poor and the big farmer who does not borrow as well as the poor borrower.

I repeat, I have no objection to the farmers signing any cropping plan they may wish to make. I am most anxious though that there be no unnecessary delay of loan applications on this account, and for this reason I urged the Department of Agriculture not to take cropping-plan contracts in connection with the applications for loans. I feel these ought to be disconnected altogether from the applications for loans, as I do not want the Department of Agriculture to embark on a program of attempting to control every activity of the farmer under a threat, either actual or implied, that he would not receive his loan or other help from the Government unless he executed a cropping plan or any other paper curtailing the liberties of the borrower to a greater extent than is imposed by law on the man who does not borrow.

I feel that to force the borrower to curtail his acreage in this manner, while the man who does not borrow increases his will not at all solve the so-called overproduction problem, but on the contrary will not only complicate it, but will also become a precedent for what in my mind is a very unfair system. Many months ago I made my position clear to the Department of Agriculture, that I should oppose in every way possible forcing the unfortunate farmers of the country who borrow, to curtail their acreage unless a system could be worked out which would also bring about a similar curtailment by the larger planters who do not obtain any loans from the Government.

I may repeat, though, that I am not making any fight on the obtaining of these production plans where executed voluntarily and disconnected with the aid given the farmers by these production loans so that the farmer will be exercising the fullest freedom in executing these production contracts or promises.

Any effort to control production is wrong unless it operates evenly and equally on the rich and the poor and on all the farmers, not of only one section or State, but of the whole Nation. The present device used by the Department of Agriculture to control the acreage of cotton and tobacco is unfair and vicious for another reason.

As soon as the Department of Agriculture succeeds in forcing a reduction of acreage on my farmers the department through the press, the radio, and in every way possible, will broadcast to the rest of the Nation an exaggerated report of the enforced curtailment or reduction of acreage and thus invite a much greater production of tobacco and cotton by the tobacco growers and producers, especially those of wealth of the whole country who do not borrow from the Government.

Thus this department enslaves the poor farmer, curtails not only his production but his price in behalf of the rich growers of the whole Nation. The poor farmer is forced to cut acreage and the farmers of the whole country who do not borrow from the Government are graciously invited to accordingly increase their acreage.

Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection?

Mr. JOHNSON of Washington. Mr. Chairman, reserving the right to object, does not the gentleman believe that the statements just made by him tend to prove the danger of continually extending the Federal activities to this, that, and everything under the sun?

Mr. LANKFORD of Georgia. Yes.

Mr. JOHNSON of Washington. It creates more and more red tape, more delay, and more Federal employees.

Mr. LANKFORD of Georgia. Especially where the Government does so much and creates so many bureaus for everybody else but the farmers, and when something is to be done for the farmers there is so much red tape they get absolutely nothing out of it.

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

There was no objection.

Mr. LANKFORD of Georgia. Mr. Chairman, it matters not whether a law is enacted in the name of the farmer or not, in the end he does not get a square deal. Something is sure to be wrong, either in the act as worded, in the administration of it, or in its final effect. This certainly is true of all bills passed in the name of the farmer and all tax or revenue proposals.

It may not be amiss for me at this time to say a few words about the proposed general sales tax now under consideration. As I have repeatedly said on this floor and elsewhere, I am unreservedly and unalterably opposed to the principle of this system of taxation. It is contrary to all other principles of raising revenue.

It taxes poverty instead of wealth; the need for the necessaries of life instead of ownership of property; hunger and want instead of luxuries and riotous living; losses and misfortune instead of income and profits; those who get the least out of the Government instead of those who get the most, and those least able to pay instead of those most able to pay.

Many exemptions are being proposed. I favor many more. In fact, I hope every article needed by our people for any proper purpose may be eventually excepted or exempted and that then the general sales tax principle be overwhelmingly defeated.

No amount of exemptions will cause me to vote for a principle which I feel is as vicious as a general sales tax. If the sales-tax principle is ever ingrafted upon our Federal taxing system, the camel's nose will be in the tent and a mighty drive will be made to eliminate the income tax and all forms of taxing wealth and to raise all funds for Federal purposes by this tax, excise taxes, and the tariff system. This Congress to this good hour has not passed a single general law in behalf of the masses who are suffering most as the result of this depression. I certainly shall not now vote to put this additional unconscionable burden on their bended and broken backs.

The war cry is, the Budget must be balanced. I am more alarmed about budging the balance than about not balancing the Budget.

If the deficit in the Treasury was caused by appropriations saving the homes of my farmers and ushering in the return of prosperity for all my people, I would feel that they could afford to be taxed by any fair means with the rest of the Nation to raise the necessary money, but this is not the case.

This very Congress appropriated $500,000,000 to be dished out by the Reconstruction Finance Corporation to the Wall Street bankers. This amount is about what would be raised by this sales tax in one year. But this is not all; this same act made $2,000,000,000 available for loans to these Wall Street banks and monopolies. It would take four years to raise this money by this sales tax.

Think of it, the advocates of the Reconstruction Finance Corporation wanted that act so worded that the entire amount that could be raised by this sales tax could and would be loaned to only three big corporations, and yet we, as Representatives of our bleeding, dying people, are asked to raise these millions upon millions of dollars by taxing the poorest of the poor a few cents here and yonder and everywhere from everybody and a few dollars here and yonder and everywhere from everybody until the sum runs into millions and millions of tribute to be dumped into the vaults that are already busting with hoarded billions of ill-gotten wealth.

They seek to raise this money by squeezing the very last dollar, nickel, and penny from the impoverished, hungry, freezing, homeless, jobless, and outraged poor of the land, to be turned over in $100,000,000 sums to the very international bankers who wanted and secured the foreign-debt cancellation and moratorium program for their own outrageous, selfish, diabolical interest, who now are hoarding the money of the Nation and causing the most awful depression since the beginning of time; who have originated, sponsored, and secured the passage of every big financial or banking piece of legislation in behalf of the rich during the last several decades and who are now engaged in a campaign to get both the Democratic and Republican Parties to put over this system of sales tax as an entering wedge to relieve wealth of all Federal taxes and to place the entire burden on the backs of the millions of the poor.

Mr. Chairman, I thank God and the good people of my district for the privilege as their Representative of voting against any such scheme.

Ah, Mr. Chairman, why should we have any Congress or any committees, if we are to put over only such program as is outlined by the Wall Street interests?

Mr. Chairman, if all these outrages are to be perpetrated by Congress without protest and if the definite program is for the Wall Street interests, to tell the President, the President tell the Democratic and Republican leaders, and leaders tell the Members of Congress, and the Members are to, more or less, blindly follow and do as requested, as was the case in the foreign debts moratorium and Reconstruction Finance Corporation act, then why go through the expense, delay, and foolishness of meeting and thinking we constitute a decent, deliberate, legislative body?

Again I ask if all this is to be true, why have Congress? Why have leaders? Why not let a Secretary of the Treasury, selected by Wall Street and the Wall Street money interest, run the country and manage its finance just as is now done and sought to be done, except without the wear and tear of a Congress, some Members of which may be a bit rebellious and just a little unwilling to be lead at all times in all matters?

Mr. Chairman, I am not only opposed to the sales tax I am also opposed to and shall vote against either an increase of postage on first-class mail or a tax on gasoline or an additional tax on manufactured tobacco products. I shall likewise oppose all other nuisance taxes, such as taxes on soft or cool drinks, candies, and so on.

I am convinced that sufficient revenue for current expenses of the Government can be raised from taxes other than these just mentioned. Let us trim out all unnecessary bureaus and commissions and we can curtail our expenditures so there will not be any need for all these taxes. I have just referred to the red tape and unnecessary and vicious usurpation of power in the Department of Agriculture. The same kind of situation, I am sure, exists in all the other departments.

I feel that it is not at all necessary to squeeze the last few pennies out of the common people to refinance the foreign loans and offset our loss there, to buy up the bad loans of the international bankers, and to pile up additional hundreds of millions of dollars in the vaults of the immensely rich.

To my mind we can not tax our people out of the depression. It would be much better for us to sell Government bonds and bring money out of hoarding and put it in circulation rather than as a taxgatherer attempt to squeeze additional millions out of the people, to be delivered to those who are hoarding millions and billions of dollars.

The sale of bonds would bring money out of hoarding and put it into circulation. The sales tax and other taxes of the poor gets the last dime, nickel, or penny from our poverty-stricken people and puts it into the hands of the only real hoarders who have never known or felt hunger or want, and who view with an indifferent, heartless, and cruel stare the millions of upturned, freezing, and starving faces of the innocent victims of the relentless greed of great wealth.

Mr. Chairman, why are these taxes being sought? The answer is to balance the Budget. Who got the Budget out of balance? Who caused the deficit? The answer is, the very crowd who are now asking for it to be balanced. The very men in and out of Congress who worked for and voted for the foreign debts moratorium and the Reconstruction Finance Corporation act are now loudest in this advocacy of taxes to pay the losses caused by these two bills. Why is it sought to tax the poorest of the poor? Listen. The answer is to raise revenue to help foreign nations balance their budget; to buy up without indorsement notes which the international banks are afraid to carry and to make loans of the people's money as large as $100,000,000 at a clip to single big corporations, to carry on an orgy of bureaucratic expensive control of all the people's affairs striking at the very foundations of our Government, and to make millions of useless expenditures of money too numerous to mention, such as building here in Washington numerous, expensive, and unnecessary buildings and tearing down and destroying most beautiful, splendid, and useful buildings only because some bureaucratic appointee likes better the coffin-shaped building that is to be built in the place of the splendid, beautiful Post Office Department Building, or because some bureaucratic appointee thinks the tower is too high, or does not like for the clock in the tower to tell him the time of night he passes by, or because these buildings are not in accord with some one's distorted æsthetic taste they are now doomed to destruction at enormous cost to make way for a building not any better and not as pretty at a fabulous cost to the taxpayers. The sales-tax sponsors want the poorest of the poor taxed to pay these bills. I object. It is not right.

Is this Congress to put over this program of iron and blood, do absolutely nothing for the farmer, the laborer, or the private independent citizen or business man, and then adjourn for its Members to rush to the conventions to construct political platforms of delicious promises made only to deceive and never to be kept? We have had the legislative program of iron and blood up to the present; the people of the Nation are asking "what is to follow?"

Instead of invading every home and taxing every man, woman, and child, Congress should relieve the already too heavy tax burden and by constitutional amendment provide for an exemption from all taxes of a reasonable amount of real and personal property for home purposes.

Instead of more taxes and embarrassment for the farmers, a real relief program should be provided. Instead of remaining an outraged borrower, the farmers should receive governmental aid elevating and stabilizing his prices and

making him an independent citizen with money for his own use and to spare.

Instead of squeezing more money out of the poor for the big corporations and multimillionaires, legislation should be enacted putting the hoarded money of the wealthy to work giving employment at reasonable salaries.

The rights of the individual private citizen and small business concern should be preserved instead of the masses of people being left as the prey of the monopolies of our Nation.

The farm problem should be solved; the railroad or transportation question should be handled at once to the best interest of all the people; a system of banking should be set up at the earliest possible moment making absolutely secure against loss the deposits of our people; the great monopolies again should be held in due bounds; the rights of all our citizens protected to the fullest, and the confidence of our people in their Government and in each other restored to that high standard of faith and patriotism possessed by our fathers.

Mr. GLOVER. Mr. Chairman and gentlemen of the committee, I think the regulations prescribed by the Secretary of Agriculture in some respects are not only unjust, but it seems to me they are absolutely foolish. Before these regulations were put out the question was raised as to whether they were to be permanent. I took this matter up with the Secretary of Agriculture because it vitally affects the people of my State as it does the people of your State. I asked them to change some of those regulations, especially the one referring to cotton and rice. The regulations prescribed by the Secretary in that respect were never contemplated by this Congress. Nobody ever thought that such a foolish regulation as that would be made by the Secretary of Agriculture.

Many farmers do not need this aid, but about one-tenth of them do. Here is a man who, because he is a poor man, must borrow money in order to make his cotton crop. He is penalized by the Secretary of Agriculture because he is poor and because he wants to borrow money and is forced to reduce his acreage. Here is a man, his neighbor, who can raise the crop he raised last year in full, or he can double it ten times, but here is a poor man who has to borrow money and he must cut his crop down. The Secretary of Agriculture has fixed a rule that penalizes him because he is poor, and he says, "You can not grow as much as you did last year." I think that is absolutely ridiculous.

They have not only prescribed foolish regulations with reference to cotton, but they have done so with reference to other things. For instance, in the great rice district of Arkansas, which is about the third largest in the United States, they have fixed a regulation providing that the loan is small and becomes a first lien on the crop, and in that level country, the prairie, they have to pump all the water that goes on their rice-growing farms, which costs them about $15 an acre. Now they have fixed the regulations of borrowing so low on them that they could not afford to take a loan because it would not make a crop, and if he did take it, prevents him from borrowing elsewhere as he has given a first lien on his crop.

We have appealed time after time for them to raise that to where it would be enough for them to make their crop. They have raised it somewhat after this appeal, but not to where it ought to be. I hope if we ever make a loan of this kind again we will put some restrictions in the bill that will control even the Secretary of Agriculture so that he can not make such drastic regulations with respect to the poor farmer who is sweating away his life in order to make a living.

The pro forma amendments were withdrawn.

The Clerk read as follows:

SEC. 3. The act of Congress approved January 31, 1931, entitled "An act for the relief of the Uncompahgre reclamation project, Colorado" (Private, No. 300, 71st Cong.), is hereby amended to extend for one year from and after January 1, 1932, the time for beginning construction of drainage system upon the Uncompahgre project, and any and all construction charges accruing upon or for said project for or during the year 1932, shall be deferred and included in and made payable as a part of the project supplemental construction charge provided for in said act of January 31, 1931; and in order to afford opportunity to complete the construction authorized by the act of Congress approved February 21, 1931 (Public, No. 708), relating to the Grand Valley reclamation project, Colorado, any and all construction charges accruing upon or for said project for or during the year 1932 shall be deferred without interest and penalties and shall be included in and made payable as project supplemental construction charges.

Mr. STAFFORD. Mr. Chairman, I offer the following amendment: Page 3, line 22, strike out the clause "without interest and penalties," and the further amendment, at the end of the section insert the following: "under the terms as provided in this act."

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 3, line 22, after the word "deferred," strike out the words "without interest and penalties," and at the end of the section, after the word "charges," insert "under the terms as provided in this act."

The amendment was agreed to.

The Clerk read as follows:

SEC. 4. At the expiration of the period for which deferment of charges is made under this act, all districts, water-users' associations, or other water-users' organizations, and all individuals accepting the provisions hereof shall resume payment of charges on the basis of and in accordance with existing contracts and shall continue payments thereafter until the entire indebtedness of said districts, water-users' associations, or other water-users' organizations, and individuals to the United States shall have been fully paid. In the case of a district, water-users' association or other water-users' organization, or individual having contracts executed pursuant to the act of February 21, 1911 (36 Stat. 925), the act of August 13, 1914 (38 Stat. 686), or the act of May 25, 1926 (444 Stat. 636), or any special act the deferred construction installment or installments for the calendar year 1931, and that portion of the 1932 installment or installments deferred, together with the installment or installments of deferred construction and/or operation and maintenance for 1931 and 50 per cent of the installment and/or installments of such deferred charges for 1932, shall be paid as an additional installment to be due and payable one year after the date the last installment under existing contracts shall become due, except in those cases in which the Secretary of the Interior, whose decision shall be final, shall find necessary additional installments, which he is hereby authorized to fix. In the case of any district, water-users' association, or other water-users' organization, or individual under contract for payment of construction charge pursuant to subsection F, section 4, act of December 5, 1924 (43 Stat. 702), construction payments shall be continued on the basis of existing contracts until the entire indebtedness to the United States, including all charges deferred pursuant to this act, shall have been fully paid. Installments so carried over shall be subjected to the reductions provided for in section 7 hereof.

Mr. SMITH of Idaho. Mr. Chairman, I offer an amendment, page 5, line 10, strike out the figure "7" and insert the figure "8."

The Clerk read as follows:

Amendment offered by Mr. SMITH of Idaho: Page 5, line 10, strike out the figure "7" and insert in lieu thereof the figure "8."

The amendment was agreed to.

The Clerk read as follows:

SEC. 6. The Secretary of the Interior, in his discretion, is further authorized to defer the payment to the United States from any water-users' organization, as defined in section 1 hereof, and from any individual water-right applicant or entryman of construction charges and installments of deferred construction and/or deferred operation and maintenance charges for the calendar year 1930 and prior thereto. Such deferred charges, together with penalty or interest to December 31, 1931, under existing laws and contracts shall be paid in such annual installments as the Secretary of the Interior may fix.

Mr. STAFFORD. Mr. Chairman, I offer an amendment, at the end of line 3, page 6, insert a comma and the following after the word "contracts": "and thereafter at a rate of interest to be fixed by the Secretary of the Interior."

The Clerk read as follows:

Amendment by Mr. STAFFORD: Page 6, line 3, after the word "contracts," insert a comma and the following language: "and thereafter at a rate of interest to be fixed by the Secretary of the Interior."

Mr. SMITH of Idaho. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. SMITH of Idaho. I wish to say that this section has reference to existing law and existing contracts, the rate

of interest being fixed in the law, and the amendment, while it would not be harmful, would not add anything whatever to the law.

Mr. STAFFORD. The language in the bill is "such deferred charges, together with penalty or interest to December 31, 1931, under existing laws and contracts."

The bill as brought over from the Senate is predicated upon the idea that no interest shall be charged. This provision says penalty and interest shall be charged to December 31, 1931, and I am carrying out the idea that thereafter it shall be charged at such rate of interest as is carried in section 1.

Mr. SMITH of Idaho. If the gentleman will permit, section 1 refers to the deferred payments of 1931 and one-half of 1932. Section 6 refers to payments due and not paid for 1930 and prior years. The existing law provides for interest and penalty on those deferred payments.

Mr. STAFFORD. Let me ask the gentleman, because he has far better acquaintance with the operation of the law than I have, as to these deferred charges for the calendar year 1930. If they are not paid on December 31, 1931, as prescribed by the contract, what interest do they then bear?

Mr. SMITH of Idaho. They bear 6 per cent interest, and there is also a penalty attached, and, in addition, the water can not be furnished under the law to those who are delinquent on payments due December 31, 1931.

Mr. STAFFORD. So, if they are not paid on December 31, 1931, they will continue to bear interest under the terms of the contract?

Mr. SMITH of Idaho. Absolutely.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent to withdraw the amendment just proposed.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

The Clerk read as follows:

SEC. 9. Collections of construction charges for the calendar year 1931 (which charges are subject to adjustment and are adjusted under sections 1, 2, and 4 of this act) and penalties and interest, if any, from water-users' organizations and individual water-right applications or landowners, heretofore made under existing contracts, plus interests on all amounts so collected at the rate of 6 per cent per annum, shall be credited upon the succeeding payments as they become due, including operation and maintenance charges.

Mr. STAFFORD. Mr. Chairman, I offer the following amendment.

Page 7, line 13, strike out the clause and the comma "plus interest on all amounts so collected at the rate of 6 per cent per annum."

The amendment was agreed to.

The Clerk read as follows:

SEC. 10. That the act of June 25, 1910, entitled "An act to authorize advances to the reclamation fund, and for the issue and disposal of certificates of indebtedness in reimbursement therefor, and for other purposes," as amended, and the act of March 3, 1931 (46 Stat. 1507), are hereby amended so as to provide that payments in reimbursement of moneys so advanced under these acts and not heretofore repaid shall be made by transfer annually from the reclamation fund to the general funds of the Treasury beginning July 1, 1935.

Mr. STAFFORD. Mr. Chairman, I offer the following amendment.

Strike out the figures "1935" and insert in lieu thereof "1934."

The amendment was agreed to.

Mr. HALL of Mississippi. Mr. Chairman, I move that the committee do now rise and report the bill 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. KELLER reported that that committee had had under consideration the bill, S. 3706, for the temporary relief of water users on irrigation projects constructed and operated under the reclamation law and had directed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded on any amendment?

The amendments were agreed to.

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

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

EXTENSION OF REMARKS

COLORADO'S TWO RECLAMATION PROJECTS

Mr. TAYLOR of Colorado. Mr. Speaker, under leave to extend my remarks in the RECORD, I include a statement made by myself on February 23, 1932, before the Rules Committee of the House of Representatives, on the bill, H. R. 9489, for the temporary relief of water users on irrigation projects.

STATEMENT OF HON. EDWARD T. TAYLOR, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF COLORADO

Mr. TAYLOR. Mr. Chairman and gentlemen of the committee, what your committee wants to know is, first, the fairness, justness, and reasonableness of this bill, H. R. 9489, and second and very definitely, as to the actual necessity for its enactment at this time.

I will speak first as the Representative in Congress from the western half of Colorado, which includes the Uncompahgre Valley reclamation project and the Grand Valley reclamation project, both of which are in my congressional district. I live in an adjoining county to the three counties in which those two projects are situated and have known those people and their conditions intimately and have represented them in this House for the past 23 years.

I hesitate somewhat to picture for a public record the actual conditions of the water users on those two projects as seriously as they really are at this time. Those water users have kept going during the past few years by absolutely forcing in every way possible payments from the people on the projects and practically compelling them to make payments of money, much of which had to be borrowed in every way possible and little of which has been repaid or can be repaid at this time.

On the Grand Valley project some seventy-odd water users have been compelled to deed their farms to the Water Users' Association in order to get water during the past year. They have not been able to sell their crops, and they can not make the payments necessary to secure a reconveyance to themselves of their titles to their homes. I am advised by the bankers and many substantial people living upon and adjacent to that project that the water users have completely exhausted their credit. They have no collateral that is not already mortgaged for probably more than it could be sold for. Several banks upon those two projects have suspended or have been closed, and the remaining banks say they can not make any further loans to these water users under the existing conditions.

The Uncompahgre people have not deeded their lands to their association, but they are in equally, if not more, serious condition; that is, the water users on both projects are facing utter ruin unless they can be relieved for the present from their indebtednesses to the Government and be given an opportunity to raise another crop this year. Even their working stock and farming implements and practically all of their personal property are mortgaged; and if those mortgages are foreclosed, they will be put out of their homes and set out in the world with nothing. Notwithstanding the severe drought a fairly good crop was produced last season, but, due to market conditions, the settlers have been compelled to sell their crops for much less than the actual cost of production; besides, they can not find a market even at any price for much of their crop sufficient to pay the freight and leave them any balance at all. The banks can not possibly even furnish working capital to the water users to purchase the necessary seed and feed during this year.

Gentlemen, it is absolutely imperative that Congress should extend such deferment of the payments upon the construction charges as to make it possible for the people under these projects to live and stay on the land. They must not only be permitted to live and raise their crops this year but even if they do raise a good crop this year and if they do succeed in getting a fair price for it, every dollar of the proceeds will be consumed in paying existing obligations and paying for the operation and maintenance and upkeep of lateral ditches, flumes, and so forth, and it will be utterly impossible for them to pay construction charges in addition to all that and live during the coming year. They absolutely must be allowed to have some surplus to clothe and feed themselves and families not only during 1932 but to purchase seed and carry on during 1933.

The least possible relief that would afford a faint hope to the water users on these two projects in my district would be to grant them the relief provided in this bill. While there ought to be a straight moratorium for the years 1931, 1932, and 1933, to let them get on their feet again, yet we are not considering 1933 in this bill.

The relief that we are now asking, although not being all I think they should have, will be a great encouragement and will give the sorely distressed water users some hope of a possibility of paying out.

There is a human equation involved in this situation, and I speak now of all of the water users on all of the Government projects throughout the Western States. The settlers upon those projects must be given a fair chance for their very existence and a fair opportunity to supply their families with at least the bare necessities of life. Anything short of that destroys their courage and morale. Not only the banks but the business men and merchants of those communities have extended all the credit they possibly can and as long as they can, and they are now compelled under existing financial conditions in our country to absolutely refuse further credit. Those settlers have tried heroically and with the utmost energy and frightfully hard work and good faith, for years and years, to cooperate with the Reclamation Bureau in every way possible. Those people are not repudiators, nor are they disposed to complain of their lot or be trouble makers. But the plain fact is that they have reached the limit of their endurance. They are now at a point where they simply can not comply with the Government requirements and continue to live.

It does seem to me that Uncle Sam and Congress both should and must recognize that there is a personal side and a human element in this situation. Those projects can not continue without farmers, and farmers can not carry on with the crop prices they are now having and with the many handicaps and discouragements that they are working under unless they can obtain more liberal consideration from the Reclamation Bureau than has been accorded them in recent years. This situation is not the fault of the Reclamation Bureau nor of the law, but it is a cruel and tragic result that is brought about by this universal depression. Practically everything the farmer raises is at the lowest price it has been in 40 years. Moreover, the freight rates from all that interior mountainous portion of the West are so excessively high that they largely consume the value of the crops before they reach the market. It does seem as though the officials here in Washington do not and can not visualize or realize the conditions of those sorely tried and cruelly afflicted people under present conditions.

If there was any reasonable hope for improved conditions within the next 12 months, that might make it possible to collect some small part of the 1932 construction charges from some of the settlers on some of the projects.

But, as I say, they have got to pay operation and maintenance charges at all events, which amount to several dollars an acre, and they must pay some grocery bills and other expenses. Conditions have been getting worse all the time for three years; and, moreover, there appears to be little hope at this time of there being sufficiently favorable conditions or circumstances that will enable these people to work out, even under the provisions of this bill.

You must bear in mind that these reclamation projects are enormously expensive constructions, and the upkeep of the reservoirs and large canals and distributing ditches and flumes involves an immense amount of annual hard work and expense. Raising crops by irrigation is a very expensive way of farming.

These reclamation projects are organized in what is known as reclamation projects, and the Government deals with them in that collective and incorporated capacity. The Government holds a first lien against all of the land and irrigation reservoirs, canals, and property of that kind. So that every man's home has a blanket Government mortgage on it of anywhere from $5,000,000 to $10,000,000 on an average. The associations stand good to Uncle Sam for all of the indebtedness of all its members.

Now when they have not, practically speaking, a dollar, the question is whether or not the Government is going to drive them off the project and out of their homes and starve them out, or let them stay there and try to work out and pay the Government as soon as they can make it out of the land and out of their crops. They have no other way of paying. Suppose the Reclamation Bureau drives practically all of them off their lands, what has Uncle Sam left? He has a lot of farms that have been compelled to run down for lack of means to upkeep them. These farms will then have to be turned over to new settlers to rebuild and to try to carry on from where the present old-timers have left off. That would be a calamity, almost an inhuman act, which I know Congress can not and will not permit. These old-time settlers, who have put in 20 or more of the best years of their lives in reclaiming this barren land, should be permitted to stay in their homes and pay back the Government when they can. Those settlers have already repaid to the Government something like $50,000,000, and some of them have paid back nearly a hundred per cent of all that is due.

Now, all we western Members, who represent these projects, are asking of you gentlemen of this committee and of Congress is to withhold collection of construction charges, which these people can not now pay.

Mr. Chairman, in conclusion I must, in justice to the people of three naturally wonderfully rich counties in my State, say that when our Government has been so prodigal with its relief to suffering humanity all over the world and is now appropriating billions of dollars for relief, which largely goes to railroads and big banks and large business concerns, I do feel that it is unfortunate when our high officials are either unwilling or very reluctant to grant to our own pioneer, loyal, patriotic, hard-working, worthy, and courageous citizens the bare relief so absolutely necessary to permit them to live and to continue to develop their homes and these projects and to largely enhance the value of the Government's investment in time. If these settlers are forcibly driven off, bankrupt, heartbroken, discouraged, and necessarily embittered, who will take their places? Who can possibly carry on as well? Who are the most deserving, those who have spent almost a lifetime of hard work trying to reclaim the desert and make a home or those who may come in and take up these farms and homes that Uncle Sam has compelled these pioneer settlers to leave behind them?

Gentlemen, I appeal to you in the name of common and deserving humanity, in the name of the hardy, courageous, western spirit that has made these projects possible, to extend, not grudgingly but fairly, such relief to them as will not only make it possible for them to live and keep their homes but to give them some hope and encouragement and a feeling of gratitude and appreciation of our Government.

Mr. Cox. Mr. Taylor, this is, after all, a loan that they are asking, is it not?

Mr. TAYLOR. No; it is not a loan. We are not asking for a dollar. We are appealing to Congress to let those settlers have water this year to raise a crop on their farms so they may continue to live on them and pay the Government back out of their crops, the only way they can pay.

Mr. Cox. All right. Then what is the objection to promising at least interest on this deferred payment?

Mr. TAYLOR. Those settlers, most of them, absolutely could not pay interest even if they were compelled to promise to. Even if they paid interest it would go into the reclamation fund and not into the Federal Treasury. Goodness alive, gentlemen, when the administration and Congress are granting moratoriums and prodigally throwing money all over the world, to every nation that will take it, with no intention of ever paying it back, and here at home we have a lot of deserving pioneer people out there who have endured untold hardships to settle and reclaim that country from a wilderness, and need a little time to work out of this depression, I do not see how there can be any question about the justness or urgency of their appeal. Mr. MICHENER is wrong about their crop being guaranteed. It is only about 2 or 3, possibly 4, years out of 5 that we get a good crop. We have late and early frosts, and droughts, and many other obstacles. The altitude of my district ranges from about 4,500 to 10,000 feet, and our fruit and potato and some other crops are often destroyed by frosts.

Mr. MICHENER. That is your particular district?

Mr. TAYLOR. Yes; but practically all of those projects are in a mountainous country. Our greatest handicap against us is our long distance from markets, insufficient marketing facilities, and frightfully high freight rates for everything we buy or sell. Speaking of Idaho potatoes being sold in the eastern markets, I sometimes think they advertise them somewhat the way they do the Rocky Ford cantaloupes in all the eastern markets. Nearly all over the United States farmers and truck growers buy from Colorado Rocky Ford cantaloupe growers' seed and plant that seed and grow a crop and advertise those cantaloupes as Rocky Ford cantaloupes. That is the only way the people in the East, North, and South ever get Rocky Ford cantaloupes. They scarcely ever get one that is grown in Colorado. People get them here in the East throughout May, June, July, and August, and they do not get ripe in our Rocky Ford country until September. Cantaloupes grown in the East, North, or South, even from our seed, do not taste much like the cantaloupes grown at Rocky Ford or at Palisade, by irrigation and Colorado sunshine. Gentlemen, with all the earnestness and seriousness I can command, I tell you this is a "groundhog case." We have simply got to have this relief for the people on those reclamation projects.

I might say for my own district that for the last two years they have not been able to pay the operation and maintenance charges and the construction charges and besides do the drainage work that is necessary. When irrigated land is not properly drained, it becomes water-logged. We call it going to seep. The Uncompahgre project has got to be drained. A large part of it is now so water-soaked that it will not grow anything. It will cost half a million dollars to build the necessary drain ditches and canals and tiling, and so forth, to wash out that alkali ground and reclaim it and bring it back to production; and the Government at present declines to do that work. I passed a bill last winter giving the water users on this project the right to use all the money that they would otherwise be required to pay to Uncle Sam toward the repayment of the construction cost for five years, and allowing them to spend that money on the drainage of that land. So that the Treasury is not going to get a dollar of that construction charge for five years. But we have not now got the money to do that drainage work.

It is an enormous proposition to figure out a system of drainage for some 8,000 or 10,000 acres of that water-soaked land, and it is awfully expensive. They have been industriously investigating, surveying, and experimenting, and trying to get ready to do this drainage work. At my request they sent some engineers and practical irrigators up to Mr. Smith's district in Idaho to examine their electric pumping wells that they have there. They have quite a number of shallow wells with electric pumps, and they set them running day and night, pumping the water out of the ground so as to keep the water level in the ground down far enough so that it will not destroy the crops.

It has two very important purposes—it prevents the ground from going to seep and furnishes a large amount of additional water for irrigation. Those water users have also investigated other systems of drainage. That bill to which I refer, for the relief of the Uncompahgre Valley water users act of January 31, 1931

(46 Stats. 1974), is printed in full in the report on this bill. It relieved the water users on that project from paying the construction charges last year and put those charges off to the end of the payment period. But they were expected to start on the drainage work this year. Now they have not got, and absolutely can not get, the money to do so. There is no possibility of their doing about $85,000 worth of drainage work that they are required to do this year. The Government is not paying out any money nor giving up anything. That law requires these water users to either spend the money on drainage, or pay it into the reclamation fund. Now, what I am asking is that you do not require us to pay it into the reclamation fund; because we want to spend it on that drainage, as that law of mine allows them to do. We have absolutely got to do that drainage as soon as we can, but we have not the preliminary plans and are not ready to start yet. All I am asking in this bill for that project is a year's extension of the time for starting that drainage work.

It is not really a matter of money at all. It is a matter of giving these people an opportunity to do a lot of hard and expensive work. That is the object of section 3 of this bill, H. R. 9489. I wrote that section for that purpose and personally presented it to both the Senate and House Irrigation Committees as an amendment to the original Senate and House bills, and both of those committees accepted that amendment without changing a single word, and both reported out the bill as it is now before you. The Senate passed the bill in this identical form within about three minutes. The Senate knew that their Irrigation Committee had very fully and carefully considered the bill, and they evidently thought no discussion was necessary. Speaking for the Uncompahgre project, I am not asking for a loan of any money nor for a waiver or cancellation of any payments of any money or for an extension of time to pay any money but for an extension of time and an opportunity to do the very technical and expensive work of drainage that is specifically authorized by that act of Congress passed a year ago.

To a certain extent, the same applies to my Grand Valley project. I passed an act a year ago that is also set out in full in the report on this bill; that is, the act approved February 21, 1931 (46 Stat. 1202). That act authorizes those water users to construct a power plant on that project, from which they expect to derive a large and very necessary revenue. They have not yet had time to complete that construction, and section 3 of this bill gives them a year's extension on construction charges for that purpose. And for the additional reason that most of them, as I stated before, have already been compelled to convey all their property to the association and they have no property nor credit nor money to pay this year's construction charges.

Mr. BANKHEAD. The statement you have made rather confirms my opinion that the Interstate Commerce Commission is right when they say you are out of luck.

Mr. TAYLOR. We are out of luck in many ways just now, and we western Members have a desperately hard time to convince you people down here of our situation.

Mr. BANKHEAD. You need not shake your golden locks at me. I have never failed you that I know of.

Mr. TAYLOR. No; you never have, and on behalf of my constituents and myself I profoundly thank you for your invariable consideration and good will. You have been out there and looked us over, and we were delighted to have you do it.

Mr. SMITH. I wish to suggest, with reference to having people come out and look over these projects, that Hon. WILL WOOD, chairman of the Appropriations Committee, on the floor of the House of Representatives 12 years ago made a speech in May against reclamation, and in June, after traveling over the reclamation projects, he made an address at a meeting in Boise, Idaho, in which he stated he was not fully informed when he was arguing against reclamation, and he has supported the policy ever since. Chairman Fitzgerald, of New York, became a strong friend of reclamation after visiting the projects, as did Chairman Swagar Sherley, of Kentucky. The late Congressman Good, of Iowa, chairman of the committee, was also convinced after visiting the projects that the reclamation policy was a wise one and supported it strongly, as did Congressman Cramton, chairman of the subcommittee, and Congressman MURPHY, of Ohio, ranking Republican member of the subcommittee, having in charge the activities of the Interior Department—all eastern men.

You gentlemen who are prejudiced against reclamation of the arid lands and do not realize how it benefits all of the country are invited to come out and inspect these projects and visit with our splendid people, and you will conclude that the money spent in building up the West is in the interest of the whole country.

Mr. MICHENER. Don't you think, Mr. Smith, that when the Members get out there they are under a spell? I was with the gentlemen from Colorado, I think, on one of those trips, when you visited Mount Rainier, and I heard Senator ROBINSON and Mr. WOOD say that night that Mount Tacoma was Mount Tacoma, and that it should be changed from Mount Rainier. They never appreciated it until they got there. They were in the environment. Next year they came down from the West with thousands of petitions and delegations to change the name; but when Senator ROBINSON and Mr. WOOD got back here, away from the environment, and got back to normal again they appreciated that possibly they had spoken out of order, and they assumed a reasonable, natural position.

Mr. SMITH. But that did not prove true with these gentlemen; because all of them, after they came out there, have supported the reclamation policy on the floor of the House, and none of them has been a stronger friend of that policy than Mr. Cramton, of Michigan.

Mr. TAYLOR. I may add in regard to this Uncompahgre project, that they have also got to rebuild or enlarge a 6-mile tunnel some time, and that will cost them probably $500,000. Thus far, the Government will not agree to do that work. The association may have to bond itself somehow or other to do so. We appeal to you gentlemen to give these settlers a chance to work out. When this bill was first introduced it provided for a flat moratorium for three years, and it went before the Irrigation Committees of both the Senate and the House in that form.

They held meetings and decided to cut that in two in the middle and give them a moratorium for last year—which is water that has all gone over the wheel—and only give them a 50 per cent moratorium for this year, and give them nothing for 1933. So it is just half of what they were trying to get and justly needed. The water users feel that they ought to have a 3-year chance to work out, because they are so desperately in debt; but nevertheless, the committees decided to cut out 1933 and practically said, "We will cross that bridge when we get to it."

Mr. PURNELL. Are you willing to say affirmatively that they shall not have anything for next year?

Mr. TAYLOR. No; I can not speak for next year. But if prices are as low and times as hard then as they are now, God help them. We will have to cross that bridge when we reach it. We all hope and pray that conditions will be so much better that they will not need any further relief at that time.

But I started to say that the few potatoes that Idaho sends back here are not an infinitesimal drop in the bucket compared with the produce of 34,000,000 farmers throughout the United States. It is somewhat like the Imperial Valley products from California. The most important part of the crops they produce in that country comes in January, February, March, and April, when the snow is on the ground in the rest of the country. Their competition does not amount to anything.

Mr. MICHENER. Except that the only question is whether you take it off the vine or out of the can, so far as the consumer is concerned.

Mr. TAYLOR. Gentlemen, we could have had every one of the western Members come before you here. There are 19 of us Members of the House who represent all the reclamation projects. The chairman, Mr. HALL, and the ranking Republican and former chairman of this committee, Mr. SMITH, and I, came at their invitation. Possibly that was a courtesy to me, because I was a member of the Irrigation Committee for about 12 years, and was a part of the time chairman of the committee, and have always, ever since I came to Congress many years ago, taken an active part in these irrigation matters. I might add that I went out and personally examined many of these projects this last summer. Mr. MURPHY, Mr. FRENCH, Mr. HASTINGS, and I, as the Interior Department Appropriation Subcommittee, visited and personally inspected and critically inquired into about 15 or 20 of these reclamation projects. We put in several months investigating reclamation projects, national parks, Indian conditions, and so forth, this last summer. We learned their conditions, and we know them personally. We could have all those gentlemen come in here and bespeak the urgent need for this relief.

You are principally asked to grant temporary forgiveness for something that has gone by and could not be avoided. We are only asking a 50 per cent reduction this year on the construction cost—not on the operation and maintenance. Uncle Sam does not pay a cent of that. The water users have got to do that themselves, no matter what it costs nor how much work they have to do on all the canals, the ditches, the flumes and tunnels, the reservoirs, and on all the lateral ditches and headgates. Raising crops by irrigation is really a hard and very expensive proposition. And when we raise a crop we are a long, long way from the market. If we ship to Chicago, we are 1,500 miles or more away; if we ship to the Pacific coast, we are also 1,500 miles; if we ship to the Gulf, we are that far; and there is nothing between us and the North Pole in the other direction.

Mr. MICHENER. You would not advise, under those conditions, further development of reclamation projects?

Mr. TAYLOR. No, I would not; until conditions change very much indeed. There are many sites in Colorado, most of them in my district, that may some time be made into practical irrigation projects; but I have for 20 years absolutely refused to create any more projects in my district because I knew from long and serious experience what back-breaking hard work and heart-breaking disappointments some of them are.

I may add, parenthetically, that they are no soft snap for the Congressmen who represent them. We are, nearly every session of Congress, between the devil of the Reclamation Bureau here in Washington and the deep blue sea of political oblivion out home. It may seem rather peculiar, but it is true that the 30 western Sentors always pass these reclamation relief bills without ever batting an eye or anybody questioning the justness of these measures, while we 19 Members of the House who represent those districts are jumped onto from the East, North, and South for asking so much, and we are often criticized and denounced at home because we don't get more.

I certainly hope there will be no more new reclamation projects started for many years to come, and certainly not until after the Boulder Canyon project is completed. But I understand the President, the Secretary of the Interior, and the Director of the Reclamation Service are going to, during this session of Congress, recommend a new project that will cost $18,500,000.

Mr. PURNELL. Is that the Columbia River?

Mr. TAYLOR. No. The Columbia River project would cost $500,000,000, and the reclamation of the central part of California would

also cost at least $500,000,000. When times get better Congress will probably be called upon to consider both of those projects.

Mr. MARTIN. Where is this one?

Mr. TAYLOR. It probably would not be appropriate for me to specifically name it at this time, as it is not before you. But in all probability, it will come before you before long.

Mr. Chairman, I have received a large number of very earnest and forcible resolutions and letters and telegrams in support of this bill from the three counties in which these two Colorado reclamation projects are situated, and I will not ask to insert all of them in the record. But there is one resolution from the bank in Delta County that states the situation so concisely and clearly that I ask that it may be inserted in the hearings, as a typical statement of the sentiment of the business interests throughout those three counties.

The CHAIRMAN. Gentlemen, we will take this bill under consideration.

(Thereupon the committee proceeded to the consideration of business in executive session.)

"RESOLUTION

"*Be it resolved by the board of directors of the Colorado Bank & Trust Co., of Delta, Colo.*, That

"Whereas there is now pending before the Congress of the United States a bill granting certain extensions of time for the repayment of construction charges on reclamation projects throughout the West to the United States Government; and

"Whereas it is understood that the Department of the Interior will approve a moratorium on the construction charge due for the year 1931 but insists upon a payment of 50 per cent of the regular annual construction charge for the years 1932 and 1933; and

"Whereas recently the following banks in the vicinity of the Uncompahgre project in Montrose and Delta Counties, Colo., have failed: The First National Bank of Delta; the Fruit Exchange Bank, of Paonia, a State bank; the Bank of Crested Butte, in Gunnison County, Colo.; the Bank of Ridgeway, Colo.; the Bank of Telluride, San Miguel County, Colo.; and the Norwood State Bank, of Norwood, Colo.; and

"Whereas there are only four banks remaining on the Uncompahgre project, to wit, the First National Bank of Montrose, Colo., the First National Bank of Olathe, Colo., the Montrose National Bank, of Montrose, Colo., and the Colorado Bank & Trust Co., of Delta, Colo.; and

"Whereas the Uncompahgre project is dependent for its revenues upon the receipts from sheep, cattle, hogs, grains, fruits, and vegetables; and

"Whereas the returns from each and all of said projects are at this time insufficient to pay the cost of production; and

"Whereas for the next 24 months there will not be sufficient revenues to increase the cash reserve of the banks aforesaid on the Uncompahgre project; and

"Whereas it has been impossible for many years for said banks to finance themselves from outside areas or sources; and

"Whereas the farmers living on said Uncompahgre reclamation project are wholly unable to pay their present taxes, operation, and maintenance charges for water and their living expenses; and

"Whereas the United States Government has recently formed a $2,000,000,000 Reconstruction Finance Corporation and has appropriated $125,000,000 to pay the delinquent interest charges on bonds on farm loans issued by certain Federal land banks throughout the United States; and

"Whereas the moratorium sought, if granted, would only affect the revenues of the United States Reclamation Service in an amount throughout the West of less than $3,000,000 per year: Now, therefore, be it

"*Resolved*, That we respectfully urge the Hon. EDWARD T. TAYLOR, United States Representative from Colorado, to do everything within his power and to use his active influence to insure the passing of legislation that will secure for the western reclamation projects blanket moratorium covering all construction charges for the years 1931, 1932, and 1933.

"Done at Delta, Colo., this 23d day of February, A. D. 1932.

"BOARD OF DIRECTORS OF THE
COLORADO BANK & TRUST CO.,
"By MELVIN SPRINGER, *President*.

"I, Charles E. Parker, cashier of the Colorado Bank & Trust Co., of Delta, Colo., hereby certify that the foregoing resolution was duly passed at a meeting of the board of directors held at Delta, Colo., this 23d day of February, A. D. 1932.

"CHAS. E. PARKER, *Cashier*."

LEGISLATION

Mr. McCLINTIC of Oklahoma. Mr. Speaker, I have asked for this permission in order that I might print a letter which I have addressed to one of my friends, the contents being as follows:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON NAVAL AFFAIRS,
Washington, D. C.

DEAR FRIEND: I hope you will read the inclosed speech, which covers the sales tax and the soldiers' bonus; also the statement taken from the CONGRESSIONAL RECORD relating to seniority. My! what a row the proposed sales tax caused. We who opposed the policy of taxing the necessities of life defeated the same on the floor of the House.

I want you to read what this man Hearst said about the income tax, which is the fairest method known to raise taxes. His papers foully attacked me when I started a fight on a $600,000,000 authorization to build a lot of warships. This was in violation of the spirit of the treaty this Nation had entered into. Such criticism was for the purpose of injuring me at home. However, those connected with big business will never deter me from performing that which I think is right. This is the second time I have been attacked; the authorizations that I opposed amounting to over $4,000,000,000 failed. If big business had received these benefits, our Government might now be paralyzed as the Nation is confronted with a deficit of over $2,000,000,000.

May I point with pride to some of the honors that have come to me as your Congressman? I have served on seven committees and am now next to the chairman on an exclusive major committee; also chairman of the patronage committee, which looks after 171 Members; chairman of subcommittee on aeronautics, also yards and docks; chairman speakers' committee of the congressional committee; chairman Oklahoma House delegation; and secretary of the caucus. Hard work and the rule of seniority have made this possible, yet my friends are entitled to the credit, as nothing could have been accomplished without their continued support. Did you know that States that have observed the rule of seniority now control practically everything in Congress, as their citizens know every time a change is made in their Representative, all assignments are lost. This district would lose all I have gained during my 18 years of hard work if a change is made in its Representative.

My party has not been in power since the war. Money has gone into hiding and it is going to be necessary to restore confidence before conditions can get better. One of the most beneficial laws that could be passed would be a national guaranty bank law. This would cause our banks instead of the Postal Savings to be patronized, thereby causing money to remain at home instead of being sent to eastern centers. I have introduced such a bill and hearings are now being held. I am doing all in my power to get this and the soldiers' bonus bill enacted into law at the earliest date possible.

I need your cooperation in all matters and certainly will thank you for any assistance you can give me. I am,

Faithfully yours,

J. V. MCCLINTIC,
Member of Congress.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 3 o'clock and 30 minutes p. m.) the House adjourned until to-morrow, Tuesday, March 22, 1932, at 12 o'clock noon.

COMMITTEE HEARINGS

Tentative list of committee hearings scheduled for Tuesday, March 22, 1932, as reported to the floor leader by clerks of the several committees:

DISTRICT OF COLUMBIA

(10 a. m.)

To establish a board of indeterminate sentence and parole, etc. (H. R. 10273).

(10.30 a. m.)

To supervise and regulate the sale of securities within the District of Columbia, prevent fraud, etc: (H. R. 8912, H. R. 9065, S. 3362).

EXECUTIVE COMMUNICATIONS, ETC.

498. Under clause 2 of Rule XXIV, a letter from the vice chairman of the Veterans of Foreign Wars of the United States, transmitting the proceedings of the Thirty-second National Encampment of the Veterans of Foreign Wars of the United States, held at Kansas City, Mo., August 30 to September 4, 1931 (H. Doc. No. 49), was taken from the Speaker's table, referred to the Committee on Military Affairs, and ordered to be printed, with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. LEAVITT: Committee on Indian Affairs. H. R. 8918. A bill to authorize the collection of penalties and fees for stock trespassing on Indian lands; with amendment (Rept. No. 846). Referred to the Committee of the Whole House on the state of the Union.

Mr. JOHNSON of Oklahoma: Committee on Military Affairs. H. R. 5848. A bill authorizing and directing the Secretary of War to lend to the entertainment committee of

the United Confederate Veterans 250 pyramidal tents, complete; fifteen 16 by 80 by 40 foot assembly tents; thirty 11 by 50 by 15 foot hospital-ward tents; 10,000 blankets, olive drab, No. 4; 5,000 pillowcases; 5,000 canvas cots; 5,000 cotton pillows; 5,000 bed sacks; 10,000 bed sheets; 20 field ranges, No. 1; 10 field bake ovens; 50 water bags (for ice water); to be used at the encampment of the United Confederate Veterans, to be held at Richmond, Va., in June, 1932; without amendment (Rept. No. 853). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. CHIPERFIELD: Committee on Military Affairs. H. R. 5154. A bill for the relief of Stephen Sowinski; with amendment (Rept. No. 847). Referred to the Committee of the Whole House.

Mr. DICKSTEIN: Committee on Claims. H. R. 3720. A bill for the relief of Anna Caporaso; without amendment (Rept. No. 848). Referred to the Committee of the Whole House.

Mr. MILLER: Committee on Claims. H. R. 3961. A bill for the relief of Catherine Bell; with amendment (Rept. No. 849). Referred to the Committee of the Whole House.

Mr. MILLER: Committee on Claims. H. R. 6634. A bill for the relief of Vertner Tate; with amendment (Rept. No. 850). Referred to the Committee of the Whole House.

Mr. DICKSTEIN: Committee on Claims. H. R. 7734. A bill for the relief of Annie Moran; without amendment (Rept. No. 851). Referred to the Committee of the Whole House.

Mr. SCHAFER: Committee on Claims. S. 1021. An act for the relief of Joseph J. Baylin; without amendment (Rept. No. 852). 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. LEAVITT: A bill (H. R. 10695) to provide for prompt construction of highways by local labor to alleviate unemployment due to drought, flood, or other natural disaster; to the Committee on Roads.

Also, a bill (H. R. 10696) to provide equipment for Hardin Post, No. 8, American Legion, of Montana, to be used in conducting military funerals at Custer Battle Field National Cemetery, and for other purposes; to the Committee on Military Affairs.

By Mr. FULMER: A bill (H. R. 10697) to amend the tariff act of 1922; to the Committee on Ways and Means.

By Mr. McSWAIN: A bill (H. R. 10698) to provide certain allowances for United States commissioners; to the Committee on the Judiciary.

Also, a bill (H. R. 10699) to require the Secretary of War to mark the places where military organizations trained for the World War; to the Committee on Military Affairs.

By Mr. BUTLER: A bill (H. R. 10700) withdrawing certain public lands of the United States of America in Harney County, Oreg., from entry under the agricultural land laws, and authorizing the Secretary of the Interior to lease the described lands and to enter into cooperative agreements with the State of Oregon and private owners of lands within the State of Oregon for grazing and range development, and for other purposes; to the Committee on the Public Lands.

Also, a bill (H. R. 10701) withdrawing certain public lands of the United States of America in Harney County, Oreg., from entry under the agricultural land laws, and authorizing the Secretary of the Interior to lease the described lands and to enter into cooperative agreements with the State of Oregon and private owners of lands within the State of Oregon for grazing and range development, and for other purposes; to the Committee on the Public Lands.

Also, a bill (H. R. 10702) for the incorporation of the Klamath Indian Corporation, and for other purposes; to the Committee on Indian Affairs.

Also (by request), a bill (H. R. 10703) for the relief of the Indians of the Klamath Indian Reservation, in Oregon, and for other purposes; to the Committee on Indian Affairs.

By Mr. SEIBERLING: A bill (H. R. 10704) to prohibit communication of information respecting excessive money rates; to the Committee on Banking and Currency.

By Mr. MANLOVE: A bill (H. R. 10705) relating to retirement annuity for civil-service employees who served under the government of the Philippine Islands and of the chartered cities thereof; to the Committee on the Civil Service.

By Mr. TAYLOR of Tennessee: A bill (H. R. 10706) to insure payment of bank deposits in national banks and other member banks of the Federal reserve system; to the Committee on Banking and Currency.

By Mr. CELLER: A bill (H. R. 10707) to regulate, control, and safeguard the disbursement of Federal funds expended for the creation, construction, extension, repair, or ornamentation of any public building, highway, levee, dam, excavation, dredging, drainage, or other construction project, and for other purposes; to the Committee on Expenditures in the Executive Departments.

By Mr. SIMMONS: A bill (H. R. 10708) to authorize the Secretary of Agriculture to sell the Morton Nursery, in the county of Cherry, State of Nebraska; to the Committee on Agriculture.

By Mr. CLANCY: A bill (H. R. 10709) to incorporate the United States Civil Legion; to the Committee on the Judiciary.

By Mr. CRISP: Resolution (H. Res. 173) for the consideration of Title IV, H. R. 10236, entitled "A bill to provide revenue, equalize taxation, and for other purposes"; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. BARBOUR: A bill (H. R. 10710) granting a pension to Julia L. Curle; to the Committee on Pensions.

By Mr. CRAIL: A bill (H. R. 10711) granting a pension to James W. Patterson; to the Committee on Pensions.

By Mr. DICKINSON: A bill (H. R. 10712) granting a pension to William H. Ross; to the Committee on Invalid Pensions.

By Mr. DOUTRICH: A bill (H. R. 10713) granting an increase of pension to Mary Craft; to the Committee on Invalid Pensions.

By Mr. FIESINGER: A bill (H. R. 10714) for the relief of Hermie Frederick; to the Committee on World War Veterans' Legislation.

By Mr. FREEMAN: A bill (H. R. 10715) granting an increase of pension to Maria A. De Forest; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10716) granting a pension to Mary Fabel; to the Committee on Invalid Pensions.

By Mr. KENDALL: A bill (H. R. 10717) granting an increase of pension to Sarah J. Hochstetler; to the Committee on Invalid Pensions.

By Mr. LONERGAN: A bill (H. R. 10718) granting a pension to Excelia Lague-Leyo; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10719) for the relief of John Neuhs; to the Committee on Military Affairs.

By Mr. MAJOR: A bill (H. R. 10720) granting a pension to Henrietta Burris; to the Committee on Invalid Pensions.

By Mr. MANLOVE: A bill (H. R. 10721) granting an increase of pension to Frank M. Fast; to the Committee on Pensions.

Also, a bill (H. R. 10722) granting an increase of pension to Nancy G. Gurley; to the Committee on Invalid Pensions.

By Mr. MEAD: A bill (H. R. 10723) for the relief of Charles H. Kinzie; to the Committee on Military Affairs.

By Mr. MILLIGAN: A bill (H. R. 10724) for the relief of Joy Sturgis; to the Committee on War Claims.

By Mr. MOBLEY: A bill (H. R. 10725) granting a pension to James T. Chasteen; to the Committee on Pensions.

By Mr. MOUSER: A bill (H. R. 10726) granting a pension to John Herschler; to the Committee on Pensions.

By Mr. PARSONS: A bill (H. R. 10727) granting a pension to Sarah Arbuckle; to the Committee on Pensions.

By Mr. POLK: A bill (H. R. 10728) granting an increase of pension to Magdalena Meyer; to the Committee on Invalid Pensions.

By Mr. PRATT: A bill (H. R. 10729) to extend the times for commencing and completing the construction of a bridge across the Hudson River at or near Catskill, Greene County, N. Y.; to the Committee on Interstate and Foreign Commerce.

By Mr. REED of New York: A bill (H. R. 10730) granting an increase of pension to Anna Ryan; to the Committee on Invalid Pensions.

By Mr. ROBINSON: A bill (H. R. 10731) granting an increase of pension to William Blades; to the Committee on Invalid Pensions.

By Mr. SELVIG: A bill (H. R. 10732) to adjudicate the claim of Alfred Sollum, a homestead settler on the drained Mud Lake bottom, in the State of Minnesota; to the Committee on Claims.

By Mr. SHANNON: A bill (H. R. 10733) granting a pension to Anna M. Gordon; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 10734) granting a pension to George W. Crawley; to the Committee on Pensions.

Also, a bill (H. R. 10735) granting a pension to Hettie Prewitt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10736) granting a pension to Mary Roach; to the Committee on Invalid Pensions.

By Mr. UNDERHILL: A bill (H. R. 10737) for the relief of James Francis McManus; to the Committee on Naval Affairs.

By Mr. WELCH of California: A bill (H. R. 10738) granting a pension to Julius Hansen; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4659. By Mr. BLANTON: Petition of leading citizens of Valera and Coleman County, Tex., presented by L. S. West, H. T. Marcus, H. E. Spears, Theo Griffis, W. A. Carroll, and many others, protesting against certain sales-tax features of the revenue bill; to the Committee on Ways and Means.

4660. Also, petition of the Smith-Heath Post, No. 471, American Legion, De Leon, Tex., presented by officers thereof, joined by the leading citizens of De Leon and Comanche County, Tex., urging immediate payment in cash of adjusted-compensation certificates; to the Committee on Ways and Means.

4661. By Mr. BOHN: Petition of the Common Council of the City of Hancock, Houghton County, Mich., favoring a protective tariff on copper; to the Committee on Ways and Means.

4662. By Mr. BOYLAN: Resolution unanimously adopted at the recent annual convention of the Associated General Contractors of America, New York State Highway Chapter, Utica, N. Y., favoring the expenditures of funds for public works to relieve unemployment; to the Committee on Public Buildings and Grounds.

4663. Also, petition from the president of the Virgin Islands Civic & Industrial Association, favoring the passage of House bill 10357; to the Committee on Immigration and Naturalization.

4664. By Mr. COCHRAN of Missouri: Petition of several hundred mothers of Davenport, Iowa, and surrounding territory, submitted by Mr. Ralph W. Cram, editor and publisher of the Davenport Democrat, praying for the enactment of the Cochran bill making it a crime punishable by death to kidnap for ransom a person and move that person to another jurisdiction; to the Committee on the Judiciary.

4665. By Mr. CONDON: Petition of Jennie Mogel and 61 other residents of Rhode Island, favoring House Joint Resolution 197, proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

4666. By Mr. CONNOLLY: Petition of Group No. 266 of the Polish National Alliance of the United States, Philadelphia, Pa., praying for passage of House Joint Resolution 144, directing the President of the United States of America to proclaim October 11 of each year General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

4667. By Mr. CULKIN: Petition of M. D. Pratt and sundry other citizens of Watertown, N. Y., protesting against the enactment of House bill 8092 providing for the compulsory closing of barber shops in the District of Columbia on Sunday; to the Committee on the District of Columbia.

4668. Also, petition of Joseph R. Purdy, of Hamilton, N. Y., and sundry other veterans of the same locality, urging the immediate cash payment in full of the adjusted-compensation certificates; to the Committee on Ways and Means.

4669. Also, petition of Lillian Trumble and 165 other citizens of Pulaski, N. Y., urging the retention of the eighteenth amendment in the Constitution and for adequate appropriations for law enforcement; to the Committee on the Judiciary.

4670. By Mr. CULLEN: Petition of Associated General Contractors of America, New York State Highway Chapter, urging the Government to make available for public construction of all worthy types, by bond issues, advances to States, or other sound financial methods, at least one-fourth as many billions of dollars as were expended by this country in its participation in a war that was not nearly so great a menace to our country's civilization as the economic depression which now prevails; to the Committee on Banking and Currency.

4671. By Mr. HADLEY: Petition of a number of residents of Arlington, Wash., protesting against compulsory Sunday observance; to the Committee on the District of Columbia.

4672. By Mr. KADING: Petition signed by 92 citizens of Watertown, Wis., protesting against the enactment of any compulsory Sunday observance legislation for the District of Columbia; to the Committee on the District of Columbia.

4673. By Mr. KLEBERG: Petition of A. E. Maas and 225 other citizens of Corpus Christi, Tex., opposing the passage of Sunday observance bill, S. 1202, providing for the closing of barber shops on Sunday in the District of Columbia; to the Committee on the District of Columbia.

4674. Also, petition of Cora Taylor and 17 other citizens of Guadalupe County, Tex., opposing the passage of Sunday observance bills, S. 1202 and H. R. 8092, providing for the closing of barber shops on Sunday in the District of Columbia; to the Committee on the District of Columbia.

4675. By Mr. KVALE: Petition of Rifle Club, Brainerd, Minn., approving Budget for the year 1932–33 as recommended by President Hoover; to the Committee on Appropriations.

4676. Also, petition of Farmers Union Local, No. 286, Hardwick, Minn., protesting against the proposed sales tax; to the Committee on Ways and Means.

4677. Also, petition of Master Photo Finishers of America, Sleepy Eye, Minn., urging enactment of Capper-Kelly bill; to the Committee on Appropriations.

4678. Also, petition of Sedgwick Division No. 313, Brotherhood of Locomotive Engineers, indorsing the national railroad employees' pension plan; to the Committee on Interstate and Foreign Commerce.

4679. Also, petition of Release Lodge, No. 579, of the Brotherhood of Locomotive Firemen and Engineers, Montevideo, Minn., urging enactment of House bill 9891 and Senate bill 3677; to the Committee on Interstate and Foreign Commerce.

4680. Also, petition of Farmers' Union, Local No. 251, urging enactment of Senate bill 1197; to the Committee on Banking and Currency.

4681. By Mr. LEA: Petition of 138 residents of Paradise, Butte County, Calif., protesting against House bill 8092; to the Committee on the District of Columbia.

4682. By Mr. LINDSAY: Petition of L. Wohl & Co., New York City, protesting against the proposed sales tax; to the Committee on Ways and Means.

4683. Also, petition of New York State Highway Chapter, Associated General Contractors of America (Inc.), Albany, N. Y., opposing curtailing of appropriations for public improvements at this time; to the Committee on Appropriations.

4684. Also, petition of the Polytechnic Institute, of Brooklyn, N. Y., favoring exemption of colleges and universities from the 10 per cent admission tax; to the Committee on Ways and Means.

4685. Also, petition of Eastern Millinery Association (Inc.), New York City, opposing the manufacturers' sales tax; to the Committee on Ways and Means.

4686. Also, petition of David Crystal, of New York City, opposing the manufacturers' sales tax; to the Committee on Ways and Means.

4687. Also, petition of Canvas Goods Manufacturers Association, of Greater New York, opposing the proposed manufacturers' sales tax; to the Committee on Ways and Means.

4688. Also, petition of Barbara Fritchie Middy Corporation, New York City, opposing the proposed sales tax; to the Committee on Ways and Means.

4689. Also, petition of Card & Co., New York City, opposing the proposed manufacturers' sales tax; to the Committee on Ways and Means.

4690. Also, petition of Comet Undergarments (Inc.), New York City, protesting against the manufacturers' sales tax; to the Committee on Ways and Means.

4691. Also, petition of the Eastern Isles Importing Co., New York City, opposing the sales tax; to the Committee on Ways and Means.

4692. Also, petition of the Virgin Islands Civic and Industrial Association, headquarters New York City, favoring the passage of House bill 10357, granting full rights of citizenship to all native-born Virgin Islanders who have not retained their Danish citizenship, and who are not citizens of any foreign country; to the Committee on Immigration and Naturalization.

4693. By Mr. McCLINTOCK of Ohio: Petition of Guy K. Farber and 106 other citizens of Stark County, Ohio, protesting against compulsory Sunday observance; to the Committee on the District of Columbia.

4694. By Mr. MICHENER: Petition of sundry citizens of Michigan, protesting against the passage of the compulsory Sunday observance bill House bill 8092; to the Committee on the District of Columbia.

4695. By Mr. MURPHY: Petition of Mary Suchta, president, Group 2568, of the Polish National Alliance, of Bridgeport, Ohio, asking that Congress designate October 11 of each year as General Pulaski's Memorial Day in honor of services rendered; to the Committee on the Judiciary.

4696. By Mr. PARKER of Georgia: Petition of P. M. Coleman, president of J. E. Hanger (Inc.); Earl O. Wilson; Frank Rowsey, editor the New South Baker, protesting against certain phases of proposed tax legislation; to the Committee on Ways and Means.

4697. Also, petition of the Savannah (Ga.) Cotton Exchange, protesting against the misappropriation by the Secretary of Agriculture of funds provided by the Reconstruction Finance act for the relief of farmers; to the Committee on Banking and Currency.

4698. Also, petition of the Georgia Public Service Commission, Sigo Myers, and W. Denny Cooke, urging the enactment of legislation regulating the interstate traffic of busses and trucks carrying passengers and freight; to the Committee on Interstate and Foreign Commerce.

4699. By Mr. PEAVEY: Petition of Group No. 1062 of the Polish National Alliance of Superior, Wis., urging the enactment of House Joint Resolution 144, directing the President of the United States of America to proclaim October 11 of each year as General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

4700. Also, petition of Group No. 1863 of the Polish National Alliance of Gilman, Wis., urging the enactment of House Joint Resolution 144, directing the President of the United States of America to proclaim October 11 of each year as the General Pulaski Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

4701. By Mr. REED of New York: Petition of the Presbyterian Men's Bible Class of Olean, N. Y., proposing a graduated sales tax on stock-exchange sales; to the Committee on Ways and Means.

4702. By Mr. ROBINSON: Petition of L. M. Winslow, of Belle Plaine, Iowa, signed by many citizens of Belle Plaine, Luzerne, and Chelsea, favoring, first, the passage of constructive legislation for agriculture; second, the passage of House bill 7797 and Senate bills 2487 and 1197; third, the abolition of the Federal Farm Board; and fourth, the withdrawal of United States soldiers and Navy from the Orient; to the Committee on Agriculture.

4703. Also, petition of E. E. Morris, of Eagle Grove, Iowa, and signed by more than 100 citizens of Eagle Grove, opposing the theater admission tax on the lower admission classifications, feeling that it will be injurious and detrimental to the business and cause the closing of many theaters in the smaller communities and increase the number of the unemployed; to the Committee on Ways and Means.

4704. By Mr. RUDD: Petition of Mailers Union No. 6, International Typographical Union, New York City, favoring the passage of the Romjue bill, H. R. 8576; to the Committee on Ways and Means.

4705. Also, petition of Rainbow Children Drew Co., New York City, opposing the manufacturers' sales tax; to the Committee on Ways and Means.

4706. Also, petition of Canvas Goods Manufacturers' Association of Greater New York, opposing the manufacturers' sales tax; to the Committee on Ways and Means.

4707. Also, petition of Lima Hat Co., New York City, opposing the manufacturers' sales tax; to the Committee on Ways and Means.

4708. Also, petition of Comet Undergarments (Inc.), New York City, opposing the manufacturers' sales tax; to the Committee on Ways and Means.

4709. Also, petition of Barbara Fritchie Middy Corporation, opposing the manufacturers' sales tax; to the Committee on Ways and Means.

4710. Also, petition of David Crystal, New York City, opposing the manufacturers' sales tax; to the Committee on Ways and Means.

4711. Also, petition of the Eastern Isles Importing Co., New York City, protesting against the proposed sales tax; to the Committee on Ways and Means.

4712. Also, petition of New York State Highway Chapter, Associated General Contractors of America (Inc.), opposing curtailment of public-improvement program at this time; to the Committee on Appropriations.

4713. Also, petition of Card & Co., New York City, opposing the manufacturers' sales tax; to the Committee on Ways and Means.

4714. By Mr. SINCLAIR: Petition of 37 residents of Minot, N. Dak., and vicinity, protesting against the enactment of compulsory Sunday observance legislation; to the Committee on the Judiciary.

4715. Also, petition of J. M. Lahr, chairman, P. A. Wick, C. T. Olson, and Charles Kelner, resolutions committee, Bowman County Tax Payers Association, condemning the proposed sales tax; to the Committee on Ways and Means.

4716. By Mr. SWING: Petition signed by 41 members of the San Diego Chapter of Reserve Officers' Association of the United States, supporting national defense, and opposing any reduction in the Regular Army, the Reserve Officers' Training Corps, and the citizens' military training camps; to the Committee on Appropriations.