

compensation or any reduction in the rights now being enjoyed by disabled veterans; to the Committee on Ways and Means.

7058. Also, petition of the vocational agricultural class, Mound City, Mo., protesting against the discontinuance or suspension of Federal funds for vocational education; to the Committee on Economy.

7059. By Mr. PARKER of Georgia: Petition of Thomas L. Bailey and 38 other citizens of Georgia, urging the passage of railroad pension bill, H. R. 9891, and voicing opposition to House bill 10023 and Senate bill 3892; to the Committee on Interstate and Foreign Commerce.

7060. By Mr. RAINEY: Petition of Herschel H. Heaton and 64 members of the Jacksonville (Ill.) Chapter of the Future Farmers of America, favoring appropriations for vocational education; to the Committee on Appropriations.

7061. By Mr. RUDD: Petition of J. T. Matchett Co., Brooklyn, N. Y., opposing the proposed tax on candy; to the Committee on Ways and Means.

7062. Also, petition of Adelaide Eller, 94 Vanderveer Street, Brooklyn, N. Y., and six other citizens of the Greater City of New York, with reference to tax on fountain pens; to the Committee on Ways and Means.

7063. Also, petition of National Casket Co., Brooklyn, N. Y., opposing the payment of the soldiers' bonus; to the Committee on Ways and Means.

7064. Also, petition of George F. Arata, of New York City, favoring a tax on beer; to the Committee on Ways and Means.

7065. Also, petition of A. H. Stiehl Furniture Co., New York City, favoring the repeal of the eighteenth amendment and also legalize the sale and taxation of light wines and beer; to the Committee on Ways and Means.

7066. By Mr. SHANNON: Resolution of Tacitus E. Gailard Post, No. 2069, Veterans of Foreign Wars, Kansas City, Mo., urging payment of adjusted-service certificates; to the Committee on Ways and Means.

SENATE

TUESDAY, APRIL 26, 1932

(Legislative day of Monday, April 25, 1932)

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

The VICE PRESIDENT. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives by Mr. Chaffee, one of its clerks, announced that the Speaker had affixed his signature to the enrolled bill (S. 3570) to amend the act entitled "An act confirming in States and Territories title to land granted by the United States in the aid of common or public schools," approved January 25, 1927, and it was signed by the Vice President.

RAILROAD MERGERS (S. DOC. NO. 86)

The VICE PRESIDENT laid before the Senate a letter from the Attorney General, submitting, in response to Senate Resolution 173 (submitted by Mr. KING), certain information relative to recent railroad mergers and the policy of the Department of Justice with respect thereto, which was referred to the Committee on the Judiciary and ordered to be printed.

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	Blaine	Capper	Cutting
Austin	Borah	Caraway	Dale
Bailey	Bratton	Carey	Dickinson
Bankhead	Brookhart	Connally	Dill
Barbour	Broussard	Coolidge	Fess
Barkley	Bulkeley	Copeland	Fletcher
Bingham	Bulow	Costigan	Frazier
Black	Byrnes	Couzens	George

Glass	Jones	Norbeck	Stelwer
Glenn	Kean	Norris	Stephens
Goldsbrough	Kendrick	Nye	Thomas, Idaho
Gore	Keyes	Oddie	Thomas, Okla.
Hale	La Follette	Patterson	Townsend
Harrison	Lewis	Pittman	Trammell
Hastings	Logan	Reed	Tydings
Hatfield	McGill	Robinson, Ark.	Vandenberg
Hawes	McKellar	Robinson, Ind.	Walcott
Hayden	McNary	Schall	Walsh, Mass.
Hebert	Metcalf	Sheppard	Waterman
Howell	Morrison	Shipstead	Watson
Hull	Moses	Shortridge	White
Johnson	Neely	Smoot	

Mr. SHEPPARD. I desire to announce that the junior Senator from Utah [Mr. KING] is absent owing to illness.

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

The VICE PRESIDENT. Eighty-seven Senators have answered to their names. A quorum is present. The Senate resumes the consideration of Senate Resolution No. 199.

ALABAMA SENATORIAL CONTEST

The Senate resumed the consideration of the resolution (S. Res. 199), reported by Mr. GEORGE and Mr. BRATTON from the Committee on Privileges and Elections, as follows:

Resolved, That JOHN H. BANKHEAD is hereby declared to be a duly elected Senator of the United States from the State of Alabama for the term of six years, commencing on the 4th day of March, 1931, and is entitled to a seat as such.

The VICE PRESIDENT. Mr. Heflin is entitled to the floor for two hours.

Mr. HEFLIN. Mr. President and Senators, I am deeply grateful to the Senate for extending to me the privilege of appearing in my own behalf and discussing my contest. I shall never cease to be grateful for the kindness and the justice that has been done me in this regard.

The Master said, "Know the truth and the truth shall make you free," and Pilate asked, "What is truth?" But he would not wait for an answer.

Every contest that comes to this body ought to be carefully and thoroughly investigated. I have not had such an investigation. My rights have been denied me to close my case. I have not been permitted to take testimony in the middle portion or in the southern portion of Alabama. At Birmingham, when we went down to take testimony in January, agreeing that a commissioner might preside, it was our belief, and probably I should say our understanding, that we would take testimony for weeks. On the second day of the first week, when we had no notice that we would have to cut off the investigation for the contestant, Senator HASTINGS sent a telegram, I understand at the instance of Senator GEORGE, that we could have three more days and no more and we must close our testimony. We had to dismiss a number of witnesses that were subpoenaed for that week and we never had the opportunity to summon other witnesses in the middle and southern portions of the State.

Senator Bankhead was then given a week, and we have been denied the right of rebuttal. We have not been allowed to summon a single witness and take testimony to answer Mr. Bankhead's witnesses. Senators, I submit that such treatment of the contestant is without parallel in the history of this body. It embodies the idea of letting the contestee close the case, cutting off the contestant, saying "Your case is closed." What sort of justice is that?

We were not permitted to take the testimony regarding the primary at Birmingham, and that, as I understand, was under the instructions of Senator GEORGE. I am going to tell the Senate something about this case to-day that the Senate does not know and would not know but for my speaking here. I have always tried to be very frank and fair and honest and just, and I ask that treatment at the hands of my former comrades.

It was rumored that I would not be permitted to speak here, and three very prominent men said they would hire the biggest hall in the city for me to speak in if I was denied that right. It shows that the spirit of fair play is in our people, and it is fortunate that it is true. But I

have permission to speak, and I am going to discuss some things of vital importance in the case.

I have told you what happened in January in Alabama. We fully expected to go to Montgomery, the capital of the State, and put the former governor, Governor Graves, on the witness stand. We expected to prove something important by him, which I shall discuss later. We expected to have probably 100 witnesses summoned there, very important witnesses. Then we expected to go to Mobile, in the southern part of the State, and take testimony, but we have not had the chance to do that.

When we came back the chairman of the subcommittee, Mr. HASTINGS, who has given a great deal of attention to this question, who has been very painstaking and very industrious and very fair, reached the point where he thought the case ought to go to the full committee for advice as to what should be done further in the matter. He stated in his report that the contestant was still asking to have testimony taken, and when it got to the full committee Senator BRATTON and Senator GEORGE, of Georgia, objected—Senator GEORGE, who represents in part the State where my father was born, and in that State there are probably 500 to 1,000 voters blood relatives of mine. I have a brother, a minister of the gospel, Rev. M. R. Heflin, in that State. Senator GEORGE and Senator BRATTON favored closing the case; and, if it had not been for my good friend Senator SHORTRIDGE, who has always been a man of fairness and of superb courage and splendid ability—if it had not been for him and his sense of fair play and his good fighting spirit, we would not have had an hour to consider the case at all any further.

The committee finally decided to refer the case back, to give us a chance to show what we wanted to do, and Senator GEORGE resigned his place on the subcommittee, as did also Senator BRATTON; both of them declined to serve. That is the kind and cordial treatment that I have received from some of the brethren of my own party.

Then I was called upon to speak in the State so ably represented by my good friends Senator GLENN and Senator LEWIS, to speak at Mount Morris, to the college students there, and lo and behold, while I was gone, the contestee and his friends on this side, by the aid of the Senator from Wisconsin [Mr. BLAINE], decided to take action in my absence and closed my case.

Senators, I am appealing to the sense of fairness and to the courage of Senators in this body on both sides. My case has been closed, and I have never closed it. I repeat, I have never been permitted to take rebuttal testimony. Hundreds of witnesses we had intended to summon and examine. My case is closed; the door is shut; the door is locked; and the key is thrown away. And these same Senators were kind enough on yesterday to vote to deny me the right to come in here and be heard here. I regret that. It hurts me in here [indicating].

There was a little boy, a little stepson to a stepmother, whose father married a second time and had two or three children more. On Christmas the father bought some nice little shoes and other gifts for his children by his last wife. He brought them in. He had bought a pair of rough, brogan shoes for the boy. The boy put them on and sat there with his face in his hands, and tears ran down his cheeks. His father said, "Why, what is the matter? Don't the shoes fit?" The boy said, "They hurt me." The father said, "Why, I thought they were large enough"; but the boy said, "They hurt me in here [indicating]." Senators, this hurts me in here [indicating].

If you kill off the courageous men in your party, if you destroy the spirit of independence in your party, what have you left? Grover Cleveland once said, "What is the use of election or reelection if you do not stand for something?"

The Senator from Nebraska [Mr. NORRIS], strong, able American patriot, supported Governor Smith in 1928; I supported President Hoover. Did they read Senator NORRIS out of his party? Did they deny him the right to run in his primary?

Senator Simmons, the ablest legislator who has served in this body in my lifetime from the South, supported Presi-

dent Hoover. Did they undertake to read him out of the Democratic Party in North Carolina? No; they permitted him to run in North Carolina.

My grandfather Heflin was born in that State, and my good friend the Senator from North Carolina [Mr. BAILEY] voted yesterday to seal my lips and deny me the chance to come in here and speak in my own behalf, with the last opportunity that I would have to present my case to those who are to pass upon it finally.

So Senator Simmons was not read out of his party; Senator NORRIS was not read out of his party; but I was read out. Why? Because it was generally conceded by the Bankhead leaders that I would be nominated if I got into the primary, and the only way to keep me from being nominated was politically to assassinate me; and that is what that brazen bunch on that committee undertook to do.

Senators, you are entitled to know something of the background of this primary before I discuss the legal phases of it. This little coterie down there was arranging to fix up a primary to nominate Mr. Bankhead. He was the only candidate suggested in opposition to me. He was suggested in 1920 and again in 1924. He did not get enough encouragement in 1924 to run. I had no opposition in 1924, but was nominated without opposition. So the governor of the State, a Democrat, sent his secretary to poll the committee of 50 members and got pledges from 34 to vote for a fair-for-all primary and inviting all Democrats in, regardless of what had taken place in 1923.

My former colleague, Senator BLACK, who on yesterday voted against permitting me to speak here, was strong against the machine then; he fought it to the bitter end, and issued a statement against its conduct that while he lives will ring around the State. I shall read it later. He was outraged at the committee's conduct. He wrote the committee a letter not to take such a stand; so did I, and so did 8 of the 10 Members from Alabama in the National House of Representatives do that. The governor of the State, both Senators, 8 out of 10 of the Democrats in Congress from Alabama appealed to the committee not to do it; but they took the action.

Now, what happened? When the committee met, the chairman of the committee, Pettus, an Alabama power attorney and a Mr. McQueen; another member who spoke to bar me, an Alabama power attorney, Lynn, who offered the resolution, an Alabama railroad attorney, put the resolution through.

Who voted on that committee? R. W. Patrick, from Norfolk, Va., who had formerly been a member of the committee from the Mobile district but went to Norfolk in 1927 and paid his poll tax in that State in 1928 and 1929. They took him to Montgomery on December 16, 1929, and voted him to bar me out of my party when he was a citizen and a voter of another State.

They had a man named Bugg. They filled a vacancy with him. He lived in my old district and was a newspaper man, an editor. He is the bitterest political enemy I have got in the State. Doctor Ferguson resigned and they filled the vacancy with Bugg. If it had been in a courthouse, I could have objected to him and he could not have served on a jury where my dearest rights were involved; but they put this bitter enemy of mine upon the committee and permitted him to vote at that meeting, violating by so doing the rules and regulations of the committee. Long, long ago they fixed the rule that in filling a vacancy at a present meeting the man who filled it could not vote, because they might get men to resign and fill these vacancies in order to put something over.

There was a man on that committee who was strong for letting down the bars. I referred to this in part 1 of the hearings. His financial stress and strain was relieved. He had been openly for letting down the bars, but he voted for putting them up. Another man on the committee who had borrowed money from a prominent man, who held his note, sat by him on the committee when he voted to bar me from the primary. I have discussed that in part 1 of the hearings.

Every Alabama Power Co. attorney in the State but two were strong partisans of Mr. Bankhead; and yet Senator GEORGE and Senator BRATTON have got in their minority report a letter from a cranky old fellow down there who said he was for me, but the trouble with me was that I had lined up with the power company. I wondered when I read the letter why they were printing that rambling thing from that old fellow; but that was it; they were trying to shield and screen the contestee, who was their candidate. Every Alabama Power Co. attorney and the president of the company were all supporting Mr. Bankhead and opposing me, and that effort in the minority report was to make it appear that Senator Heflin was lined up with the Alabama Power Co.

Senators, when they got through they called the roll down there and voted to bar me. Bankhead partisans in the committee room clapped their hands and said, "We have got him where we want him now—outside the party"; and the work of political assassination for a time was complete.

Then what? Senator BLACK and I and others conferred. It was decided that the best thing to do was to go down there and stir up public sentiment and get the committee to meet and rescind its action. I went down upon a speaking mission. I delivered about 12 speeches and addressed over 60,000 Democrats. I polled them at every place I spoke—those who voted for Smith and those who voted for Hoover. I said, "All of you who repudiate the committee's action and want the action rescinded stand up and hold up your hands." I never had as many as five in any meeting to indorse the committee's action. Sweeping the State like wildfire, the committee's action was repudiated and what action did we get? The chairman of the State committee, this Alabama Power Co. attorney, said, "I do not care how many people protest; I am not going to call the committee together; that is settled." That was another step in the work of the political assassination of me.

Then it was suggested to me that there was a provision in the rules and regulations by which we could force the committee to meet on the request of 15 members. Twenty-one had already voted on my side, so we could easily get 15 to compel them to meet and hear the protests of Democrats whose party it was that was involved. What do you suppose we found upon investigation? We found that the chairman of the committee and his other Alabama Power Co. attorneys repealed that provision at that same meeting. My God, Senators, think of that—denying us every recourse where we could get away from the hand-and-foot-tied political machine! They repealed the provision that allowed 15 members to force a meeting of the committee.

Does that look as though it was all fair, and there was nothing rotten and stinking about the action of the State committee?

These are the steps leading up to the most corrupt primary every held in my State. The primary itself reeked with corruption from beginning to end; but I am telling you how they reached it, what led up to it.

Then at a conference, where Senator BLACK sat with Judge Wilkinson and Hugh Locke and David J. Davis and Crampton Harris, they agreed that they would enjoin the committee, and that that was the proper action, and not mandamus, as the Senator now claims was the remedy. You can not mandamus in my State, under the statute in a case like mine. There is a statute against it; and I was surprised at the stand taken by the Senator the other day in what I thought was a very misleading speech.

I had nothing to do with this action. I was out on the hustings, condemning the committee's action, and trying to get up sentiment to cause them to rescind it. Judge Wilkinson, my chief counsel—the best lawyer in my State by all odds, and we have some very fine lawyers there—brought the action. He is my chief counsel in this contest. The other able lawyer associated with him was Frank Hampton, of North Carolina. They presented arguments in this case that are unanswerable, on behalf of the people of Alabama.

Who pays for the primary? The taxpayers. Should they be taxed to pay for an illegal and unlawful primary? No. Well, then, what was the step to take? To enjoin the committee and prevent the taxpayers' money from being spent in an illegal party program for Mr. Bankhead, myself, or anybody else.

What did the judge of the lower court hold? He held that he did not have jurisdiction over the matter. Then the appeal went to the supreme court. What happened there?

Senators, I have told you that I was going to be frank and talk plainly. The intimidating power of the State executive committee threw its terrible shadow over that court. There is not the slightest doubt of that. It has been argued here by Senator BLACK that the court has passed upon the legality of this primary. I beg leave to differ with him. It is not true. They never touched it. They said they had no jurisdiction over it; and the able Senator from Delaware [Mr. HASTINGS] showed the other day that the case they cited was not on all fours with the case of Wilkinson at Birmingham, the case that went to the supreme court. It is a different case entirely.

The supreme court of my State never have touched the merits of this primary case. They never have passed upon the provisions involved in that; but, just between us, they "passed the buck." That is what happened.

Four judges said, "We have no jurisdiction." But, you know, it looks as if God Almighty has some one man in nearly every responsible place who will stand up at the right time and cry out on behalf of truth and right and justice. Here is what was said by Judge W. H. Thomas, the ablest man on the bench, the most cultured and most courageous:

This case is here, and the taxpayers have a right to have a decision on the merits, and I am going to give it.

What did he decide? He decided that the primary was null and void and not the kind of primary for which the taxpayers could be taxed.

Gentlemen, that has been settled in my State. A supreme court judge of Alabama held that. They never have declared that the monstrosity pulled off down there has been approved by them. It is not true.

Then what? Judge Thomas is one of three candidates, I believe, running for reelection; and this machine has got out a candidate against him to punish him and to kill him off because of the courage he displayed in doing his duty under his oath before God, and his duty to the taxpayers of the State who were being imposed upon by a monstrous primary born in sin. It is not right to tax the people of the State to pay for it, but they did. They did not stop then.

Mr. Bankhead knew what sort of primary he was running in. He had a hand in it. They tell you that he is innocent; that he has not had anything to do with it. Well, now, let us see. They tell you that he issued a statement that he wanted me to run. He did have a statement in there, some time before the meeting of the committee, that it was all right with him for me to run; but as the committee meeting drew near, watch his conduct. He issued a statement—Senators, get this—saying that some of the members had pledged themselves to him to vote to let down the bars. "But," he said, "I here and now release you from those pledges"; and he turned them loose for the Alabama Power Co. and the other interests to use them and work their will on me. He released them. He, in effect, said to them, "Go to it! If you want to take part in the political assassination, you are free to do it." Does that look as if he had anything to do with it?

What else? Mr. F. H. Creech, of North Carolina—one of the investigators for the Nye committee—went down to Mobile in his investigation. He encountered Mr. Frederick I. Thompson, editor of the Mobile Register and Alabama Journal, candidate against Mr. Bankhead in the primary after they barred me. The machine did not intend that he should have any opposition, but Thompson ran; and here is what he told Mr. Creech: Creech had it in his report, which was turned over to this committee; and I asked for the

opportunity to summon Mr. Thompson, and that was denied me.

What did Mr. Creech say that Mr. Thompson told him about this primary? Mr. Thompson told Mr. Creech that when he asked Chairman Pettus, of the State committee, "What did you get out of the senatorial race for? I saw that you were going to be a candidate," Pettus said, "No; I was not going to be a candidate. I just did that to get two votes out of Bankhead's congressional district"—that is, John H. Bankhead—"on the State committee to bar Heflin and other supporters of Hoover from being candidates." Who were those two members? Ogden and Cobb. Well, they voted to bar me, and Thompson told Creech that Pettus told him that Bankhead got those two votes. They voted to bar me from the primary. Does that not tie him in with it?

But that is not all. Sam Childers, of Jasper, was a member of the committee, and Mr. Ogden, or one of the Bankhead friends, went to see him and said, "John"—referring to Mr. Bankhead—"wants you to vote to put up the bars." Sam Childers said, "I can not do it. I shook hands with Arthur Fite and Gibson"—the other members of the committee from that district, five in all—"and told them that I would vote with them to let down the bars, and I am going to do it." Then what? Then Ogden, or whoever it was, said, "John says that if Heflin gets in the primary he will be nominated."

Senators, there is a picture of part of what took place down there—just a part. Did Mr. Bankhead have anything to do with it?

What followed? Judge Arthur Fite, a member of the committee living in Mr. Bankhead's home town, appealed to him and told him that this thing would disrupt our party, that it was unfair and unjust and wrong, and said to him, "Will you not join with me and others in asking the committee to meet and rescind it?" And Mr. Bankhead declined outright to do that. Does that look as if he was responsible for it in any way? Was he using his influence to get me in? No, Senators; he was not.

Then Judge Fite said, "If Heflin and Locke"—that is, the independent Jeffersonian candidate for governor against the Alabama Power Co. candidate—"have their names stamped on the ticket or written on it"—now listen—"the Democrats all have been invited in to vote in this primary under the committee's action. If when they come in they do not want to vote for you or anybody else whose name is on the ticket, but want to express their own honest choice, will you permit them to write Heflin's name on the ballot and vote it?" Mr. Bankhead said he would not.

Then they said, "Suppose they do write it on, and he beats you in the primary"—as I would have done, 3 or 4 to 1—"will you, if he gets a majority, submit to his being the nominee and not ask yourself that you be certified as the nominee?" Mr. Bankhead said, "No; I will not."

That is the trail of the serpent that is over it all; and yet Senator BLACK would have you believe that Mr. Bankhead had nothing to do with it. Senator BRATTON would have you believe that he had nothing to do with it. Why, he was walking around with folded arms, an innocent abroad, in the State when they were preparing to strike me down and politically assassinate me. All the while he looked on with approval.

Senators, what occurred a little later on? After we saw that Pettus, the chairman, had announced in Chattanooga, intimidating the supreme court, or seeking to do so, "If the court does hold that Heflin's name shall go on the ticket, we have two other ways to keep him off"—that is, in the proceedings—what were they doing? They were admitting, as they did all over the State—I could have shown it, and intended to by 50 or 100 witnesses—that I would be nominated if I got in, and the only way to keep me out was to strike me down ruthlessly, illegally, as they did. Mr. Bankhead had notice that that primary was illegal. Senator BLACK, of that State, issued a strong statement showing beyond all question that the primary was illegal and un-Democratic and un-American. That is his language. Judge Anderton, an able judge in Birmingham, who is now a candidate against

Senator BLACK in the primary, issued a strong statement, and he supported Bankhead. He said, "If this case is ever tried by a competent tribunal, it is bound to declare the primary illegal, null, and void." Mr. Bankhead had notice that this conglomerate mess the State committee had cooked up was an illegal thing, an obnoxious, unlawful thing.

But that is not all. From the highest court in the State Judge Thomas sent down a ringing opinion. It sounded in Mr. Bankhead's ears long before the primary. He had time then to get the committee to meet and rescind its action. But, Senators, they never expected this case to come here. They thought that if they could steal 50,000 majority and put it on my back, I would not contest. They did their best to keep me from contesting. I expected to put witnesses on the stand who would swear that they intended, if I would accept what happened and go with them, they would beat BLACK with me in 1932. "Go on and take your medicine. Get in line!" I said, "I would not have any respect for myself if I did that. I was honestly elected. The people of this State are entitled to have their choice represent them. If I accept your skullduggery, your crookedness, and your corruption, and permit you to defeat their will and crucify me by waiting for a deferred election two years hence, I would never have any more respect for myself. So help me God, I will fight it to the death. I will take it to the Senate. There are, I think, enough honest men in that body to give me a fair trial, and that is the only body to which I can take it and get a decision on this primary."

It has never been decided yet by a tribunal, except by one judge on the supreme court bench down in Alabama.

Senators, that is a brief picture of the primary; but it does not stop there. I went out on the hustings and I said, "They have repealed the provision of the committee rule which allowed 15 members to compel the committee to meet and rescind its action. We can get no relief there. A majority of the supreme-court judges have said they have no jurisdiction. The door is shut in our faces there. One judge has pointed the way through the wilderness and I am following the trail. It is an illegal primary, and the only thing left to do is to condemn it, repudiate it, stay out of it."

What do you suppose happened in the primary? Out of 340,000 Democrats, 125,000 participated in the primary. That shows in advance where two-thirds of the Democrats were; and there were 50,000 Republicans on top of that. Three-fourths of them were for me. There is the picture.

What do you reckon happened then? Senator BLACK has been very glib in quoting what the newspaper said, as has Senator BRATTON. Newspaper reports following the primary election said this vote and that was there. Let me tell you what the newspapers said. With all the counties but one heard from in the primary, and that a small county, Choctaw, with a vote of less than 2,000, they said, "Bankhead has 81,000, Thompson 42,000, making 123,000 in all." And I give them 2,000 more from Choctaw. They would not have it, but I give it to be fair, making 125,000 out of 340,000 Democrats, in the most exciting and bitter election held in my State in my lifetime.

Did they announce the results? No. What does the law provide? That the State committee shall meet in the office of the secretary of state at Montgomery.

I refer now to the report of Mr. Aarhus, investigator of the Nye committee; and, by the way, I want to say right here that Senator GEORGE and Senator BRATTON would not consent for us to employ any employee of the Nye committee to run down this evidence. Who else could run it down? If I had gone and consulted 50 men and they told me how to get certain testimony, and then the opposition could deny me the right to go back and get it, who could pick up the lost trail and carry it through? But this is what Mr. Aarhus, one of the ablest and bravest and most honest investigators who ever represented this body in a field like that, said. He said the executive committee did meet in the office of the secretary of state in the usual manner.

The meeting was for some reason adjourned, and the returns and records were taken to Selma, Ala., by E. W. Pettus, chairman of the State committee, and the returns were tab-

ulated in the office of the tax assessor, and that to this date no public statement has been made as to the relative standing of each candidate. Not until September 1—from August 12—were the names of the successful candidates made public, and then only the votes received by candidates for United States Senator and governor.

There is ring rule for you. There is bossism and rank corruption gone mad. Why did they hold out those returns? Why did they not canvass them in the office of the secretary of state as of yore? They had to do some work on them. What was the matter? They said, "Heflin's followers have already repudiated the primary. Two hundred and odd thousand have stayed out of it. A hundred and twenty-five thousand have voted in it. We are beaten. The people will cry out 'You are already destroyed before the general election.'"

What did they do? Thompson wired Bankhead conceding his nomination—42,000 against 81,000. Then the boys decided that the vote had to be lifted up; it was rather feeble and weak. So they lifted it up and padded it; and when they wound up, they had nearly 200,000 participating in the primary, after weeks of working and maneuvering and figuring.

Then what occurred? Judge Horace Wilkinson wrote an open letter to the press of the State giving the figures, and he charged the State committee with padding the returns by over 40,000 votes, charged that they had lifted up the Bankhead vote. But they could not lift him without lifting Fred Thompson, because Fred did not want to be beaten 3 or 4 to 1. So they were good and kind-hearted; they would give Bankhead an increased vote, and they dropped a few over in Frederick's political pan. So they lifted his vote to about 57,000, and ran Bankhead away up yonder to one hundred and forty and odd thousand, or something like that.

Judge Wilkinson charged that they had padded those returns. He gave the figures. They have not denied it to this day. That is the case they have here, which some of my friends were trying to railroad, and deny me a hearing over here on the Democratic side, men who ought to have known the inside facts about this case.

Now, I want to read a document appealing from Philip drunk to Philip sober, Senator BLACK's statement. He declined to let my good friend Senator HASTINGS read it to him the other day. You know, one of the hardest jobs a man ever has in public life is trying to answer himself. This is what Senator BLACK said:

A study of the resolution convinces me the majority has acted in contravention of existing laws and statutes. The committee, in my judgment, has no legal authority to adopt one rule of qualifications for voters in the primary and another rule of qualifications for candidates in that primary. The rule must be uniform with reference to both. The law does not contemplate a special privileged class to run for office and a subordinate class who can vote but not hold office. Citizenship carries with it the right of an elector to vote and hold office. An attempt to abridge the sacred rights of citizenship is fundamentally un-American. If a citizen is barred as a candidate for political office, as party punishment, he must be barred as a voter. If barred as a voter, he must be barred as a candidate. This is clearly provided in section 612 of the Alabama Code of 1923, limiting the authority of the committee on this subject, as follows:

"All persons who are qualified electors under the general election laws of this State shall have the right to participate in such primary elections, subject to such political or other qualifications as may be prescribed for its candidates."

This law is not ambiguous. It is plain. It means what it says. A rule which bars a candidate bars a voter and vice versa.

He was ringing clear and true then.

The Alabama Legislature evidently intended to protect ancient constitutional liberties and privileges and prevent any small group from perpetuating a favored office-holding class over and above the average man. The committee did not wish to bar as voters those who failed to vote for Governor Smith. It is clear, however, that they have barred thousands of voters if they have barred them as candidates.

Listen to this:

The courts should not be called upon to settle a question upon which there can be no reasonable grounds for disagreements.

I commend that especially to the Senator from New Mexico [Mr. BRATTON], who looked so solemn the other day when he differed from this view.

Senator BLACK continued:

It is a situation which calls for the best thought and action of all Democrats who respect the ancient rights of citizenship and who love the traditions and principles of the Democratic Party.

Senators, is not that a strong appeal for fair play and justice? How different that note sounds from the present utterances of my one-time friend who pleads the cause of the contestee on this occasion.

Then I added:

Mr. Bankhead had read Senator BLACK's statement, and he had notice from Judge William H. Thomas, the only supreme court judge in Alabama who passed upon the merits of the case, and the primary provided for in Alabama by the State committee was illegal, null, and void, and Mr. Bankhead's name was never legally upon the senatorial ballot in Alabama.

Some Senators do not want to pass on this primary question. It must be passed on. I hope the Senate will have the courage to pass on it. I hope the buck will not be passed here, using the parlance of the street. I want Senators under their oaths to grapple with this problem and decide this question: Was that primary legal or illegal? We did not hesitate—myself among the number—to go after Frank Smith, a Republican. We did not hesitate to go after William Vare, a Republican. And I dare say, just speaking amongst ourselves, not to go any further, that if Bankhead had been a Republican, my friends over here on the Democratic side would have been almost solidly in favor of taking him out.

Who warned us against that thing called party spirit? George Washington, in his Farewell Address, warned against it. He said that party spirit was a most dangerous thing, and that unless inspired by love of right principles, and a desire to promote clean and honest government, it led to all sorts of extravagances, of fraud and corruption, and would result in the destruction of human liberty. Washington warned us against that. When W. P. G. Harding, of the Federal Reserve Board, helped, with Wall Street, to bring on a panic in 1920, I was urged not to fight him because he was a Democrat and had been appointed by a Democrat.

My answer was that all crooks look alike to me, Democrats and Republicans. I led that fight single-handed and alone. When I started out there were four Senators with me in the fight—Senator TRAMMELL, the able Senator from Florida, who, whether he agrees with you or not, has always had a sense of justice and fair play; Senator FLETCHER, of Florida, who has become an institution in that State, God bless him, the able, upstanding statesman, he was with me; and Senator Simmons made the third that I recall. When I wound up that fight, there were 57 Senators who would not vote for Harding's confirmation. I drove him off of the Federal Reserve Board, and I am proud of the fight I made. It was one of the greatest in my career. I fight a crooked Democrat just as I fight a crooked Republican, and I want this case passed upon on its merits.

Senators, the primary was legal or illegal, and the Senate must decide. In the case of Parrish versus Powers in Kentucky, Parrish was nominated in the primary as the law required. The committee through another way put Powers's name on the ticket, a Democrat. Powers got the election and beat Parrish. Parrish contested. The Supreme Court of Kentucky held that Powers's name was never legally on the ticket; and although he got a majority of the votes cast, that Parrish was entitled to the office, and the court gave him the office.

We have legal processes in this country. We ought to have. We have law and order and legal methods of getting on the ticket, and—get this, Senators—a nomination in my State is necessary to get on the legal ballot. You have to get on there as the law prescribes. If you hold, as the able Senator from California did on yesterday, and as the Senator from Delaware holds, that this primary was illegal, Mr. Bankhead takes his hat and goes back to the State and I

serve in this body to which I was honestly elected in 1930, November 4.

Senators, there was never before a campaign like it in my State. We had a crusade. They could not buy the voters who were supporting me. The work was done at the election and after the election at the courthouse. There is where the skulduggery was done to me. Senator BLACK says that if all this crooked work went on, that I am accusing some of my managers. No; but I will tell you what I was advised of even before the election, that Bankhead's friends had some stalking horses, saying they were for Heflin and if they were in there as managers he would get a fair count, and they got appointed managers for me. The Lord have mercy on me! Some of those fellows credited to me helped to steal the election for Bankhead.

Down at Tuscaloosa, where Judge Brandon is the probate judge, our witnesses swore that in the biggest precinct in the county, with six or seven boxes, a Democrat, my friend, was sitting in there with two Bankhead managers. They have three. This fellow was on the job and he was courageous and the election had not run over half an hour until they whispered around and called the judge out, and he said, "You come out of there," and he took him out and he put another man in, and Judge Wilkinson said, "Whom was the other man for?" He said he was a Bankhead man. That is the way I had a fair election—all three of them Bankhead men. I never had a manager in many of the places. Sometimes they gave me a clerk and called that representation, and the clerk sitting there with his eyes on the paper writing down names they called. He did not know whether they called them right or not. And so the game went on. They did the work in the general election that was started in the State executive committee and carried on in the primary.

Now, what happened in the primary? Mr. Bankhead threw his hands up and hollered to the Nye committee that Thompson was spending a great deal of money, sending out literature to 400,000 voters. He wanted the committee to come down there and see if they could not stop Thompson. The bunch that represented the State committee was too slick for anybody to catch them, but they wanted Thompson headed off. Then Mr. Bankhead was appealing for Federal interference, for which the Senator from Alabama [Mr. BLACK] has criticized me for asking the United States Senate to investigate the senatorial election in Alabama.

That is not all. In 1926, when Mr. BLACK was a candidate and Mr. Bankhead was running against him, he wrote a letter to the Reed special committee of the Senate, calling on them to come and investigate Mr. Bankhead and the others running against him, and was kind enough to say about Mr. Bankhead that it would not do any good to elect him; that if the Senate investigated him they would not seat him. In 1926 BLACK wanted help when the machine was in operation in my State. I have never courted its favor. I have fought it and always whipped it; and whipped it in 1930, and what did they say? "We do not care how big his crowds are. We do not care how many votes he gets. We have got the machinery, and we will get the election."

I have a number of witnesses here, Senators, who testified that they heard the Bankhead followers saying that they were going to steal the election from me. But before I get to that, I want to show you the most convincing thing in it all, if you needed anything to convince you that the primary of 1930 was illegal.

The Bankhead legislature, following that election, adopted an amendment giving the State committee the power to fix two separate and distinct qualifications, one for candidate, and one for voter. They adopted that since the election of 1930. The statute now provides that the committee can have separate and distinct qualifications. Senators, as honest men, what conclusion are we to draw from that—honest, intelligent Senators—that they never had the power in 1930, but to make sure this time when they read me out again that they did have the power and to make sure if the Senate did declare the primary illegal that the statute as

now amended would stand hard and fast for such purposes in the future.

There never was as much skulduggery practiced in any single State that I know anything about. I will put those affidavits in, but here is the way they read. A witness says, "I heard So-and-so, a Bankhead supporter, say that Heflin will get the votes, but what they don't buy they will steal." We could have produced probably 500 witnesses over the State who would swear that—one of them from Judge Arthur Chilton, confirmed by this Senate not long ago as district attorney for the middle district of Alabama. He had come in from the field Saturday before the election on Tuesday. Mr. Tom Knight was then running for attorney general, and he had no opposition; we did not oppose the State ticket or the county ticket. We just had three candidates in the field. There were two or three county tickets out. Mr. Knight, the attorney general, said to Judge Chilton, "What do you think of the election?" He said, "Heflin's majority will be between 50,000 and 100,000. What did Mr. Knight say to that? He shook his head and said, "No; we have got the machinery and we know how to use it."

We expected to put Mr. Todd, a newspaperman, on the witness stand. He is sitting in the gallery now. We expected him to swear that Russell Kent, correspondent for the Montgomery Advertiser and the Birmingham News, supported Mr. Bankhead. He went to Alabama and came back two or three weeks before the election. He said, "They have not got a chance to beat Heflin. He will win his fight in a walk." He went back again and returned just a few days before the election. He said, "They have got it fixed. They are going to get him now."

Oh, Senators, you would not think all these things took place when you heard the speech of the Senator from Alabama—the junior Senator from Alabama—[Mr. BLACK], because I am entitled to the senior part of it myself. [Laughter.]

Senator BLACK told you that the State committee members had been reelected. Certainly. Whom did they have to run before? The same machine that read me out. It was the greatest machine arrangement you ever saw. Of course they were reelected in that circle where 125,000 Democrats operated and the other two hundred thousand and odd stayed out. We had nothing to do with it; we could not get in as candidate and refused to go in as voter. They would not let anybody in there to vote except the fellows who would vote for Bankhead. Of course they were renominated.

But it will not always be thus. If the Senate will do its duty, you will sound the death knell of that machine in my State. Human rights and liberties do not appeal to that machine. Right and justice have no place in their program. "Put it over! Put it over!" That is the slogan of that bunch. "Put down the coin." Do you know what I said all over that State? I said that I believed the ring spent \$50,000 on that committee. I believe it, as God is my judge—bought like sheep in the market place to barter away a man's rights. I have been in public life since my early young manhood, never obtained an office except through just, clean, and fair means, would spurn an office any other way. I have always fought in the open, and I have been rewarded by the people of my State. But when this effort was made to deprive them of their right to nominate me in their party, I unsheathed my sword and went into the field and fought them to the uttermost. What happened?

In the last 19 days of the campaign this Bankhead bunch followed my speaking and kept close count of those who heard me, and they reported that 69,000 heard me in the last 19 days of the campaign. What do you suppose happened with their crowd? They were addressing 100 to 150 in the courthouse, and they were the same old fellows that went to all the meetings. They were like the fellow that Bill Howard, of Georgia, used to tell about in the House. The old fellow would get drunk every summer, and they would turn him out of church and take him back and rebaptize him. They said they baptized him so often at the

same place in the creek that all the old, horny-headed fish recognized him when he came back. [Laughter.] So they were the same fellows they mustered up to come in and hear the speakers and clap their hands, and everywhere I spoke they had to have an amplifier, and there was not a hall in the State that could hold them.

Fellow cit—fellow Senators, what did that mean? I was about to address you as "fellow citizens." Some of you will be soon. [Laughter.] There is nothing personal in that to either side.

What happened? Judge Wilkinson and I went up to Gadsden. I was going to speak in the adjoining county. They had big placards saying the big guns, Bankhead and Miller would speak.

The radio was spreading the news out over seven or eight counties. The time for meeting arrived in a court room which seats about 480 people. There were about 435 in it, notwithstanding all this advertising over the radio and in the press. Judge Wilkinson and I sat in a hotel a hundred yards away. Mr. Bankhead was up speaking. He was telling them how grateful he was for this great outpouring of the people, talking over the radio to nine counties. Just at that juncture the chairman, Jerome Fuller, an Alabama Power Co. man, jumped up and said, "Do not leave, gentlemen; there are plenty of vacant seats in the rear." [Laughter.]

You have heard of hired funerals, have you not, where, when a fellow dies, they employ mourners to walk behind the casket in the hearse? Well, that is what it looked like in that State. They had to get them up and drum them up to go out to a meeting.

How do you suppose they tantalized my forces—the brave crusading men and women of my State? They said, "We do not give a d— how many votes he gets; he will not get the certificate of election." That is the atmosphere in which I made that fight. You know we got a lead on some of the work they were doing. One of them was we got notes to the effect that they would "put me on the spot," and there was a big blue-pencil mark across that and in big letters, "No." They were kind enough not to have me murdered. "No; do not assassinate him." Why? Do you want me to tell you why? They had already had notice from my side that if anything happened to me it would be "good-by"; and it would have been good-by to some of them.

This primary was cut and dried against me and for Mr. Bankhead. Mr. Bankhead ran against me in 1924. He wrote, I have been told, 15,000 letters with return postage and got back 11,000 telling him not to oppose me. He did not oppose me and I was nominated without opposition.

In 1928 I supported Hoover and Mr. Bankhead supported Smith. I said, "Give me a fair primary, and if the Democrats want to punish me for my course, I will take it like a man, with head erect and light upon my face"; but no; they said, "If you let him in, the Democrats will nominate him." That is what they have done; they have denied self-government in my State; they have denied the right of Democrats to select the candidate they wanted to select after inviting them into the primary to vote.

Senators will remember that in the old days of Rome, just before Rome tottered and fell amongst her beautiful hills and died, the decree went forth establishing two classes of people—the plebeians and the patricians. The patrician could vote and hold office, but the plebeian could only vote; he could not hold office. In Alabama they made me and those who supported Hoover of the plebeian class. They said, "You can vote, but you can not hold office"; but to the others, the Bankhead group, including Senator BLACK, they said, "You can vote and hold office." They set up that distinction in my State. It is un-American, undemocratic, unjust, unfair, inexcusable, and indefensible; that is what it is. Yet they tell you that it is all right; that the committee had a right to order any kind of primary. I was utterly astounded at the position taken by the Senator from Wisconsin [Mr. BLAINE]. I do not see how a man of his ability could get off on the wrong foot so badly.

Senators do not understand the case. The Mayfield case is not at all like my case. What have they done in my case? Here [exhibiting], Senators, are the ballots. They are about from 14 to 16 inches long and ten inches wide. They have got the Democratic rooster and the Liberty Bell that we adopted as our emblem.

The slot in the ballot box was about from 4 to 4½ inches long and less than a half-inch wide. In hundreds of instances those ballots were found just as clean and white as that [holding up a blank sheet of white paper], with the stubs untouched, no initials on them, folded in the middle, and lying in the box in sheaves. Could those ballots have been put into the box through the slot? No. How did they get in there? They got in there by the box being unlocked and they being put in by somebody who had no right to put them in. Those ballots are there in sheaves by the hundreds.

What are you going to consider that to mean—that they were trying to purify elections in my State; that they were sitting up of nights trying to give me a fair deal? Oh, how they did love me [laughter], when they were sitting up, losing sleep, monkeying with ballots and fixing them up for their dear friend, John H. Bankhead.

The State committee had ordained that he must be nominated; they manipulated it and fixed it. They ordained then that everybody should be whipped into line and I must be crushed. They saw that could not be done. In county after county the officials told them, "It is not worth while to fight him; he is going over." They said, "If you do not get into line"—listen—"If you do not get into line and help us to beat him, beat him any way, we will read you out. He is an independent running outside of the party." Before they got through with it they had the probate judge and the sheriff and the circuit clerk in 61 out of 67 counties openly, boldly, and brazenly supporting Mr. Bankhead and fighting me; and the word went down the line, "If you can not get it any other way, take it"; and they took it.

What else do we find? We find ballots by the hundreds folded clean and tight. They had never been handled; they were lying in the boxes like that, in stacks [indicating]. What does that mean? That means that that box was fixed at the courthouse and swapped for the box that came in from the precinct. They are there; they speak for themselves. What does it mean? It means what I tell you.

Now, they marked many of these ballots, we find, like this. They were fixed in the pads. You do not vote that way. They tear off a ballot each time a man or a woman comes to vote, and the voter takes the ballot, marks it, and hands it in. These were fixed in the pads. I will show you what happened. They marked that ballot [indicating] in the circle under the rooster, and there is an indentation in the circle under the rooster on the next ticket, showing it was fixed and marked in the courthouse before the voters ever went to the polls. What did they do on the second ballot. They did not follow that course; they marked a cross mark in front of Bankhead's name. They alternated each time. Do you know what the Bible says about that? It says: "Be sure your sins will find you out." So when you raise that ticket [indicating] there is the indentation on the next ballot in front of Bankhead's name. Then they marked again under the rooster, and there is the indentation in the circle under the rooster, and on down we find that to be true. Senators, there never were as many varieties of methods employed to steal an election as were employed to steal this one from me.

I will tell you of another system which was employed. They changed a lot of the ballots that were for me by rubbing out the cross mark for me, and showing that a straight State ticket was voted, without voting for Senator. There were 5,000 of those. So I lost 5,000 votes by that method.

On tickets where the voters used a pencil mark for me, the mark has been erased. That is another method they employed. But this indentation business I am telling you about was smooth work. They never thought anybody would ever catch that up; but Judge Chilton, recently appointed district attorney, caught it. He took the first ticket off and, going to the light, saw that indentation on the second

ticket, and so on. He traced I do not know how many hundreds of them.

What else? These issues were not involved in the Mayfield case; not at all. They have never been involved in anybody's else case that I know anything about.

Senator BLACK says that I failed to take steps to keep Senator Bankhead's name off the ticket in the general election. Senators, how weak and miserable is that argument! If the primary was void, it is dead; dead from the beginning. I could not breathe life into it if it was illegal—not voidable, but void; and it was. A supreme court judge said it was. Senator BLACK says it was. I did not have to take any steps. The law would not recognize a void thing, and the Senate certainly will not recognize a void thing. His nomination is not worth 5 cents. After all they have done to procure his nomination and election it falls flat; it has not a leg to stand on—not one.

Now, what else? The certificates of election. There must be three of them, one of which is sealed and sent to the probate judge. What is that for? It is to be used if the one returned to the canvassing board is lost or not presented. Another one must be posted at the polling place. But what do we find? We find Mr. Bankhead's friends saying that they had to go into these ballot boxes to get the certificate of election. The law in my State does not require that; it is not done. He says that is why these boxes were opened. Senator BLACK emphasized to you that there were 900 boxes out of 2,043 that were sealed when the agents of the Senate got them. Well, what does that mean? It disputes the other proposition that they had to open them in order to get the certificates of election. How did they get those certificates of election? Answer that. How did they get the certificates of election from the 900 boxes that were sealed when we got them? Is not that an interesting point? One of two things happened. They got the certificate as the law requires, sent separately to the canvassing board and to the probate judge, or they had been fixed and sealed and locked at the courthouse already to be turned over to the agents of the Senate when they went down there.

Now, Senators, if you recall when I brought this contest to your attention here in January, 1931, I said I wanted these ballots seized as quickly as possible. Senator BLACK took the position that the boxes were not being opened. You will remember that little colloquy we had. I insisted they were opening them, that they were going into the boxes. They had notice of my contest at midnight on the night of the election. As soon as it dawned on us that they had stolen the election in 57 counties out of 67 I gave notice of a contest; and Senator BLACK said "No." He sent a telegram or two down there to resent this "reflection" that I was making on the State.

Oh, how he and Senator Bankhead have grown enthusiastic about how I was "reflecting" on the State! I am not reflecting on the State. God knows I would not reflect on that dear State. I was born in it, and in its sacred soil sleep the remains of my ancestors. That State has honored me with nearly every office within its gift, and I am not through yet. The people of that State have been for me. They have been kind and generous to me. Reflect on that State? No! I would give my life to protect its good name and its honor. I am fighting for my State.

I am fighting for the humble factory girl who stands all day at the loom and weaves, who was intimidated by the bosses of the mill to vote for Bankhead against me. I am fighting for the boys who wear lamps on their caps and go down in the bowels of the earth to dig coal and iron. I am fighting for the farmer in the furrowed field, the merchant, the clerk in the store. I am fighting for the school-teachers, who were browbeaten in wholesale fashion, telling them they got their jobs from the Democrats, and if they did not vote for Bankhead they would lose them. I am fighting for a fair deal for these people all down the line. I am fighting for the day when the voters can walk up to the polls unafraid, unintimidated, undisturbed, cast their votes, and express their free will at the ballot box in every precinct in my State.

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That is what my sin consists of—fighting for the good of the people of Alabama, fighting for the good of the principles of my party; not party machinery, crooked and corrupt, but honest, clean, political principles in Alabama.

What do you suppose they did during that senatorial campaign? They turned citizens down on jobs. They would ask them, "Who are you going to vote for—Heflin or Bankhead?" "Heflin." "Nothing doing!"

What did they do when the election was over? The governor's office had printed a questionnaire that was given to every man and woman who applied for a job in the highway department, where the Federal Government furnishes half the money to build roads. The fifth question was, "For whom did you vote for Senator in 1930?" The State government's machinery has been drawn into this matter, and they are making people disclose the secrecy of their ballots, and tell the machine fellows how they voted. That is what happened; and when people said they voted for me, they said, "There is nothing doing."

One fellow down in Randolph County—my native county—a preacher with two or three children, asked them to give him work. He and his family were about to starve. Their highway man, who supported Bankhead, told him, "We have got your number. You will not get any work from us"; and this man of God was turned away. There is nothing so pitiless and cruel as this machine in my State.

Now, I want to touch on the question of absentee ballots for a moment.

I have written to several States to find out how many absentee ballots were cast in 1930. The secretaries of state write me that the only way to get that information is from the counties, and I did not have time to do that; but I got them from Arkansas, most of them—half of them. There are 75 counties. Forty counties voted 1,200 absentee ballots, making about 2,400 for the State out of 75 counties. Arkansas has seven Members of Congress and we have nine. There is that difference in population. How many do you suppose they voted in Alabama for Bankhead? More than ten thousand!

I challenge Mr. Bankhead, Senator BLACK, or anybody else to show me another Southern State that ever in its whole history voted as many as half that number. You can not do it! You can not do it!

Senators, there never was such a dragnet arrangement sent out to get in absentee ballots. Why, we showed by three or four witnesses that they employed a man in Shelby County to go into Jefferson County, where Birmingham is, and get up a hundred and odd names, applications signed, sworn to, absentee ballots fixed, and returned up there in wholesale. That is not disproven. It is not disputed. They went out after them everywhere; and in their enthusiasm and anxiety to get votes for Mr. Bankhead what do you reckon they did? They went to New Orleans and voted a woman who never knew that she was being voted. She lived in Bullock County, Ala., 14 years ago—15 years, now. She had been living in Louisiana all these years and is a voter there. We sent out questionnaires and this woman got one. "Did you request a ballot?" It is against the law to provide them without a written request in my State. "Did you request this absentee ballot? Did you get one? If so, for whom did you vote?" "I never requested one. I never received one. I never voted. I am not a voter in Alabama."

And yet her ballot is over yonder now in the sacred ballot box, marked for John H. Bankhead for United States Senator! And yet the Senator from Alabama, Mr. BLACK, tells you that we have had opportunity to prove this and that and we have not done it! I answer him by saying there are 1,500 witnesses, and maybe more, that I would have called to show the most corrupt condition that ever existed in any State in a senatorial election.

He told you I had this information, or a chance to correct these names as marked for Bankhead and me, since September. Let me tell you what occurred.

The appropriation gave out in August, and Congress did not meet until December. We could not do a thing. We could not take testimony; and those working on the ballots

here worked on without their salaries until Congress could convene. That is how we have been handicapped. Then I told you what occurred at Birmingham, when they stopped us, shut us off, under the suggestion of Senator GEORGE and Senator BRATTON; and Senator Black has never protested against that, nor has Mr. Bankhead. I really think, just between us, it was done at the instance of Mr. Bankhead, the contestee.

The contestant has rights. He has a right to have a fair deal. Senator BLACK said in the beginning that he wanted a thorough investigation if they were going to have one. We have not had it; and he was making his final speech the other day, when I do not suppose he had any idea that I would have a chance to say a word in the Senate.

What did Mr. Aarhus say in his report? It is in my letter to the committee, begging for time and money to take the evidence. What did Mr. Aarhus say? He said Logan Martin, the brother of the president of the Alabama Power Co., was present in a meeting when Mr. Bankhead's candidacy was indorsed for the Senate.

What else did Mr. Aarhus say? I am prepared to put upon the witness stand 300 reputable witnesses to establish almost universal corruption in the State. I have not had a chance to take a line of that testimony. I could not get Mr. Aarhus. Senators GEORGE and BRATTON would not let us have anybody who had had anything to do with the Nye committee.

My God, Senators! Does it not come with bad taste for them to stand up here, as the Senator from New Mexico did yesterday, and tell you that I had had ample opportunity to be heard, and had gone into all these things, when you had not heard a word about what I have been telling you to-day, and you never would have heard it if I had not been permitted to speak? It is unfair to me. It is unfair to the people of the State. It is unfair to the Senate. It is unfair to the Government. If you put yourselves on record as approving this bastard primary in my State, you have sanctioned that sort of rotten, corrupt conduct for other States. You have set a dangerous precedent.

The way for you to put down this sort of business is to stamp it out now. The time to treat a cancer is in its incipient state. The time to treat disease is as soon as you find it has hold of you. Kill it out. Say to every man who runs for the Senate, "We want that office open to the humblest boy, whether he is a rail splitter like Abe Lincoln"—the great humanitarian statesman who walked from the rail-splitter's place in the woods to the highest office in the gift of the greatest people in all the world. "We want that office open to them. Let them aspire to it. Do not let somebody tell them, 'It is useless for you to run. The machine is for this man,' or 'the machine is for that man.'" They are already telling them in my State, those who have courage and independence of spirit, "You had better take warning from what we did to Heflin. We will do the same thing to you"; and the result of it is to cow, to stifle, to stamp out the spirit of courage and true Americanism that we have in this country.

It makes not much difference to you, as far as individuals are concerned, whether Bankhead serves or I serve. The country could get along without either one of us; but my God! how much depends on keeping this office spotless, clean, far above the crowd of corruptionists and the miasma of the plain. Hold it aloft and say, "If you aspire to that office, if you come into this body, you must come with clean hands. There must not be a spot on your certificate, and not a rotten thing in your record of election." When you do that, you will serve your country.

Do you know what happened in the Frank Smith case? You served notice on the money kings, "You can buy the office, but you can not have it." What effect does that have? "We will not put up the money, because they will not let us have the office if we buy it." That is the answer to it, and that is the appeal that is coming to you to put this thing down every time it shows its head.

If you do not want to say that the primary was illegal and that Bankhead should be unseated and I should be seated, that it was tied up with the corruption and stealing of the general election, refer it to the people of my State, where we will have to have a special election in three months, and let the people of Alabama say. That will settle this question once and for all; and with the skullduggery that they have practiced down there, and the people being acquainted with it, it will be exceedingly hard for them to repeat it and then the places that know the contestee now would soon know him no more forever. What is wrong in that proposition?

Mr. President, I am not going to be able to close in 15 minutes.

The PRESIDENT pro tempore. The time of the contestant will expire at 2.10 o'clock.

Mr. HEFLIN. I wonder if I could get a half hour more?

Mr. NORRIS. Mr. President, I ask unanimous consent that the limitation of two hours be dispensed with, and that Mr. Heflin be allowed to conclude his remarks.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and that order will be entered. Mr. Heflin will proceed. [Manifestations in the galleries.]

The Chair must admonish the occupants that they are here by the courtesy of the Senate and must maintain order.

Mr. HEFLIN. Mr. President, I appreciate this courtesy and kindness on the part of a man with whom I have served for many years in both branches of Congress, and I am writing a chapter about him in my book, "Courage and Cowardice in Congress." [Laughter.] "Courage and Cowardice in Congress"—a euphonious title, and it will be a truthful document when I get through with it; and I am drawing a very good picture of the Senator from Nebraska. I saw him when he first commenced to fight "Cannonism" in the House. He was a progressive, able, brave fighter then, and he has kept it up all down the line. I believe he is about the only one I know of who has been right on the trail all the time, the old "strike" dog from Nebraska.

Mr. President, there are many things that I will not have time to touch on, and I am not going to impose upon the Senate any longer than I have to. I want to cite the Senate to an editorial from the Southern Labor Review, published at Birmingham. I do this because the minority report of Senators GEORGE and BRATTON of the subcommittee quotes an editorial from it following the election in 1930, and that editorial said that the election was over, that it was fair and that we should all accept the results and go on down the road rejoicing. That was before they knew what had been carried on in the nighttime on the night of the election and in the days that followed all over the State.

This is what they wrote a year from that time:

[From the Southern Labor Review, December 2, 1931]

THE SENATORIAL SITUATION

Next Monday will bring the Heflin-Bankhead contest before the United States Senate. The eyes of the Nation will be focused on the Democrats in that body more especially.

It is the duty of every Senator, but more especially the Democrats, to see that no one becomes a Member of that body who obtained his certificate of election through law violation or fraud or corruption. The Senate and the Senate alone can drive fraud and corrupt practices from senatorial elections by stopping the beneficiaries of such practices at the door of the Senate.

The Senate in recent years has shown itself to be keenly sensitive on this all-important question. It has courageously challenged and rebuked political crooks and corruptionists by holding their candidate at the threshold of the Senate. Democrats contributed materially to those results. The purity of the ballot and the integrity of the ballot box must be preserved inviolate. At a time when Democracy is making a bid for national confidence the country will await with interest the attitude of Democrats toward the Alabama situation. Democrats and Republicans alike should stand solidly against the man and the forces that seek to obtain a seat in the Senate by illegal and unlawful methods and the practice of fraud, coercion, and corruption in senatorial elections.

The Alabama senatorial contest is between two Democrats—Senator J. Thomas Heflin and Mr. John H. Bankhead.

It will be interesting to observe in this case whether Democratic Senators are as willing to bar a Democratic holder of a certificate of election as in the past they have been willing to bar a Republican in similar circumstances.

Mr. Bankhead's nomination and election were notoriously illegal, high-handed, and corrupt. The Nation will be interested in what

course Democratic Senators will now take. It seems to us that they should show as much—yes; and more—anxiety to punish corruption when their own party is concerned than when the charges involve the opposing party.

I have taken that position myself. It is my duty to drive crooked Democrats out, not to shield and harbor them; to keep my party clean. When I do that, I am serving my party and serving the country.

I ask again, suppose a Republican had come here as Mr. Bankhead did, under a primary law violated as he has violated the primary law in Alabama, and it could be shown that the ballot boxes were in the hands of Republican supporters all over the State, that they had opened and entered them, that ballots were not self-proving, that some were numbered and some unnumbered; what do you reckon would have been done? Again I say, just between us, they would have voted him out of here before breakfast. I would have voted to turn him out myself, whether Democrat or Republican. If you show me that they opened over half the ballot boxes in a State, when the law required them to be sealed and locked and kept inviolate, to be used in a contest, opened up and displayed, as they were deposited on the night of the election, I would vote to turn him out. He has no business here. That is the situation to a "T" right here to-day.

Yet my one-time friend, HUGO BLACK, stood up here and told you they were not opening any ballot boxes down there. I do not think Senator BLACK really knew they were doing that. He did not know. He is just like a lot of good people down there who said to me, "Tom, I went down and voted and everything looked all right. I did not see them stealing any ballots and running off with them. I think the election was fair." I said, "They do not do it that way. They work in the night time, when you sleep. They call the ballots off wrong and the clerks put them down, and when they get through doing that, they tally up what the clerks have put down, and the ballots are put in the boxes and the tally sheet or the certificate shows 350 for Bankhead and 150 for me, and the ballots will show 400 for me and 100 for Bankhead. They are in the boxes. One certificate is put up outside. The other is sent to the courthouse, and the ballot box is opened to make the ballots correspond with the certificate." I said, "Is not that nice?" That is what happened to me, a thousand and odd ballot boxes opened and burglarized. Yet the Senator from Alabama [Mr. BLACK] just waves that aside and says, "Why, just minor irregularities." It is a violation of the law, and there is a \$500 fine for these violations. There are hundreds of them.

The Senator from Wisconsin [Mr. BLAINE] just waved that aside as being merely directory. Senators, directory statutes never carry a penalty. When a statute carries a penalty it is a mandatory act, and these are mandatory acts, not directory.

I suppose they would say, "Well, what is stealing ballots among friends?" [Laughter.] They needed the ballots, they knew where they were, they knew how to fix them, and they did fix them. That is what happened.

Here is an editorial from down there in south Alabama which shows just the situation. This paper could not be biased. It has nothing to do with the contest, except as it throws light on a rotten condition in this matter in the State. The editorial reads:

In looking over the names in beat 7—

This is down in Geneva County—

In looking over the names in beat 7 we found the name of our old friend, E. S. Sheehan, who used to work in the News-Herald office. He has been dead about five years. This put us to thinking, and upon further investigation we found the names of nine persons whom we remember to be dead. On the same list in beat 7 we found the names of 25 persons who do not reside in the county, and 25 others who do not reside in the State; some of them have been gone 10 years or more.

We do not think we are sufficiently acquainted in beat 7 to detect the names of all who are dead or all the absentees; but on the basis of the number we detected we estimate that in the published list for the whole county are the names of 60 dead people and the names of 334 nonresidents—394—enough to hold the balance of power in the usual election in this county.

That is in a little county, and that condition existed in 1930, and those people were voted in that election. That

condition obtained all over the State. They have not purged the polling lists in years and years and years. The case of the Louisiana woman shows that. She left Bullock County 14 years ago, but they are still voting her in Alabama, and she does not even know it. They are so rude and discourteous they do not even let a lady know when she is voting an absentee ballot in an election in my State. [Laughter.]

Senators, it is worse than you thought it was. Senator BRATTON and Senator BLACK told us that this would have to be a state-wide conspiracy; that these things seemed to be general. Certainly; that is our contention. They never intended to steal in a few counties and leave the others alone. They worked the system out. It is the smoothest scheme on record. Of course, they worked it out. Listen! Senator BLACK stood here and showed you how in north Alabama Bankhead got fifty-odd per cent of the votes and I got forty-odd per cent; in south Alabama he got fifty-odd per cent and I got forty-odd per cent; in east Alabama he got fifty-odd per cent and I got forty-odd per cent, and in the western part he got fifty-odd per cent and forty-odd per cent were for me.

Do you not know that it takes a smooth fellow in arithmetic to do that? People were voted just as they wanted to vote them. In some places it would be almost solid for me and a light vote for Bankhead, and in other places vice versa; but fifty-odd and forty-odd all over the State.

They got that idea from the gambling machines. You go into one of these gambling establishments and drop a quarter or half a dollar or a dollar in, you turn a crank, and your money is gone. A fellow will say, "I will try that again," and puts in another half dollar and cranks the machine, and that half dollar is gone. The proprietor says, "Keep on; your luck will change after a while." He keeps feeding his quarters and halves in until finally it will shell out 75 cents to him. He gets it and says, "My golly, I had better go before they take my clothes." [Laughter.]

That is what happened in Alabama with the machine. The gambling house always wins. You win sometimes a little, but when the day is done and the machine is waited on and the money taken out, the house makes money every day. Why? Because it is a machine that will not let the house lose; and that is the kind of a machine they had for Bankhead and Heflin. They had it fixed so that whatever the vote was, it was running true to form in the four sections. Bankhead was always on top and I was on the bottom. But in the actual ballots cast I was on top. When they counted out the ballots Bankhead was winner.

Senators, it was the quietest situation following that election that you ever witnessed. No drum beat or sounding of the fife there. All was quiet and calm. You could see the Bankhead followers grouped around the courthouses. They were not clapping their hands for joy; they were not hurrahing and celebrating. They were quiet, whispering around in little knots and groups; there was no rejoicing.

They phoned from all over the State to me and to Judge Wilkinson at Birmingham, "We never saw anything like it. The other side is not rejoicing; there is no handclapping, no cheering and applauding." And old man Reese, down at Eutaw, Ala., wrote me a letter that explains it. He said: "Did you ever know of a thief going down the street in possession of stolen goods hollering about it?"

That is the situation we had. They had stolen it, and they did not holler. Then what? They said: "Now, Tom, you are a brave warrior. You made a good fight. You ought to be satisfied getting 100,000 votes on an independent ticket." I said, "Yes; I got over 200,000." They said, "If you will be a good fellow and take your medicine, we will be back with you in 1932. You go out March 4, 1931, and just rest until 1932, and there will be no trouble at all. We will just put you right over." I would not accept the deal.

They said, "Bankhead has 50,000 majority. You will have a hard time overcoming that." I said, "Yes; they could have given him 100,000 and got the votes from where they got the 50,000, just as easy as they could have given him 50,000. I am going to take it to the Senate. We have a place, thank God, where sworn men from sovereign States

of the Union will go to the bottom of it. I am going to have the ballot boxes taken to Washington. I am going to take the election papers up there. I am going to have a thorough investigation, and when it is over you will be vindicated, I will be vindicated, and Mr. Bankhead and his crowd will be repudiated."

But what have we had done? Shut off before our case is more than one-third finished, denied the right to produce rebuttal evidence, or to go on taking testimony to prove the things we had laid out to prove. That is the situation we have.

I want to read a line about the law on mandamus. Senators, you who are interested in this law proposition, listen to this statute from Alabama. Section 549 of the Alabama Code provides as follows:

No jurisdiction exists in or shall be exercised by any judge, court, or officer exercising chancery powers to entertain any cause or proceeding for ascertaining the legality, conduct, or results of any election except so far as authority to do so shall be specially and specifically enumerated and set down by statute; and any injunction, process, order, or decree from any court, judge, or officer in the exercising of chancery powers, whereby the results of any elections are sought to be inquired into, questioned, or affected, or whereby any certificate of election is sought to be inquired into or questioned, save as may be specially and specifically enumerated and set down by statute, shall be null and void, and shall not be enforced by any officer or obeyed by any person; and should any judge or other officer hereafter undertake to fine or in anywise deal with any person for disobeying any such prohibited injunction, process, order, or decree, such attempt shall be null and void—

That is the State statute reply to Senator BLACK—

and an appeal shall lie forthwith therefrom to the supreme court then sitting, or next to sit, without bond, and such proceeding shall be suspended by force of such appeal, and the notice to be given of such appeal shall be five days.

Why, Mr. President, you can not get out a mandamus in my State against a primary. That matter was all discussed in the conference where Senator BLACK sat and they agreed that injunction was the process, and that was employed. One supreme court judge sustained it, and the other four merely passed the question by by saying they had no jurisdiction over the case.

There is another matter I want to bring to your attention. Here is a letter from Judge Wilkinson, my chief counsel, to me, April 24:

The press reports of debates in the Senate indicate that some attention is being paid to the proposition that you did not take any steps through the courts to prevent Mr. Bankhead's name from being on the ballot in the general election, or rather I should say that Mr. Bankhead's supporters are apparently stressing that proposition. I do not believe that any lawyer who has studied the case would claim that there is any merit in that suggestion.

First, get it clearly before the Senate that under the law of Alabama nomination is a condition precedent to the appearance of one's name on the ballot. This is not the law in many States of the Union. It is the law of Alabama. It does not make a particle of difference whether anybody raises the question before the election. The law raises the question at all times and under all circumstances. There is no authority of law for placing a person's name on the ballot in a general election unless the person whose name was printed on the ballot was nominated in one of the ways prescribed by the statute of the State.

Section 462 of the Code of Alabama is the sole authority for officials in Alabama printing the names of persons on the ballot in a general election. That section of the code limits the authority of the officer to cause to be printed on the ballot to the names of persons who have been nominated in one of the ways prescribed by statute. If Mr. Bankhead was not nominated in the way and manner prescribed by statute, then there was no authority of law for printing his name on the ballot in the general election. There was not only no authority for printing his name on the ballot but it was a violation of law to do so.

Mr. President, I shall include the remainder of that letter in my remarks.

The matter referred to is as follows:

Second. If Mr. Bankhead's nomination was void, because he was not nominated in the kind of a primary recognized by the laws of the State, as Judge Thomas so aptly expressed it, then no action or failure to act on your part could impart any vitality to a thing that never came into existence.

Judge Thomas very clearly holds, on page 267 of the Two hundred and twenty-first Alabama Reports, "that the primary election called is not the kind of primary that may be held under the law and at public expense in the State of Alabama." If the Senate agrees with that, and it must do so or repudiate Senator BLACK,

who agreed with Judge Thomas, and Judge Anderton, who supported Mr. Bankhead and who is now running against Senator BLACK, then Mr. Bankhead was not nominated. The alleged primary was an abortive affair. No nomination could come from it. Not having been nominated, the law denied Mr. Bankhead a place on the ticket in the general election.

To argue that any failure on your part to prevent his name from being printed on the ticket affects the matter one way or the other, is to argue that your conduct must determine whether Mr. Bankhead's name was lawfully on the ballot in the general election, instead of the law of the land determining that fact.

It was up to Mr. Bankhead to get his name lawfully on the ticket or suffer the consequences of his failure so to do. You had a right to get your name on the ticket and run as a candidate before the people. Your candidacy did not in any way amount to a waiver of Mr. Bankhead's failure to get his name on the ticket. You could not waive it if you wanted to. The law and not some candidate determines whether a man's name is lawfully printed on the ballot. A failure to object does not change the proposition in any way. A thing that is void is void. Mr. Bankhead was either lawfully on the ballot or he was not lawfully on the ballot, and no conduct on your part can properly be looked to in determining whether his name was lawfully printed on the ballot. What the law said he must do, and what he in fact did, are the factors that settle that question.

You will of course make it plain that in every speech you made in Alabama you challenged the lawfulness of Mr. Bankhead's nomination, and his right to have his name printed on the ballot in the general election. Mr. Bankhead was advised by Judge Anderton that any election held under the resolution adopted in December, 1929, "would necessarily be declared null and void on insistence of the party discriminated against" (pp. 49-50 my original brief).

Third. The Senate should be informed of that line of authority holding that a contest of the election is the only way in which this kind of a question can be raised. I do not have those authorities at hand, but I recall some of them in my investigations in the Supreme Court library at Washington. Courts have expressed themselves as being reluctant to stop the printing of a name on a ticket, as cases involving questions of that kind come up during the heat of a campaign and quite frequently the time for deliberation is very short.

Mr. Bankhead was nominated in August if he was nominated at all. Our supreme court was in vacation and did not resume until the last of October or early in November. It would have been an impossibility for you to have gotten a case through the supreme court between the date following the primary, when a certification of his name was attempted, and the date of the general election. I mention that to show the soundness underlying the rule referred to.

It is considered the better practice to decide these questions afterwards rather than before the election. For that reason you will find the authorities holding that a contest is the approved way of determining the lawfulness of a nomination, or rather that the lawfulness of a nomination is one of the things proper for determination in a contest.

Don't lose sight of the fact that every voter in Alabama was denied the right to write or stamp your name on the primary ballot, by an official ruling of the chairman of the committee.

The Senate should be impressed with the fact that the Democrats of the State were denied the right to nominate you and that you were denied the right to become a candidate.

It is as clear as the noonday sun that Mr. Bankhead was never nominated and for that reason could not have been elected.

Elections derive their force and effect from conformity to law, not from the fact that so many persons participated in a performance that was called an election. There is no such thing as a voluntary election or a de facto election. An election is valid or void. There is no middle ground. For that reason the alleged primary election was void, and being void it could not become the basis of a valid election in November following.

With best wishes, yours sincerely,

HORACE C. WILKINSON.

Mr. HEFLIN. We have heard much said here about there being no fraud and corruption in this election. Mr. President, we do not have to prove that a person was out buying votes to show there was corruption in the election. There are other ways to show fraud and corruption. Opening and going into ballot boxes in violation of the law is corruption. You are corrupting the very sources of the election power, the ballot box itself, with the ballots sealed and locked within it. When they break and go into that they are doing it for a purpose. They are guilty of fraud and corruption when they do that.

I think I have shown beyond question that Senator Bankhead had knowledge of all that was done regarding the primary and was a party to it and is the beneficiary of it. Now, I want to discuss another phase briefly. I can only touch upon the different phases.

They said that some of my own witnesses said, "Yes; the election was fair." "Were you there when the votes were

counted?" "Yes." "And it was fair and square?" "Yes." On cross-examination Judge Wilkinson asked, "Were you where you could see the names that were on the ballots?" "No, sir." "Then you do not know whether he was calling them correctly or not?" "No, sir." "You heard them called and if you were clerk you put them down?" "Yes, sir." "And they counted up what you had on the sheet?" "Yes, sir." "Then you do not know of your own knowledge whether the names were called off the ballots right or not?" "No, sir." "Who called them?" "One of the managers." "Who was he?" "He was a Bankhead man."

Not in one instance in the whole State have we been able to find where a Heflin manager or representative called off the ballots. Senators, that is significant. If they wanted a fair deal they would have said, "Heflin has already given notice that if this election is stolen he is going to contest it. We want it to be so fair and clean and just that he will have no ground. Let this thing be fair. John Jones, you are a Heflin manager, call off these ballots. Then when you get through with them roll them as the law provides and seal them and lock them, and when we go to get them we will find them in that condition." That would have been fine. That is the way to hold an election. That is the way to have the proof so it will mean something when you bring it here. What is a ballot worth in a box that is opened when you bring it here? You can not tell who voted it. There were 58,000 not numbered at all. Half the others were numbered in some fashion and the other half unnumbered. How does that happen? Some were numbered with pencil and some with ink. How does that happen?

The law provides that they shall be numbered in ink, not that they shall be voted in ink. That impression has been made here, but it is not true. You can vote with pencil if you want to, or with pen and ink, but you have to number them with ink. Why? Because you can not erase an ink figure like you can a pencil figure. It was done to prevent the ballot-box thieves from manipulating the election. That was the purpose of that provision. Now they stand here and do not deny they did not number them in ink. They say they numbered them in pencil and it does not make any difference. The law says it does, but these Senators say it does not. Which are you going to accept, the law or Mr. Bankhead's partisan supporters in this body? That is the question.

I want to cite to you some of this testimony and just what it means. Mr. Evins asked if the ballots were counted correctly. "Yes, sir." Then Judge Wilkinson cross-examined him.

Mr. WILKINSON. You don't know whether the results were correct or not?

Mr. DEMOTT. I know what they called out.

Mr. WILKINSON. You took the results of what they called out?

Mr. DEMOTT. I took the results of what they called out; yes, sir.

Mr. WILKINSON. You could not see how the tickets were marked as they were called?

Mr. DEMOTT. No, sir.

Mr. WILKINSON. Who called out the ballots in the box?

Mr. DEMOTT. Grover Hancock.

Mr. WILKINSON. Was he a Bankhead man?

Mr. DEMOTT. Well, I don't know. I don't know how Grover voted, but my supposition of it is that he was a Bankhead man. Arguments we got out of him once in a while, I suppose he was. I wouldn't think he would be for the other fellow.

Mr. WILKINSON. Did he argue for Bankhead?

Mr. DEMOTT. Yes, sir.

Then, again, Mr. Evins asked the question:

Mr. EVINS. Were you present when the vote was counted?

Mr. COONER. Yes.

Mr. EVINS. Who called the ballots out?

Mr. COONER. I think Mr. Legree, manager for the Bankhead Democratic ticket (see p. 617, book C), called the most of them.

Mr. EVINS. Did you look at them?

Mr. COONER. I saw them, but I did not look at every ticket; but so far as I know, that box was all right.

Mr. WILKINSON. The man that called the ballots that night was a Bankhead supporter, wasn't he?

Mr. COONER. Supposed to be.

Then the next—this is from Senator HASTINGS's minority views:

I refer next to section 3 of your report—

This is Mr. Hampton's statement about that report—

"Efforts by corporations to influence their employees," to which I think the contestant has clear ground for exception.

We take exception to Senator HASTINGS's report on this particular point.

You state that there were 17 witnesses who testified that certain corporations were endeavoring to influence their employees to vote for Mr. Bankhead, but that you were not greatly impressed with these charges. I am forced to believe that the synopsis of the testimony which was submitted to you for the purpose of your report must not have clearly stated the substance of the testimony with reference to this charge. I hope that you and the committee will not be content until you read the testimony itself upon this point. To show you how impressive the testimony indeed was and just how outrageous were the conditions portrayed by the witnesses, I will refer briefly to the testimony of Mr. J. A. Greene, who voted in beat 21, Walker County—

That is Mr. Bankhead's home county—

and who testified as to the pressure, influence, and intimidation brought to bear in Mr. Bankhead's behalf by the Alabama By-Products Co., operating in that locality. The election there was held in the office of the Alabama By-Products Co. Mr. Greene's testimony begins at page 54 in book A. He was a watcher for the independent ticket headed by Senator Heflin. He testified that Mr. Miller, engineer for the Alabama By-Products Co., was one of the managers of the box. That Mr. Sherrod, commissary manager for the Alabama By-Products Co., was one of the managers of the box. That a man named Harve Davidson was known there as the "pistol man" for the Alabama By-Products Co., and acted as one of the managers and as the officer at the election, and stayed around the polls talking and generally assisting in holding the election. That Davidson was what is generally known there as a "company deputy"—that is, that he had been appointed a deputy sheriff in the employ of the Alabama By-Products Co. He was known as the "pistol man," presumably because he went armed with a pistol. The witness Greene stated that he presented at the polls his written appointment as a Heflin watcher and it was received by this "pistol man" for the Alabama By-Products Co., Harve Davidson, but that he, Greene, was not recognized and no attention was paid to his appointment as a watcher.

Yet you are told that I had representation at all these places.

Testimony upon this point was as follows:

"Mr. WILKINSON. All right; now what happened when you presented your watcher's certificate there?

"Mr. GREENE. Well, not anything, except they just didn't appear to pay any attention to it; that is all."

Then Mr. Hampton said:

The witness Greene further testified that the company deputy, the "pistol man" of the Alabama By-Products Co., who was helping hold the election, cursed him and told the witness Greene that if he, the witness, was going to vote for Heflin he might "get his junk off of the company's land, pasture, fences, and all."

And yet Senators are told what a sweet, nice, balmy day election day was and how everything went off smoothly, with no intimidation, no coercion, no fraud, no corruption. Yet here is the "pistol man" lording it over the people at the polls and telling this man who was supporting me to get "his junk off the company's property," driving him away from the polls. That is what happened down there; and yet Senator BLACK says that Senator Heflin has had time to show corruption and fraud and intimidation and he has not done it. Well, here is a sample of it that we plucked down there in six days' examination of some of the witnesses. We were told on the evening of the second day that we would have to quit in three more days. We happened to get them to agree to give us four days, and then we had to dismiss hundreds of witnesses without even touching the bulk of our testimony in middle and south Alabama, which is still untouched, still ready to be produced to establish my case and close it in due and legal form.

The witness stated that he was at that time renting land from the Alabama By-Products Co., upon which was located a pasture in which he was keeping cattle. This witness Greene further testified that his brother, Robert Greene, who was at that time working for the Alabama By-Products Co., voted for Senator Heflin—

Listen—

and that two days thereafter the company discharged him.

Yet Senator BLACK does not seem to know about this. He is not as well acquainted with my side of the case as he is

with Mr. Bankhead's side. The company discharged this man. In my State the law provides as a penalty for the intimidation of voters a fine of \$500 and imprisonment if the judge sees fit to impose it. Have any of these people been prosecuted? Not one. Have they been indicted? Yes; in some places; and a Bankhead partisan judge has dismissed the indictments and no prosecutions have been had.

That is another part of the trail of the serpent of corrupt politics in my State. Prosecuting attorneys have discharged county solicitors for supporting me. They did it in my own home county. A young man by the name of Jackson, one of the finest young citizens of my State, a good lawyer, and county solicitor, supported me, and the circuit solicitor fired him for doing that. Intimidation! There it is; rank. Coercion! Telling these people, "If you are going to vote for Heflin, get your junk off the company property." His brother comes up, a free-born white man, standing at the threshold of that greatest of all places, the ballot box, to cast his ballot as he chooses. He is turned upon by the pistol man and told to get off the premises, to move out, to quit; he is discharged. That is the reception they got around the Bankhead polling place, and this was in Mr. Bankhead's home county.

I will tell you another thing they did down there. They had a fake telephone in the polling place right on the table or the counter where they were holding the election. A Bankhead manager by the name of Williams would take up this phone like he was talking to the outside and say, "Hello, hello; is that Huntsville; is that Gadsden?" "Yes." "How is everything?" "Everything is going for Bankhead?" "That is good." "Everything is going for Bankhead?" "Yes." Then, "How is it down there?"—he is telling this, you know—"It is going for Bankhead down here, too." "Is that so?" "Yes. Heflin has withdrawn from the race." That was right in Mr. Bankhead's home county, and this manager was a Bankhead manager and a Bankhead witness at Birmingham, and he was making the statement as voters came up to vote, to frustrate, annoy, intimidate them, reporting that Bankhead was carrying the State in great fashion, and that I was being beat and that I had withdrawn. That phone was not connected with any phone outside; it was a dead, dummy arrangement; and yet that went on in Mr. Bankhead's home county by one of his managers. But Senator BLACK would have you think that the whole thing was a sweet-smelling geranium. [Laughter.]

The witness stated that the company's "pistol man" was there when his brother voted and saw him vote for Senator Heflin. The witness further testified that this company deputy or "pistol man" was active in the polling place supporting Bankhead and was watching how people voted, looking at their tickets.

That is in the evidence taken at Birmingham. We have got a secret ballot or are supposed to have. You have got no right to intrude yourself upon the privacy of the sovereign citizen as he expresses his will at the polls, but here was a pistol man walking up and prying into these affairs and peeping over and watching how people voted, intimidating them. If he saw them voting for me, it meant the loss of their jobs. If they questioned his right to look at them doing it, they would lose their jobs. So they submitted. Senators, that is the situation we had, and this was in Mr. Bankhead's own county.

The witness stated that the company's officers, Miller and Sherrod, managers of the election, were both supporting Bankhead and that the conditions were such that he, the witness, a Heflin watcher, left the polls in the afternoon, and he did not return because he did not think there was any use of going back.

Senators, an old Baptist preacher up in Shelby County voted an absentee ballot for me. His ballot is over here marked for Mr. Bankhead. The supervisors found it marked for him. When he went in to deposit his absentee ballot, what do you suppose he said? This gives you an idea of the general impression about what they expected the Bankhead managers to do. When he deposited his ballot he said, "Something told me that my ballot was a gone goslin'." And it turns up here marked for Bankhead. What impres-

sion does it make on your mind that that man believed that his ballot would not be counted as cast? And he believed right. It is here marked for Bankhead.

Senator BLACK tells you that in 13 or 14 instances a ballot voted for Bankhead turned up marked for me, and in 13 or 14 instances ballots marked for me turned up here marked for Bankhead—six in one and half-dozen in the other; there is the old slot machine again. What is that for? To say, "Oh, well, both sides engaged in this practice. Heflin's people changed ballots to him from Bankhead and Bankhead's people changed ballots from Heflin to Bankhead." Now, let us see about that.

Mr. Bankhead admitted before the committee that the county officers who controlled the election in 61 counties out of 67 were his partisan supporters. Who were in charge of the ballot boxes on election day? Two Bankhead men in every precinct except in 6 counties; they were absolutely in charge; they were in the majority. Who had charge of the ballots and the boxes after the election in 61 counties out of 67? Bankhead partisans—sheriff, probate judge, and circuit clerk—and how could anybody change any tickets from Bankhead to me except it was done for a purpose, to make it appear that these irregularities were generally practiced by Heflin's folks and by Bankhead's? I repudiate the suggestion; there is not a ballot tampered with in all the boxes that they can charge to me. My friends were not in control at the polls. They were not in control at the county courthouse. We never had access to the ballots. They had them all the time. So whatever changes have been made, it lies at their door to explain, and they can not explain. That is what you have.

Now, a little further on the purchasing of votes. I want the Senator from Alabama to hear that.

With respect to paragraph No. 2—

This is Mr. Hampton speaking to Senator HASTINGS—

of your report of the testimony, under the head of "Purchasing votes," you state that there were 14 witnesses who testified either to the direct purchase of votes or the offer to purchase votes, but you conclude your paragraph by stating, "There is no testimony connecting Mr. Bankhead with the purchase of votes."

My good friend from Delaware just misused on that a little. They do not have to connect him with it. If that were true, all you would have to do would be to supply the money to your campaign forces and go to Europe; and when you came back, the election would have been bought and then your friends could say, "Why, he had nothing to do with it. He was away when the theft and the purchase were made."

Newberry tried that. He said, "I did not spend all that money. My brother John spent it." But the Senate said, "Whoever spent it, it was spent in your behalf, and you are responsible for it, and you will have to pay the penalty." Finally, lashed and pursued by the gallant fighter from Wisconsin, young BOB LA FOLLETTE's father, he resigned his place in this body and sought the tall timber in Michigan.

You do not have to connect the candidate himself with these things, although we have shown in the testimony that Mr. Bankhead contributed money in January. The primary was not until August 12. He contributed money in January, and the circuit clerk who received it said this fund was raised to pay poll taxes; and the law of my State says that if you pay another's poll tax, you violate the law. There is a penalty provided for it. That is what was done.

We have a lead in Mr. Aarhus's and Creech's reports of \$3,500 that was spent through Congressman BANKHEAD's office in behalf of his brother up there in Lamar County, I believe it was.

We have a lead that \$3,500 was spent through Congressman McDUFFIE's office, through his secretary, in Clarke County, Ala.

We have a lead that Mark Black, of Luverne, in Crenshaw County, handled \$5,000, and that another man down there—McGovern, I believe—handled \$5,000.

That is not all. We have a lead there that would startle the Senate and the country. Mr. Pettus, chairman of the

State committee, came to Washington to get some campaign funds from Mr. Jouett Shouse, chairman of Mr. Raskob's committee. Mr. Pettus came up and asked Mr. Jouett Shouse for some money for the campaign in Alabama for Mr. Bankhead. Mr. Shouse said he did not have very much money, and he needed it for the congressional districts, but he gave Mr. Pettus \$1,000 and told him to go to New York and see Mr. Raskob. Mr. Pettus went to see Mr. Raskob, and Mr. Raskob told him, "I do not like the situation in Alabama. The people do not seem to be taking any interest in Bankhead. They do not seem to be for him; but if you will go back down there and raise \$50,000, I will get up \$250,000 more, and get it to you by the 25th of October to use in the closing days of the campaign."

We have not had a chance to follow up that lead by Mr. Aarhus. Senator GEORGE and Senator BRATTON would not agree to employ anybody, it made no difference what they had, who had ever worked for the Nye committee.

I submit that that position is untenable. I can not understand it. There it is—\$250,000; and Aarhus, commenting on it, says, "There must be truth in this." Pettus returned, and he called on Crawford Johnson and a banker down there, Oscar Wells & Crawford, another, and the Bardeleben Coal Co., worth a million dollars, each of them, easily, to double their subscriptions, and they did.

We have not been able to follow up that lead; but the Senator from New Mexico, Mr. BRATTON, tells the Senate solemnly that I have had full opportunity to be heard and close, although these are the facts that I am giving you.

We have a lead on New Orleans. Mr. Creech, the other agent, has the notes where \$800,000 was handled, giving the names of those who handled it and the names of the men in Birmingham who distributed it in the State. We have not had a chance to run that down. We do know that either two or three days after the election, Mr. Bankhead went to New Orleans. The papers announced his presence there immediately following the election. Whether there is any significance in that I do not know; but I am telling you what these investigators have upon the program for investigation that we have never had the opportunity to investigate.

Now for a little more of this purchasing of votes.

The chairman said, "There is no testimony connecting Mr. Bankhead with the purchase of votes." Why, certainly not. You know that if a candidate would let them catch him buying votes himself, you would not have to hit him with a club. You could just thump his brains out. Of course, you are not going to catch a candidate connected with buying votes. Thump them out! You could not catch a child doing a thing like that.

Mr. Bankhead says, "I had nothing to do with it. I know nothing about it." You do not have to connect him with it. It is enough to know that he got the fruits of it; and the Bible says, "By their fruits ye shall know them"; and it says another thing: "I brake the jaws of the wicked, and plucked the spoil out of his teeth." That is what I am asking for here.

They got away with this. They politically assassinated me with the primary machine they had, and Mr. Bankhead was nominated in a primary that was illegal and void, in a primary where all sorts of crooked practices were resorted to. They held back the returns for days and days and days; and instead of publishing them in the open, as always heretofore, they go down to the secret tax assessor's office in Pettus's home county and count them there, and give out only the returns for governor and Senator on September 1. Why did they delay all that time? Let them explain.

For ways that are dark and tricks that are vain
Let Ed Pettus rise and explain.

He can not explain it.

I would call attention in this connection—

Mr. Hampton says—

to the testimony given in book C with respect to the purchase of votes and the offers to purchase votes in Jasper, Ala., Mr. Bankhead's home city, and particularly to the testimony of John W. Madison, beginning at page 656 in volume 3 of the official report

of the testimony. Mr. Madison testifies that he was approached by Drew Argo, of Mr. Bankhead's home county, who inquired of him as to which senatorial candidate he intended to vote for. Upon being told that Mr. Madison intended to vote for Senator Heflin, Mr. Argo informed him that if he would vote under the rooster (Democratic) there was something in it for him. Argo went on to inform Madison that he, Argo, was paying \$2 each for votes.

I want the junior Senator from Alabama [Mr. BLACK] to get that.

Argo went on to inform Madison that he, Argo, was paying \$2 each for votes.

In answer to a question, he informed Mr. Madison that he wanted Madison to vote for Mr. Bankhead and stated that he was making that offer in the Bankhead interest. Mr. Madison refused Argo's offer; but later on election day when Madison was in the sheriff's office in the courthouse in Jasper, Argo sought him out again and told him he would pay \$4 each for the 5 votes in Madison's family.

That ought to be comforting to the junior Senator from Alabama [Mr. BLACK].

He told Madison he would give him scrip or an order that he could take to Phillips & Stanley's store and that Phillips & Stanley would pay the money on the order. Phillips & Stanley's store, according to the testimony, is in the same building in which Mr. John H. Bankhead's law offices are located. Mr. Bankhead's office being upstairs and that store being downstairs on the ground floor. Mr. Madison testified that for a period of an hour he stood around in Phillips & Stanley's store and watched people come from the courthouse, where the election was being held, and go in Phillips & Stanley's store and present scrip to Bill Stanley, who was paying out the cash upon the scrip.

Does not that connect them up with buying ballots? Yet Senator BLACK says we summoned witnesses from all over the State, and they proved nothing of corruption and buying votes. If he had just read this part of the testimony, he would have been better informed.

Mr. Madison stated that he saw this scrip being presented and money being handed out in return for it. Mr. Madison put the number of people that he personally saw present scrip and receive money for it at five or six.

Just one witness telling that he saw voters going into the voting place, voting for Mr. Bankhead, and taking scrip from Mr. Argo, and the scrip was honored down there by Phillips & Stanley in the building under Mr. Bankhead's office. They were paid the cash. Madison saw it—money received, bartering the ballot in Bankhead's own county in the State of Alabama!

Senators, if we had been permitted to get testimony down there for six or seven more weeks, we would have honey-combed that State with the most corrupt political machine situation you ever witnessed. They shut us off, deny us the right to get the evidence, deny us the money with which to do it, close the case in my absence, bring it to the floor of the Senate, and then stand here and assert that I had been heard on all the phases of the case!

Senators, it is inexcusable and indefensible to make those statements here. They are absolutely untrue.

I want the truth known to this body. I want the country to know it, and there is one place where they will know all the facts, and that is in a forum in my State, the State of Alabama. God bless that dear old State. It has never turned its back on me, and I have never lowered my arm in battle for it, and, so help me God, I never will.

They said it would be better for me financially and otherwise to accept the verdict of the machine, fall in line with it, and go on, that they would return me to office. I would spurn such return to office. I do not want office that way. I do not want any person to vote for me who does not want to vote for me. I do not want a vote procured for me through the use of money or intimidation. It has never been done. I would not permit it. I have been elected by the people in the free exercise of their ballots for 27 years, in the House and Senate, until a corrupt, purchased machine, purchased as you would buy a sheep in the market place, determined to strike me down politically.

As a direct result of all this fraud and corruption and illegality, a nomination came out of a void concern. Mr. Bankhead's name was no more legally on that ticket in Alabama than the name of one who lived in another State and was not a candidate for the office.

"This is what they said: 'You go ahead and put him over, and in the general election we will take care of it. We will give Bankhead such a majority, and we will do it so smoothly, we will spoil out the tracks of the 'tricksters.' They will have a hard time proving we stole it, and Bankhead will stay up yonder and our conduct will be approved.' Then in the future good-bye to all honest, God-fearing candidates. They will take possession and rule as they choose.

Senators, you must not do that. You want to smash this thing, crush it, put it down in its incipient state. If you put the stamp of your approval on it, you set a dangerous precedent. They will be rising up and saying, "Oh, well, you know what they did in the Heflin-Bankhead case. They did not prove this, and they did not prove that." We stand ready to prove it all. We stand at the door and knock to get evidence, and we can not get a chance to produce it.

The case was closed in my absence. Did you get that? I was on the train returning Saturday night. Senator HASTINGS, chairman of the subcommittee, had been told by me that I was going out to speak in Illinois on Friday. He said, "Yes; go ahead; the subcommittee will not meet until Monday." Nobody contemplated a meeting of the full committee, and I left. I was sitting in the train coming home when I read, "Bankhead recommended favorably by 9 to 8 in the full committee." It was astounding to me, of course. I was somewhat interested, being the contestant. The committee had been called to consider the Dickinson resolution and the Bailey case; and while they were there, my "friends" decided they had a majority, and they put it to the test and voted to close the case, with me, the contestant, away.

I had never had notice of the meeting. My attorneys never had notice. We had had no agreement to close our case. We have not closed it yet. Yet they closed it and shut the doors in my face, and we are forced upon this floor to fight when my case has not been closed; and there are hundreds of witnesses down there who could testify to all these corrupt things, but we have not been able to get them.

Is that fair treatment? Is that the way to treat a contestant? Is that the way to treat a man who served in this body with you for nearly 11 years? And without boasting, I state that you can not point your finger to a single dishonorable act of mine. You can not point to a vote I cast that was not on the side of good government and on the side of the masses of the people of this country. I never lifted my voice or my hand in opposition to the great fundamental principles of my country and the welfare of the people of my country.

It is just a few months since I stood here in my own right; but I come back and find some of my Democratic comrades voting to deny me the right to appear here and say a word, after closing my case in my absence. It hurts me in my heart, I repeat.

This was election day that Mr. Madison was talking about, in Mr. Bankhead's home town. I read further:

This was on election day and while the voting was going on at the courthouse. It is true that other people had offices in the same building.

I, of course, do not contend that the testimony here given would convict Mr. Bankhead himself of bribery or that it definitely connects him with Argo's unlawful conduct. This much can be said, however, the offer to bribe was committed in Mr. Bankhead's interest, according to the testimony; and for the purpose of showing that the election was corrupt, the result is the same whether the bribery was done by Mr. Bankhead's order, knowledge, and consent or by his agents or supporters upon their own initiative. It is significant that 14 witnesses brought from the very limited territory covered in the Birmingham hearings testified as stated in your report, either to the direct purchase of votes or the offer to purchase them, and that in every case this bribery and attempted bribery was perpetuated in the interest of Mr. Bankhead.

Senators, there is not a scintilla of testimony that I or any of my followers violated the law. We were fighting to uphold it. There is not a piece of testimony which seeks to establish that I or any of my followers spent any money in trying to buy votes. They did put one witness on the stand down there, a Doctor McCullum, a Bankhead witness, to swear that a fellow by the name of Leith offered him \$500 to

support me and Judge Locke. Judge Wilkinson turned to the book, as the supervisors found the votes cast, and found that Leith and his wife had both voted for Bankhead and that McCullum himself had voted for Bankhead. They brought that miserable story in there, that one man had offered \$500 to get them to support us. There was not a word of truth in it, and Judge Wilkinson on cross-examination said:

Are you the same man who had a store burned up there not long ago?

Yes, sir; I had one burned.

You moved the goods out just before the store was burned, did you not?

Well, no, no.

Well, the State marshal and adjuster would not pay you for it until you compromised. Is not that true?

Yes; that is true.

You can stand aside.

He was the only witness who swore that money had been offered for us, and he almost admitted that he burned his own store for the insurance money. That is the trail of the crooked political serpent that is over all of this stuff. I will put some of these other references to the same character of doings in the RECORD.

Mr. President, let me show a little something about the condition of some of the ballot boxes, how they were found, in some of the counties down there, the condition in which the supervisors found the boxes when they went to get them. The ballot box is supposed to be locked and sealed and the ballots preserved inviolate, so that if there shall be a contest, the ballots will show just what took place in the voting precinct. But not so as to these ballots.

Here is the record of the county of Dallas, the county of the chairman of the State committee.

Precinct 36, box 6: Locked but not sealed.

Precinct 36, box 3: Locked but not sealed.

Box 4, box 2, box 1, box 5, in the same precinct, all locked but not sealed.

You know how easy it is to unlock a lock when you have the key, but if you break a seal, that will tell the tale. So the seal was gone, and the box was just locked, and they had the key. So it goes all down, except as to eight boxes out of twenty-odd, I believe. That was in his home county; and thereby hangs a tale.

I spoke in the town of Selma to more people than there were voters in the county. I spoke to about 4,500 or 5,000. I polled the audience, asked that all who were going to support me to stand up, and asked those standing to hold up their hands. It was a glorious sight. After they sat down I asked all who were going to vote for Bankhead to hold up their hands, and there 4 out of over 4,000. That was in this one county. They told me that I would carry the county by seven or eight hundred majority, but the Pettus crowd said, "He will get 700 votes." And they gave me 700. They are good mathematicians, I will say that for them. They said I would get 700 votes, and that is what I got. So the way the people voted did not count in the general election.

Here is the record of the county of De Kalb, which I carried by probably two or three thousand; but they gave it to me by three or four hundred.

Mr. Creech says:

My first effort to check on the ballot boxes, April 7, 1931. Deputy Sheriff William R. Biddle stated that Sheriff Sidney W. Pope was out on a raid and did not know when he would return; that neither he nor the sheriff had the key to the cell in which the ballot boxes were stored. Former Sheriff L. J. Campbell had the key to this cell. That Sheriff Pope had never had this key.

Probate Judge George L. Malone related to me some of the conditions existing in their county. I was impressed with the importance of the committee securing the boxes in this county.

Deputy Sheriff Biddle made an effort to locate former Sheriff Campbell and returned to the courthouse, stating Mrs. Campbell had received a telephone message from Mr. Campbell saying he was at some distant point and would not get back that day.

At 7 o'clock on the morning of April 11 I telephoned Sheriff Sidney W. Pope that I would be out about 9 o'clock to check up on the boxes and be with him to see they were delivered to the postmaster. He told me he would be prepared to turn them over for shipment.

Now listen:

On my arrival, and meeting the sheriff, he informed me of the conditions having been changed since my telephone conversation with him. He had an order from the judge of the ninth judicial circuit court—

A supporter of Mr. Bankhead, of course—

restraining him from delivering the boxes until April 11, 12 o'clock noon. This order was extended to April 18, same hour, 1931, until further orders. It became more fixed in my mind that this county was the most important county out of the 16 I had checked. We need positive information that the poll sheets are in the boxes with the other records.

What happened there? In order to keep this county out of our hands they pretended that they had a contest locally and would not let us have the boxes. We finally had to get an order from the Federal judge down there to get the boxes. And yet, according to the speech of the Senator from Alabama [Mr. BLACK] and the Senator from New Mexico [Mr. BRATTON] we have had a chance to do all things that were necessary to be done and everything has been done most graciously to serve us. We had to get these papers through a writ in the Federal court to ever bring them here at all. What else?

Down in the county of Bibb, which I carried by anywhere from 1,000 to 1,200, they gave it to Bankhead by 700. In the county of Henry, which I carried probably by a thousand, and in the county of Houston, which I carried by a thousand to fifteen hundred, they gave Henry to me by less than 100 and Houston to Bankhead by over a thousand; and when we went down to get the ballots, what did they tell us? They said the ballots had been burned. And yet Senator BLACK and Senator BRATTON would have you believe that everything was lovely and that everything was done to serve our needs and help us get evidence.

They violated the law. They burglarized these ballot boxes. They saw that I had carried those counties. They certified that Bankhead had carried them and they burned the ballots to destroy the evidence. That is what happened. What other conclusions can you reach? The law requires the ballots to be kept locked and sealed for six months. They were burned in December or January, as soon as my resolution was offered here to seize the boxes. Did anybody encourage them in burning them? A strong Bankhead supporter, Probate Judge Crosslin at Montgomery, Ala., the capital of the State, was quoted as saying that they could burn the ballots. The Montgomery Advertiser, a paper supporting Bankhead, had an article saying, "When the Senate committee comes to Alabama to seize the ballots they will find nothing but ashes." And yet the Senator from Alabama, Mr. BLACK, and Mr. BRATTON would have you believe that all was lovely down there, and that nothing out of the ordinary had been done.

You can not find another contest like it in the history of our country. Cite me to another place where they laid ballots in by the sheaves that could not be put in the slot. Cite me to where hundreds of ballots were found neatly folded like money stacked in a bank in a pad, never unrolled or unfolded, just like they were in the original package. Find me a place where they opened and entered the boxes as they did in such wholesale fashion in Alabama.

Find me an instance where they burned the ballots as they did in my State.

Senators, what does the law provide? It provides that they shall have metal boxes with slots in them, and when they go to vote they shall put the ballots through the slot and at the end of the counting those ballots shall be rolled up. I will show you. Here is what the law provided, that they should roll up those ballots like this [illustrating] in great big rolls and then seal them. They used adhesive plaster in some places and wrapped and sealed them up, tied them, and put a sealed paper across there with the names of the three inspectors written on them. That is done according to Hoyle, according to law. Were these done that way? No. They were not found that way. Who had tampered with them? They were in the hands of Bankhead managers and in the hands of Bankhead county officials all over the State with the exception of six counties.

Just one other matter on that line. Those Bankhead people down there who burned these ballots, of course, have never been prosecuted. Not the slightest effort has been made to punish them. They were Bankhead supporters. They had charge of the county affairs. They had charge of the precinct affairs. The best way to destroy the evidence they had was to burn it and they burned it; and yet we are told here that everything was all right down there and that Mr. Bankhead has a clean bill of health and that there is nothing wrong at all in the certificate of his election.

I have shown that certain corporations sought to intimidate the voters. I have not the time to go into that except to tell you that we have shown that at the cotton mills in Alexander City, in Tallapoosa County, and other places, they sought to intimidate the workers in the mills who did not vote for Bankhead. They sought to intimidate the mine workers in St. Clair County and discharged some there who would not support Bankhead. They sought to intimidate them in Birmingham and in various other places over the State.

We intended to show by evidence that certain bankers had intimidated merchants, and certain merchants had intimidated farmers. The banker told the merchant, "If you do not vote for Bankhead, we can not take care of your account any longer." The merchant told the farmer, "If you do not vote for Bankhead, you will have to buy your goods somewhere else. I can not run you any longer," as they call it, "carry your account and supply you with provisions." The farmer said, "I can not go anywhere else. You have a mortgage on all I have. I could not go anywhere else." "Then fall in line for Bankhead."

We have shown how they undertook to intimidate school-teachers and we intended to show that all over the State they told the school-teachers that if they did not line up and vote for Bankhead they would lose their jobs. Senators, we had one case of a fine young lady teaching school. They asked who she was going to vote for. She said, "I am going to vote for Senator Heflin. My father was for him and so was my mother." "But he is not a Democrat." "Yes; he is. He is as good, if not the best, Democrat in the State." "But he is running outside of the party." "You drove him out. He tried to run inside and wanted you to have a fair-for-all primary. I am going to vote for him." They said, "If you do, we will take your job away from you." She said, "I am supporting a widowed mother and my little brother. You would not take my job?" She cried and they told her, "If you vote for Heflin, you will lose your job." We were going to put her on the witness stand.

We had numbers of instances like that all over the State, acts of intimidation galore, but somehow they were in a hurry to close the case; some on this side—the Democratic side—especially were in a hurry to close it. Was that prompted by party spirit? Was that prompted by the fact that Mr. Bankhead is an Al. Smith Democrat? Was the effort being made to use the Democratic machine to sustain a Democrat, whether he is right or wrong? If that is true, that is the wrong principle, and it can not stand up before the gaze of the honest electorate of the United States.

Highway employees were dismissed, precipitously thrown out, because they did not vote for Bankhead. Others seeking jobs were asked to sign a questionnaire, "For whom did you vote for Senator?" disclosing their secret ballots to those men who are holding up, in the interests of the party machine, a club over the head of every man and woman who sought employment in the State in these hard, depressing times. That is the fruit of this machine, and "By their fruits ye shall know them."

My supporters were annoyed and driven from the polls. Women testified at Birmingham that the situation was so annoying and distressing in Walker County and other places that they did not intend to vote any more unless those conditions changed, and yet they tell you it was all lovely down there.

Here is an incorrect qualified list for Tuscaloosa County. They were allowed to vote regardless of whether their names

were on the qualified list or not. Senator HASTINGS's report said:

In one precinct there were several persons who could vote at all the boxes in the precinct on the same day.

Senators, just think if that. I think in one beat they had seven boxes, so a man could go to box 1 and vote, and then to box 2 and vote, and to box 3, and so vote on around. What happened? They had a contest in that county before the general election, and I think it was 1,500 voters that were disqualified who had participated in the city election, and, Senators, those same 1,500 voted against me and voted in the general election November 4, 1930, no doubt.

Houston County is one of the counties where the Bankhead supporters burned the ballot boxes. They were Bankhead supporters in every county where the ballots were burned. No Heflin man burned a ballot. There was no violation of law by my supporters. Senator HASTING's report shows that one of the Alabama State examiners of conditions in Houston County said that for the year 1929 there were 530 names published by the judge of probate as qualified voters more than were shown by receipts for the poll tax paid. Listen to a line from his report:

Incident to this investigation it is very evident to the casual observer looking over the lists of the people published as qualified to vote in Houston County that there are numbers of names of persons who were not only not qualified to vote for not having paid poll tax but numbers of names appear thereon of persons who are dead, who have moved from the county. The published list of qualified voters in Houston County is not an authentic one nor is it a list that could be certified as being correct.

That is in Houston County, one of the counties where they burned the ballots.

The door of opportunity was wide open for any designing person to perpetrate any kind of fraud within his desire or to change or to falsify the real true conditions of the list of qualified voters of Houston County.

We have shown that in some places ballots were marked for Bankhead before they were handed out to the voters. We have shown that Bankhead managers left the polls and went off and got ballots, marked them, brought them back, and voted them for Bankhead. We showed in one instance—it was amusing, though it was right grim to me—that to one of our watchers it was suggested that the Bankhead manager about 4 o'clock was going out to get the vote of a certain person, and he was told, "You had better go with him and see that he gets it." This poor fellow got it in his head that that was more important than staying there and watching and preventing them from stealing the election. He went traipsing off with this Bankhead manager to watch him get this one vote and bring it back; and he said when he got back they had the ballots all out on the table and were working with them. Judge Wilkinson said, "Did it occur to you that they had taken you 'snipe hunting'?" He said, "Not until I got back." [Laughter.] And then it did occur to him. "What did you do finally?" "Well," he said, "I knowed they had done whatever they were going to do, and I just went on home."

Oh, Senators, the whole impression everywhere was that they were going to take that election; the word had gone forth to take it. They had said that all around the State, "Heflin's friends will cast the ballots, but we will count them; it does not make any difference how many votes he gets, he will not get the certificate of election." We can prove that by 500 witnesses, a thousand witnesses, 2,000 witnesses—there is no telling by how many witnesses we could get that proved. I have the affidavits here, a few which I will put into the Record, in which the affiants swear that they heard Bankhead's supporters say, "Heflin will get the ballots, but he will not get the election." One of them said, "We will steal the votes from Heflin south of Birmingham as fast as they put them in the box." Oh, they are smooth artists, Senators; they know their business. The buying of an election has become for certain politicians the most lucrative business in my State. There are 250 men in my State who are under the domination of this machine who

can nominate any candidate for governor, United States Senator, or Representative. Just get that machine and they will fix it. One can vote the other way, but the ballot will not be counted that way. I want you to help my State get back on the high plane where ballots will be counted as cast. That is all I ask.

The affidavits referred to are as follows:

STATE OF ALABAMA,

Walker County:

Before me, the undersigned authority in and for said county and State, personally appeared J. P. Braden, who being by me first duly sworn, deposes and says that during the 1930 senatorial campaign in Alabama he heard J. L. Johnson, election inspector at Jasper, Ala., say in substance and effect concerning the election as follows:

Mr. Johnson said that Heflin might get the votes but Bankhead will get the office.

J. P. BRADEN.

Subscribed and sworn to before me, this 26th day of March, 1932.
KENNETH L. JONES, Notary Public.

STATE OF ALABAMA,

Walker County:

Before me, the undersigned authority in and for said county and State, personally appeared S. S. Buzbee, who being by me first duly sworn, deposes and says that during the 1930 senatorial campaign in Alabama he heard J. E. Ross (coal operator) at Jasper, Ala., say in substance and effect concerning the election as follows:

Mr. J. E. Ross (a coal operator) said in presence of me and Mr. S. M. Hinton that they had the money and machinery with Bankhead and this would elect Mr. Bankhead regardless of how people vote.

S. S. BUZBEE.

Subscribed and sworn to before me this 29th day of March, 1932.
P. J. COMART, Jr., Notary Public.

STATE OF ALABAMA,

Walker County:

Before me, the undersigned authority in and for said county and State, personally appeared J. H. Nunnelley, who being by me first duly sworn, deposes and says that during the 1930 senatorial campaign in Alabama, he heard H. Cam Smith at Jasper, Ala., say in substance and effect concerning the election as follows:

Said that if Heflin got three-fourths of the votes he would not get the office, because it is already settled in Bankhead's favor. Mr. Marshall Lovelady and numbers heard Smith.

J. H. NUNNELLEY.

Subscribed and sworn to before me this 29th day of March, 1932.

P. J. COMART, Jr., Notary Public.

STATE OF ALABAMA,

Walker County:

Before me, the undersigned authority in and for said county and State, personally appeared S. S. Buzbee, who, being by me first duly sworn, deposes and says that during the 1930 senatorial campaign in Alabama he heard Berry Hutto (candidate for board of revenue) at Jasper, Ala., say in substance and effect, concerning the election, as follows:

Mr. Berry Hutto said "I'll steal them, buy them, change them, and do anything to make the rooster crow. I have done all this and I'm now ready. We'll beat Tom some way."

Mr. Frank Shaddix says he'll swear that he heard Mr. Berry Hutto say this in effect. Mr. Hutto was returning officer, beat 23.

S. S. BUZBEE.

Subscribed and sworn to before me this 29th day of March, 1932.
P. J. COMART, Jr., Notary Public.

STATE OF ALABAMA,

Walker County:

Before me, the undersigned authority in and for said county and State, personally appeared S. S. Buzbee, who being by me first duly sworn, deposes and says that during the 1930 senatorial campaign in Alabama, he heard Richard (Dick) Bates, ex United States marshal at Jasper, Ala., say in substance and effect concerning the election as follows:

Heflin will get the votes but Bankhead has the machinery and it is oiled and greased and will give Bankhead the office. Mr. G. W. King also heard Mr. Bates say this.

S. S. BUZBEE.

Subscribed and sworn to before me this 29th day of March, 1932.
P. J. COMART, Jr., Notary Public.

Mr. Richard (Dick) Bates was returning officer beat 2, box 2.

Personally appeared before me, M. A. Springfield, a notary public in and for said State and county aforesaid, D. D. Wright, who, being by me duly sworn, deposes and says that he heard Roy Baird, a druggist in the town of Guin, Ala., say on several occasions during the campaign of 1930 that if old Tom Heflin won the election for the United States Senate that they, the Bankhead

crowd, would steal the election. Also affiant further says that he heard W. H. Cashion say that they were going to carry the Hamilton beat by 200 majority for Bankhead or steal it.

D. D. WRIGHT.

Sworn to and subscribed before me this the 22d day of March, 1932.

M. A. SPRINGFIELD, Notary Public.

Personally appeared before me, M. A. Springfield, a notary public in and for said State and county aforesaid, S. K. Henson, who being by me duly sworn, deposes and says that he heard Roy Baird and R. L. Crump say a number of times during the 1930 campaign that if the Bankhead crowd could not buy the election they were going to steal it, that they were not going to let old Tom Heflin have it, and also said they had the machinery to do it with.

S. K. HENSON.

Sworn to and subscribed before me this the 22d day of March, 1932.

M. A. SPRINGFIELD, Notary Public.

Before me, the undersigned authority in and for said county and State, personally appeared R. H. Riddle, who, being by me first duly sworn, deposes and says that during the 1930 senatorial campaign in Alabama he heard A. M. White, Hartselle, chairman of the speakers' bureau, say in substance and effect, concerning the election, as follows: "There is no possible chance for Heflin. South of Birmingham they will count his votes out as fast as they are put in."

J. H. RIDDLE.

Subscribed and sworn to before me this — day of April, 1932.
I. J. KAENT, Notary Public.

Before me, the undersigned authority in and for said county and State, personally appeared Clarence Sums, who being by me first duly sworn, deposes and says that during the 1930 senatorial campaign in Alabama, he heard R. V. Ford at Falkville, Ala., say in substance and effect concerning the election as follows: "Heflin may beat John Bankhead, but it will be taken away from him, like the election was taken from Herbert Hoover in 1928."

CLARENCE SUMS.

Subscribed and sworn to before me this 2d day of April, 1932.
V. O. CLARY, Notary Public.

Mr. HEFLIN. Senators, it is a serious thing to strike a man down who has fought his battles in the open, as I have; it is a serious thing that a man who dares to defy the machine, with its corruption, with its evil practices and wrongdoings, who tells it that he will not submit to it, and that he will fight it in the open, may be struck in the back and shot down like a dog, deprived of his rights, deprived of the right to have his own party brethren and sisters say to him whether he did right or wrong in 1928; to approve or disapprove his conduct. I was denied that right, and the man most responsible for that denial is John H. Bankhead, of Jasper, Ala.

If John H. Bankhead had told that committee, "Boys, I am not going to stand for this action; I will not take the nomination under it; it is unclean; it is illegal; it is null and void; you let Heflin in and let us fight it out; that way is fair and good for the party, and it is right," the committee would have met and rescinded its action. There is not the slightest doubt of that. He could have done that. He issued a statement freeing the members who had said they were going to vote to let down the bars. That was an invitation to them not to do it. The State committee chairman told Fred Thompson that he was threatening to run for the Senate because he wanted to operate on Bankhead and make him get two votes out of his district to put up the bars against me; and he got them—Ogden and Cobb. That is the positive proof. The votes were delivered and the bars were put up against me. Then when Judge Fite called on him to join with me and others to get them to rescind that action, he refused to do it.

Then when the right was asked to give the voters the privilege of writing my name on the ballot so as not to discriminate against those who were supporting me, he said, "No; I will not even permit that." On top of that the chairman of the State committee said, "We will not leave any space on the ticket for the writing or the printing of his name." That has always been done heretofore; there has been a space left for that. He said, "We will not leave

any space, and if his name is put on the ticket we will not count the ballots."

Senators, did you ever hear of a more complete destruction of the rights of the sovereign people in a State? Democrats, shorn of their party rights, clubbed over the head and driven out as candidates, invited in as menials to vote but not to hold office, asking for the pitiful privilege of writing the name of their choice on the ballots and refused by Bankhead, and the chairman of the State committee refusing to count the ballots? That is the most complete destruction of party rights that I have ever witnessed. They can not get away from that.

We have proved that citizens were permitted to vote in other precincts than the one in which they lived. What do you think of that? But that is not all. We have shown that the citizens of one county were permitted to vote in another county because they lived so far they could not get home time enough to vote. That was an accommodative arrangement fixed up by the Bankhead machine for Bankhead supporters. That was done in my State. We have shown that in the testimony at Birmingham, with just six days to go upon, in which to get the witnesses and examine them. Then we were shut off.

What else? Hat boxes were used, just big paper hat boxes. One man swore that he heard a fellow in a drunken party at the Morris Hotel say, "Well, they are going to steal the election from Heflin, and I am going to help do it." He said, "I have got two big hat boxes, one named Tom and one named John." That is John over there. [Laughter.] And he says, "I am to burn Tom." So he was to burn my ballots, but they were to take care of John's and nurse them through their illness. He was going to burn Tom's. Yet Senator BLACK and Mr. BRATTON would make you feel that they had the nicest arrangement down there; that it was really a May-day picnic, and that they loved me so that they would make sacrifices to see that I had a fair deal.

When I heard the junior Senator from Alabama pleading the other day and putting up such a pitiful tale for Mr. Bankhead and his cohorts, I thought of St. John's boy, at Cullman, Ala., a little fellow 6 years old. The father went home one afternoon and found Mrs. St. John scolding the boy about something. She stamped her foot on the ground and said, "You little rascal, what did you do that for?" The little boy just sat there cringing, with head bowed, his hands folded. The father said, "Mamma, you ought not to scold that boy; he is a good boy." The boy had been guilty of some wrongdoing, and the mother was trying to correct him. The father said, "You ought not to do that; he is a good boy; he comes over to the office and gets my mail and opens it up for me and helps me with it, and the other morning I heard him humming a religious tune." The little boy could not stand it any longer; he looked up, started crying, and said, "And I am going to be baptized soon." [Laughter.] So you would think that that outfit was ready to be baptized soon. [Laughter.]

With all the ballot thievery and ballot buying and ballot burning and intimidation and coercion rampant in that State, it was such a nice and delicious situation you would think that these gentlemen were nearly ready to be translated. As I heard this argument, knowing the situation as I did, I thought of the fellow at the funeral down there. They had had several deaths on Saturday, and on Sunday the hearse was busy taking caskets to this church and to that. It came to the funeral of an old roustabout who had been a very rough citizen; he had not lived the right kind of life by any means. His wife and children were sitting there. The preacher looked down and said, "The person lying in the casket in front of me was a good man." The old lady pricked up her ears and looked surprised. The preacher continued, "He was a good husband and a good father." She looked startled. The preacher went on, "All in all, I will say that he was a Christian gentleman." She says, "Ned, you go up there and lift that lid and see if that is your pa." [Laughter.]

So these things were going on at the hands of the bunch down yonder who stole the election from me, and they

were described so beautifully the other day that I wanted somebody to lift the lid and see if that was them. [Laughter in the galleries.]

The VICE PRESIDENT. There must not be demonstrations in the galleries.

Mr. HEFLIN. My watchers were threatened and prevented from doing their duty as election officers. They told my watchers in some places, "You have no right to say anything; you have nothing to do with it." Was that giving me fair representation? Not by any means.

Absentee voters were voted without their knowledge or consent. We have proved that some fellows came in to vote. They were told, "You have already voted." "No; I have not voted." You have heard that story of the old days about the animals having a convention. They asked, "What method shall we adopt for voting?" One of them said, "We will vote by the raising of the tail." Another one of them said, "That will not do, the billy goat has done voted, and you can not tell which side he is voting on." [Laughter.] So with these absentee fellows. The voter presented himself or herself solemnly to vote, but what were they told? They were told, "You can not vote; you have done voted." "I have not voted." "Yes, you did; you voted an absentee ballot." "I have not done anything of the sort; I have never applied for one; I have not voted one. I am here in person to vote. Where is my ballot?" "Here it is." "Will you let me have it?" In some instances they tore it up, and in others they got it back, and it was marked for Bankhead. He said, "I will vote mine in person," and voted for me. We had that down there, and yet they tell you that that was a glorious situation! Well, they are mighty anxious to close it. You notice that, do you not? They want to pull down the curtain on it and bid it good-night. They do not want the facts laid bare, because they do not smell good.

Think of absentees being voted when they never asked for an absentee ballot, never made the affidavit, but all that had been done, and their tickets fixed for Bankhead!

Why was that done, Senators? Because they did not believe that person was coming to the polls or that he would ever know that they had voted him for Bankhead. There could not be any other reason for it. There is no escape from that conclusion.

I mentioned Mr. Page being hired to obtain absentee ballots in Jefferson County. He got over a hundred, and took them up and got paid for them in Shelby County—Bankhead ballots. There is no dispute about that. He took a notary public with him. The law in my State requires that you have to file a request in writing, it has to be of record, asking for an absentee ballot. Here was a man employed to go out and get them, take the blank affidavits and ballots and a notary public, fix them up on the highways and the byways, and bring them in by the hundreds for John H. Bankhead.

In the report on the Tuscaloosa city election, 1930, the judge held that 900 persons voted who did not have the right to vote—900! They feasted on me just a month or so later in the general election. That is the county where the judge of probate said they opened the boxes to get the certificate of election; but he testified at Birmingham, on cross-examination by Judge Wilkinson, that he did not have to go in there to get the returns; that there was no excuse for it. That is Judge Brandon, the former governor of the State. He is the man, the judge of probate, who came and took the only manager I had out of that box. He never denied it when they put him on the witness stand—Judge Long, of Jasper, Mr. Bankhead's home town and county. The witnesses swore that he came in and abused a gray-haired, fine-looking man, who strongly supported me; that Long looked at him—he was frustrating their game and hindering it—Long looked at him, and with an oath said, "G—d— you! We'll remember you," right in the polls, the boss of the county.

That was in Mr. Bankhead's home town. That is the probate judge of his county, where the courthouse was burned while we were investigating down there, and the

records destroyed. I think he admitted that he did not have requests for more than a hundred absentee ballots, and they probably issued seven or eight hundred.

Senators, this thing stinks to high heaven. You can not do justice to it in a speech in any reasonable length of time.

Persons were allowed to vote for Bankhead who had not paid their poll tax. Let me show you what happened at Birmingham.

Judge Wilkinson asked, "Are you a Bankhead manager?" "Yes, sir." "Were you there all day at the polls?" "Yes, sir." "You helped to count the ballots?" "Yes." "Did you let anybody vote there who was not on the qualified list?"

Now, get this point:

"No, sir; not a one." "You are certain about that?" "Not a one."

Judge Wilkinson said, "I call the Senate committee's attention to the fact"—I remember one instance where 185 of those people voted who were not on the poll list. They voted for Bankhead, and their manager said that no person voted who was not on the poll list! Then who put those names in there for Bankhead, and where were they put in? That is in the testimony.

Judge Wilkinson said, "Did you number the ballots?" "Yes, sir; I numbered them myself." Judge Wilkinson said, "I ask the committee to look in that box and precinct." The ballots are not numbered, and the managers of election swore they were numbered. Who put those ballots in the boxes that came here, and what became of those that the voter voted down there? They had skilled artists, the most skilled artists that ever assembled about the ballot box; and they had hundreds of managers, smooth artists, who were not qualified voters in the precinct where they served. That is set out in Judge Wilkinson's argument before the committee. What do you think of that, Senators?

They said that those votes were counted on the order of the probate judge. You know the law required them to number the ballots. In one county the testimony showed that the judge of probate told them not to number the ballots. Why? Because if you do not number the ballots you can not tell what ballot is yours. You may vote for me, but the ballots are loose in the box; there are no numbers, and there are 58,000 of them here with no numbers at all. But if they number them, as the law requires—and as they do in my State—if you vote first you are No. 1. Your ballot is No. 1 and your name is No. 1. They ask you how you voted. You say, "I voted for Heflin." "What is your number?" "I voted first." "All right; find No. 1." They find your ballot, and there it is. It may be changed to Bankhead and it may be marked for me; but you can trace it then. In some of the boxes some of them are numbered and some are unnumbered. How are you going to trace them?

Who monkeyed with these ballots after the election night?

Senator HASTINGS in his report says that absentee ballots for Heflin were not received and counted in many instances. What would you do about that?

The probate judges permitted people to vote who had not paid the poll taxes. They voted for Bankhead.

Senators, here is another significant thing: There is so much variety of stealing and skulduggery. The law requires the certificates of election to be signed by all three of the managers—John Jones, Bill Martin, and Sam Johnson. They must sign themselves, and sign the seal across the roll of the ballots, and sign the seal on the box when it is locked. What did we find in many instances? The same handwriting for various precincts, signing the manager's name—one and the same handwriting. What did that mean? It meant that the seals were broken at the courthouse and new ones were fixed up and put on and that one of the managers wrote the names of all three of them. They never had any idea that the ballots would come to Washington.

Another feature of it: I want to say frankly that some of the press down there said that with Senator BLACK on guard The Senate would never grant my contest; I would never get

anywhere with it; so they really never expected me to get anywhere. They never expected these ballots to come here. You see, I had only from December until the 4th of March; but I got it through, to their surprise. They never expected that. They were fixing 50,000 majority, so that it would look so colossal that the Senate would say, "Oh, well, I guess Tom is just sore about being defeated. Fifty thousand is pretty big"; and it is. If you knew that bunch as well as I do, you would know that they could give 100,000 or 200,000 majority just as easily. They do not have to have ballots voted. All they want is the paper and the boxes, and they had both. They used them, too.

The circuit clerk in Franklin County, Mr. Bankhead's district, admitted that he sent out requests for absentee ballots, and sent the money to pay for the affidavits made by the notary public. That was in the testimony down yonder; and yet they tell you that we have not any testimony showing anything except some little, frivolous, minor irregularities. The Senator from Wisconsin [Mr. BLAINE] referred to some of them as very minor irregularities—just like breaking into a ballot box and taking the ballots out of a thousand boxes! Why, what is that among friends? That is just raiding the Ark of the Covenant, the ballot box. That is treading on the most sacred ground in the Republic. That is stealing from the voter the only weapon he has with which to preserve his rights and liberties. They are supposed to be kept locked in that citadel until the Senate calls for them to examine them; but when Bankhead's partisans beat down the door and tore off the seal, so that they could examine them and touse them and change them, what is that? A minor irregularity. It amounts to nothing.

Senators, if you do not put the right safeguards around the ballot box and the voter's rights, the time is not far distant when the masses will be as the common herd, absolutely at the mercy of the tyrant with the lash in his hand and the contemptible political machine that dominates the whole thing. That is what you are coming to.

Ballots were accepted for Bankhead without supporting affidavits in many instances. Some of those championing the cause of Mr. Bankhead would say, "Why, what is that? They wanted to vote." Yes; but the law provides how they can vote. They must be qualified voters. They must have the poll tax paid if they are under the age of 45. They have to be qualified. But here they go up to vote for Mr. Bankhead, and they are allowed to vote without having to make the supporting affidavit.

I have shown you in the Geneva County editorial that it has been years since the poll lists have been purged. There are probably the names of forty to fifty thousand voters upon the lists in my State who are dead, moved away, disqualified. How are you going to tell what the qualified list is? You have to help us by your vote here to clean house down there. We will have to have the poll lists purged in every county, and I pledge myself to the task.

The absentee voter must show that he or she is a qualified voter in the precinct and county and State, and make oath to the effect that he or she will be absent on election day by reason of his or her regular business. Yet they had people voting up there who live in another State and vote in another State, whose names are still on the unpurged lists in Alabama, and they are voting for Mr. Bankhead.

My recollection is that the supervisors found 560 who lived in other States. We called for the list. What do you reckon they told us about some of them? They said, "We have lost them." I think that occurred as to 11 or 14 counties. "We have never been able to get our hands on them." I suppose that was one of the minor irregularities.

We have not been able to communicate with them at all, but we got the lists of about 12,000 and we sent questionnaires to them. We got back answers to around 4,000, saying that they got them and they voted—I think four-fifths of them—for Bankhead. What else? In about 3,000 and more of the cases the postmasters had marked on the envelopes "Unclaimed," indicating that no such person lived at that address.

In 5,000 cases, I believe, no answer came at all. That made over six or seven thousand that could not be produced on the face of the earth, and I challenge Mr. Bankhead to produce them. They do not live, they are not in existence, they are dummy voters. Over 6,000 of the absentee voters come in that class. Where are they? They do not even answer. No return of any kind comes back. What does that indicate? It indicates that the fellows who put those things over took these questionnaires and destroyed them; the thing was hushed up, and the story is closed, so far as that goes. A little over 4,000 out of 14,000 responded to the questionnaire, leaving around 10,000 that could not be accounted for.

Yet they tell us that all was well; that it was a very fair and regular election. And Senator BLACK appeals for Alabama's right to elect her Senator. I appeal for the same right—not for the machine to manipulate the election and procure the election of a Senator but the right of the people of my State to elect their Senator as they elected me.

If they had defeated me fairly I would have accepted it. I have been defeated in political contests. I was defeated twice before I came to Congress. I came within one vote of getting the nomination in a convention once, and in a primary I came within a very few votes, and finally was elected overwhelmingly in 1904. So it did not mean so much to be defeated fairly in an election. That is all right. The voter has just as much right to reject a man as he has to promote and elect him. I understand that. But, my friends, I looked the people in the face in that campaign in my State, a perfect crusade in every county, the whole face of the earth covered with people wherever we had a meeting. They were Democratic crusaders bent upon the election of their candidate and a smashing of the machine. They went at it with the zeal of Christian crusaders, and the only way to manipulate the election was to do it by miscalling the ballots at the boxes, manipulating and changing the ballots at the courthouse, and swapping boxes.

Just one other thing in regard to the absentee ballots. I would like to have the other side show me where the State of Texas, the great State so ably represented by my good friends MORRIS SHEPPARD and TOM CONNALLY, which has many more votes than Alabama, ever voted half as many absentee ballots as voted for Bankhead in my State in 1930. I challenge them to show where any other Southern State with a population equaling that of Alabama ever voted one-third as many as voted for Bankhead.

My friends, these are serious things. They changed 5,000 votes cast for me, took them off my list and had them appear as 5,000 who did not vote for Senator at all. There were not 500 people who went to the polls in my State who did not vote for Senator one way or the other. They were hot, and hot to the collar. There were not any neutral places down there. There were 5,000 of these ballots. They said, "Do not give them to Bankhead; take them off Heflin and just leave them voting the State ticket." There were 5,000 like that.

What did they say about the general election? The day of the election the Montgomery Advertiser said:

To-night there will rest in the ballot boxes of this State 250,000 votes.

And on that night, when the election was over, there were 250,000 votes in the boxes. They had had a report from the machine. The courthouse ballot fixers had told them. That is not all. Saturday afternoon before the election Tuesday Judge Chilton said one of the city gamblers told him that they had been advised that it would be safe to bet that Bankhead would defeat me by around 50,000 votes. He said, "Why the change? You have been so fearful of the results you would not bet even money." They said they had a report, "It is all right. Bankhead's majority will be around 50,000." And his majority was around 50,000. Do these things mean anything? What do they mean? They mean that the plans were all made to steal it.

When the inauguration day came, what did they do? The Bankhead Montgomery Advertiser, supporting him strongly,

said, "Let us not forget the State committee to-day. It deserves praise." I am giving the substance of what they said. "It deserves praise for its act in reading Heflin and Locke out of the party, for if the committee had not read them out, Heflin would still be your Senator and Locke would be here to-day inaugurated as governor."

What is that? That is an admission that if the Democrats had had an opportunity they would have nominated me as their choice for the Senate, but that they had been denied that right, and they say the machine should be praised for putting it over. Nobody can deny that. These other supporters of Mr. Bankhead can not. That is a part of the political serpent's trail that is over it all.

I have already mentioned the legislature amending the primary law, and giving the committee the right now to do what they did in 1930, admitting that they did not have the right to do it then. The Senate is justified on that alone in declaring the primary null and void, and it ought to do it.

That is not all, however. Senator BLACK and Senator BRATTON made such a nice plea for Mr. Bankhead, stating how nicely he was arranging everything to see that I had a fair election. Let me show what he did. He so resented interference with the machine in Alabama, and the program to put him in the Senate, that he had the legislature of my State pass a law authorizing the probate judges of Alabama, his partisans in 61 counties out of 67, to institute and carry on a senatorial investigation. He did that by solemn statute in the State of Alabama. He had the legislature pass a bill. I will never forget the startled look on the faces of the committee, even of my friend from Georgia, Senator GEORGE. Senator WARSON, of Indiana, interrupted me when I was discussing it, when I was telling them that Mr. Bankhead had had these probate judges authorized to institute this investigation, to carry it on, and that I would have to go and employ lawyers, if I recognized it, in 67 counties in the State to look after my interests, and that I was not able to do it, and that I would not recognize that thing. Senator WARSON said, "Who did that?" I said, "Senator Bankhead," and Senator Bankhead nodded his head and said, "Yes; I did it." That is not all. He said, "If the committee thinks that I ought not to let that go on, I can stop it."

Think of that, that he could set aside a statute, halt it, kill it, after it was solemnly enacted by the legislature and had the approval of the governor, a candidate, the product of the régime, saying, "I can stop it right where it is." Senator HASTINGS looked up at him and said, "Can you do that?" He said, "Yes; I think I can."

Senators, what more do you want to convince you that my State is machine ridden and machine cursed, probate judges, partisans of Mr. Bankhead—and he admitted it—conducting an investigation involving me and my rights and your rights, and the rights of the people of my State, a partisan committee set up by solemn enactment at the instance of Senator Bankhead? But Senator BLACK and Senator BRATTON would have you believe that Senator Bankhead had rendered me the utmost service, and had given a fair hearing to get at the facts. I am giving you the truth, and showing you the fruits of the machine; and—

By their fruits ye shall know them.

What does the Bible say?

If thine eye offend thee, pluck it out.

My State suffers from this stigma. Senators, it has to be removed. If you crush out the fighting spirit of men of courage, who dare challenge these corrupt concerns, the day is not far distant when you will have a big political boss in every State, the people will be shorn of their power, and tyranny will come in apace, until our rights and liberties will be destroyed. Little by little and bit by bit you have to correct these things. Stamp this business out now right where you find it.

You could very well say to Mr. Bankhead, "Go back. There is so much confusion, so much corruption, and fraud and deception and coercion and intimidation and skullduggery of every kind, burning of ballots, stealing of ballots,

changing of ballots—go back, you and Heflin, run it out before the people of the State, and let them say who will come here to represent them, relieved of all this interference by the Power Trust. Some Senators will recall that when there was an investigation in some of the lobby hearings, Senator BLACK connected John H. Bankhead up with the Alabama Power Co. interests.

They slipped a little line in the minority report that Heflin made a mistake in lining up with the power company. Was not that a smart thing? I think the solemn-faced Senator from New Mexico had a hand in that, Senator BRATTON. That was a smooth little innocent-looking line that "Tom made a mistake lining up with the power company."

There were but two of the power-company lawyers from all over the State who supported me. All the rest of them, including the president of the company, supported Bankhead; and Aarhus says that his brother, Logan Martin, was in the conference when they agreed on Bankhead's candidacy. They never had anything to do with my candidacy. No man has ever had a collar on my neck or ever told me what I could do or could not do. I have been a free-lance in politics, supporting my party and fighting to hold it true to the purpose of its creation, never permitting it to be corrupt if I could prevent it, fighting corruption wherever I found it.

Now, in my State during the time I have been nominated without opposition, they have quietly crept upon us and built a machine that has got to be destroyed. I had no opposition in 1924 and not until 1930, so from 1920 to 1930 I had no opposition. We were not in the field knowing what was going on, and they built up this machine. They told you they had the same kind of resolution in 1920. It is not so. I was not a candidate in 1922. They did not have anything like this resolution then. They did not have one in 1924 when I was renominated without opposition. They had one a little akin to it in 1926. Never until 1930 did they have one like this. I challenged it. I told them in the committee here that if they could produce a like resolution I would give them \$100, and they could not do it. The law was violated in passing it. They knew they were violating it. They were relying on the power of the machine and the interests back of it to put it over down there, and they are relying on it here. That interest is at work here. I told one Senator about a mighty good man telling me that great pressure by the power concerns was being brought around here to drop my contest. I want the truth brought out and justice done.

Some of the same interest sat up there in the press gallery yesterday. They said, "They ain't going to let Heflin speak." It just tickled them good. They represent that interest. When the vote said I could speak, two or three of the boys had to have smelling salts. It only applied to two or three. A vast number of them are all right. I have even quit calling them "hickory-nut heads." They are clever boys in the main, as I have said frequently.

I want to remind you of a prophecy by Mr. Barger. In 1920 I was a candidate for the Senate in Alabama. There were five candidates in the field. I led them all in 55 counties out of 67. The Washington Post always boasts of making the proper prognostication about an election. It predicted my election in October, 1920, and I won. In 1930, in October, this same Barger wrote his prophecy in the Post and said, "As sure as the sun rises in the east and sets in the west, Tom Heflin is coming back. They have no chance to beat him in Alabama. His election is a foregone conclusion." That is the substance of it. That was his prophecy.

Now, how do these newspapers get their information? They get it by writing to all sources, your friends and your enemies, those who differ from you and those who are indifferent. They get it from every angle. Then they consulted all and made up their minds. The conclusion by Mr. Barger was that I would be elected "as sure as the sun rises in the east and sets in the west." Is not that strange?

He had not consulted the machine. He told the truth about my election. I was elected, but, as they said, I would get the votes but Bankhead would get the certificate.

Senators, we expected to show by Governor Graves, the governor of the State at that time, a Democrat, that he told me that they would steal the election from me. What does this show? The Democratic governor, knowing the activities of this machine and the extent to which it would go, told me in advance that they would steal the election from me.

That is not all. He told a member of his staff, Judge Wilkinson, "Tom will get the votes, but the machine will steal them from him." We have not had a chance to put him on the stand. I asked the full committee to let me summon him. I hope I have at least gotten my old colleague, Senator BLACK, to see something about this case that he evidently did not know before.

Here is a startling thing. There were but 19 boxes out of a total of 2,043 where the ballots were properly rolled and sealed. What did that indicate but a state-wide conspiracy to do a good job of it and do it all over the State? If you did not seal the boxes, you could unlock them and go in and lock them again, and nobody could tell you had been in there. But if you sealed them you had to break the seal, and that told the tale. All three names are supposed to be written on it, and the seal would be torn in two, with one man having to write all three names; and they did that in many instances.

Senators, they had in the boxes brought here over 10,000 illegal ballots for me and nearly 30,000 illegal for Bankhead. That is some more skullduggery. How did they get any illegal ballots in there for me? They would not permit my friends to vote where there was any question raised regarding their right to vote. They harassed them and annoyed them at the polls. Nobody could vote for me who was not a qualified voter. They saw to that. But what was necessary when they were going to bring the boxes here? They opened them and fixed some of them so they would be called illegal for Bankhead and some would be called illegal for me, but fixing it so that by subtracting them he would still have a majority clear above the line. They fixed them, they are smooth artists. They know how to manipulate these things.

Mr. President and Senators, I want your very close attention to this important summary by Judge Wilkinson, my chief counsel:

The record shows that the following propositions have been established in this contest:

1. The Democratic primary in Alabama in 1930 was illegal and unlawful and Mr. Bankhead's alleged nomination was null and void.
2. Mr. Bankhead refused to do anything which would tend in any way to correct the illegal action taken by the Democratic State executive committee after he had been informed by Senator BLACK and other competent lawyers who supported him that the action of the committee was unlawful and that any nominations coming from the proposed primary would be null and void.
3. The statement filed by Mr. Bankhead of his expenses during the primary did not comply with the Alabama law, and under that law he was not entitled to have his name placed on the ticket in the general election.
4. It was as essential for Mr. Bankhead to be lawfully nominated as it was for him to be a qualified elector, in order to be elected in Alabama. Nomination is one of the conditions precedent to being elected to office in Alabama.
5. Not being lawfully nominated, Mr. Bankhead was not elected. His name was unlawfully on the ballot in the general election.
6. Senator Heflin was regularly nominated as the statutes of Alabama require; his name was lawfully on the ballot in the general election held on November 4, 1930, and he received every vote that could be lawfully cast for United States Senator from Alabama in that election.
7. There are 2,043 boxes in 64 counties in Alabama.
8. The boxes in three counties were unlawfully burned as soon as an investigation of the Alabama election was undertaken.
9. The seals on at least 905 boxes were unlawfully broken and the boxes entered prior to their delivery to agents of the committee in Alabama.
10. In 1,918 boxes (practically 94 per cent of the total) the ballots were not numbered as required by law.
11. There are 1,842 official envelopes, papers, etc., requiring the signatures of two or more election officers, where two or more names were signed by one person in violation of the law.

12. There are 497 boxes in which the ballots were found folded and apparently had never been handled by the election officers.

13. There are 488 additional boxes in which the ballots were in their original folds, the ballots in each box being small tight folds and in many instances uniformly folded. The physical appearance of the ballots in these boxes refutes any suggestion that they were ever opened and counted on election night or at any other time before they reached Washington.

14. There are 228 boxes in which the tally sheets were not totaled.

15. There are 569 boxes in which a list of the qualified voters, by which the election was held, which is required by law to be certified and secured in the box, was missing.

16. There are 576 boxes wherein the ballots were found loose in the box instead of being rolled, sealed, secured, and identified as required by law.

17. There were 651 boxes in which the stubs were not detached from the ballots, showing that these ballots were surreptitiously "stuffed" into these boxes, and law (code, sec. 494) requiring stubs to be detached from the ballots before they are placed in the box.

18. There are 1,119 boxes in which there was no sealed certificate of the results as required by law.

19. There are 543 boxes that contain ballots from which the stubs have not been detached, wherein the stubs were not initialed, showing that these ballots never were official ballots, the law requiring the stub of an official ballot to be initialed by one of the election officers. (Sec. 493, Code of Alabama.)

20. There are 429 boxes in which no certificate of results (required by law to be sealed and deposited in the box) could be found in the boxes. Two hundred and thirty-five alleged certificates were procured from outside sources, leaving 194 boxes without any certificate from any source.

21. There are 643 boxes in which no certified poll list—i. e., a list of the electors who voted in that box—could be found. The law requires a certified poll list to be deposited in the box and the box sealed after the ballots have been counted.

22. There are 2,335 incomplete challenged oaths in the boxes.

23. There are 50 boxes wherein more ballots were found than voters shown on poll lists.

24. There are 82 boxes wherein the poll lists showed more voters than ballots found in the boxes.

25. There are 23 boxes wherein the ballots now in those show that the impression made in marking one ballot was carried through and made an impression upon the other ballots. This shows these ballots were marked while the ballots were in a pad.

I have mentioned that.

26. The ballots of watchers on duty to see that the election was fairly conducted, who voted for Heflin, were changed or swapped for ballots marked for Bankhead, without the watcher becoming aware of it, so artistically and so deftly was this fraud and thievery perpetrated.

Senators, there was a man in a precinct in Talladega City—I think his name was Carpenter—who they said was a manager for me. When the Bankhead managers got through with the count there they said, "Now, do you not think this election has been fair?" "Yes." "Well, will you not give me a written statement to the effect that it has been fair?" "Yes." So this Bankhead manager wrote out a statement:

This is to certify that this election has been fair—

And so forth. They got this fellow to sign it. Judge Wilkinson, my attorney, on cross-examination asked, "Well, why did you want to get this man to sign a certificate like that? That would indicate that you were practicing some skullduggery and you wanted a certificate from him." "Well," he said, "there was a good deal of talk round about stealing the election"—think of it—"and I just wanted his statement." "And you got him to sign it?" "Yes." "He is a Heflin man?" "Yes, sir; representing Mr. Heflin at the box." Judge Wilkinson turned and said:

I should like to call the attention of the Senate committee to the fact that Carpenter was a Bankhead supporter and voted for him.

They were not only putting over such skullduggery as I have indicated, but they were attempting to prove that the election was fair by a witness and a manager supposed to be for me but who was really a Bankhead man.

At Tuscaloosa there was a man by the name of Tucker who was strong for me and was fighting for me that day. They even called the solicitor in to quiet him. He was protesting against the skullduggery practiced, and he was very zealous and enthusiastic for me. They changed his ballot and when it got here it was marked for Bankhead. Senators, they were smooth artists; they knew their business.

Now, just a few more of these cases and I shall be through with this phase of it, and shall soon be through with all of it. Judge Wilkinson goes on to tell how many challenged votes were ignored.

27. Ballots marked for Heflin and cast for Heflin are in the boxes now marked for Bankhead, or a Bankhead ballot has been swapped for the ballot originally marked and cast for Heflin.

28. Ballots marked and cast for Heflin were not in the boxes when they were collected by the committee and have never been found.

29. Forgery was resorted to in order to cast absentee ballots for Mr. Bankhead. Many witnesses went to the polls to find on arrival that an absentee ballot had already been cast for them without their knowledge or consent.

Senators, let me relate an incident here. A poor ex-service man, crippled, wounded on the battlefields of France, suffering in his home, wanted to vote for me. Friends went to see him; they got him to fix up an absentee ballot; he marked his ballot for me. They took the ballot back to the courthouse. One of his friends, a comrade in the service, said, "Do you not know they will change your ballot? They will mark you for Bankhead just as sure as you are born." "Well," he said, "I hardly feel able to go to the polls, but if you will come get me I will go in person; I will vote for Senator Heflin." They went by his home and carried him to the polls, walked by his side, he leaning upon them. When he approached the ballot box the officials said, "You have already voted an absentee ballot." He said, "I have come early and I want to vote in person; give me that absentee ballot." Well, they did not want to do it, but they did. He opened the ballot and found that they had changed it and it was marked for Bankhead. This poor boy in the vigor of health followed his flag, he took it across the sea, helped carry it to victory on the battle front in France, and brought it back covered all over with the glory of his valor. Crippled and wounded, advantage was taken of that boy who offered his life for his country, and his ballot was changed. He who had shed his blood and offered to die for his country; who got up out of a sick bed to assert his right to vote for me, the friend of the ex-service men and the friend of the boys in the service; goes down to the polling place and finds in the hands of the Bankhead régime a forged ballot voting him contrary to his choice and for Mr. Bankhead for Senator. Senators, if they will go so far and stoop so low as to violate the faith of a wounded soldier and vote him under the dictates of the machine, my God, what is it that they will not do? I know what they will do and the people of my State know. They have been through this; they have understood what they will do; they have witnessed it.

Mr. President, I am going to print the other points made here by Judge Wilkinson at this point in my speech.

The matter referred to is as follows:

30. Approximately 36,000 illegal votes cast have been discovered by the supervisor. How many more illegal ballots were cast we do not know at this time.

31. Ballots were handed voters that had been previously marked for Bankhead; they had been so marked when they were received by election officers.

32. Many witnesses testified that persons desiring to vote for Senator Heflin were challenged without cause and were so annoyed that they left the polling place without voting.

33. In many instances a hat box or other similar box was used instead of a regular ballot box, some of the ballots being put in the box and others being piled around it.

34. Watchers selected by Senator Heflin were threatened and prevented from doing their duty.

35. Persons were permitted to vote without appearing in person. Managers left the polling place with blank ballots and returned with them marked and they were placed in the ballot box as though the voter had appeared in person. Some of these were sick, some were in hospitals, some were at the roadside in automobiles, and one person was 35 miles away. This was a widespread practice.

36. There were two instances where ballots were rejected over protest, one where 21 ballots were rejected, and another where 24 ballots were rejected. All of these were cast for Senator Heflin and counted by the supervisor.

37. One person at least was employed to solicit persons residing in Jefferson County whose names were on the qualified list in Shelby County to cast absentee ballots. The testimony shows that there were 107 such persons solicited by one person and that 63 of them voted.

38. The law of Alabama provides that a person paying the poll tax of another shall be guilty of bribery and shall be imprisoned

for not less than one and not more than five years. Testimony shows that it was not only permitted, but it was the practice in Alabama to pay the poll tax of other persons. It is impossible to say how many persons voted whose tax had been illegally paid.

39. Two persons were permitted to vote who admitted to the officers that they lived in another county, but that it was too late in the day for them to get to their regular polling place.

40. Thousands of persons were permitted to vote by absentee ballots who did not live in the county in which they voted.

41. Booths for the accommodation of voters were not furnished in accordance with the Alabama law.

42. In 543 election districts the oaths of the inspectors, clerks, and returning officers were not attested.

43. Six hundred and thirty-four inspectors did not subscribe to oath.

44. Four hundred and fifty-three clerks did not subscribe to oath.

45. Three hundred and forty-nine returning officers did not subscribe to oath.

46. Six hundred and four inspectors did not certify to poll list.

47. In 140 election districts the poll list was not signed by the inspectors, clerks, or returning officer.

48. Thirty-one election districts where the committee was not furnished the poll lists. The committee could not ascertain whether the 186 officers in those districts subscribed the oath or not.

49. The Legislature of Alabama passed an act since the 1930 election, and after this investigation had been begun by the committee, directing the probate judges of Alabama to investigate the Alabama election in 1930 for United States Senator. This was done at the instance of Mr. Bankhead. Under the Alabama law the election is largely controlled by the probate judge of each county. Mr. Bankhead admitted that 60 out of the 67 of these probate judges were partisans of his.

50. The report of the supervisor shows that the election law of Alabama in the 1930 election was not fully complied with in a single precinct.

51. Irregularities of such substantial nature and so numerous vitiate an election without regard to direct proof of actual fraud.

52. Proof of widespread violations of the election law is prima facie evidence of fraud and makes out contestant's case.

Mr. HEFLIN. I want to quote now a word or two from the old war horse from Missouri who used to be here, Jim Reed. Referring to the minority report, Mr. Hampton, in his able speech to the full committee, quoted as follows:

Even if the legality of the primary were a proper matter for the consideration of the Senate, the action of the people in the general election has foreclosed consideration of it.

That is what the Bankhead minority report says.

Let me answer the minority report upon this point.

Says Mr. Hampton—

• • • by quoting from one whose legal learning all will concede; a master of the law of elections, and one whose service to the cause of honest and clear elections can never be forgotten.

He goes on to say other nice things about Mr. Reed, and then he quotes him as follows:

Mr. REED of Missouri. They [frauds in the primary] did not make him incapable of election to the United States Senate, but they made it improper for him to sit in the United States Senate, because one of the steps by which he secured his election was through improper methods used to get on the ticket.

Have I not shown here some of the improper methods, the reprehensible methods, the tyrannical and corrupt and the law-violating methods adopted by the contestee to get upon the ticket at all, and that, too, in the face of warnings from lawyers of great learning. Mr. BLACK was one of them, Judge Anderson was one of them, and Supreme Court Judge Thomas, of Alabama, was another. They all told him of the dangerous pitfalls in his path. "Do not tread that path, Mr. Bankhead; it is a void road; your primary is illegal, null, and void." And Anderson said, "If ever a competent tribunal passes on it, it is doomed."

Here we are at the judgment bar of the Senate and asking courageous Senators to pass on it, and I have no doubt they will do so. You can and should pass on the primary and declare it illegal, null, and void, and that I am entitled to my seat in this body.

I will refer again to the case of Parrish against Powers in Kentucky. Some Senators, perhaps, did not hear my previous reference to it. Parrish was nominated in the primaries as the law provided; Powers was not, but his name was put upon the ticket any way by the committee. A general election was held. Senator BRATTON and Senator BLACK stated the election cured all the defects behind it, but that

is not so. A general election was held and Powers was elected; he received the most votes. Parrish, a Republican, took the case to the courts, and the court sustained his contention that he was legally nominated and Powers was not, and never was legally on the ticket. The case went to the Supreme Court of Kentucky, and that court held that Powers was never legally on the ballot and no legal ballots were cast for him; that all legal ballots cast for that office were cast for Parrish; and Parrish got the office under the decision of the Supreme Court of Kentucky. Yet these Senators stand here and argue—and the Senator from Wisconsin took the same position—that all that is behind you just so the people come along and elect. Former Senator Reed of Missouri disposed of that contention. He goes on further to say:

Because one of the steps by which he secured his election was through improper methods used to get on the ticket.

If he can not be there honestly and legally, we can not afford to sustain him here.

Senator Reed said further:

I am going to give the Senator my opinion and give it to him very plainly. Does the Senator mean to say that if a man by any kind of fraud or corruption can get his name upon the ticket, and if thereafter he is elected, he is entitled to take his seat, although he never could have been upon the ticket except for that fraud and corruption, and that the vote of the people is final and conclusive, regardless of any fraud, chicanery, or corruption which may have been committed, does the Senator take that position? * * * I hold to the view that whenever any material step which a candidate for office takes in order to secure a seat in this body is a corrupt step, materially affecting the result * * * it is the duty of the Senate in protection of the country to say that that kind of fraud and corruption vitiates the election. That is my view. To take the view that if a man can by bribery, by fraud, by corruption, by any kind of villainy, get his name printed upon a party ticket so that, although there may be great numbers of the people who vote their protests, yet in the general sweep of the election he is carried over with the tide he must thereafter be seated, is to open the door to every kind of fraud and iniquity; it is to say to every scoundrel who is at large, "All you have to do is by some means to get upon a ticket in a State that is largely Democratic or largely Republican and then by virtue of the very fraud which gave you that position you can finally land here and there is no power to prevent it." If that is the case, then the Senate is defenseless and rogues may as well begin their nefarious business in the open.

That is what Senator Reed said. That is enough on that point. I should love to quote his remaining statements on that subject.

Mr. President, there is a quotation here from a former learned and able Senator, Senator Hoar, of Massachusetts. He talks about the ballot boxes being found open. Listen:

It makes no difference for the purpose of my point whether the ballot box was there in an exposed place for 12 hours or 12 days. Now, I do not claim that there is any evidence here that * * * any person entered it, opened that box and substituted other numbered ballots for the ballots which it contained. All I have to say is that an adroitness less than that practiced for a less-important purpose in many ordinary cases of crime, robbery, burglary, and forgery could easily accomplish that result. Now we know how eager, how unscrupulous, how adroit, in many instances, are the means which are used to affect political contests. It is not the question whether the friends of the very respectable and very able gentleman who claims this seat did, or were capable of doing such a thing * * *. The interests of the sitting Member and of the contestant disappear before a question like this, which involves the interests of the American people in the establishment and maintenance of a strict, wise, and safe rule of public policy. It is not merely a question whether the recount was correct; it is a question whether you know and are sure that the thing counted upon the recount was the same thing that was counted, or should have been counted, at the time the original count was made.

There it is, over again, away back in Senator Hoar's day. Who can tell that these ballots in the boxes that were open were the ballots that were cast and counted on election day and night? You can not do it, Senators.

I have spoken at great length. I trust I have not wearied too much the patience of Senators who have done me the kindness to listen. Soon I shall have finished. The case will be left for your determination. Others may speak without my having opportunity to speak in reply to them. I challenge them to refute the strong and mighty facts that I

have laid bare here to-day, and I am not half through with the presentation. I could pick out various kinds of fraud and corruption that have been practiced and speak on this subject for 20 hours, 30 hours, I do not know how long.

We have not had the opportunity to get one-fourth of the evidence in my State. My case is here before you upon the urgent insistence of the contestee, Mr. Bankhead, not by me or my counsel. By him and his partisan friends it has reached this floor without ever having been closed formally by the contestant. That is a terrible indictment against those who brought it about; but the facts and the candor of the situation impel and compel me to tell the truth about it.

Some strange things have happened. The power interests have not slept one particle since this matter got going. They want to have it stopped, close it up, and let Mr. Bankhead keep the Senate seat. You know they do not like to be a party to putting somebody over and then have you come along and disturb the works. They want it left alone. They want to get control, not only in my State, but in your State; and that giant evil is going to be a great menace in this country.

I believe in giving the power companies a fair deal. I want them treated justly and fairly; but I do not want them to have the privilege of gobbling up the power sites in my State and every State in the Union and have them all owned in a little while by a gigantic power trust, to the hurt and injury of the masses in every State of the Union. I do not want that.

I have shown you the connection of Mr. Bankhead and his friends with the Power Trust. If Mr. Aarhus's statement was not true, if I had been in Mr. Bankhead's place, I would have insisted that that evidence be run down and produced; but he has not done it. If Mr. Logan Martin was not present in the conference when Mr. Bankhead was approved as a candidate satisfactory to them, I would have challenged them to produce the witnesses to establish that. If it was not true that Mr. Raskob said that he did not like the situation in Alabama, that the Alabama people did not seem to want Bankhead, they were taking no interest in him, but he would produce \$250,000 if they would raise \$50,000 more, I would ask them to produce the proof. If they had asserted that \$800,000 was handled in New Orleans, and that Mr. Bankhead made a quick visit to that city immediately following the election, I would ask them to go into that and explain it all. I would stand here and say, "Senators, I do not want an election that is tainted in any way. Let him go on and finish his case. Let him get all the evidence he can, sift this thing to the bottom, produce all the proof, close the case in the natural way, come in and let it be submitted and concluded by the contestant and the contestee, and then let the Senate vote." That would have been a much better way to handle it; but when the contestee insisted that the case be closed, it was closed.

Why, when the Senate first ordered the count of the ballots the contestee said: "There is no use counting them. There is nothing wrong. Do not bother the ballots." Then he said, "Do not let them count more than 10 counties. That will settle it." When they counted 10 counties, they found the condition so rotten that even Senator GEORGE and Senator BRATTON consented to go on and count them all; and the more they counted the more they found and the worse the thing got. They went through with the whole count and found the awful condition of the ballots, and reported on them.

There is a multitude of items in those reports—hundreds of them, thousands of them. There are law violations, not by the hundreds but by the thousands in my State, and penalties provided for practically every one of them. Still, these Senators have stood here, some of them reputed to be very good lawyers, and they have told you that these were merely directory statutes, although they have severe penalties to them—fine and imprisonment. They tell you that they are just directory. That is not true, Senators. They are not directory; they are mandatory. They have a penalty attached to them telling what you have to do in the premises.

They treat very lightly the matter of protecting these ballot boxes. They do not seem to think it amounts to much that they have just opened a thousand and a little more. You know they do not want us to go into these things. They wanted us to close up the matter and be done with it. They reminded me of the story of an old negro down in Arkansas.

He had stolen a pig weighing about 70 pounds from Mr. Jones. He dressed the pig nicely and took him home. They searched for that pig high and low and could not find him. They thought of old Sam's house out in the middle of the field. The sheriff and the deputy went out looking for the pig. They went in, and old Sam was sitting there rocking a cradle, with quilts tucked in at the head and foot and sides, rocking the cradle, singing, "Doan' you cry little baby; you'll be an angel by and by."

The sheriff and deputy said, "Sam, we are looking for that stolen pig of Mr. Jones." Sam threw up his hands in holy horror, just like you have seen here. He said, "Dar you go, white folks! You 'cusing me of stealing. Dat's the way it is: Old nigger sitting here, and his baby nearly dead with the pneumony, and you 'cusing him of stealing a pig! Dat's it—Lawd have mercy!"

They looked around in the closet and under the bed, and they could not find the pig. They came back and said, "Sam, what have you got in that cradle?" He said, "It's my baby, and he's got pneumony." They said, "Well, we will look in there." He said, "No, sah! If de light hits him, he's gone." "Well," they said, "we are going to look in there anyhow"; and Sam said, "Well, you let me get out. I doan' want to see my baby die"; and that nigger fled across the field with the speed of the wind; and when they pulled the quilts back, there lay Mr. Jones's pig. [Laughter.]

That is the way it is here. They closed this case while I was gone. They did not want me to pull the quilt off their contestee's baby, "'cause the light and the air would kill it." He had machine politics "pneumony." [Laughter.]

That is the situation you have—an attempt to railroad it in the first place and let the probate judges who supported Bankhead try the case in Alabama. Senators, what was that provision made for? My judgment is that it was made to canvass the field, to intimidate my witnesses, to get statements from them, and to tell them, 'Don't you make a different statement to the Senate committee when it comes down here. You are already on record'; and this committee of probate judges was to nose around and find out who were my witnesses, confer with them, influence them, intimidate them, reach them somehow. It is without a parallel in the history of the Senate.

I challenge them, Mr. Bankhead and Senator BLACK, to name another State in this Union in all the history of the State that ever had a legislature undertake to interfere with the Senate's right and prerogative to decide a contest for a Senate seat. There is not a case like it in history; but you need not be surprised that it is part of the offspring of that dreadful machine in my State which must be destroyed. It has no right to exist. It is not supported by the people of the State. It is supported by filthy lucre that comes from concerns that are getting their power taxes reduced. Doctor Busbee, of Jasper, Walker County, writes me that they have reduced the power company's taxes in Alabama \$2,000,000 since Bankhead's election, and that they saved them \$15,000 in his, Bankhead's, county of Walker alone.

What is the result of it? Public schools are closing in my State, and children who need education are being denied it because favor-seeking corporations are getting their taxes reduced, and the Alabama Power Co. has had its taxes reduced.

Mr. President, on July 4, 1930, we held a great meeting at Birmingham. There were over 2,000 delegates from the State there on that historic day. We condemned the machine in Alabama, and set out to destroy it. We defeated it, but it controlled the election machinery and got the office.

At the polls in November we carried our ticket by anywhere from 100,000 to 125,000 votes. They gave Mr. Bankhead 150,000 and me 100,000. My own opinion is that we voted about 340,000 votes. They put the others aside some-

where, and stood by the count they had fixed before election day.

The case is in the hands of the Senate. You are soon to pass upon it. I lay it upon the conscience and judgment of every Senator here have I had a fair deal in this contest.

When the Nye committee were doing splendid work in my State, through Mr. Aarhus and Mr. Creech, the money gave out and their work stopped, and the Committee on Privileges and Elections took charge in the Senate. Those men were withdrawn from the field. We have never had a chance to produce the testimony they had to produce. I repeat, Senator GEORGE and Senator BRATTON would not agree for us to employ anybody who had anything to do with the Nye committee to work on the Alabama contest.

Was not that a strange position for them to take? It was strange, indeed. Who else could run down and get that testimony? That was equivalent to saying, "You can not get it." We had no money with which to continue. The money gave out in August, and we did not have a dollar to work on until December. Then we went down and took the testimony in my behalf for six days. The contestee had the last six days, and the case stopped there. No rebuttal testimony was taken; no testimony as to middle and south Alabama. It was all shut out by the insistence of Senator Bankhead's friends on the committee on this side of the Chamber. They closed the case, shut the door, and told the contestant, "Your case is ended." Then they come here and say that I have been amply heard on everything. My former colleague, Mr. BLACK, says I have had all this time to summon witnesses all over the State. But I have not had a chance to summon them from anywhere except a few right around Birmingham, with only three days' notice before we had to close. Did you ever see any other contest handled like that?

Senators, some strange things have happened in this case. What happened at Birmingham? Here is a point I want to bring home to you. Mr. Bankhead's managers were on the the witness stand testifying.

"Were you there on election day?"

"Yes."

"Did you help count the ballots?"

"Yes."

"You counted them correctly?"

"Yes."

Judge Wilkinson then examined the witness. I want you to get this, Senators.

"You say you were manager?"

"Yes."

"You are a Bankhead manager?"

"Yes, sir."

"You helped to count the ballots?"

"Yes."

"What did you do with them when you finished counting them?"

"We rolled them and sealed them."

"Where did you put them?"

"We put them in the ballot box."

"Then what?"

"We sealed the box and locked it."

"Did you number the ballots?"

Those were witnesses of Mr. Bankhead on cross-examination by Judge Wilkinson, my attorney.

"For whom were you acting?"

"Bankhead."

"You are a witness here for Bankhead?"

"Yes, sir."

"You swear that you numbered those ballots?"

"Yes, sir."

"Did you roll and seal them?"

"Yes, sir."

"Did you seal the box and lock it?"

"Yes, sir."

Then Judge Wilkinson cross-examined. I invite the Senate's attention to the fact that these ballots were not rolled and were not numbered, and the box was not sealed and locked. Then Judge Wilkinson asked the Bankhead witness, the manager:

"If these ballots are not numbered and sealed and rolled, as you say, are they the same ballots that you handled that day?"

He said: "I do not think so."

What do you do with that? Every witness of Mr. Bankhead's whom we questioned on that subject said that they

numbered the ballots, rolled them, sealed them, and locked the boxes.

What do Mr. Bankhead's attorneys and his partisans here say? That they had to open the boxes and go into them to get the certificates. What do the managers, the witnesses, say on that point? Judge Wilkinson asked them the question:

"Where did you put the certificates of election?"

"We gave one to the returning officer, the canvassing board, of course, we put one in an envelope separate to go to the probate judge, and posted one on the door."

"You did that?"

"Yes, sir."

"Was there any necessity, Mr. Witness, Bankhead manager, for going into the boxes to get the certificate or returns?"

"No, sir."

That is important evidence. Every one of them whom he asked swore that, and not a witness of his contradicts it.

Senators, what is the matter? The sheriff simply said, when asked by our investigator, "What is this box doing open?"

"We had to open it to go in there to get the returns."

Senator BLACK says there were 900 boxes sealed when they got here, and they did not open them. I ask if it is the practice in Alabama to put the certificate in the ballot box, why was it not necessary to go into the 900? Had somebody else already been in there?

Senators, some of you have heard the story about the Spanish War, where a negro said he had cut off the feet of "20 Spains." They said, "What?" He said, "I cut off the feet of 20 Spains." "What do you mean, nigger?" He said, "I just cut the feet off." They said, "Why did you not cut their heads off?" He said, "Somebody else had done done that." [Laughter.]

So somebody else had "done bin" in these 900 boxes. They had sealed them, and they are boasting of that here and saying, "There were 900 boxes that were sealed there. They are intact." If that is true, they have destroyed the position they have heretofore taken that they had to go into the boxes to get the certificates.

Judge Brandon, of Tuscaloosa, former governor, swore that it was not necessary to go into the boxes to get the certificates.

Senators, the most conglomerate senatorial election mess you have ever had anything to do with where a Democrat was involved has been this one in my State. I have not had a chance to finish taking testimony and close my case—prove my case, as I would like to, but it has stopped. It will be very nice for them to have their way in putting the machine candidate over. But, Mr. President, let me say this, you can not treat lightly the manipulating of and interfering with the ballot box. In its protection and safeguarding lies the safety of this Republic.

They approach it from different angles. They steal this election through the manipulation of absentee voters, they get it through voting dead men and women, people dead for years, but still on the poll list. They get it in part by voting people who live out of the State, who used to dwell in Alabama. They get it by intimidating people to vote for Bankhead. They get it by buying votes. They get it by corporate influence, influencing the employees. They get it by the power of the State administration, saying, "If you do not vote for Bankhead, you get no job." They get it by various means. They tried everything, a little here and a little yonder, this plan and that plan, and in the end it all amounts to a great deal in stealing an election.

You have to have one rule. You can not tamper with the ballot box. You are the guardians of the ballot boxes of my State in this campaign. It is up to you. The case has been brought here. You are the tribunal that has the right to try it, and none other. No court in my State is going to try it. The supreme court had an opportunity, and because of these influences I have told you about, just waived it aside by saying they had no jurisdiction.

Now the machine has a candidate in the field against Judge Thomas. The only one on the bench who has opposition in the primary to be held the 4th of May is the judge

who rendered a decision against the primary, and the power bunch and the crooked election bunch are after him. They have decided he must be defeated. But he will not be.

In this case, Senators, Mr. Bankhead erected a scaffold on which to execute me. Haman did that on a former occasion for Mordecai, and when the truth was made known to the King, Haman was hanged upon the scaffold he and his tyrannical henchmen had erected to murder poor Mordecai. Out of the tricks and the trades of this bunch that manipulated this bastard primary, Mr. Bankhead erected a machine on which they expected to murder me politically. There is a high court to which we can come, thank God, and that is the Senate of the United States.

Senators, you must have the courage to pass on that primary. You must have the courage to render your decision as to whether it was legal or illegal. I can not believe the Senate has any cowards in it. I do not think you will fail to try this case, and try it honestly. It is up to you. I do not see how it can escape your final decision. It ought not to. It is your duty to decide it. We have appealed to you to do it. Senator BLAINE has said you have nothing to do with it, that it is a case for the courts.

What are you going to do with it if the court sidesteps it? Is the Senate going to sidestep it, too? It makes no difference whether it is a case in Alabama, Georgia, Minnesota, California, or where, we are entitled to a decision on it, an honest, plain, courageous decision on it.

What are you going to do about guarding the ballot box? It is more sacred to us than the palace of the king. It is the citadel of this Nation's life and strength. There, in that sacred institution, is the power that will preserve or destroy this Republic. It is the duty of every honest man and woman to lock hands around it, and then for the Senate to stand with drawn sword and say, "You can not enter here if you tamper with the ballots in these boxes. They are sacred things."

I read a story of the king's troops who had gone out to battle. Sir Roland, one of the bravest of them all, was assigned to the post of guarding the gates around the palace of the king. He was dreadfully disappointed. He wanted to go out and be in the thick of the fight. Brave soldier, he loved his king, but he was told, "You stand here and guard this gate and do not permit anybody under any excuse to enter the palace."

He stayed there. He could hear the charging war horses on the highway in the distance. He could hear the clash of sword with breastplate of the opposition. He knew they were engaged in the thickest of the fight. He wanted to be there. He wanted to feel the thrill of actual combat out on the battle front. But the king had trusted him to guard the gate of the palace.

The first imposter that came was a man dressed in woman's apparel with a basket on his arm. He said, "Will you please, sir, let me come in to get some food for myself and starving children? We are friends of the king." He said, "I am very sorry, but my orders are not to admit anyone. I will have some provisions brought out to you." But that did not satisfy the imposter. Sir Roland had food passed out between the iron palings and stood there with his sword and spear. In the folds of the woman's skirts worn by the imposter was disclosed, as he turned away, a sharp sword. If Sir Roland had opened that gate and been off his guard a moment, an expert swordsman would have slain him and the enemies of the king would have been in possession of the palace in a few minutes. But Sir Roland, true to his oath and true to his king, alert always, stood guard, and the man dressed as a woman went away.

In a little while a soldier came in the uniform of the king's guard. His shoulder was cut with a sword. He said, "The king has sent me in for treatment and rest." Sir Roland said, "I can not admit you." "But," he said, "the king sent me." He had on a uniform which he had taken from the body of a soldier of the king whom he had killed. Sir Roland rebuked him and said, "I fought all day after I was wounded worse than you are." He went away. He had a sword with which he expected to kill Sir Roland.

Later on in the afternoon an old man, apparently, with bowed head and feeble step, white hair and white beard, came feebly walking up to the gate and appealed to Sir Roland's weakness. Sir Roland loved a beautiful sword. He displayed a beautiful sword with golden handle. The old imposter said, "If you will let me in, I will give you this sword. I am a friend of the king. I am weary of war. I want rest. I am old and feeble." Sir Roland said, "I would like that sword and I would love to possess it, but the king told me to guard the gate and I can not admit you."

Just then he heard the shouts of the king's soldiers coming home, coming home in triumph, loping their horses down the slope near the palace. One of them said, "Yonder is the old impostor now." They hurried up, pulled the wig off of this old man, and displayed a keen sword at his side. He was a young man and the best swordsman of the opposition. He would have slain Sir Roland if he got inside the gate and the troops of the opposition would have been in possession when the king and his soldiers returned.

That night as they sat down at the long feast table the king had a beautiful light thrown upon the one who had rendered the greatest service during the day, and lo! the light played upon the face of Sir Roland, who had stayed home and guarded the gate, who kept the palace, and all was well when they who fought in the field returned to their possessions inside the iron gates and wall.

Senators, the ballot box in my State is the citadel where the people deposit their expressed will. In those ballot boxes are the weapons that they used on election day. They represent their rights and liberties, the greatest weapon known to free men, the ballot, with which man will preserve his rights and liberties, and the ill use of which and abuse of which will destroy his liberty. "The ballot box," the lawmakers of my State have said, "is so sacred that when you get through with the ballots you will roll them tight and seal them, no more to be looked at except in case of a contest. If the contest does not come in six months, so sacred are these ballots that the sheriff must burn them in bulk without ever unrolling them to see how anybody voted." Sacred institution! "High sheriff, lift up your hand and swear by the gods that you will defend that ballot box and keep it inviolate; permit no one, Bankhead supporter or Heflin supporter, to invade the sacred precincts of the Alabama ballot box and open the door and go in and rifle these sacred instruments placed there by the hands of the voters, the sovereign voters of the State. If you permit this ballot box to be opened, you are unfaithful, an unworthy official. You are a criminal. You violate the law. Every time it happens there is a \$500 fine and an imprisonment penalty beside."

What did they do? Did they guard the gate like Sir Roland did? No! In 1,014 instances out of 2,043 they marched in the ballot-box burglars and took possession of the sacred Ark of the Covenant, the ballot boxes in my State. They were turned over to Bankhead supporters; they were manipulated by Bankhead supporters. None of these ballot boxes were opened by my supporters. That is the truth about it.

Senators, what are you going to do about it? I want to say this in conclusion. I have spoken at great length. I appreciate more than I can tell the Senate the kindness extended to me in this matter. I wish I could have had all my evidence and could have laid it before you in consecutive order from beginning to end. We have been denied that. I have been denied it at the instance of the contestee and his friends. Remember that. I have not been permitted to close my case because they have denied me the right to do it. I shall not soon forget the treatment of the Senator from Georgia [Mr. GEORGE] and the Senator from New Mexico [Mr. BRATTON] when they got up in the committee and refused to serve when this matter was referred back to give me a chance to get further testimony. I never witnessed such a scene and I hope I may never again. I do not think that was fair treatment that was accorded to me. After I was gone they decided to act again on the committee, and

during my absence closed the case, and now it has gone to you.

Senators, you must decide it. I hope you will do what is fair and just in the matter. If you decide this case as you ought to, you are bound to declare that Senator Bankhead was never legally nominated, was never legally on the ticket, and therefore could not be elected. That is the first part you have to do with.

On the other hand, coming down to the general election, you will say, "Gentlemen, the trail of the serpent of corruption is over it all. Why did you burglarize these ballot boxes? Why did you number some of them and not number others? Why did you number some with ink and some with pencil? Why did you leave 58,000 unnumbered entirely? Why did you vote these 14,000 absentee ballots when you can not produce the voters of over 4,000 of them?" These are some of the questions that you must settle.

Mr. President, I would like to have the privilege of inserting in the RECORD the papers and matters I have referred to at the points I have mentioned.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and that order will be entered.

Mr. HEFLIN. Senators, again I want to thank you. You know there is a verse of Scripture that reads like this: "The time shall come when a man's foes shall be they of his own household." That is a great old book, the Bible. "They of his own household." Here we have a situation where I fear some of my friends on the Democratic side are not going to be very enthusiastic in really trying this case. I wish I had time to review the record of the votes in the Smith and Vare cases. I would like to see how these same Senators voted. I recall how they voted, but I would like to see how their names appear in the RECORD. They were very eager and anxious then to put Smith out. They really made some good speeches about the importance and necessity of safeguarding the Senate and keeping crooks and criminals out. I remember how eloquent some of them were, and when I see them failing to enthuse over safeguarding elections in a Southern State, a Democratic State, I am astounded; I am disappointed at the position they take. Let us hold fast to the doctrine that Washington laid down and that I quoted to you to-day. Party spirit? He said we all have it to a certain extent. To a certain extent it is all right; but when you reach the point that party spirit will cause you to lose sight of the good of your country it is party spirit gone mad, and the liberties of your people will be lost if you submit to it.

I have fought the corrupt doings of the party machine. In doing it I have fought for the good of my party and the good of my country. I have fought crookedness and corruption in Alabama. I shall continue to fight it. I have been engaged somewhat in a lecture tour in the country speaking on "America at the Cross Roads," discussing economic problems and various things that affect the life of this Nation. I shall continue to speak for the good of my country and the perpetuity of the free institutions of my country.

I love the Democratic Party. I have given devoted service to it from my youth time. I have done far more than any man that sits in this Chamber for my party in my State. I do not say that boastfully. I have done more in other States in the affairs of the Democratic Party than any Democrat who sits on this side of the Chamber. I have letters from the chairmen of the national committee, when the campaigns were over, telling me how they appreciated my services. I have fought the battles of my party. I have tried to keep it clean and honest. When I came up in 1930 and submitted my claim to the party that has honored me for more than a quarter of a century, I was denied the right to enter the Democratic household where my forebears were born and died, shut out and not permitted to go in and submit my claim. I said, "Let the Democrats punish me. If I have sinned, let my party punish me. If they approve what I have done, then it is the will of the party, and the party

approves it, and that settles it." They said, "No; if we let him in he will be nominated." They would not allow the Democrats to vote.

I make the further statement to you if they had let me in Mr. Bankhead would never have been a candidate. My staying out meant his campaign and whatever would follow to the gang and the machine. Mr. Bankhead is a very wealthy man. Mr. Bankhead had it in his power to let me in. Mr. Bankhead and his machine kept me out. Mr. Bankhead and his crowd in Alabama are responsible for all the skulduggery practiced at the polls and following the election.

They say the election in some places was all right. Certainly, it was in many places. Then where did this skulduggery take place? It took place at the courthouse after the election. How did it happen that the ballot boxes were opened? Senator BLACK says Bankhead county officials were not opening them. He did not know. I knew. I was getting the news about it, and when we would go after them we would find half of them opened and entered in the household of Bankhead's friends, and my evidence destroyed. I do not know whether the ballots they contained were the ballots voted by the voters or not, and the Senate does not know. They are there; they are fixed; and, of course, they tally with the returns down there when they are counted here. They fixed them there. I never expected that there would be much difference shown by the recount, but it was the only way we could find out how the ballots appeared when we got in charge of them.

Now, there you are, Senators. Over half the ballot boxes in my State were opened and entered by Bankhead's partisans. My case is bristling with evidence like that, all up and down the line, evidence which I have been unable to produce because my case has been closed, the door shut in my face, and shut at the instance of the contestee and his supporters on this side of the aisle, with the aid of my friend from Wisconsin [Mr. BLAINE].

That is the situation. Take my case, Senators. Many of you have rendered some good and signal service here. I wish that some many more years of useful service. The Senate is a great body; it ought to be true to its traditions, true to the great ideals of the great statesmen who have served here. It ought never to degenerate into a body of politicians who will register and carry out the designs of crooked politicians in the States. Here is one place where they must not enter.

Like Sir Roland, you should guard the gate with drawn sword against all imposters. When they come and say that these were minor irregularities, tell them, like Sir Roland, "Get back, you imposter." When they say that the unidentified absentee voters were all right, tell them to get back. And when they come with ballots forged by the hundreds and thousands in the ballot boxes, tell them to get back. When it develops that half the ballots have been opened and the boxes burglarized, tell them to get back; tell them to come here with clean hands, with an honest certificate, and all will be well, "but if you come here with the trail of the serpent of corruption and fraud all over it we will not accept you in the Senate; and if you get in, as soon as the truth is known we will lift you out and send you back."

Senators, be just and fair to me; be just and fair to the people whom I represent, the people who elected me. More than two-thirds of the Democrats and three-fourths of the Republicans voted for me. I was elected by an overwhelming majority. You see what a fix they have got the ballot boxes in. They had charge of the election, and boasted of it, in 61 counties out of 67. You can see what chance I had in compelling a fair election and fair count under those conditions. Not only that, but they were boasting that they would steal the election from me. I stand ready now to produce more than 1,000 reputable witnesses in the State who will swear that prominent Bankhead supporters told them that I would win the election but that they were going to steal it from me.

Senators, I thank you for your patience, for your goodness in giving me this opportunity to discuss this matter in a

rambling way, and to give you somewhat a picture of the situation in my State. I am hoping and praying that you will stay with it and give attention to it until it is settled, and settled right.

William Jennings Bryan, the Great Commoner, said, "No cause is ever settled until it is settled right." Another has said:

Great is the facile conqueror;
Yet happy he, who, wounded sore,
Breathless, unhorsed, all covered o'er
With blood and sweat, sinks foiled, but fighting evermore,
Is greater yet.

And Byron has said:

For Freedom's battle once begun,
Bequeath'd by bleeding sire to son,
Though baffled oft is ever won.

I pledge you in this sacred place with my heart and my all, where I served as best I could for over 10 years, that I will carry on in the interest of good government. I pledge the people of my State, who have honored me all through these years, who are supporting me now loyally and holding up my hands as I am fighting to smash the worst political machine outside of Tammany and Pittsburgh and Philadelphia, that I will carry on, fight on and on and on until we have a clean ballot and an honest and fair count, until we break the jaws of the wicked machine and pluck the spoil from its teeth. Corrupt machine politics shall not control my State. I do not care how many recruits in this body it draws into its fold, Alabama shall be free; my State will walk again with unfettered step; her voters will vote as they choose and, by the eternal God, every ballot shall be counted as cast. I thank you, Senators. [Applause in the galleries.]

The PRESIDENT pro tempore. The Sergeant at Arms will clear the galleries.

Mr. McNARY obtained the floor.

Mr. HASTINGS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Oregon yield to the Senator from Delaware?

Mr. McNARY. I yield.

Mr. HASTINGS. Mr. President, I think it is quite important at this point for me to make a statement correcting some things said by Mr. Heflin.

Mr. ROBINSON of Arkansas. Mr. President, I rise to a point of order.

The PRESIDENT pro tempore. The Senator will state it. Mr. ROBINSON of Arkansas. The Senate is not in order.

The PRESIDENT pro tempore. The Senate will be in order. The occupants of the galleries as they go out will maintain some semblance of order.

Mr. HASTINGS. Mr. President, Mr. Heflin stated correctly that he was prevented from producing all the testimony that he desired to produce. Several times during his address he stated that that was due to the activities of the Senator from Georgia [Mr. GEORGE] and the Senator from New Mexico [Mr. BRATTON]. I want to say that that is not correct. The suggestion of stopping the taking of testimony was made by myself and concurred in by other members of the subcommittee. I think it is my duty to make that statement and to make it at this time.

One other point with respect to voting in committee at the time Mr. Heflin was away. At the time I received my notice it did not include the consideration of the Bankhead case, and I so told Mr. Heflin. The matter was taken up, however, and, finding that it was about to be taken up, I attended the meeting. The vote came, however, upon the statement being made by Mr. Bankhead's counsel that he did not care to argue the matter. It was an executive meeting, and there was no advantage taken of the fact that Mr. Heflin was away. I think it is due the Senator from Georgia [Mr. GEORGE] and the Senator from New Mexico [Mr. BRATTON] that I should make that statement.

PETITIONS AND MEMORIALS

Mr. WALSH of Massachusetts presented petitions of 82 citizens of the State of Massachusetts, praying for the passage of the bill (H. R. 9891) to provide for the establishment

of a system of pensions for railroad and transportation employees and for a railroad pension board, and for other purposes, which were referred to the Committee on Interstate Commerce.

He also presented a petition of sundry citizens of Cambridge and vicinity, in the State of Massachusetts, praying for the passage of legislation providing for full cash payment of adjusted-compensation certificates of World War veterans (bonus), which was referred to the Committee on Finance.

He also presented a memorial of sundry citizens of Boston, Mass., remonstrating against the imposition of a tax of a cent a shell upon shotgun shells, which was referred to the Committee on Finance.

Mr. ASHURST presented a telegram from "Walker," Tuba City, Ariz., favoring an amendment of House bill 10236, the revenue and taxation bill, so as to exclude Indian-made goods from the proposed tax on jewelry, which was referred to the Committee on Finance.

He also presented a telegram from Thomas J. Elliott, commander Department of Arizona, Disabled Veterans of the World War, Tucson, Ariz., protesting against proposed amendment of section 19 of the World War veterans' act, relative to the introduction of evidence by veterans, etc., which was referred to the Committee on Finance.

Mr. JONES presented a resolution adopted by the council of the city of Tacoma, Wash., indorsing the proposal for the appropriation of \$5,500,000,000 for a public-works program, and the making of \$3,750,000,000 of such proposed appropriation available for loans to cities, counties, and States for the construction of highways, streets, bridges, water supply, sewerage works, public buildings, etc., which was referred to the Committee on Commerce.

He also presented a resolution adopted by Snohomish Valley Council, No. 19, Junior Order United American Mechanics, of Snohomish, Wash., favoring the passage of the so-called Moore bill, being House bill 10602, for the further restriction of immigration, etc., which was referred to the Committee on Immigration.

He also presented a memorial of sundry citizens of Chehalis, Wash., remonstrating against proposed reductions in the compensation of Federal employees or curtailment of the annual-leave privilege, which was referred to the Committee on Appropriations.

He also presented a memorial of sundry citizens, being postal employees, of Wenatchee, Wash., remonstrating against proposed reductions in the compensation of post-office clerks, which was referred to the Committee on Appropriations.

He also presented petitions of sundry citizens of Bordeaux, Bucoda, Centralia, Elma, Malone, and Pe Ell, all in the State of Washington, praying for the imposition of adequate import duties on logs, lumber, shingles, and pulp, which were referred to the Committee on Finance.

Mr. COPELAND presented resolutions adopted by Tully Grange, No. 617, Apulia, N. Y., indorsing the so-called Sparks-Capper stop alien representation amendment, providing that aliens shall be excluded from the count of the whole number of persons in each State in apportioning Representatives in the several States according to their respective numbers, which were referred to the Committee on Immigration.

He also presented a resolution adopted by the executive committee of the American Asiatic Association, at India House, New York City, relative to Senate bill 7 and House bill 4648, providing for the deportation of certain alien seamen, and for other purposes, and urging revision thereof, which was referred to the Committee on Immigration.

He also presented a resolution adopted by Finger Lakes Council, No. 196, Junior Order United American Mechanics, of Ithaca, N. Y., favoring the passage of legislation providing more effective investigation of violations of the immigration law, which was referred to the Committee on Immigration.

He also presented memorials of sundry citizens of New York City and Larchmont, N. Y., remonstrating against the passage of legislation providing for the payment of ad-

justed-compensation certificates (bonus) of World War veterans at the present time, which were referred to the Committee on Finance.

He also presented a resolution adopted by members of the College of the City of New York, Post No. 717, American Legion, of New York City, N. Y., opposing the passage of legislation providing for payment of adjusted-compensation certificates (bonus) of World War veterans at the present time, which was referred to the Committee on Finance.

He also presented a resolution adopted by the New York Commandery of the Military Order of Foreign Wars of the United States, protesting against the payment of adjusted-compensation certificates (bonus) of World War veterans at the present time, which was referred to the Committee on Finance.

He also presented resolutions adopted by the Royalton Township Taxpayers' Association, of Niagara County, N. Y., favoring retrenchment in governmental expenditures and the imposition of only necessary taxation, which were referred to the Committee on Finance.

He also presented a petition of sundry citizens of New York City, N. Y., praying for the adoption of immediate measures to end national prohibition, so that taxes may be levied upon liquor, which was referred to the Committee on Finance.

He also presented a letter from H. D. Wolfe, vice president of Revere Copper & Brass (Inc.), of Rome, N. Y., favoring retrenchment in governmental expenditures, and inclosing copy of resolutions adopted by the Rome (N. Y.) Chamber of Commerce relative to proposed building construction, which, with the accompanying paper, was referred to the Committee on Appropriations.

He also presented resolutions adopted by the executive committee of the Merchant Tailors' Society, of New York City, N. Y., protesting against the imposition of a tax on sales of securities, also against the payment of adjusted-compensation certificates (bonus) of World War veterans at the present time, which were referred to the Committee on Finance.

He also presented memorials of sundry citizens of Buffalo and vicinity, in the State of New York, remonstrating against the imposition of taxes on automobiles, gasoline, lubricating oil, and, in general, on the motor industry, which were referred to the Committee on Finance.

He also presented resolutions adopted by the Massena (N. Y.) Chamber of Commerce, favoring the passage of legislation providing for a tariff duty on ground wood and chemical pulp, and also legislation providing for a surtax on products which are being shipped into the United States and quoted f. o. b. United States ports at a price far under the cost of production in the United States owing to the depreciated currencies of foreign countries manufacturing such products, etc., which were referred to the Committee on Finance.

He also presented a letter from the president of the American Chamber of Commerce in France (Inc.), Paris, France, inclosing copy of a resolution adopted by the members of that chamber in regard to the alleged discriminatory attitude of the French Government toward American exports to France in the application of its policy of limitation of imports by means of quotas, and also copy of an editorial from the Paris edition of the New York Herald of the 3d instant, entitled "Inviting Reprisals," which, with the accompanying papers, was referred to the Committee on Finance.

He also presented a memorial of sundry citizens of Kew Gardens, Flushing, Bellmore, and Brooklyn, N. Y., remonstrating against the passage of Senate bill 695, relative to veteran benefits, which was referred to the Committee on Finance.

He also presented resolutions adopted by members of the Amityville Business Men's Club, of Amityville, N. Y., favoring the balancing of the Budget and retrenchment in governmental expenditures, etc., which were referred to the Committee on Appropriations.

He also presented resolutions adopted by Hudson Post, No. 184, American Legion, of Hudson, N. Y., favoring the construction of an addition to the Hudson city post office, starting not later than July 1, 1932, which were referred to the Committee on Appropriations.

He also presented a resolution adopted by the Mohawk Regular Democratic Club, of Long Island City, N. Y., protesting against proposed reductions in the compensation of Federal employees, which was referred to the Committee on Appropriations.

He also presented a resolution adopted by the Buffalo (N. Y.) Teachers' Club, protesting against the suspension or curtailment of Federal aid to the States for vocational education, which was referred to the Committee on Appropriations.

He also presented a letter in the nature of a memorial from members of the Sodus (N. Y.) Young Farmers' Club, remonstrating against the proposal to suspend for one year payments for vocational education, which was referred to the Committee on Appropriations.

He also presented a petition of sundry citizens, being substitute employees of the Schenectady (N. Y.) post office, praying for the passage of pending legislation for the relief of substitute employees in the Postal Service, which was referred to the Committee on Post Offices and Post Roads.

He also presented resolutions adopted by the Rome (N. Y.) Chamber of Commerce, favoring a thorough investigation in the interest of economy to ascertain if there is an immediate need for the erection of a new post office in the city of Rome, N. Y., with a view to determining whether such expenditure may be postponed to a later date, and that like investigation may be made as to other proposed post offices and public buildings, the erection of which is now contemplated, which were referred to the Committee on Post Offices and Post Roads.

He also presented a resolution adopted by the common council of the city of Oswego, N. Y., favoring the repeal of the eighteenth amendment to the Constitution, which was referred to the Committee on the Judiciary.

He also presented resolutions adopted by the executive committee of the Merchant Tailors' Society, of New York City, N. Y., opposing the maintenance of the eighteenth amendment to the Constitution and the Volstead Act, etc., which were referred to the Committee on the Judiciary.

He also presented a memorial adopted by the Somerseset Woman's Christian Temperance Union, of Utica, N. Y., remonstrating against the adoption of any measure seeking to legalize the sale of beer, which was referred to the Committee on the Judiciary.

He also presented resolutions adopted by the City Missionary Union and the Woman's Union Missionary Society, of Oswego, N. Y., favoring the maintenance of the eighteenth amendment to the Constitution and its enforcement law, which were referred to the Committee on the Judiciary.

He also presented resolutions adopted by the State Convention of the Reserve Officers' Association, at Albany, N. Y., favoring the making of a sufficient appropriation to provide inactive duty and flying training for the air reserve combat pilots during the remainder of the fiscal year 1932, etc., which were referred to the Committee on Military Affairs.

He also presented a resolution adopted by San Antonio Chapter, No. 1, Disabled Emergency Officers of the World War, of San Antonio, Tex., favoring the maintenance of the emergency officers' retirement act of May 24, 1928, as the permanent military policy of the United States, which was referred to the Committee on Military Affairs.

He also presented resolutions adopted at the annual meeting of the board of directors of the Laundryowners' National Association of the United States and Canada, in relation to the subject of activities of the Government in business and governmental expenditures and economies, which were referred to the Committee on Expenditures in the Executive Departments.

PHILIPPINE INDEPENDENCE

Mr. COPELAND. Mr. President, I ask unanimous consent to have printed in the Record copy of a letter written

to the President of the United States by an honored member of the New York State Legislature, Hon. Louis A. Cuvillier. It is a protest against alienating sovereignty over the Philippines.

There being no objection, the letter was ordered to lie on the table and be printed in the Record, as follows:

ASSEMBLY CHAMBER,
STATE OF NEW YORK,
Albany, February 22, 1932.

HON. HERBERT HOOVER,
President of the United States,
White House, Washington, D. C.

MY DEAR MR. PRESIDENT: It is apparent to my mind that Congress during the present session will pass a bill granting independence to the Philippine Islands. Of course, this bill, though in my mind is absolutely unconstitutional, will have to meet with your approval or veto.

Laying aside the question if these islands are a liability instead of an asset, and if the Philippines will be well governed under their own leaders, it is a grave question if Congress has the right to grant independence to these islands. As you know, under article 3 of the treaty with Spain at the conclusion of the Spanish-American War in 1898, "Spain cedes to the United States the archipelago known as the Philippine Islands" and the payment of \$20,000,000 by the United States, and by article 2 of the same treaty, "Spain cedes to the United States the island of Porto Rico and other islands under Spanish sovereignty in the West Indies, and the island of Guam in the Ladroneas." This treaty was ratified by the Senate of the United States and received the approval of President McKinley on April 11, 1899. The United States conquered these islands in the war with Spain. Each and every acquisition of territory annexed to the United States, either on the continent of North America or its insular possessions, was acquired either by conquest in war or purchase, was ceded to the United States by treaties; the only exception was the treaty between Great Britain and the thirteen original States, which was negotiated in 1783 and afterwards ratified by the Congress of the United States and received the approval of the President of the United States. Great Britain acknowledged the thirteen original States to be free, sovereign, and independent States, and, following, the acquisition of other territory by the United States was as follows: The treaty with France, 1803, whereby France ceded the French possession in the North American Continent known as the "Louisiana Purchase," on the payment of \$15,000,000 to France. The next treaty was with Spain, 1819, whereby Spain ceded to the United States East and West Florida and adjacent islands dependent on said Provinces. The next treaty was with the Republic of Mexico, 1848, whereby Mexico ceded to the United States Texas, New Mexico, and Upper California. The next treaty was with the Empire of Russia, in which Russia ceded its possessions in North America, Alaska (1867). In 1898, by joint resolution in Congress to provide for annexing the Hawaiian Islands to the United States, in which the Republic of Hawaii ceded absolutely and without reserve the Hawaiian Islands to the United States of America, all rights of sovereignty on said islands. The next treaty, 1904, whereby the United States guaranteed independence of the Republic of Panama for the purpose of constructing the Panama Canal. So you can see by all of these treaties the word "cede" is the predominant word that gives absolute title to these territorial possessions to the people of the United States forever.

The question may arise why the United States gave recognition to the independence of Cuba in its treaty with Spain; it did so because the United States, on April 12, 1898, through Congress, declared war against the Kingdom of Spain for the purpose of securing the independence of Cuba, but no such condition is attached to the treaty with Spain as to the possessions of the Philippine Islands. In the event that you do approve of the resolution for the independence of the Philippine Islands, I am of the opinion that the Supreme Court of the United States will declare such resolution unconstitutional. In the case of *Downes v. Bidwell* (182 U. S. 271) the court said: "Where the Constitution has been once formally extended by Congress to Territories, neither Congress nor the Territorial legislature can enact laws inconsistent therewith." The Supreme Court, in *Murphy v. Hausey* (114 U. S. 44), said: "The people of the United States as sovereign owners of the national territories have supreme power over them and their inhabitants. In the exercise of this sovereign domain they are represented by the Government of the United States, to whom all the powers of government over that subject have been delegated, subject only to such restrictions as are expressed in the Constitution or are necessarily implied in its terms or in the purposes and objects of the power itself. * * * But in ordaining government for the Territory, and the people who inhabit it, all the discretion which belongs to legislative power is vested in Congress; and that extends beyond all controversy, to be determined by law from time to time, the form of the local government in a particular Territory and the qualification of those who shall administer it." The Supreme Court stated in *United States v. Tagma* (118 U. S. 380): "The power of Congress to organize Territorial governments and make laws for the inhabitants arises not so much from the clause in the Constitution in regard to the disposal of and making rules and regulations concerning the Territory and other property of the United States as from the ownership of the country in which the Territories are and the right of exclusive sovereignty which must exist in the National Gov-

ernment and can be found nowhere else." The Supreme Court held in the case of *Sere v. Pitot* (U. S. Cranch 336): "The power of the Government and the legislating for the Territory is the inevitable consequence of the right to acquire and hold territory." The United States Court further stated in *Door v. United States* (195 U. S. 143): "Until Congress shall see fit to incorporate territory ceded by treaty into the United States, we regard it as settled * * * that the Territory is to be governed under the power existing in Congress to make laws for such Territories and subject to such constitutional restrictions upon the powers of that body as are applicable to the situation."

It is assumed that Congress in attempting to grant independence to the Philippine Islands does so under clause 2, section 3, of Article IV of the Constitution of the United States, which states: "The Congress shall have power to dispose of and make all needful rules and regulations respecting the Territories or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or any particular State." The United States court stated in *Kansas v. Colorado* (208 U. S. 89): "The full scope of this paragraph has never been definitely settled." Most of the States in the Union were originally Territories—Indiana, Wisconsin, Illinois, Louisiana, Alabama, Arkansas, Missouri, Michigan, Kansas, Nebraska, Utah, Montana, Nevada, New Mexico, Idaho, Washington, Colorado, North and South Dakota, Oregon, Iowa, Minnesota, Arizona. Can it be conceded that these States above mentioned which were originally Territories that Congress had the constitutional power to alienate, sell, and convey the same to a foreign power or grant them independence and autonomy beyond the control and sovereignty of the people of the United States and the Government of the United States; if so, there is no valid reason why the insular possessions of the United States as well as part of the domain of the United States in North America should not be returned to the sovereignty of the nations that originally owned them under the treaties negotiated between the United States and these foreign states of the property and territory so ceded to the United States.

It seems to be a disposition in Congress to let the Philippine Islands go to the mercies of other foreign nations who will conquer them just as soon as the United States relinquishes its sovereignty over these islands. It appears that many members of Congress are glad to get rid of these islands on the ground of selfish commercial interests, claiming that these islands' products come in competition with the products of the States and also that the emigration of the Filipinos to the States has a detrimental effect on the citizens of the States to make a livelihood. Such idiotic theory is not worthy of the thought of an ignoramus who does not know the first rudiments of government. These islands, both as to production of agriculture and mining wealth, if properly exploited, will be an asset to the United States and a source of great revenue, and I have no patience with the Vandenberg, Hawes, and Cuttings theory about the Philippine Islands. If they and their like would read the history of these islands by the late General Wood, Governor General for many years of the Philippine Islands, I am sure they and Congress would have an entirely different view as to the independence of these islands.

Never in the history of the United States has it ever ceded territory once acquired by it. From a defensive point of view these islands are an absolute necessity. The Philippine Islands, with the Hawaiian and some more islands, give the United States the absolute control of the Pacific Ocean, the same as Gibraltar gives control to Great Britain of the Mediterranean Sea. If the United States were to abandon the Philippine Islands there is a profound feeling in the United States that we will suffer not only a vast loss of prestige but of trade and commerce in the Far East; that to give up these islands would practically be to retreat the United States out of the Pacific Ocean. In view of the aggressive action of Japan in Manchuria and in China there are deep misgivings as to what would happen to Americans' interests in the Orient or to the Philippines themselves if the Stars and Stripes should no longer float over these islands. Japan for the past 500 years has had an eye for the possession of the Philippine Islands. In 1590 the Emperor of Japan, Hidyaski, demanded of the Spanish governor general of these islands their surrender to Japan. The Spanish governor general ignored the Emperor's request, and these islands remained in the possession of the Kingdom of Spain until 1898, when they were conquered by the United States in the War with Spain. Recent events in Hawaii have served to emphasize the importance of the strongholds of the United States in the Pacific and as a warning to the United States to beware of the false step in this direction, because if these islands are once out of the United States it is a question whether the white race is to abandon Asia; which, to my mind, would be a prelude to a vast uprising in India against Great Britain, and is one which concerns the civilized world.

Respectfully,

LOUIS A. CUVILLIER,
Member New York Legislature.

PROTECTION OF ALASKAN REINDEER HERDS

Mr. BARBOUR presented a letter from Mrs. J. E. Barbour, of Paterson, N. J., relative to the protection of the reindeer herds in Alaska, which was referred to the Committee on Territories and Insular Affairs and ordered to be printed in the RECORD, as follows:

KILBARCHAN,
Paterson, N. J., April 25, 1932.

Senator W. WARREN BARBOUR,
Washington, D. C.

MY DEAR MR. BARBOUR: I am writing you on behalf of the Eskimos of Alaska, to ask that you will lend your influence toward any legislation which will protect the reindeer herds for them. It is their only source of food, clothing, and financial support.

I understand that the natives are helpless in the face of organized corporations of white men, by whose cleverness, coupled with cupidity, are fast gaining control of all the herds of reindeer.

For the past 10 years they have been pleading for relief and the enforcement of the laws for their protection.

Thanking you for anything you may be able to do in this matter, I am,

Yours very truly,

K. N. BARBOUR.
Mrs. J. E. BARBOUR.

REPORTS OF COMMITTEES

Mr. BINGHAM, from the Committee on Territories and Insular Affairs, to which was referred the bill (H. R. 7233) to enable the people of the Philippine Islands to adopt a constitution and form a government for the Philippine Islands, to provide for the independence of the same, and for other purposes, reported it with an amendment in the nature of a substitute.

Mr. ROBINSON of Indiana, from the Committee on the Judiciary, to which was referred the bill (H. R. 10277) to transfer Lincoln County from the Columbia division to the Winchester division of the middle Tennessee judicial district, reported it without amendment and submitted a report (No. 595) thereon.

Mr. STEIWER, from the Committee on Public Lands and Surveys, to which was referred the bill (S. 4070) to authorize the acquisition of a certain building, furniture, and equipment in the Crater Lake National Park, reported it with an amendment and submitted a report (No. 596) thereon.

He also, from the same committee, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

H. R. 9970. An act to add certain land to the Crater Lake National Park in the State of Oregon, and for other purposes (Rept. No. 597); and

H. R. 10284. An act to authorize the acquisition of additional land in the city of Medford, Oreg., for use in connection with the administration of the Crater Lake National Park (Rept. No. 598).

Mr. NYE, from the Committee on Public Lands and Surveys, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

H. R. 9591. An act to extend the period of time during which final proof may be offered by homestead entrymen (Rept. No. 599); and

H. R. 10744. An act to authorize the issuance of patents for certain lands in the State of Colorado for certain purposes (Rept. No. 600).

EXECUTIVE REPORTS OF THE POST OFFICE COMMITTEE

As in executive session,

Mr. ODDIE, from the Committee on Post Offices and Post Roads, reported favorably sundry nominations of postmasters, which were placed on the Executive Calendar.

BILLS INTRODUCED

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

By Mr. GEORGE:

A bill (S. 4486) for the relief of Eddie B. Black; to the Committee on Claims.

By Mr. DILL:

A bill (S. 4487) for the relief of Leo W. Hurley; to the Committee on Military Affairs.

By Mr. NEELY:

A bill (S. 4488) for the relief of Frank W. Bailey; to the Committee on Military Affairs.

A bill (S. 4489) for the relief of Lydia A. Thompson; to the Committee on Claims.

A bill (S. 4490) granting a pension to James Mason; to the Committee on Pensions.

By Mr. COPELAND:

A bill (S. 4491) amending the shipping act, 1916, as amended, for the purpose of further regulating common carriers by water in interstate commerce of the United States engaged in transportation by way of the Panama Canal; to the Committee on Commerce.

By Mr. SMOOT:

A bill (S. 4492) to provide for the vocational rehabilitation of the blind; to the Committee on Public Buildings and Grounds.

By Mr. FLETCHER:

A bill (S. 4493) providing for the appointment of midshipmen reserves to the United States Naval Academy; to the Committee on Naval Affairs.

By Mr. HAYDEN:

A bill (S. 4494) for the relief of William J. Mason, jr.; to the Committee on Post Offices and Post Roads.

By Mr. CAREY:

A bill (S. 4495) amending section 1 of the act entitled "An act to provide for stock-raising homesteads, and for other purposes," approved December 29, 1916 (ch. 9, par. 1, 39 Stat. 862), and as amended February 28, 1931 (ch. 328, 46 Stat. 1454); to the Committee on Public Lands and Surveys.

REVENUE AND TAXATION—AMENDMENTS

Mr. COUZENS submitted sundry amendments intended to be proposed by him to House bill 10236, the revenue and taxation bill, which were referred to the Committee on Finance and ordered to be printed.

Mr. METCALF submitted an amendment intended to be proposed by him to House bill 10236, the revenue and taxation bill, which was referred to the Committee on Finance and ordered to be printed.

ADDRESS BY CLAUDE G. BOWERS AT THE UNVEILING OF THE STATUE OF JAMES MONROE

Mr. COPELAND. Mr. President, at the old home of James Monroe there gathered yesterday a notable group of Americans. The occasion was the unveiling of a monument to the author of the Monroe doctrine. The address was made by that eloquent exponent of Democracy, Mr. Claude G. Bowers. It is so appealing, so stirring, that I crave the privilege of giving it to the American people. I ask unanimous consent that it may be printed in the RECORD.

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

ADDRESS BY CLAUDE G. BOWERS AT THE UNVEILING OF THE STATUE OF JAMES MONROE AT "ASH LAWN," CHARLOTTESVILLE, VA., APRIL 25, 1932

Not often are ceremonies in commemoration of the distinguished dead solemnized under circumstances more interesting than these here to-day. Here stands Ash Lawn, so long the home in which Monroe lived and meditated—designed by Jefferson, the idol of his heart. There looms the Norwegian pine he brought back as a souvenir of his services to his country in foreign lands. Here is the famous boxwood he brought home from England, which, like his fame, is green and more robust than it ever was before. Across this lawn he was wont to look up to the hilltop of the great philosopher of democracy to whose fundamental principles he was as unchanging as the North Star; for it was his wish that the home be built so that in the night he could see from his windows the light twinkling in the mansion of Monticello. Hither, many times the master of that mansion rode on horseback to discuss the perils and the problems of the times. It was on this spot, at the beginning of the memorable campaign of 1800 that was to end in the Jeffersonian triumph, which definitely determined that ours should be a democratic republic, that Jefferson, Madison, and Monroe secretly planned the strategy of the struggle.

And here we raise a beautiful monument with a romantic history of its own. When the sculptor was still young and ardent in his art, he was commissioned by Venezuela to make it for her capital, as a visible expression of her appreciation of Monroe. Into the molding of the marble went all the youthful ardor of the artist, and then came the British challenge to the doctrine of Monroe in the Venezuelan crisis, and the militant counterchallenge of Cleveland in the phrasing of Olney. That incident that so nearly led to war was closed with victory for the policy of Monroe, but the delicacy of the situation would have made the unveiling of the statue then seem to England as the salting of a sore. And so the years have passed, and this exquisite bit of statuary has been treasured in the studio of the sculptor, who

came to love it with the passing of the years, as the favorite of his youth.

Now we bring it home to-day to be unveiled in the presence of Piccirilli, to the house designed by Jefferson, where grows the boxwood planted by Monroe, and where looms the pine tree of his travels that threw its shadows on his sunny afternoons.

It is fitting, too, that this should be done in the presence of the governors of the various States, whose constitutional rights and sovereign dignity never had a stouter champion than he.

SACRED GROUND

All this is sacred ground. Within a radius of a few miles lived the immortal trio whose joint labors made ours a republic dedicated to liberty and human rights. On yonder hilltop is the home of Jefferson, the author of the Declaration of Independence and the philosopher of democracy. Not far away, at Montpelier, dwelt Madison, the "father of the Constitution." And here lived Monroe, the author of the doctrine that has preserved the American Republic from the interference of the European powers. These scenes were familiar with the figures of them all; for hereabouts they often sat under the trees on summer days in solemn converse on the problems of the hour.

There was something beautiful and rare in the friendship of these Plutarchian men; nor was it solely a similarity in their political ideals that held them in these bonds. The ties of personal affection were quite as strong. They loved each other for their virtues and found it easy to pardon each other's faults. One by one they passed with popular acclaim to the highest honors of the Republic and wrote their deeds into the golden book of American achievement.

I have associated James Monroe with his two immortal friends because he would have had it so.

MONROE THE MAN

Among these three musketeers of democracy in America, Monroe was the outstanding man of action. He was essentially a fighter. The others might use rapier of finesse; Monroe preferred the battle-ax. He arrived at his conclusions through conscientious and meticulous research; but when his opinion had been formed, it was a conviction to which he courageously adhered. No one ever had to inquire where he stood on a controversial proposition—he stood openly in the forefront of the battle where the struggle was the fiercest.

There was nothing of the poison of envy in his blood. Even his momentary clash with Madison, when their ambitions met, failed to chill the warmth of his affections for the man of Montpelier. Even the unpleasantness with Jefferson over the rejection of the English treaty could not diminish his love and admiration for the genius of Monticello.

We need not concern ourselves in the study of his character with the methods of the psychoanalysts. It is enough to know that Madison admired and loved him; that Jefferson said "he is a man whose soul might be turned wrong side outward without discovering a blemish to the world." It is enough to know that John Quincy Adams, who, in his diary, scarcely permitted a contemporary to go unscathed, said that the mind of Monroe "was anxious and unwearied in the pursuit of truth and right, patient in inquiry and contradiction, courteous even in collision of sentiment, sound in its ultimate judgments, and firm in its final conclusions." And that Lord Holland, whose drawing room and dining room in London were graced by the most remarkable characters of his time in literature, politics, and art, found him "a man of candor and principle—diligent, earnest, sensible, and profound."

In his public character he was of Cato-like austerity; in his friendships he was all fidelity; and to his country he gave the whole of a robust mind and a devoted heart.

MONROE'S PRINCIPLES

Monroe was precocious in the development of his political ideals. Nature made him a Republican. He knew that God never placed a crown upon the head or a lash in the hand of any man born of woman with the divine right to ride roughshod over his fellow men.

And nature and the frontier made him a Democrat. He knew that any government that does not rest upon the affections of the people because of its equal devotion to the common interests of them all is a usurpation and an imposition based on force or fraud.

He opposed the ratification of the Constitution as it came from the convention because of the absence of a bill of rights for the protection of the citizen against the abuse of power.

He believed in the sovereign rights of States; he opposed as dangerous the centralization of power; he demanded that political power in the Republic be disseminated among the people in their homes and not concentrated in some remote capital.

The political philosophy of Monroe was born of his passion for liberty and human rights. That is the Americanism of the founders, and when it dies the Republic will cease to live.

HIS FOOTSTEPS

It would be profitable if we had the time to trace the footprints of this great man over the pages of our history.

There would be a thrill in the story of the youth of the Revolution—the gallant charge at Trenton, where he captured the artillery of the enemy, received a bullet in his shoulder he was to carry to his grave, and was glorified by the encomium of Washington.

We might pause to reflect on the prophetic vision of the young statesman, less than 30, who in the midst of a general indiffer-

ence to the western country, framed the celebrated report on the American right to the navigation of the Mississippi, and to an outlet at New Orleans.

There is sheer romance in the story of his embassy to revolutionary France where, as lone ambassador, he received the fraternal embrace of the president of the convention in the tribunal whence only a few days before the outraged members had hurled the bloody Robespierre.

What American can not thrill to the tale of his rescue of Paine, the American patriot, from the shadow of the guillotine, and the story of the finesse with which he managed to save the wife of Lafayette from a bloody death without incurring the displeasure of the revolutionary government?

We should like to picture him negotiating for the purchase of the empire of Louisiana, with a vivid realization of the imperial destiny of the nation, and taking his leave of Napoleon in the palace of St. Cloud.

It would be interesting to follow him to Madrid in his unsuccessful effort to purchase Florida, and then rejoice with him during his Presidency in the final consummation of his hope.

ORGANIZER OF VICTORY

But because of the slovenly justice done him on the page of history we must pause for a hasty review of the heroic part he played in the War of 1812.

He had entered the Cabinet of Madison as Secretary of State on condition that he have the utmost freedom in attempting a peaceable settlement of the differences between the United States and England. But England was arrogant and unyielding; and when the choice was offered between the supine surrender of our rights and war he joined the war party and became its leader.

It was he who finally framed the report on the situation of the Calhoun committee in the Senate, and he it was who phrased the war passages in the message of his chief.

And so the war came, and reverses set in; and the energetic spirit of the patriot and the man of action chafed at the inaptitude and lassitude of the Secretary of War. Then came the black humiliation at Bladensburg; the descent on Washington, and the scenes of vandalism there. In the midst of the resulting panic and military chaos James Monroe for three days seldom quit the saddle and did not change his clothes.

In that crisis in the Nation's history Madison turned to the strong man of his administration who held the portfolio of State, and, making him Minister of War as well, intrusted him literally with the preservation of the Nation's honor.

The moment the power was his he dynamitized the people, fanned their smoldering patriotism into flames, moved with iron courage and quick decision to his task, projected his energy and enthusiasm into the troops, found necessary equipment for the fighting forces, and, keenly conscious of the possibilities at New Orleans, he hurried every available resource to Andrew Jackson.

In that dark hour, aside from Jackson, the strong man of the Republic was James Monroe, who stiffened our resistance and revived our confidence. We rejoice in the glory of Perry; we glory in the triumph of Jackson; but there was a trio of masters in that struggle, and one was James Monroe.

THE PRESIDENCY

Thus the strong man of the Madison administration moved with logical sequence to the Presidency. With his ascension the Federalist Party ceased to be a potent factor in affairs. The brilliant company of its original leadership was gone, and its treachery in the second English war had discredited it forever. The Jeffersonian concept of the State was now generally accepted. No longer was there anything to fight about, and under Monroe the Nation entered upon the era of good feeling.

Happy were the people under his rulership. Two Jeffersonians before him had established the Government on a democratic basis of simplicity and common sense. There was rigid economy in public expenditures. The taxes merely measured the cost of government economically administered. The whole people, none too rich, and none in abject poverty, enjoyed prosperity and peace. Yes; there was peace in the land, and peace in the hearts of the people.

About the Cabinet table sat the strongest advisors any President has had since the first administration of Washington. Incapable of envy, and competent to hold his own in any company, Monroe summoned to his side the foremost intellects of the Republic. There, in the State Department, sat John Quincy Adams, the most adequately trained diplomat America had known—robust in mind and impeccable in character. There, in the Treasury, was William H. Crawford, one of the soundest, sanest, greatest statesmen in the early Republic, who barely missed the Presidency. There, in the War Office, sat Calhoun, with one of the most brilliant philosophic minds that our race has ever known.

It was more than the era of good feeling; it was the millennium of the giants.

THE MONROE DOCTRINE

And one wise, courageous act put upon that administration the stamp of immortality. With the setting of the sun of the Corsican genius at Waterloo all the forces of autocracy and tyranny began to strut under the euphonious banner of legitimacy. From the hour the people of Paris rose in wrath and battered down the Bastille the autocrats of the world had been forced to lower their minds to the vulgar consideration of the temper of their subjects. But now the Bourbons were back from their travels and on the throne of France, and in Paris, Vienna, St. Petersburg, and Berlin autocracy was fortifying itself against liberty and human rights. Metternick and Tallyrand, the poison spiders of diplomacy, were weaving their web of legitimacy to hold back the onward march

of liberty-loving men. Thus was wrought in a cold-blooded conspiracy against the peoples of the earth the alliance dedicated to the suppression of all revolts.

And just then the Spanish colonies in South America, catching their inspiration from our revolution, were throwing off the yoke of Spain and taking possession of their governments.

Here was a defiance of the tyrannical alliance of the monarchs and their ministers; here an opportunity for the Old World forcibly to inject itself into the new. Here was an invitation for the combined autocrats of Europe to restore the lost colonies to the King of Spain and assert their right to interfere in the political affairs of the western world.

But deep in the hearts of our people was the determination that this new world would never submit to the dictation of the old; and it fell to Monroe to serve due notice on the monarchs and their ministers across the sea.

This he did in a message that ranks in significance with the greatest State papers of all time. He had pondered the problem presented by the chanceries of Europe; he had tested his conclusions on the minds of Jefferson, Madison, and Adams; and he sat down to the phrasing of the doctrine that was to become the fixed policy of our people.

And he phrased it as happily as Jefferson phrased the Declaration of Independence. Its strong, spirited, clear-cut sentences marched like battalions with bayonets.

Referring to the powers across the sea that had entered into this conspiracy of legitimacy, he declared that "we shall consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety." And, mindful of the threat to the newly acquired independence of the nations of South America, he served notice that "we could not view any interposition for the purpose of oppressing them, or controlling in any other manner their destiny, by any European power, in any other light than as a manifestation of an unfriendly disposition toward the United States."

That was all—but that was quite enough. Jefferson had given us a declaration of national independence; it was reserved for Monroe to issue the declaration of independence for the entire western world.

Thus it was that the hopes and plans of the Metternicks and Tallyrands crumbled like a house of cards before the bugle blast of independence sounded by James Monroe.

LAST DAYS

Thus was he crowned with triumphs when the father of the Monroe doctrine entered upon his few remaining years in private life. On yonder hilltop his friend Jefferson was tottering to his tomb between long lines of reverential pilgrims. Madison was gracefully growing old at Montpelier. And now Monroe, too, was added to the company of sages. He visited his dying friend at Monticello, and walked again in the garden at Montpelier with Madison. He presided over the Constitutional Convention of Virginia and accorded recognition to Madison on the floor. He accepted service on the board of the university Jefferson had created for the training of the future leaders of democracy in America. But the twilight deepened rapidly, and, like Jefferson, on the Nation's natal day he passed to history.

A full century has passed; and now we raise this statue presented by the generosity of the sculptor to the Nation, among scenes beloved by Monroe, associated with memorable friendships; on the lawn of the home that witnessed epochal conferences that affected the course of history; and in a section of Virginia redolent of the memory of the three Plutarchian figures who more than any other made this a Republic built upon the democratic concept of the state.

NOMINATION OF VALENTINE J. PETER—NOTIFICATION TO PRESIDENT

Mr. HOWELL. Mr. President, about two weeks ago Valentine J. Peter was confirmed as United States marshal for the State of Nebraska. It is desired that he should take office on the first of the month. Therefore, as in executive session, I ask unanimous consent that the President may be notified of the confirmation of his nomination:

The PRESIDENT pro tempore. As in executive session, out of order, the Senator from Nebraska asks unanimous consent that the President may be notified of the confirmation of the nomination which the Senator has mentioned. Is there objection? The Chair hears none, and that order will be entered.

EFFECT OF 10 PER CENT CUT ON INTERNAL REVENUE BUREAU

Mr. ODDIE. Mr. President, I ask to have printed in the RECORD a letter from the Commissioner of Internal Revenue showing the number of internal-revenue agents in each of the 38 field divisions and the number of zone deputy collectors in each of the 64 internal-revenue collection districts who will have to be dropped in case the 10 per cent cut ordered by the Senate in appropriations for the Treasury Department shall be made. The list is furnished at my request by the Commissioner of Internal Revenue. I have already called attention to the fact that possibly \$95,000,000 in internal-revenue collections will be lost if these reductions in the personnel are made.

The PRESIDENT pro tempore. Without objection, the letter will be printed in the RECORD.

The letter referred to is as follows:

APRIL 26, 1932.

HON. TASKER L. ODDIE,

Chairman Subcommittee in Charge of the
Treasury Department Appropriation Bill,
United States Senate.

MY DEAR MR. CHAIRMAN: In response to your verbal request of yesterday I am submitting herewith two statements: The first showing the number of internal-revenue agents in each of the 33 field divisions whose services would have to be dispensed with in the event the 10 per cent reduction in the administrative appropriation for the Internal Revenue Service is made by the Congress for the fiscal year 1933, and such reduction is to be applied to this branch of the field service; the second statement showing the number of zone deputy collectors in each of the 64 internal-revenue collection districts whose services would have to be terminated in the event of the enactment into law of the above-mentioned 10 per cent reduction in funds and the application of such reduction to the field personnel operating under the supervision of the various collectors of internal revenue.

The information contained in these statements is based on the percentage which each of the two classes of employees concerned in each field office bears to the total number of these respective classes of employees in the entire field service, and these percentages were then applied to the necessary reduction in personnel which would have to be made by reason of the proposed reduction in administrative funds.

Slight modifications in these figures would have to be made in the actual accomplishment of a 10 per cent reduction in personnel cost for the reason that in some of the smaller divisions or collection districts where the territory to be covered is expansive and the population is sparse and widely scattered, it may be possible that no reduction in personnel could be made in such divisions or districts, and in that event a proportionately larger reduction in personnel would have to be made in the larger divisions or districts.

Sincerely yours,

DAVID BURNET, Commissioner.

Revenue agents' divisions—Necessary reduction of revenue agents to meet proposed 10 per cent cut in 1933 appropriation

Division headquarters:

Atlanta	10
Baltimore	27
Boston	60
Brooklyn	34
Buffalo	19
Chicago	47
Cincinnati	15
Cleveland	25
Columbia	5
Dallas	35
Denver	10
Detroit	29
Greensboro	10
Honolulu	3
Huntington	9
Indianapolis	14
Jacksonville	12
Los Angeles	52
Louisville	8
Milwaukee	14
Nashville	16
Newark	32
New Haven	21
New Orleans	10
Oklahoma	16
Omaha	20
Philadelphia	54
Pittsburgh	27
Richmond	11
St. Louis	24
St. Paul	17
Salt Lake City	9
San Francisco	25
Seattle	22
Second New York	79
Springfield	8
Upper New York	70
Wichita	7

Total..... 906

Internal-revenue collection districts

Collection district	District headquarters	Necessary reduction of zone deputy collectors ¹
Alabama	Birmingham	12
Arizona	Phoenix	5
Arkansas	Little Rock	11

¹ To meet proposed 10 per cent cut in 1933 appropriation.

Internal revenue collection districts—Continued

Collection district	District headquarters	Necessary reduction of zone deputy collectors
California:		
First	San Francisco	44
Sixth	Los Angeles	43
Colorado	Denver	12
Connecticut	Hartford	24
Delaware	Wilmington	4
Florida	Jacksonville	21
Georgia	Atlanta	13
Hawaii	Honolulu	5
Idaho	Boise	6
Illinois:		
First	Chicago	78
Eighth	Springfield	13
Indiana	Indianapolis	21
Iowa	Des Moines	23
Kansas	Wichita	14
Kentucky	Louisville	20
Louisiana	New Orleans	14
Maine	Augusta	8
Maryland	Baltimore	33
Massachusetts	Boston	54
Michigan	Detroit	44
Minnesota	St. Paul	24
Mississippi	Jackson	7
Missouri:		
First	St. Louis	18
Sixth	Kansas City	12
Montana	Helena	10
Nebraska	Omaha	12
Nevada	Reno	3
New Hampshire	Portsmouth	9
New Jersey:		
First	Camden	11
Fifth	Newark	30
New Mexico	Albuquerque	6
New York:		
First	Brooklyn	42
Second	Customhouse, New York	49
Third	250 West Fifty-seventh Street, New York	57
Fourteenth	Albany	36
Twenty-first	Syracuse	21
Twenty-eighth	Buffalo	26
North Carolina	Raleigh	13
North Dakota	Fargo	7
Ohio:		
First	Cincinnati	17
Tenth	Toledo	13
Eleventh	Columbus	10
Eighteenth	Cleveland	38
Oklahoma	Oklahoma City	15
Oregon	Portland	14
Pennsylvania:		
First	Philadelphia	40
Twelfth	Seranton	15
Twenty-third	Pittsburgh	37
Rhode Island	Providence	7
South Carolina	Columbia	7
South Dakota	Aberdeen	7
Tennessee	Nashville	17
Texas:		
First	Austin	22
Second	Dallas	22
Utah	Salt Lake City	7
Vermont	Burlington	7
Virginia	Richmond	16
Washington	Tacoma	21
West Virginia	Parkersburg	17
Wisconsin	Milwaukee	30
Wyoming	Cheyenne	6
Total		1,300

ABOLITION OF CUSTOMS DISTRICTS UNDER 10 PER CENT APPROPRIATION CUT

Mr. ODDIE. Mr. President, I ask to have printed in the RECORD a statement from the testimony of the Secretary of the Treasury before the subcommittee of the Senate Appropriations Committee showing the customs district offices which will be abolished and consolidated in case the 10 per cent cut in appropriations in the Treasury Department appropriations bill ordered by the Senate is carried through.

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

UNITED STATES CUSTOMS DISTRICTS TO BE ABOLISHED UNDER THE 10 PER CENT CUT OF SENATE

By abolishing the district of Indiana we can save \$18,480.
By abolishing the district of Iowa we can save \$12,800.
By abolishing the district of Colorado we can save \$19,320.
By abolishing the district of Utah and Nevada we can save \$8,100.
By abolishing the district of Kentucky we can save \$16,700.
By abolishing the district of Tennessee we can save \$20,900.
By abolishing the district of Nebraska we can save \$15,140.

In Missouri, by abolishing all of the ports in the district, except St. Louis, we can save \$39,340.

Duluth, Minn., place under Minneapolis, and we can save \$13,600.

Pittsburgh, Pa., place under Philadelphia, with a saving of \$19,100.

San Diego, Calif., abolish and place under Los Angeles, \$12,500. Providence, R. I., place under Boston, and abolish the port of Newport, R. I., and we can save \$24,000.

Rochester, N. Y., place under Buffalo, and abolish the ports of Utica and Syracuse, with a saving of \$23,500.

Milwaukee, Wis., place under Chicago, with a saving of \$11,200.

Mobile, Ala., place under New Orleans, and abolish all sub-ports: Birmingham, Gulfport, Pascagoula, and Biloxi, with a saving of \$30,696.

You can place Bridgeport, Conn., under New York, and abolish the port of Hartford, and save \$24,300.

Ohio: Abolish the ports of Akron, Columbus, Dayton, Cincinnati, and Toledo, and save \$54,160.

Wilmington, N. C., place under Norfolk, and abolish the port of Charlotte, and save \$8,940.

You can abolish the port of Dallas and save \$11,880.

Abolish the port of Fort Worth and save \$2,400.

Abolish the port of Georgetown and save \$41,080.

Abolish the port of Atlanta and save \$9,100.

Abolish the port of Peoria and save \$4,400.

Abolish the port of Alexandria and save \$1,140.

Abolish the port of Richmond and save \$13,400.

Abolish the port of Albany, N. Y., and save \$16,600.

Abolish the ports of Worcester, Springfield, and Lawrence, Mass., and save \$27,000.

Abolish the port of Grand Rapids and save \$5,400.

Abolish the port of Spokane and save \$7,200, or a total of \$520,676.

THE BANKING SYSTEM—ADDRESS BY SENATOR WALCOTT

Mr. KEAN. Mr. President, I ask unanimous consent that an address delivered by the junior Senator from Connecticut [Mr. WALCOTT] over the radio last night on the subject of our banking laws may be printed in the RECORD.

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

OPERATION OF BANKING LAWS

Need for banking reform, which may have been of interest to only a small number of people until recently, has been brought home to the entire country so forcibly in the last two years that no argument is required to prove it. It is universally admitted that it is one of the greatest needs of the country. This recognition has come not only from the fact that during the past decade one-third of our banks, or about 10,000, have had to suspend payments and have tied up several billions of deposits for many millions of depositors, and left many communities without any banking service. It has also arisen from the popular belief, which is certainly based on fact, that the banks have played a part in fostering the boom and the wild speculation which engulfed the entire country and culminated in the crash in the autumn of 1929—from the effects of which we have not yet recovered.

To avoid, in so far as this can be done through legislative channels, the recurrence of such events, a subcommittee of the Banking and Currency Committee of the United States Senate, under the chairmanship of Senator CARTER GLASS, of Virginia, a co-author of the Federal reserve act of 1913 and a former Secretary of the Treasury, has worked for nearly two years and has finally introduced a bill that, it is hoped, will bring about salutary reforms in our banking structure. In drafting this bill the committee has been handicapped by the fact that the banks of the country, working as they do in part under Federal law and in part under the laws of 48 States, have engaged for years in a competition in laxity, and that a law applicable only to national banks or to banks that are members of the Federal reserve system can always be evaded by giving up national charters or membership in the Federal reserve system. Fundamental banking reforms, therefore, can not be accomplished until all the banks in the country that receive deposits are placed under uniform national supervision. But this will take time. In the meanwhile, much can be accomplished within the existing conditions, greatly to improve the management of the banks and to protect depositors and the country in general from such misfortunes as they have suffered from the banks in the past 30 months.

To do this the committee proposes: (1) To improve the actual management of the banks, (2) to strengthen the authority of the Federal reserve system, and (3) to facilitate and expedite payments to depositors at banks that are closed or will close in the future.

To start with the last point. Provision is made in the bill for the establishment of a Federal liquidating corporation, which will make it possible for depositors of closed banks to receive a part of their deposits much more promptly than is possible at present under a receiver. The importance of this measure to the general public can not be overestimated. When your bank closes and you suddenly find that the money on which you have counted for one purpose or another suddenly becomes unavailable, it is a serious matter. The bill establishes a corporation to which the United States Treasury, the Federal reserve banks, and member banks turn over a fund that will enable the corporation to convert

into cash at least a part of the closed bank's good assets and to turn the funds over to the depositors. When the assets are finally liquidated by the sale of investments or through the collection of loans, the corporation will be reimbursed for its outlay and the remainder will go to the bank's creditors, including its depositors. The corporation's money is therefore a revolving fund and should be available permanently. It will consist of one hundred twenty-five millions from the United States Treasury, about sixty-five millions from the reserve banks, and about the same amount from the member banks. In addition, the corporation can issue about five hundred millions of debentures, so that it will have ample funds to do the important work for which it has been created. The benefits of this corporation apply only to banks that are members of the Federal reserve system. Nonmember banks, however, can obtain advances from the Reconstruction Finance Corporation, which has two hundred millions for that purpose.

In order to improve the condition of member banks, the proposed bill provides certain safeguards about the character and amount of investments the banks can make, limiting the amounts that they can invest in the obligations of any one company, so that they may not run the risk of having all their eggs in one basket or of diverting too large a proportion of their funds into enterprises in which directors or other persons influential in the affairs of the bank may be interested.

A great evil that has developed in the banking system in recent years has been connected with affiliates, particularly so-called security affiliates, companies organized to sell stocks and bonds in competition with private investment-banking houses. These companies, often owned and managed by the same people as the banks, are nevertheless independent corporations; and since they don't receive deposits and have no charters as banks, have authority under the law to do many things that the banks themselves are not permitted to do. In some cases this has worked with no harm to anyone and has even been advantageous. But in many cases these corporations, winning the confidence of investors by the name of the banks with which they are connected, have been the agencies for distributing securities that have not been good or that have been priced far above their intrinsic value. Furthermore, there have been cases where the affiliates have been used, through the medium of loans by the parent banks, for the purpose of investing the depositors' money in the kind of assets that the banks were not permitted to acquire. That is an evasion of the law and has caused many failures of banks and losses to depositors.

The proposed bill provides, first of all, that all such affiliates be subject to reports and to examinations, so that the supervisory authorities may be informed as to the relationship between the affiliate and its parent bank and may prevent the development of evasions and abuses. In the second place, the bill definitely limits (to 10 per cent of the bank's capital) the amount of loans that a bank may make to its affiliate, so that it can loan in that way only its own money, not the depositors' money, and can loan its own money only to a limited extent. In so far as affiliates engaged primarily in issuing or trading in securities are concerned, the bill provides that member banks in the course of three years must separate themselves from such affiliates. The business of issuing, trading in, and marketing securities is very different from the business of commercial banking; it requires different types of men. It is clearly the part of wisdom to dissolve, after a reasonable interval for arranging the business without disturbance, the relationship between member banks, whose service should be primarily to finance current requirements of trade and industry, from their security affiliates, whose business has to do primarily with the direction of the country's savings through the sale of securities into permanent capital investments. It is believed that the proposed separation will greatly improve the banking situation. Many banks are undertaking it voluntarily and the others will have to fall in line under the provisions of the proposed law.

The bill deals also with the subject of group banking, which has grown up rapidly, owing in part to the strict limitations imposed by our laws on branch banking. Group banking means that a holding company acquires the controlling interest in a large number of banks, which it then runs more or less as a system of branches without the holding company being in any way subject to supervision. These corporations are created by State law and are not directly subject to regulation by the Federal Government, but in order to control their banks they must have the power to vote the stock of those banks. The bill proposes to require that any holding company, before it is permitted to vote the stock of a member bank, must submit to certain regulations about reports and examinations about loans from its constituent banks and about the character of its own assets.

While thus undertaking to regulate group banking the law proposes to increase the opportunities for branch banking by allowing a bank to establish branches anywhere within the State in which the parent bank is located, and in certain cases where it is clearly in the public interest, even in another State, but not more than 50 miles from the head office. While state-wide branch banking is thus authorized, such branches can be established only with the approval of the Federal Reserve Board. There will be no danger, therefore, of a disorganized scramble for branches. Branches will be authorized only when their establishment will appear to be in the public interest.

The Senate committee fully realized that it is impossible by law to provide good management for all banks and that in the long run the safety and service of banks to their communities depends very largely on the quality of their management. As a step to-

ward improvement in management, or at least toward the elimination of bad, dangerous, or dishonest management, the bill proposes to give the Federal Reserve Board the power, in extreme cases, after due warning and a hearing, to remove such officers or directors of banks as have persistently conducted its affairs in an unsafe manner. It is not expected that this provision will be often used, but its very existence will have a tendency to make bank management toe the mark.

Related to the problem of speculation is the practice which has grown up for corporations and individuals to lend their funds, through banks, directly to the stock market. In 1929 a large part of the last phases of the speculative boom was financed by loans not made by banks but by nonbanking lenders through the banks. This had the bad effect of leaving a considerable part of the credit in the market outside the supervision or regulation of banking authorities. It made the problem of restraining speculation much more difficult. This practice is now prohibited by a rule of the New York Clearing House. But this rule may be revoked at any time, and this bill proposes to give it legal sanction.

In regard to the Federal reserve system the bill proposes to increase the independence of the Federal Reserve Board by removing the Secretary of the Treasury from its membership and to assure its competence by requiring that at least two of its members must have tested banking experience. Aside from that the bill proposes to clarify the authority of the Federal Reserve Board over any operations conducted by the regional reserve banks in the so-called open market—that is, operations that are not in the nature of loans—to its member banks and to invest it with special supervisory powers over all relations with foreign banks.

In order to strengthen the Federal reserve system in coping with undesirable speculative developments, the bill contains a section that makes it absolutely clear that a reserve bank is not obliged to lend money to a member bank just because that bank presents paper that is eligible for discount under the law and is acceptable as a credit risk. The reserve bank may, and under this section is required, to watch the general behavior of member banks and in passing on loan applications to take into consideration whether the bank has been conducting a safe business in the service of its community, or whether it has engaged in undue expansion or in speculation in securities, commodities, or real estate. And if a bank continuously engages in bad practices, the Federal Reserve Board has authority, after due notice and after granting the bank an opportunity for a hearing, to suspend the bank from the use of the credit facilities of the Federal reserve system. In this way the Federal reserve banks and the Federal Reserve Board will be able to exert a powerful influence against the recurrence of speculative excesses among its member banks.

I firmly believe that the banking and credit conditions in this country will be greatly improved by the passage of this bill, the so-called Glass bill, that bank failures will be reduced, and that it will exert an influence toward greater stability in business and employment; in fact, in the country's entire economic life.

IMPAIRMENT OF THE TREATY RIGHTS OF THE UNITED STATES— PRINTING OF EDITORIALS

Mr. CAPPER. Mr. President, on April 7 I introduced Senate Joint Resolution 140, which would declare it the policy of the United States not to accept the legality of any situation created by a breach of the pact of Paris which might impair the treaty rights of the United States or its citizens, and which also prohibits the exportation of arms and munitions from this country to any signatory nation violating its solemn obligations under the pact of Paris.

The widespread and intelligent interest taken in this resolution is evidenced by the editorial comments of leading newspapers. To assist in intelligent discussion of this important proposal and to inform the Senate and the American people of the editorial opinion expressed in various sections of the country, I ask unanimous consent that the editorials which I send to the desk may be printed in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Louisville (Ky.) Courier-Journal]

A RESOLUTION FOR PEACE

Every peace organization and every sincere friend of world peace should study the resolution which Senator CAPPER, of Kansas, has introduced in the Senate, a measure carefully designed to put "teeth" in the Kellogg-Briand treaty. Building on the framework of the note which Secretary Stimson addressed to Japan and China last January 7, Senator CAPPER first proposes that the United States, along with the other signatories of the Paris pact, refuse to recognize the legality of any "situation de facto created by breach of the pact," or any "treaty or agreement brought about by means contrary to the covenants of the pact." This is the negative part of the measure, aimed at the results of a breach of the peace which has already taken place. The positive part, contained in the second section of the resolution, is a practical device for setting up a system of world peace. It provides that Congress should resolve that it is the declared policy of the United States:

"That in case other nations, not parties to a dispute, have in open conference decided that any nation has committed a breach of the pact of Paris by resort to other than pacific means, and have further decided not to aid or abet the violator by the shipment to it of arms or other supplies of war, or to furnish it financial assistance in its violation; and in case the President determines, and by proclamation declares, that a breach of the pact of Paris has in fact been committed, it shall be unlawful, unless otherwise provided by act of Congress or by proclamation of the President, and until the President by proclamation shall declare that such violation no longer continues, to export to the violating country arms, munitions, implements of war, or other articles for use in war, or make any trade or financial arrangement with the violating country or its nationals as in the judgment of the President may be used to strengthen or maintain the violation."

"That the President be requested to invite a conference of the governments signatory to the pact of Paris with a view to their agreement on a protocol or treaty supplementary to that pact which shall define the obligations of the several signatory powers in case the provisions of the pact of Paris be violated."

Senator CAPPER explains that his resolution is "intended to prevent the United States from becoming the accomplice of the aggressor by supplying it with the means for its aggression, or, on the other hand, from taking the whole responsibility single-handed for holding the aggressor in check." He points out that "if the United States remains a potential arsenal for every violator of the Kellogg pact, then we can hardly hope for any major steps in real disarmament."

Congress, by adopting this resolution, would place the United States in the rôle which it rightfully should assume, that of the leader among nations toward the ideal of peace. At the same time the United States would run no danger of acting alone in opposition to military aggression, for this country would move only in concert with the other nations signatory to the pact of Paris, and then only by direct proclamation of the President of the United States. The ultimate result of passage of the resolution would be this: The other nations subscribing to the pact of Paris would have the assurance that the United States would not oppose them, and would probably act in concert with them, should they find it necessary to employ sanctions against an aggressor nation. A direct application of the case lies before our eyes. If the signatories of the Kellogg-Briand pact could have had this assurance last autumn, when Japan began its campaign of aggressive warfare in Manchuria, the signatory nations could have met and taken definite action against Japan. Instead the United States and other countries continued to ship nitrates and other products for the manufacture of ammunition to Japan, and the war continued.

The futility of the pact of Paris as it now stands has been demonstrated all too clearly in recent months in the Orient. It was American idealism chiefly which inspired this pact. The practical application of that idealism, as the Capper resolution proposes, is the step which America must take if the pact is to have any further meaning in the affairs of the world. The work for peace has been partially accomplished. America should not be willing to see it slip back to the starting point through lack of action on the part of this country.

[From the Springfield (Ill.) State Register]

WORLD'S GREATEST ISSUE

That the backs of the taxpayers of America are bending beneath the burden of costs of past and anticipated wars is at once apparent to the student whose eyes are open and who looks about him and understands the trend of the times.

The State Register offers no panacea and no specific formula, but that will come automatically if men and women worthy of being called leaders meet this issue honestly and courageously and assist in creating public sentiment favorable to the establishment of a peace understanding among nations which will in no way jeopardize the interests or independence of the United States.

Senator CAPPER, of Kansas, has offered a resolution for an amendment to the pact of Paris which will in no way jeopardize the interests of the United States and which will not involve "entangling alliances," but which will give strength to this paper-made unity of nations.

One point Senator CAPPER makes which will commend itself to friends of international amity and international economic justice is to be found in the provision of his resolution that if a nation violates the tenets of the pact, the United States and other signatory nations will refuse to supply that offending nation with munitions of war or financial assistance.

That's getting down to the milk of the coconut. Once the war profiteer is curbed and the offending nation is ostracized economically through a practical unity of nations which are bound together with a peace treaty with teeth in it, war will be discouraged, peace established, and the crushing burdens of war reduced.

[From the Boston (Mass.) Christian Science Monitor]

"TEETH," AND TALKING IT OVER

The pact of Paris is proceeding through the normal stages of idealistic legislation of that character from the position of a mere declaration of a highly laudable purpose on the part of its signa-

tures to the formulation of some method of really effecting this purpose and of making it obligatory upon all concerned to join in giving it validity.

The newspaper headlines tell us that Senator CAPPER has introduced a resolution designed to "put teeth" in the Kellogg pact. It is a laudable plan. A mere enunciation of a highly moral and ethical attitude on the part of the nations of the world toward war as an instrument of policy is a pleasant indication of an improved public sentiment on the subject, but if it is to amount to anything practical in this day and generation when nations still covet their neighbor's markets, some sort of enforcement clause must be added.

Senator CAPPER in his resolution virtually follows the ideas set forth by Secretary Stimson in his note of January 7 to Japan and China. He would declare it the policy of the United States not to accept the legality of any situation created by a breach of the pact of Paris which might impair the treaty rights of the United States in any territory, nor to recognize any treaty or agreement brought about by means contrary to the covenants of the pact of Paris which would impair the obligations of that pact. Furthermore, his resolution would provide for the prohibition of export of arms, munitions, or other articles used in war, to a country violating the pact. Finally, he asks that the President invite a conference of the signatories with a view to their agreement upon a protocol or treaty which shall set forth the methods by which the pact can be given effect.

The Senator's resolution goes a little further than the program urged upon the Government by a committee of the twentieth century fund, headed by Dr. Nicholas Murray Butler. In one respect the suggestion of this committee has a merit not found in the Capper resolution. For it asks that the signatories of the pact should at once enter into an approved protocol "whereby they will engage themselves, in the event of hostilities, actual or threatened, promptly to consult together with a view to determine upon measures of nonintercourse which would be appropriate to prevent the threatened breach of the pact or, if it could not be prevented, to end hostilities and to restore the status existing prior to the breach."

This provision for a conference of the signatory powers prior to the imposition of any form of economic sanction upon a country charged with menacing the peace of the world is well worthy of incorporation in the Capper resolution. There are governments, and it is by no means certain that the Government of the United States is not among them, which will hesitate to lay down in advance a program for the adoption of disciplinary measures against a nation which might well lead to war. There should be no government which would hesitate to adhere to an international agreement for a prompt conference on every instance in which war is threatened or actually begun by a nation oblivious of the obligations it assumed under the pact of Paris.

The purpose of Senator CAPPER's resolution is wholly admirable. Against its general tenor the only possible criticism that can be raised is that it might be difficult to secure from legislatures so complete a gift of power for an administration facing the problems of threatened war. The interpolation or addition of the proposition that an immediate conference should be called at such a moment would possibly strengthen the resolution in many quarters where now it is likely to encounter vigorous opposition.

[From the Mobile (Ala.) Register]

THE CAPPER RESOLUTION

Senator ARTHUR CAPPER's proposal to "put teeth in" the pact of Paris bids fair to become an historic document.

As Senator CAPPER himself points out, the proposal which calls for treaties supplemental to the Kellogg-Briand pact has its origin in the recent troubles in Manchuria and, more especially, in the Stimson note of January 7.

Its actual application to the Japanese fracas will probably never be forthcoming, for by the time a conference of the signatories to the pact is called and definite action taken, the Manchurian question is likely to be listed under the head of historical rather than current events.

Nevertheless, the proposal of the member of the Senate Foreign Relations Committee has a vital if somewhat ironic significance.

On previous occasions this newspaper has referred to the Kellogg pact as America's private League of Nations. If there was any doubt of the truth of that mild assertion, the Capper proposal ought to be unassailable proof.

It is to be noted that the second section of the CAPPER proposal is very like the articles of the league covenant that deal with the action to be taken in the event a member resorts to war.

Article 16 of the covenant: "Should any member of the league resort to war . . . it shall ipso facto be deemed to have committed an act of war against all other members of the league, which hereby undertake immediately to subject it to severance of all trade and financial relation, the prohibition of all intercourse between their nationals and the nationals of the covenant-breaking state and the nationals of any other state whether a member of the league or not."

The second section of the Capper resolution:

"And in case the President determines and by proclamation declares that a breach of the pact of Paris has been committed (after other nations have already come to the same decision) it shall be unlawful unless otherwise provided by act of Congress or by proclamation of the President, and until the President

shall, by proclamation, declare that such violation no longer continues, to export to the violating country arms, munitions, implements of war or other articles for use in war, or make any such trade or financial arrangements with the violating country, or its nations, as in the judgment of the President may be used to strengthen or maintain the violation."

The chief difference between article 16 of the covenant and the second section of the Capper resolution is that the United States has the right to form its own opinion of what constitutes a violation and need not abide by a decision of the other signatories.

Here, in short, is the typical American conception of international cooperation.

The effect of the Capper resolution, if adopted, would probably not be startling. The United States has been cooperating with the League of Nations during the Japanese difficulties just as much as have such formal members as France and Great Britain. The Capper resolution, to which in the course of time would probably be appended other guaranties, would only set up a second League of Nations. No one may prophesy whether it would be any more effective than the already existing international body.

But because the Capper resolution takes cognizance of the necessity of international cooperation and because it adheres logically to prevailing American sentiment, the Senator from Kansas deserves both attention and congratulations.

[From the Newport News (Va.) Times-Herald]

TEETH FOR THE KELLOGG PACT

In the light of developments in the Far East during the undeclared war between Japan and China the resolution offered by Senator CAPPER, of Kansas, in the Senate yesterday is of unusual interest to advocates of world peace. Under its provisions parties to the Kellogg-Briand pact would declare an economic boycott against violators.

Throughout the whole Sino-Japanese trouble—which, by the way, is not yet ended—it was apparent that something more than moral suasion was necessary to stop hostilities. Protests of the signatory nations were virtually ignored until Japan found China a harder proposition to deal with by force than she had anticipated.

There is little doubt that there would have been a different story had there been teeth in the Kellogg-Briand pact. Force is stopped more easily by force than by argument and pleadings, which the signatory nations found out when they applied moral suasion to the question in the Orient.

What might have been the outcome of the Sino-Japanese row, had the signatories to the peace pact used an international boycott as their weapon, is, of course, a matter of speculation. But the natural conclusion is that Japan would not have gone to war to stop a Chinese boycott when she faced a retaliatory boycott from a half a hundred or so nations scattered all over the world.

The Kellogg-Briand peace pact as it stands has only idealistic "teeth." Senator CAPPER's resolution proposes to furnish an actual and potent weapon to supplant moral suasion. His thought, in view of the fate of the peace pact when it was invoked in the Orient, seems entirely in order.

[From the Asbury Park Evening Press]

PEACE BY ACTION

Senator CAPPER's plan to prohibit this country or any of its nationals from aiding an aggressor nation with supplies of any kind is in complete accord with all scientific formulas of peace. The Kellogg pact and the 9-power pacific treaty outlaw war but do not provide any penalty for the signatory power that violates them. The League of Nations covenant outlaws aggressive belligerency and provides for the boycotting of the aggressor. The fact that this Nation does not participate in the league, however, virtually nullifies this sanction, for without the United States' cooperation a boycott would be ineffective. It would be useless for members of the league to boycott an aggressor nation while this country used its vast resources to produce the necessary supplies.

The past decade has taught that in the movement against war, just as in the campaign against crime, two steps are necessary. First, there must be definite rules or laws to prohibit war, and, second, there must be some sanction with which to enforce these rules. For years we proceeded on the basis that faith alone would enforce peace pledges, but Japan's violation of the Kellogg pact, the 9-power treaty, and the league covenant show the fallacy of this promise. Now it is clear that teeth must be placed in the laws outlawing war. And outside of war itself the boycott is the most effective method of opposing war. In urging its adoption Senator CAPPER has shown that he would support the ideals of peace with active forces.

[From the Bangor (Me.) Commercial]

SENATOR CAPPER'S PLAN

Senator CAPPER has taken the initiative in an effort to extend the usefulness of the Kellogg pact and to place in that instrument the teeth that are lacking. It was the evident belief of the framers of the pact that the declaration of the participating countries against war and promise to resort to arbitration before arms, would be sufficient to prevent war in which signers of the pact are involved. The period before disillusionment was not long, and Japan, in its operations in China, demonstrated how the vital

principles of the pact could be evaded. It is true that the world generally holds that Japan violated its clear agreement, despite denials from Tokyo, but it is equally true that the necessity for more firm action to back the pact is now seen.

The Capper resolution calls for an extension of the undertakings of the Kellogg agreement. He would declare it the policy of the United States not to accept the legality of any situation created by a breach of the pact of Paris which might impair the treaty rights of the United States in any territory, nor to recognize any treaty or agreement brought about by means contrary to the covenants of the pact of Paris which would impair the obligations of that pact. Furthermore, his resolution would provide for the prohibition of export of arms, munitions, or other articles used in war, to a country violating the pact. Finally, he asks that the President invite a conference of the signatories with a view to their agreement upon a protocol or treaty which shall set forth the methods by which the pact can be given effect.

The Christian Science Monitor finds the resolution a worthy one, but suggests that it might be improved by some provision that would endeavor to prevent a situation arising which would call for operation of the Capper resolve, that might prevent a threatened breach of the peace or result in causing a cessation of hostilities, if begun. A conference of the signatory powers to be called upon the advent of a threatening situation might have salutary effect in preventing the development of such conditions as recently were seen at Shanghai.

TAXES AND APPROPRIATIONS—ADDRESS BY SENATOR DILL

Mr. BRATTON. Mr. President, this morning the junior Senator from Washington [Mr. DILL] delivered an address over a nation-wide hook-up upon the subject of taxes and appropriations. It is such an admirable and interesting address that I ask unanimous consent that it may be printed in the RECORD.

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

It is an old saying that you can't escape death or taxes. Death comes but once and that is the end. Taxes come every year, and they are getting higher and higher. Taxes have become so high that the people are ready to revolt against paying taxes in many sections of the country and are demanding that taxes come down.

The cause of high taxes is big Government expenditures. The only way to lower taxes is to cut expenditures. The increase in Government expenditures during the last five years is almost unbelievable. During that period our population has increased but slightly. The value of property has greatly decreased because of the hard times. The income of our people decreased from \$75,000,000,000 to \$50,000,000,000. Our country has been at peace. It would seem that Government expenditures should have been reduced or, at the worst, should have continued about the same. But what are the facts?

From 1927 to 1932 the increases by departments of the Federal Government were as follows:

	1927	Estimated total 1932	Increase	Per cent
Army and Navy	\$678,000,000	\$861,000,000	\$183,000,000	26
Interior	59,000,000	91,000,000	32,000,000	54
Commerce	31,000,000	54,000,000	23,000,000	77
Treasury	161,000,000	312,000,000	151,000,000	106
Agricultural	156,000,000	333,000,000	177,000,000	113
Justice	24,000,000	53,000,000	29,000,000	117
Post Office deficit	28,000,000	195,000,000	167,000,000	614
Veterans	391,000,000	784,000,000	392,000,000	100

The average increase for all the departments, bureaus, and commissions for the last five years was 63 per cent, or a total increase of \$1,231,000,000.

These figures prove that this administration has been the costliest luxury this Nation has ever known in time of peace. A Republican Congress passed all of these appropriation bills. A Republican President signed them. Republican Cabinet members spent the money.

As a result of this wild orgy of Government expenditures, the Treasury deficit last year was \$900,000,000. This year it is \$2,000,000,000. Government expenses right now are \$5,000,000 per day greater than Government income. In other words, we are going in debt at the rate of more than \$5,000,000 per day. Unless we cut these expenditures and provide for new taxes the deficit next year will be \$3,000,000,000.

Is it any wonder the American people are crying out against high taxes as never before in our day? Is it surprising the people by the thousands are writing Congressmen and Senators to cut Government expenditures and cut them to the bone?

With a surplus in the Treasury and prosperous conditions, increased expenditures would naturally be expected; but when hard times came, there should have been a halt.

When Congress met in December, 1929, the panic was already nearly three months old. That was a warning. Instead of cutting appropriations, the President and Congress increased them for both 1931 and 1932, with billions of deficits as a result. It was not until the people rebuked the administration by electing a Democratic House of Representatives that the administration started retrenching.

Let us see now just what the President has done and what Congress is doing to save the Government from bankruptcy.

In 1932 the regular appropriations were \$3,732,000,000. The President recommended in the Budget that Congress make a 11 per cent cut, or \$413,000,000, for the year of 1933.

The Democratic House of Representatives was not satisfied with that. It cut not only the \$413,000,000 which the President recommended, but \$126,000,000 more. That made total cuts of more than half a billion dollars below the appropriations of last year.

When these bills came to the Senate what happened? Senator McKELLAR, a Democrat from Tennessee, made a motion to cut 10 per cent more from the amounts approved by the House. The Senate has adopted that motion as to three of the large appropriation bills.

It cut five and one-half millions from the Interior Department appropriations, twelve and one-half millions from the State, Justice, Commerce, and Labor Department bills, and eighty millions more from the Post Office and Treasury bill. If the Senate continues to make these cuts, it will cut \$275,000,000 below the combined cuts of the President and the House of Representatives.

These combined reductions would amount to \$800,000,000. That will still be \$430,000,000 less than the total increases in expenditures from 1927 to 1932.

The following table sets out the appropriations for 1932, the Budget estimates for 1933, the appropriations in the House bills, with the exception of the War Department bill not yet reported to the House, and the totals of the bills already passed by the Senate.

Annual bills	Appropriations, 1932	Estimates, 1933	1933 appropriations	
			House	Senate
Agriculture	\$235,665,000	\$183,693,000	\$175,408,000	\$177,424,000
District of Columbia	45,771,000	44,086,000	39,913,000	
Independent offices	1,306,196,000	1,041,395,000	985,931,000	
Interior	69,342,000	56,895,000	50,446,000	45,533,000
Legislative	28,127,000	22,517,000	20,214,000	
Navy	338,262,000	341,677,000	326,340,000	
State, Justice, Commerce, and Labor	139,001,000	129,814,000	124,215,000	111,792,000
Treasury and Post Office	1,104,586,000	1,082,575,000	1,059,778,000	
War	445,773,000	411,363,000		
Total	3,732,727,000	3,319,020,000	2,782,249,000	

Total appropriations for all purposes for 1932 were \$4,654,000,000
Total Budget estimates for all purposes for 1933 were 4,601,000,000

These statistics show that the President cut about \$400,000,000 of this \$800,000,000, and then the House and Senate cut another \$400,000,000 more below the President's reductions. It was much more difficult to cut the second \$400,000,000 than the first.

Now what is happening? Although the President says he favors those additional cuts by Congress, his own Cabinet officers are not cooperating with the Senate to make these cuts. In fact, some of the Cabinet members are attacking Congress for these big reductions.

What the President should do is to tell his Cabinet officers that he expects them to carry out the orders of Congress and limit their expenditures to the sums appropriated. Then if they fail to do so he should fire them from the Cabinet.

When it is recalled that expenditures increased \$1,230,000,000 in the last five years, it would seem that surely these Cabinet heads can get along with a reduction of \$800,000,000. They will still have \$400,000,000 more to spend than they had in 1927.

On Wednesday the House of Representatives will consider what is known as the economy bill. A special committee of the House working with the President has prepared this bill. It proposes to combine the War and Navy Departments and to give the President power to combine and abolish certain bureaus in the different departments. It reduces the salaries of the Farm Board, Shipping Board, and Railway Mediation Board to the same amount as the Interstate Commerce and other commissions. It also provides for a cut of 11 per cent in salaries of all Government employees and officials receiving more than \$1,000 per year, with the exception of Federal judges. It is expected to save \$200,000,000 to \$250,000,000 per year.

It is probable that most of these economy proposals will pass, but let me call your attention to some of the difficulties both the President and Congress have in trying to pass this kind of legislation.

We find that those who have been loudest in demanding reduced appropriations, immediately become most active in opposition to cutting the particular item in which they are interested. Chambers of commerce that send long resolutions demanding cuts in expenditures, burn up the telegraph wires with protests against closing some Government office in their town or delaying work on their new Federal building.

School superintendents and teachers who have condemned the extravagance of the Government are shocked and angered that Congress should lower the appropriations for the office of the director of education.

Leaders of farmer organizations who have been loudest in demanding lower taxes write and telegraph that Congress must not cut the salaries of Farm Board officials nor interfere with appropriations for their county farm agents under the Smith-Hughes law.

So I might go on enumerating one case after another showing how the people at home who have insisted that the President and Congress must cut appropriations immediately become most aggressive in opposition to cutting appropriations affecting any Government activity in which they are interested.

I do not complain of these conditions. I am simply explaining them that you may realize how difficult it is to cut appropriations, once people have become attached to the Government pay roll, or a community is receiving money from the Treasury for some Government purpose.

In face of all these conditions, and with a view to serving the interests of all the people of this country, there is only one thing for Congressmen and Senators to do. They must set their faces like flint against all these protests and vote to cut appropriation after appropriation until they have reduced permanent expenditures by hundreds of millions of dollars.

If we do that, we can avoid many of the new taxes now proposed and still balance the Budget; but in no other way can we avoid additional taxes.

In addition to all these difficulties about cutting appropriations and providing new taxes to balance the Budget, Congress was confronted with another problem last week, namely, the report that England and other European countries do not intend to make their annual payments on the debts they owe the United States. The failure of the Chancellor of the Exchequer to include that item gave rise to the report, although he announced that it would be considered after the conference at Lausanne.

The President gave these European debtors a moratorium last year. That cost the taxpayers of this country \$250,000,000. This year it would cost \$260,000,000. If these countries do not make their payments, then the American people will be compelled to raise this amount by additional taxes.

Regardless of party affiliations, Congressmen and Senators almost to a man are opposed to any more moratoriums or to cancellation of any part of the remaining debts. So long as England can spend \$678,000,000 per year for armaments she can afford to pay the \$171,000,000 each year as she agreed to do when we agreed to cancel all of the principal and part of the interest she owed us.

As long as France can spend \$518,000,000 for war preparations she can afford to pay \$45,000,000 per year, as she agreed to do when we agreed to cancel all of the principal and part of the interest she owed us.

As long as Italy can spend \$269,000,000 for armaments she can pay \$15,000,000 per year, as she agreed to do when we agreed to cancel all of the principal and half of the interest she owed us.

These conflicting interests and these cross currents of public opinion of which I have spoken have thrown Congress into confusion. At the other end of Pennsylvania Avenue administration leaders watch the tickers of the stock markets as though they were a complete index to prosperity and also of the standing of the administration in the estimation of the people.

Everybody is blue. The economic situation is getting worse. Banks are still going broke. Unemployment is increasing. The Treasury deficit increases and in addition the ex-service men want two and one-half billion dollars in payment of the bonus now, although it is not due until 1945.

The critics all over the country are calling for leaders. Yet Wall Street newspapers and those who think in the terms of Wall Street cry "demagogue" at any public man who dares to plead the cause of the poor and speak for the unfortunate, for the unorganized, and for those who have been left out of consideration in the granting of governmental favors.

There is hope in the fact that the people can still think for themselves; that they can still change their President and their public officials by choosing new men who will try to build prosperity from the bottom up instead of having it trickle down from those at the top of the industrial and economic structure.

To do that we must restore the value of the things people produce by providing more currency for the use of the people. The dollar is so high now that those who produce the new wealth can't get enough dollars even to pay taxes and interest on their debts, to say nothing of paying their debts or buying new goods.

When we have a President and a Congress who will make money plentiful, the people will have confidence again in the business of the country. When we tear down tariff walls and establish a basis of exchange so that our money is on a basis of value equal to the money of other nations we shall have world trade again. Until these changes can be brought about the best thing to do is to reduce Government expenditures and avoid new taxes.

YOUTH'S STAKE IN THE NATIONAL ELECTION—ADDRESS BY TYRE TAYLOR

Mr. BARKLEY. Mr. President, I ask unanimous consent to have printed in the RECORD an address delivered to-day by Mr. Tyre Taylor, of Raleigh, N. C., president of the Young Democratic Clubs of America, to a mock convention held by young Democrats of Washington and Lee University at Lexington, Va., on the subject "Youth's Stake in the National Election."

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

In recognizing my own very limited capacity to analyze and deal constructively with the truly appalling problems with which we are to-day confronted, I do not wish to be understood as in any sense apologizing for the very real existing concern of American

youth for the future of its country. It is not only fitting and proper, it is in the highest degree necessary that young men and women, who comprise more than half of the Nation's total electorate, should discuss and ponder and through serious study seek intelligently to understand the issues of the approaching campaign and election. It is proper that they should organize for this purpose, and if they should reach a common basis of understanding and agreement, it is also entirely in keeping with the spirit and tradition of our democratic system of government that they should seek to translate their views—and as I am sure many fervently hope—some of their unselfish and unwearied idealism into the settled policies of party and government.

I venture the assertion that the situation in which America and the world find themselves to-day has no even approximate parallel in the history of the human race. When, for example, has the problem of unemployment been aggravated by any factor approaching the proportions of the present displacement of hand by machine labor? Conditions were serious in England and other countries during the years immediately following the industrial revolution, but there was a tremendous difference; men thrown out of employment by the invention of labor-saving machinery or for whatever cause had in that day one last recourse. Release, or possible release, from economic thralldom could always be had for the price of a steamship ticket. For the industrious and self-respecting English laborer who finally found himself and his family face to face with starvation or the workhouse there was always America; while for the similar class in this country a vast and unsettled West beckoned with infinite promise.

Now, however, in a peculiar sense times have changed and conditions are different. There are no longer vast areas of rich land to be had for the asking, and if there were, the farmer can no longer hope to make a decent living farming. There are no longer new jobs in building railroads across a virgin continent or in new industries growing rich and great in a feverish race with an ever-increasing demand.

Superficially at least the country seems to have grown up and grown old. Despair has supplanted hope. Uncertainty has supplanted certainty. Opportunity, in the old American sense of the term, seems to belong mostly to the past.

Consider another illustration of the basic and fundamental differences between this and past depressions. When, in the history of the world, has anybody owed so much? From the humble farmer, who mortgaged his land to secure a Government loan, to once proud and self-sufficient nations which bankrupted themselves in war the whole world is simply a seething, sullen, and resentful conglomeration of bankrupts, who, if they have the courage and heart seriously to attempt to pay their debts, are appalled by the economic barriers which stand between them and freedom. The farmer who went in debt \$100 a few years ago now finds that by reason of the depreciation in value of the things he has to sell he in reality owes \$200. Nations which owe each other and the United States are faced with the same problem. Tariff barriers prevent their paying their debts in goods. This has resulted in an attempt to pay in gold, which in turn has resulted in the virtual cornering of the world's gold supply by France and the United States. The inevitable consequence of this development has, of course, been to increase the value of gold and to diminish the value of commodities and goods.

This depression, therefore, bears no more resemblance to the ordinary cyclic depression of the past than the French Revolution bore to Shay's rebellion. One was a world upheaval—a definite transition period in the history of the human race, marking the passing of one set of ideas and institutions and the birth of a new age. The other was a purely local and temporary disturbance.

Perhaps the most devastating indictment that can be drawn against Mr. Hoover and his administration is that, knowing a world crisis was impending, he and his advisers resolutely refused to face the facts and persisted in a campaign to mislead the American people. As the stock market wavered in the summer of 1929 Mr. Mellon gave out his reassuring statements. "The business of the country is on a sound foundation," he said, in effect, and there would be a renewal of buying and another upswing in prices. This would continue for a few weeks and the market would again hesitate. But again Mr. Hoover or Mr. Mellon would give out an optimistic interview, and again the American public would rush to buy, and prices would be pushed up additional points. Even after the crash, when it was, one would assume, perfectly clear to informed persons that America was moving into the shadow of a major economic eclipse, prosperity was represented to be "just around the corner." One prediction set a definite date; prosperity was going to return in 60 days!

As we look back over the past three years it is difficult to reconcile the course of our Government with reality. It is a horrible dream or nightmare, we want to say. Such madness, not to speak of the bland indifference of this Government to the welfare of its people, does not belong in the realm of sanity and broad daylight. And yet let us observe the great engineer as he sets about building a bridge over chaos.

In the face of the solemn warning of 2,000 of the country's leading economists a Republican Congress passed, and a Republican President signed, a tariff bill which has not only made America a hermit nation but has resulted, through retaliatory tariffs, in a virtual migration of American business and industry abroad. In considering the stake of young men and women in the election of 1932, let us ask this question: Does the erection of an automobile or tractor factory in Ireland by American capital help or hurt your chance of obtaining employment and making a living? I

know that probably few of you expect to find a job in an automobile factory, but I am using this as an illustration. Leaving entirely out of consideration its disastrous consequences to trade, the Hawley-Smoot tariff law, through the process just mentioned, is depriving hundreds of thousands of American citizens of the opportunity to work. Is this good or is it bad?

Then we should not forget, since I have used the term "bland indifference" in describing a Republican administration, that several billions of dollars' worth of highly questionable foreign securities were sold to American investors with the approval and even the connivance of their Government. In one notable instance a Department of Commerce attaché had the temerity to cable that the government which was about to float a loan in the United States was probably insolvent. He was—this is all in the CONGRESSIONAL RECORD. If you care to read it—he was reprimanded, the State Department promptly approved the issue, and another firm of international bankers pocketed a neat profit in commissions. The American people still have these bonds, and they are very handsome examples of the engraver's art, as the officers and directors of some of the banks which have failed during the past two years will bear witness. They will also bear witness, or the receiver will, that they have received no interest payments in some time, and that they would be glad to dispose of them at a bargain.

Is not that a pretty picture? The Government of the United States acquiescing in a fraud upon its citizens and taxpayers. One must agree with Doctor Fess that "this remarkable record of administration reflects a type of political leadership at the head of the Government rarely experienced in this or any other country."

But let us turn for the moment from consideration of these economic questions. The primary function of government is to govern. The Republican Party has been given ample opportunity to show what it can do on this score. It has been in uninterrupted control for 12 years. What is the condition of law enforcement in our land?

Simply this: That America is to-day overrun and overridden with gangsters.

Organized crime has developed to the point where it derides and defies government, and, arrogant in its own strength, even seeks to make terms with constituted authority.

When before has America suffered any such humiliation as this: "If the kidnapers of our child are unwilling to deal direct, we fully authorize 'Salvey' Spitalo and Irving Bitz to act as our go-betweens. We will also follow any other method suggested by the kidnapers that we may be sure will bring the return of our child." I do not wish to be unfair about this and particularly would I avoid imputing blame or responsibility for a general condition to any individual. There has been too much public indifference to crime and criminals, and we must face frankly the truth that Government is powerless to cope with this problem without public support.

On the other hand, there does fairly attach, I think, to the chief positions of leadership in a democratic country such as ours some obligation to lead. And this grave responsibility may not be adequately discharged through the appointment of a commission or the prosecution and conviction of a gang leader for income-tax evasion.

In the breakdown of law enforcement and respect for law in this country I charge the Republican Party with an utter lack of any capacity for moral leadership. When Mr. Harding should have been sounding a trumpet call to all right-thinking Americans to resist the spiritual disintegration and backwash of war, he was appealing for a "return to normalcy" and appointing a gang of thugs and thieves to high political office.

When Mr. Coolidge took over the reins of government he apparently experienced no sense of outrage or righteous indignation that corruption, pillage, and theft had been permitted to besmirch the national honor. Instead of driving the Falls and Daughertys out of office and lending the full weight of his position to putting them in the penitentiary, he almost reluctantly bade them farewell and changed the subject to talk—not practice, mind you—but talk of governmental economy. Presented with an opportunity to lead a crusade against the underworld forces which were threatening the very security, not to speak of the honor and decency, of our national life, he ignored the issue and, while spending more money than ever, saved the conscience of an outraged people with platitudes and prattle about economy.

Mr. Hoover, presented with the same desperate issue, characteristically appointed a commission and then suppressed a part of its report in the interests of a political expediency.

The time has fully come in this country, gentlemen, for us to do some serious thinking. I am not speaking now exclusively to young Democrats or old Democrats, or to any other class or group. I am appealing to every man and woman—young or old—who loves his country and has an intelligent interest in his own future welfare. You ask what can the Government of the United States do to remedy these conditions? It can do more than any other single agency or instrumentality in the entire world. It can call an international conference for tariff disarmament and write the treaties which will end the present economic trench warfare. Commerce is a mutual process of buying and selling, and it can not surmount tariff barriers which make the cost to the ultimate consumer prohibitive.

The Democratic Party, if returned to power in both branches of the Government, will restore sanity in tariff legislation. The Republican Party has demonstrated that it can not or will not do this.

The Government can—and if the Democratic Party is given this mandate from the people—it will reduce the total cost of its operations.

Are you aware that out of a total national income of \$70,000,000,000 from all sources in 1930, \$14,000,000,000 (or approximately 20 cents out of each dollar) were required to defray the expenses of the various Federal, State, and local governing bodies? This amounts to \$100 for every man, woman, and child in the United States, and exceeds by \$2,000,000,000 the gross value of all agricultural production in the United States in the year 1929.

The Government can, as was demonstrated under Woodrow Wilson, become a fundamental and far-reaching affirmative force in the life of the people, making for respect for law, liberal humanitarianism in our economic and social relationships and sanity and perspective in our world outlook. In considering the stake young men and young women have in the approaching national election this factor, while intangible and difficult of reduction to concrete terms, is perhaps of paramount importance. We face in this country to-day not only the problem of restoring prosperity but of reconciling the consequence of a mechanistic civilization with human liberty. Let there be no mistake about this. We are just as definitely entering upon a new age in the world's history as impended during the years leading up to the French Revolution. How shall men control the machine? How may he protect himself against it? We can not go on indefinitely displacing human with machine labor and making no provision for the men, women, and children who find in this new economic order there is no place for them.

Judge Brandeis, of the Supreme Court of the United States, undoubtedly was thinking of this problem when he wrote the other day in a dissenting opinion:

"To stay experimentation within the law in things social and economic is a grave responsibility. Denial of the right to such experimentation may be fraught with serious consequences to the Nation. If we would be guided by the light of reason, we must let our minds be bold."

Shall this momentous problem be worked out by a political party in accordance with a political philosophy which holds, since Hamilton, that liberty exists for the few; or shall we intrust its solution to a party which holds that liberty exists not for one but for all men? Upon the answer to this question depends the happiness and well-being of your children and their children and of all the generations in America for the next hundred years.

COTTON—ADDRESS BY BEN F. LOYD

Mr. BROUSSARD. Mr. President, by request, I ask unanimous consent to have inserted in the RECORD an address on cotton delivered by Mr. Ben F. Loyd, of Shreveport, La.

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

"The most formidable weapon against errors of every kind is reason," said Thomas Paine, author of the first unofficial declaration of independence written for the freedom of the American Colonies.

"Man is a reasoning being, but seldom reasonable," said Elbert Hubbard.

Immanuel Kant, German philosopher, spent many years writing a book called *Pure Reason*. After he received the first copy from the printer and read it through, it has been said, he wrote on the last page a P. S.: "The thing does not exist."

All high-school students get a very understanding meaning from the late Mr. Noah Webster of the word "reason." I advise all of them after they find they are able to repeat the Ten Commandments and the Lord's Prayer to see what Mr. Webster says about reason. I have all my life had some ambitions to know more about reason every day in every way as it may be applied to every contingency in our relations with everyday affairs. The reason I am going to talk about cotton to-night is because everybody else is, even the governors of all our Southern States have been talking about cotton for a month. A few United States Senators and our President seem to be interested in cotton.

Now, my governor has done more talking than all of them put together, in face of the fact that on the 14th day of August he said he would not talk about cotton, neither would he call a conference for anybody else to talk about cotton. He said it would do no good. When he said it would do no good, he was wise far beyond his young and tender years. But no sooner had he uttered those words than he moved into his 12-cylinder Cadillac and drove to New Orleans; then began writing, wiring, printing, and broadcasting invitations for everybody to "come hither," we will talk about killing our king, "King Cotton," for one year. I am not in agreement with my governor on the subject of killing King Cotton for a year, and that is the reason why I am talking about cotton to-night. I know my governor about as well as I know my cotton. I know I have planted, plowed, and picked more cotton than he ever has or ever will. In the part of this State where my governor was born barefooted, and as a barefoot boy picked some cotton, they grew what we used to call "bumblebee" cotton—a cotton so small that a bumblebee has to get on his knees when he sips the nectar from its blooms.

Here I am pleased to inform those that do not know me as a cotton farmer or as having much to do with cotton for over 30 years, that my boyhood days were spent on a cotton farm in

Ellis County, Tex. This county held the record for 40 or 50 years as the banner cotton-growing county of the whole world. It held the record 40 years of producing more cotton in one year than a similar area in any cotton-growing section of the United States—about 156,000 bales, if I remember right.

My father lived in that county about 73 years of the 87 of his life. One bale was a crop of cotton for one farmer when he was a boy, and from fifty to a hundred when I was a boy, and to-day some Ellis County boys own a cotton farm in another county in Texas that they may grow 40,000 bales on, a few years hence.

I said I spent my boyhood days on a cotton farm. I mean every day that I could not find, make up, or hatch out some excuse to be somewhere else. I preferred to do anything about a farm or ranch than to have anything to do with cotton; yet my father managed, sometimes using quite forceful and persuading arguments, to teach me to plow, plant, and pick cotton until I could plow, plant, or pick as much as any hired hand about the place. In fact, he taught me more about the beauties, virtues, glories, and love for a cotton field than I ever cared to know.

His commands were as far as reason ever entered into any of my arguments with him on differentials relating to or pertaining to the necessity of his or his seven sons' growing cotton for other nations of the earth to consume, as I thought then, for no financial reasons, and since have had few occasions to change my mind.

For decades it has appeared to me that from the day the seed was planted until its fleecy staple was baled into the finest and fleeciest silklike fabrics, there was nothing but a bare and beggarly existence for everyone connected with the growing, picking, ginning, marketing, transporting, and manufacturing the thing named cotton; yet it has been the money crop of the Southern States from the year the first bale was grown in 1620 to 1931, and made so by our slave-owning planters. The competition the slave-owning cotton grower had to meet when he sold his cotton was his brother slave-owning cotton grower on the next plantation or in an adjoining State. Sometimes these planters actually boasted about how low the cost they could grow cotton and as to the amount they could grow; that became a simple problem in mathematics or according to the number of slaves, mules, and cost of land they could assemble under one ownership.

Slave labor being the cheapest in the world, with new and fertile lands for the price of clearing, and the livestock needed growing wild in the woods near by were the conditions under which one of the world's leading industries was founded and builded on American soil. Since 1865 free and white labor has not been able to fully overcome the sin of low prices made by slave labor in the cotton-growing business, inherited from our pioneering and worthy ancestors. Often I have thought, "If the sins of the fathers were visited on the children," truly the third generation after were still feeling the effects of the sins of slave labor.

The textile manufacturer, knowing that cotton was produced by cheap labor, was adamant against any demands of the growers of cotton for a profit-bearing price; and as there was only one manufacturer to about each thousand of the growers, he was the dictator of the price paid for cotton, dictator of the wages paid to American workers in the great cotton mills, because he had to compete with the lowest wage labor basis made goods in the world when he marketed the products of his spindles in competition with foreign textile-mill owners of England for over 100 years. There was, and is to-day, still a greater evil the American cotton grower, and the cotton manufacturer, has to compete against than cheap labor, either on American or foreign soil, and it is the exchange value of the moneys used to buy cotton or cotton goods with, or sell cotton or cotton goods for, against the cheap money in foreign countries. An American silver dollar will buy three or four Chinese, Indian, or Mexican silver dollars, and these cheap silver dollars are used to pay for the foreign cotton and foreign-made goods; but in America an American silver dollar pays for just as much as a gold dollar. The thing that keeps American cotton as high as it might not be is that those countries have no cotton to export. It is this difference, or exchange rates on money, "a hocus-pocus" to most people, that the cause of the low price jute products shipped to America in such large quantities, more than the labor conditions where the jute fibers are grown.

I am fairly well acquainted with all the movements instituted in the past 50 years to improve the financial and social status of the American cotton and wheat farmers, and regret to state that 95 per cent of them died soon after the initiation fee was paid. Many of the reforms planned were by men of the best intentions, but they lacked breadth, width, and length in more ways than I can describe.

The most important and necessary part of any business venture is to have it adequately financed, if it is to be successfully conducted. The cotton-growing business is possibly the largest business in the world considered from the number of people engaged and those dependents on it, in all its ramifications of commerce, for their livings, and the most disadvantageously financed as far as the actual grower is concerned.

The magnitude of the raw-cotton crop in the United States at harvest time measured by money suggests figures well over a billion and sometimes two billions of dollars. In its manufactured state it comes back to the consumer at a cost of possibly five times the value of the raw product. Nearly one-fourth of the States of this Union, in which there live nearly 30,000,000 people, in the most favored area by climate, soil, and efficient methods for growing cotton in the world, have held the export monopoly on this product without profit for a hundred years. In the past

10 years the lands planted to cotton have been as low as thirty and as high as forty-six millions of acres, and produced as low as not quite 8,000,000 bales, and as high as nearly 18,000,000. When the crop is ready to harvest, there is invested in credits for supplies and money from three hundred to five hundred millions of dollars, plus most of the labor, investments in land, equipment, and livestock, representing not less than 50 per cent of the assessable wealth of all the States in which cotton is grown, and this vast sum of money is due when the gathering season begins.

When picking starts, the cotton farmer, as fast as he can, sells his cotton, pays his retail merchant for his year's supplies; the retail merchant pays the wholesale merchant and his local bank; the wholesale merchant pays the large banks in the cities where he is located, and these banks pay the banks in the great financial centers of the country for loans they have made to assist, in the final analysis, the humble, honest, hard-working sons of the soil. All classes of tradesmen, from the smallest to the largest, and all classes of our population, from the poorest to the richest, have a helping hand in the producing of cotton. All that have assisted in any way have a natural, good, and solid reason to hope and expect that the farmer will get a fair price for his year's work; for with him, as with them, it's a year's work before he can have a pay day, or they can collect. The average cotton grower is usually no more able to hold his cotton for a higher price any better than the weekly wage worker can hold his pay check from Saturday noon until Monday morn, and it's at this stage of the cotton-producing business where the farmer loses his year's work, and sometimes two, by not being able to hold his crop until nature's immutable laws force the demand to get around to the supply of a world-wide necessity. This is why and where all schemes and plans to help the cotton or wheat farmers have failed.

These people depend on their brother farmers of the northern and middle-western States for all the flour needed to make their daily bread, for a large part of their meats, as well as livestock, and a part of all the food they consume. The president of one of the largest meat-packing concerns said 30 years ago he would rather have the South for his customers than all Europe.

When they make a short crop and are compelled to sell on a no-market value, they can not buy much of the flour that comes from the Kansas farmers' wheat, the fine mules that come from Missouri, or meats from the farms of the Illinois cattle and hog raiser, and automobiles from Detroit. When the farmers of these Northern and Western States can not sell the only things they raise as their money crop, they can not buy what they need from their merchants of cotton goods or lumber that comes from the southern sawmills needed to improve and build their homes. When the factories of the North and the sawmills of the South slow down, then an army of marching vagabonds are seen all over the land.

Under the forces of the economic system by which we live and have naturally evolved in the past century there is hardly a county in all the United States that can live separate and apart from all the other parts of the country.

As I said in the beginning, I hope I am talking to-night to both reasonable and reasoning beings. Some ask, Can the cotton grower survive by planting no cotton next year? I say yes; and the reason why? Because he has survived heretofore. He has survived droughts, floods, boll worms, and boll weevils. In some places he builded monuments to the boll weevils many years ago. He has survived wars and pestilential diseases and even greater evils than any of these named have been survived by him. He has survived the low and no price evils.

I can remember when he survived after a large crop with the no-price evil 40 years ago or more. On Thanksgiving Day they all assembled in their houses of worship and gave thanks to Almighty God for the crops that He had made the lands produce, some thirty, some sixty, and in the case of cotton about three hundred fold. They reasoned with the Lord thus: That the sons of men, some of them our brothers, standing here in Thy presence, will not give us but a nickel a pound for our cotton, but our most Righteous and Holy Father, Thou hast given us 2 bales, 3 bales, and sometimes 4 bales this year to sell for a nickel a pound, when last year Thou gavest us only 1 bale to sell at a dime a pound.

When the pious old New England cotton-mill owners heard the southern cotton farmers were going to render to the Creator the things due Him on Thanksgiving Day, they also had, as they always have had, their Thanksgiving Day. They are the ones that have a monopoly on the bringing of Thanksgiving Day over to the New World on the *Mayflower* and depositing it under the rock of ages on the shores of the Atlantic for safekeeping.

They were thankful that the cotton growers of the South had enough of the breath of life still on hand to breathe and stand erect and be thankful for a nickel a pound for his cotton; and thus they reasoned through prayer that if he was so well satisfied with a three or four bales of cotton to sell at that price, where he had only one the year before, he could still live and render unto Caesar the very thing Caesar was looking for, which was cotton at 4 cents, and that is what they paid him until about George Washington's Birthday, when they raised the price to make him plant another large crop; and that was not all, they thanked the Lord for having the privilege of telling their employees that cotton is so cheap that it will not pay to weave it into cloth unless your wages are lowered, and for good honest measure you must add another hour to the day's work.

Now, there were reasons aplenty for thanksgiving—something more along the line of what natural causes do for man's benefit.

Nature, it seems, has never loaded the human species very often with greater burdens than they were able to outlive. When

disasters have occurred in the past—such as the droughts of Egypt, in the days of Joseph—out of them were born in the mind of what we call a genius the science of irrigation. Since then there has been no such thing as crop failures in the valley of the Nile or any other valley where land was and is irrigated.

This gets us back to the saying that all reforms for the betterment of the ills that overtake us while on earth have come through the martyrdoms of our kind. Some one, sometimes millions, are crucified in some way before great wrongs are righted.

I have heard it said when mother nature needs one of a species or a new species of anything she produces a thousand. And again nothing is produced until it is needed; for instance, the milk never comes in the mother's breast until after the baby arrives. Just where "reason" enters into some of these aphorisms I have quoted, let those who possess curiosity reason out to their own satisfaction, remembering that William Cullen Bryant's bid for immortality was cast in the first lines of *Thanatopsis* when he said, "To him who in the love of nature holds communion with her visible forms, she speaks a various language."

What I am thinking about is that out of the abundance of nature's magnanimous harvests, rich gifts to the peoples of nearly all the world this year, so much and so many of the material things essential and necessary for our comfort, happiness, and enjoyment, there are none that seem to know how to save, take care of, and preserve for future days, or righteously distribute to those that are sorely oppressed. It seems that there should be more cause and reasons to be giving thanks to the Almighty Power for what we have before us than to be assembling in mobs to give, and pray damns to fall on the heads of those, as far as I can perceive, who have had no connection or partnership whatever with any of God Almighty's plans or enterprises, not even by "remote control."

On August 8 the Department of Agriculture in Washington, D. C., gave out their first annual estimate of the cotton crop for the year 1931.

The information it contained from a financial sense was appalling. It deflated the price of cotton and put the hand of paralysis on many allied industries. I have not looked up to prove, but I dare say the invasion of Belgium in 1914 had no more disastrous effect on the South than the news from Washington that America would produce near 16,000,000 bales of cotton. Since that day many thousands of suggestions and solutions have been offered to remedy what appears to many as the greatest financial cataclysm that has overtaken the people of the South since the war of 1861, and it will be felt all around the world.

Some think that planting no cotton in 1932 will be the perfect panacea to forestall what seems to be due to come to pass. Some who are able in high places that could by their voice help out, allay and mollify whatever financial disaster that may happen to those engaged in the cotton industry, seem to not be seriously concerned.

Just one more night of feasting and fiddling while a large part of the labors of American men and women are being consumed by the burning flames of poverty and bankruptcy.

I said a while ago, I was going to talk about cotton. I am also going to talk about a 10-year plan. Why not? Nearly everyone you meet has a plan to solve the cotton man's troubles. Russia has been getting a lot of free advertising about a "5-year plan." I know America can thrive equally as well or better on a 10-year plan for cotton and wheat, for it will take Russia half a century to grow as much cotton as they need at home, and 100 years to raise enough wheat to give each Russian a loaf of bread a day, and they will eat more when they can get it.

My plan is, and there is nothing original about it, as follows:

First. Let the voters of this country petition the President to immediately convene Congress in a special 15-day session for one purpose only: To pass the necessary acts to empower the Secretary of the Treasury to sell one and one-half or two billion dollars of 10-year 2½ or 3 per cent bonds or an amount sufficient to advance every cotton farmer 12½ cents the pound on cotton and 75 cents the bushel on wheat in warehouses and grain elevators. This on American-grown cotton and wheat, and these advances based on the high grades, lower grades according to the relative market value. The Government to have absolute control, and hold these commodities until a price of 20 cents the pound is received for the cotton and \$1.25 per bushel for the wheat.

Second. When the cotton and wheat are sold, the advances and charges to be repaid, and in addition 10 per cent of the net or gross sale prices to be held by the Government for the purpose of forming a national cotton and grain corporation, or two separate corporations, one for cotton and one for grain. This 10 per cent each year for a period of 10 years to be handed back to the cotton and wheat farmers of the United States as the cash capital for corporations to be owned and controlled by them, and equivalent to approximately the average proceeds of one entire cotton and wheat crop.

Third. The 10-year plan to cover the limitations of production to consumption in an orderly, reasonable, and logical way. To study the possibilities, and probabilities, of other countries competing with the United States in the growing of cotton, and the manufacturing of cotton goods, the greater use of cotton goods in all the foreign countries, with import duties or tariffs sufficient to keep them, if it is possible to do so, from in any way competing with our cotton farmers, or our cotton factories on our own soil, let that soil be where it may, or wherever our flag may fly.

Fourth. Recompense or decompose the Farm Board, as now constituted, or constipated may be the better word. Appoint only farmers, bankers, or business men, whose interests are identical with the cotton industry to handle the cotton business, and the same class of men to handle the wheat business, with no authority to use or invest a cent of the funds entrusted to them in any way, except for the actual cotton and wheat delivered to them, and the expenses necessary thereto; prohibiting sale of the cotton or wheat in their care to any firm, corporation, or country that is in competition with this country, who may use American cotton to deflate values in this country, but other countries as well.

REMARKS

A 10-year plan, for the reason that many of the unknowing and unthinking part of our citizens often talk of the competition of other countries, especially the Asians and Russians, with this country in the producing and marketing of cotton. China and India have been producing cotton since long before the dawn of civilization and do not now produce enough for their own use. The best and most reliable statistics at hand tell us that these two countries, with a population of something near a billion people, produce, and have been producing for the past 30 or 40 years, eight to ten million bales of cotton. This is approximately 1,000,000 bales of cotton to each 100,000,000 of inhabitants. Russia, according to figures furnished by our Agricultural Bureau at Washington, for the year 1929-30 produced 1,310,000, and for 1930-31, 1,850,000 bales. Russia has a population estimated from one hundred and twenty-five to one hundred and fifty millions of people. The cotton-growing States of the United States have produced in the past 20 years, in round numbers, about 250,000,000 bales of cotton, something like one-half being exported, leaving for home consumption an annual average of six and one-half or seven million bales, or a million bales for each fifteen or twenty million people, making us the largest consumers of cotton in its varied forms of all countries of the world. We not only grow more cotton but no other country has been able to grow as good staples, save the Egyptian long staple used in a limited quantity in this country.

Here is a thought about other countries growing cotton in competition with this country. A few years ago the Dallas News sponsored prize contests in Texas for "More cotton on less acres." If just one-half the land in 150 counties of that State could be cultivated one year as the prize winner of those contests, John W. McFarlane, of Palestine, worked his acres, it is possible to produce over 100,000,000 bales of cotton in one season.

These natural products of the soil can be preserved by well-known methods for many years, as well as the fabrics and foods that come from them by conversion. A bushel of wheat or a bushel of cottonseed is of more value as measured by the thing called "money," than all the gold, silver, and precious jewels ever mined from the date of creation down to yesterday, if there was only the one bushel of wheat and the one bushel of cottonseed.

There are some who will say, "Why fix 20 cents the pound for cotton and \$1.25 per bushel for wheat?" The average price per pound received by the cotton farmers for the past 10 years in the United States has been a little less than 20 cents. At this price, under the conditions which they have produced their annual crops, there was some visible profit or gain to the great majority of those engaged in the arduous and hazardous work of raising cotton and wheat to supply the needs of the earth's population. There are those who will ask, "Why place the responsibility of financing cotton and wheat on the National Government in Washington?" I answer by saying that the National Government is the only organized institution that is big enough to carry on such an undertaking. The Government can get the money to do business with at 2½ or 3 per cent, on as long or short a time as desirable. No other agency has ever financed cotton or wheat for less than twice the above costs for farmers, merchants, and others holding cotton or wheat from a low or no market until sold, and then only for short-time arrangements. This is more than they can afford to pay. Cotton and wheat are better collateral for money borrowed than copper, silver, or gold bullion is, or ever will be.

President Lincoln said it was the duty of governments to do the things for the people that it could do better for them than they could do for themselves, and I was taught to affirm that our Government is "of the people, for the people, and by the people."

Many able men claiming to be intelligent, some of them eminent lawyers, some our Congressmen and Senators, and several actually elected to the greatest official position of trust, power, and honor on this earth—Presidents of these United States of America—say we can not legislate values into commodities by law, and they will immediately walk into the Halls of Congress and make laws to increase their salaries. They will vote a tariff of 2 cents or more on a pound of sugar which the people must have, and then take the money to pay their increased salaries, plus all their kinsmen they can get on the Government pay rolls by the laws' orders. As a matter of fact and truth, every city, county, State, and National Government officeholder and employee has his wages fixed, stabilized, and often increased, and all guaranteed by laws.

There are in America, including the Army, Navy, and pensioners, some million or more of men and women getting their livings, including traveling expenses, directly from the Government. They are living under and by law. The wages and salaries of over 2,000,000 railway employees are fixed by a lawfully constituted railway board appointed by the President of this country, and this is not all. The railway corporations have rates made by law

for hauling freight and passengers sufficient to cover and guarantee them fair return on their investments, plus all the watered stock and bonds they could issue and sell to the public before States and the National Government stopped them from practicing such unjust and immoral acts, though profitable, on simple-minded and credulous investors of the country. The bonds and stocks of all railway and transportation companies in America are stabilized by the decrees of the law, and were made so within the past 15 years, and these very days they are beseeching the powers that rule the country to give them more, because they are not making enough, due to business stagnation and competition. I cite these instances to show to those that say we can not stabilize or put values, especially money or cash values, into things animate or inanimate, by law. About one man out of every six you meet on the streets is getting his gasoline and groceries by operation of the law, and about one day out of every six the working-man works for taxes as the laws demand.

I said recompose or decompose the Farm Board. Let me explain. I know little about the actual and detailed operations of this subsidiary of our Government created for the purpose of giving advice and financial assistance to the agricultural masses of this country. I know there was voted at its disposal one-half a billion dollars for the purpose of stabilizing values of farm products. This money has been invested and loaned to cotton, wheat, corn, oat, bean, dairy, fruit, and grape producers. It has done good, no doubt, far beyond what the average man is able to see or comprehend, but no agency could stabilize the values satisfactorily of eight or ten billion dollars worth of the products above named with one-half a billion dollars at their command, with enormous yields of the farms, with private corporate interests fighting and obstructing them every time they make a move to assist those for whose benefit the Farm Board was created. They have been sorely handicapped, but there is back and behind all they have done or can do a bar sinister that the members of the Farm Board have to keep them from being of material aid to those it was intended to help, and it is the letter and spirit of instructions to Congress by none other than the President, if what was printed in the New York Times in the year 1931, the month of August, and the day, the 15th, is true. Here is what it said:

"Two years ago when President Hoover proposed his plan for the creation of a farm board, he warned Congress that certain vital principles must be observed in the interest of the taxpayers as well as the farmer. Among those principles he listed the following:

"1. No governmental agency should engage in the buying or price fixing of products.

"2. Government funds should not be loaned or facilities duplicated where other services of credit and facilities are available at reasonable rates.

"3. No activities should be set in motion that will result in increasing the surplus production."

Is it possible that a President of this country would sign a bill creating a farm board, handing over to them \$500,000,000 to aid (not give as charity) the great agricultural classes of this country, the bone and sinew of the land, and then say to them, "Behold my instructions: You must not buy or sell, either fix a price, loan moneys, duplicate facilities, give services or credit, when these acts on your part conflict with private interests already established"? Can there, in all this enlightened country, be found one so moronish that he could not understand the meaning of these simple and plain words? What would any man think to hear of a father giving money to his son to go into a business and then say, "Son, do not go into any business where you find other persons engaged in the same line of endeavor"? That's exactly, according to the oracles given out from the ruling head of this Nation; and we have been wondering what was the matter with the Farm Board. It would have been of no use to the Farm Board had Congress turned the mints and money-printing shops over to them and they run them day and night coining gold or silver and printing paper currency year after year if they could not buy, sell, or loan on the agricultural products of the country.

The fallacy of any man, corporation, or government trying to boost the price of any commodity by buying or loaning money on a small fractional part of the supply is so foolish that whoever advocates or practices such a scheme ought to have his head examined by a pathologist and a psychopathist to find out how much of the elements of human nature and common sense he is endowed with.

Individuals and corporations operating as monopolies, trusts, or under "gentlemen's agreements" for profit, do so on the basis of controlling the major portion of all the supply of the goods, wares, and merchandise they sell or manufacture. The secret of their success (which is no secret) is in being able to control and hold the supply until the demand gets around to their warehouses before what they have to sell spoils on their hands, they knowing well in advance when the day will arrive.

Those words of President Hoover have completely denatured the work of the Farm Board as if it had never been born.

Something more about creating values by law. Not so long ago, I was on the bank of the Rio Grande River in Texas. There I stood on land in the United States that could not be bought for less than \$500 per acre. Then I could face about and view, as far as I could see, thousands of acres of land just as fertile, warmed by the same sunshine, watered by the same clouds, from the same skies, only divided by an imaginary line down the middle of the river, that could not be sold for \$5 per acre. The difference in

price or value being the difference in government on one side of the river and government on the other side of the river.

If we can not create values by laws, the makers of our Constitution made an awful blunder when they placed in section 8, Article V, of that document these words: "Congress shall have the right to coin money, regulate the value thereof, and of foreign coin, and fix the standards of weights and measures." This does not say whether they were to coin gold, silver, copper, tin, lead, or iron. Anybody that does not believe the way that article reads, just hunt up a copy of the Constitution and read it. When this Constitution was made in 1787, there was not a gold or silver mine in the United States, and having known many Congressmen and Senators in the past, and knowing a few at the present time, I am wondering what they knew about the value of any kind of metals in those days.

A lot of them don't seem to know much about the values of money or metals now. The Constitution makers, I said, made an awful blunder. I want to explain the difference between a blunder and a mistake. A mistake can be corrected, while a blunder can not. This one was made too long ago to try to think about changing.

Now, I am just foolish enough to believe that if my governor, Senator elect of Louisiana, can have a law passed that will quadruple the selling price of cotton in two weeks' time, that he can go on to Washington immediately and work on his brother Senators and have them help him coin up about 50,000,000 tons of scrap iron that is lying loose over this country and make it legal tender for all debts, private and public, including their salaries. The scrap-iron and salvage business belongs to the Hebrews in this United States, and I can quote scripture to prove that they are God's chosen people. I know this would put new life into the junk business, besides help some dear Jewish friends that both myself and my governor-Senator are glad to call friends.

Can the Government fix and stabilize the prices of commodities? If I have not shown that ours has been doing it since it was founded, let me remind those of short memories that during the World War the Government of the United States of North America fixed the price of wheat, lumber, iron, steel, powder, horses, and mules, and added a dollar and ten cents per gallon to the price of whisky. It fixed the price of the pay for over 4,000,000 soldiers plus 4,000,000 insurance policies on their lives and is still doing it. It would take volumes to enumerate all the things that this Government fixed a price on, and they were high enough, and it paid off. It did more: It told us to not eat sugar on Monday, flour bread on Tuesday, nor burn coal on Wednesday, give to the Red Cross on Thursday, eat fish on Friday, subscribe for Liberty bonds on Saturday, and go to church on Sunday, and most of us did.

The same reasons for fixing prices then, in days of war, are just as good and more necessary now to help us keep the peace. History of governments are full of precedents telling us when and where they fixed prices, and the prices of all commodities, including lawyers' fees and land rents, were fixed by the decrees of one Roman Emperor. Interest on moneys was fixed at nothing soon after the Galilean Carpenter threw the money changers out of the temple, and for a thousand years or more the penalty for loaning money at interest was death; and this law had the sanction of the established church. As a matter of truth, the church was both the gospel and the law.

The value of cotton ought not to vary a cent a pound and wheat 10 cents a bushel over a period of 1, 5, or 10 years. The Government can not guarantee to do something that nature has never done in the way of producing abundant crops every year, but can stabilize the value and take care of the supplies of cotton and wheat for a term of years or as long as the people of this Nation desire.

All throughout the ages historians tell us that Mother Nature has had her fat and lean years, and the specters of want and famine are stalking abroad on some parts of the earth at all times, while at intervals, not so far apart, she fails to produce food over a vast territory for many years. When these catastrophes have happened, nations of people have perished almost to the last one.

These verities of nature as expressed may be a little far-fetched to millions of Americans, who have been so abundantly and lavishly provided with the best of all the comforts and luxuries of life for the past 10 or 15 years, not having to give a "thought about the morrow, what they shall eat, or what they shall drink, or wherewith shall they be clothed," unmindful of the days of the future when adversities may cause them to faint by the wayside while their strength is small. We have more than 25,000,000 of people not knowing to-day where their food is coming from tomorrow. We have 50,000,000 more depending on a weekly wage and salaries for their week's supply of the things necessary for life, not knowing whether or not the next pay check they will draw will have attached to it the dreaded dismissal notice.

The small interest and charges for carrying the entire cotton and wheat crops of this country for a period of one or five years would be a small insurance to pay against the days when we may be surrounded by natural perils when our destruction would inevitably be near at hand. The reasons these things have occurred in the past are the same reasons they will occur again.

Ten million bales of cotton and 500,000,000 bushels of wheat ought to be in storage at all times in the country as a surplus to insure a steady supply of cotton for the people's needs, and wheat for food at even or steady prices regardless of whether crops are

small or large in any year or over a period of several years, and it should not be held in the clutches of a modern Joseph.

We have in America, on hand and in sight, cotton that ought to bring, at a fair value, near two and a half billion dollars, and wheat enough, under average conditions of the past 10 years, to bring growers near \$1,000,000,000; yet in this, the richest country beneath the shining sun, with a population of 125,000,000 people, these products of the farms have no market or exchange value. At the same time we boast of having about one-half the coined gold of the world in the vaults of the Federal reserve banking system that, when created, the originators said would make money or currency shortage forever impossible.

The day the National Government adopts a plan to valorize and stabilize the cotton and wheat crops of America for a period of 10 years will be the day when a new hope and new period of sane prosperity will be born into the minds and lives of millions who are looking now through the gloomy glasses of despair.

When the products of land and labor can not be sold or moneys loaned on them, the lands have neither sale nor rental value, and laborers turn beggars. In countries where there is no agriculture, they have no need for cities, railroads, banks, or stocks of merchandise. When the farmers and livestock growers prosper, then the merchant, the banker, and mechanic prosper.

The taking over by the Government of the cotton and wheat crops would put in circulation nearly two billions of dollars at the springs or fountainheads of the mighty streams of commerce, and who can point to the individual who would not be benefited; and furthermore, who doubts its ability to do it when we know that within the past few months over \$1,000,000,000 was handed out to those who enlisted in the World War 14 years ago, and on what kind of security? And in the face of the assertions of the Secretary of the Treasury, Hon. Andrew Mellon, that there was no money to give them, while thousands of checks were already being signed and paid before he finished saying there was nothing to pay with; and what was paid to these men is as a bucket of water dashed into a river compared to the sympathetic gifts of gold to the European governments that owed us \$12,091,000, when peace was declared after the World War, and now owe us, we are informed by one authority, \$7,740,000,000, and by another conclusion \$5,883,000,000, and this payable in small dribbles from now until some time near the year 2000 A. D., and this reduction of either five or seven billions of dollars was made without their paying a copper cent of the principal, or with the consent of the majority of the citizens of this Republic.

The United States holds a monopoly and will continue to hold it for many years to come on nearly every bale of exported cotton in the world; and if we are not big enough to prevent other countries from dictating the price they will pay us, we ought to go out of the cotton business and sink our merchant ships in the seas, pull down the Stars and Stripes from the Capitol Building in Washington and all sing—

Oh, Star-Spangled Banner, we weep until you wave
Again in this free land, made by the blood of the brave—
With sorrow we see you furled in the home of slaves—
Made so by your being held in the hands of knaves.

We have in our midst at all times didactors of what we call "The law of supply and demand." There never were as few words put into a sentence with more meaning, or as meaningless. It's a law that works going and coming, down and up, overtime and undertime. Some say there are powers in this law that Omnipotence can not overrule, but I say that the power of the almighty dollar vetoes it whenever it so wills.

A farmer understands the law to mean that when he has to buy anything, the man he deals with owns the supply, and he understands he must comply with whatever demands are made as to price and terms.

He further understands that when he is favored by nature with bountiful yields of wheat or cotton, producing enough in one year to last the country for two or three years, he must accept less than the price of one year's supply for the two or three years' supply. He understands that when he fails to produce what the country needs and must have for two or three years, no one contributes to his loss for efforts extended.

A higher and ancient law says that the demand for food and raiment is steady and constant, and history tells us that it has always exceeded the supply.

A still higher law dictates that there ought to be enough of the supply of protection and precaution on the part of all governments to guard the welfare of those that are engaged in the business of feeding and clothing the great majority of their brothers-in-kind.

I said there was nothing new about a "10-year plan." The holding back of one-tenth of the net sale price of each year's crop of cotton and wheat for 10 years is equivalent to having the entire proceeds of one year's crop delivered back to the farmers as a cash-capital fund to form a national grain or cotton corporation. This plan may be new or novel to many, as applied to the economics of agriculture.

This would be the farmer saving up every tenth bale of cotton or tenth bushel of wheat, which would be better than plowing up every third row when the Government had a mortgage on the first two rows, some one else on all the others, plus the Federal land banks' mortgage on the land, with not a chance that all the cotton or wheat gathered from all the rows will pay the taxes in many instances. And here let me digress for a moment to say something about taxes.

Just after the close of the World War we began the era of voting taxes and bonds for every imaginable thing that politicians inspired by profiteers asked us to vote. The farmer voted for bonds to build the \$1,000,000 high-school building where the grade-school building was sufficient. He voted for good roads and free bridges. In the cities and towns the banker, the money brokers, the business man, the laboring man joined hands and voted bonds and taxes under "Progress and prosperity" slogans. They said make business good and give labor employment. We increased taxes a hundred per cent and doubled assessments another hundred per cent, which quadrupled the taxes. When we voted these taxes and bonds, cotton was over 20 cents the pound and wheat was over \$1.25 the bushel. Now it takes 16 bales of cotton to pay the taxes on the identical farm or 16 bushels of wheat where only 1 bale of cotton or 1 bushel of wheat paid the taxes 10 years ago.

This is an increase in the ratio of 100 to 1,600 as paid in cotton—16 bales to pay the taxes now that 1 bale paid 10 years ago. The people of no nation, no State, no city, no street, not even Wall Street, can stand up under such tax burdens.

Here is a concrete case that is strictly home grown. The parish of Caddo (called counties in other States) in which the city of Shreveport is situated, has not near as high tax rates as thousands of other localities in the country. Our State, parish, city license, motor vehicle, and gasoline taxes, approximate \$6,000,000. We will produce 60,000 bales of cotton worth, at the present no-value levels, less than \$2,000,000, and cotton is the big thing we have to sell. I dare mention the assertion that there are fifteen hundred counties in the South and West that can show similar conditions.

In the epochs of panics and depressions that have happened in the past, it was cotton that had to bow down before the altars of gold. And more, there have been days in this country when, had it not been for cotton to draw gold from foreign governments, the Government of the United States would have been unable to maintain the much idolized and revered "gold standard" of money values, in order that a "cross of gold" should stand as the emblem of honest money among the enlightened nations of the globe. Cotton was the savior that had to be crucified to keep the kings of finance from losing their shining crowns.

The exports of cotton from America for a hundred years have exceeded in value that of all other commodities combined; and if the cotton growers had one dime a day profit for the days of hard labor spent in its production, it would take more gold to pay them off than this country has ever coined.

The supply of wheat wherever grown is harvested within less than 60 days' time. The supply of cotton is gathered on an average of less than four months' time. The Chief Architect of all our earthly "scheme of things" never intended that we should consume, during the short harvesting of grains, all our lands supplied. If He had, there would have been no lasting and life-giving properties as lives in a single grain of wheat for a thousand years, as some declare. Cotton in warehouses, or sunk in ships to the bottom of the seas, remaining 25 and 50 years, when recovered and found in good condition, proves that nature must have predestined the formulae for preservation of the species said to have been made in the image of their creator by placing the near-everlasting concomitants in the foods that sustain their lives over long durations of time.

I can not say all I would like to say about price fixing, stabilizing, or valorizing commodities by governmental agencies this evening, because I can talk a week on the subject and then not say one-half that could be said pro and con.

There are those that are saying "Hands off by the Government in business"; but when we look for a reason for their utterances, we never travel very far to find it. They belong to the class that think they have an inherited right to pick the pockets of the public without license or restraint, without giving value for what they receive.

When it comes to private agencies fixing a value on what I have to sell, so there is no profit to me and all to them, I will choose to have my Government be the arbiter.

When it comes to organized agencies or corporations, with unlimited capital in any business, for all they can squeeze and screw out of the unorganized masses, then I am for my Government stepping up and saying, "Thou shalt not."

What is needed is for the producers of wheat and cotton to be advanced at least the cost of production, which will place new money into the channels of trade, and start the agricultural classes back into the business of living.

The South and West are begging not charity but a loan and protection on the best collateral that floats on the rivers' and oceans' commerce.

And I ask any man or woman that hears me this question:

"If you owned all the cotton and wheat in this country to-day, and you could borrow the money to hold and store for 1, 2, or 3 years at 2½ or 3 per cent, would you sell at the low prices, dump into the sea, or plow up or burn every third row, or would you hold until the peoples of the country called for and paid you a fair price?"

I know what you will answer, if you have good, common sense with a mixture of reason. You will say that we will hold, because in these two greatest of all products that come from our farms, we have two redeemers that liveth.

In conclusion, getting down to present-day conditions, we behold business and industries stifled; laborers unemployed by the millions; fortunes of men, large and small, vanish as warm vapor in cold air; banks, big and little, closing their doors in every part of the country; people enduring all kinds of hardships, and

due almost wholly to the cold and unsympathetic truth that all the staple, basic, and prime necessities for sustaining life, have no market or exchange value. We look about us and see about 50 individuals in these good United States absolute dictators of that many corporations, having something like 1,000 subsidiaries earning fixed and guaranteed dividends and profits made by laws of their own designs, in excess of \$2,000,000,000 annually, enough in two years to enable them, with only their profits and dividends, to draw from the Federal reserve banks every one of the \$4,000,000,000 stored in their vaults, if they choose so to do, just as Morgan & Co., with allied interests, did to the United States Treasury during Cleveland's second administration.

In the past decade there have been engrafted into the law books of the land (not by the consent of a majority of the free voters of our Commonwealths) and sustained by the Supreme Court decisions, laws giving street-railway, light, power, water, and gas companies, and all railroad corporations of America, the right to make rates and charges for services sufficient to them, and guarantee a "fair return" on their investments—"fair returns" meaning anywhere from 5 to 500 per cent, after charges for losses, deflations, and salaries larger than any Government ever paid to the occupant of its royal throne.

The audacious irony of the situation is they are not satisfied, and are asking, in the name of God, amen, for more in the face of world-wide depressions, and when in this country the primary producers of wealth of the land are prostrate on their backs, almost unable to pray, sing, beg, or weep, much less fight for help.

It is a hard and unfair rule that gives to one class of men the right by "due processes of law" to take from their brothers the fruits of their toil and sufficient amount to guarantee to them a sure, steady, and increasing profit on their stocks, bonds, and investments, and deny these same brothers the right to have a price for the foods they produce sufficient for them to have the bare necessities of life. It is the "golden rule" all right, with all the gold going one way.

Isn't it enough to make thinking men wonder and ask themselves just what kind or kinds of political and economic anachronisms are we living under? In this best of all possible governments?

JEFFERSON DAY ADDRESS BY FORMER GOVERNOR BYRD, OF VIRGINIA

Mr. GLASS. Mr. President, I ask unanimous consent to have printed in the RECORD an address delivered by former Governor Byrd, of Virginia, on the occasion of the Jefferson Day rally at the Willard Hotel in Washington, D. C., on April 13, 1932.

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

Fellow Democrats, the words of Thomas Jefferson had an imperishable vitality which has carried them down to us. For 150 years they have profoundly influenced the political thought of the world, and their power sprang not from the personality of the speaker but from eternal principles which he perceived with the vision of an inspired prophet and translated into simple language. These principles were true not because he gave them. Rather he gave them because they were true. What was true of human nature then is no less true to-day.

But I do not believe that Mr. Jefferson would hold some of his opinions beyond change were he to return to us to-night. He was the most modern-minded of the builders of this Nation, and he would recognize to-day that the isolation of his time of bad roads and difficult transportation has been swept away on the wings of the airplane, and by the automobile and the speed of electricity. He would accept the necessity of interstate regulation of interstate operations, and he would broaden his views of sensible cooperation with other countries without sacrifice of the vitality of national sovereignty. But I do not think he would sacrifice or compromise a single fundamental principle that he proclaimed, for these principles are eternal and essential to the preservation of popular government in this country.

Were Jefferson to return to Monticello he would be shocked to read the statement of a brilliant justice of the Supreme Court of the United States that to-day we face conditions worse than war, and he would be surprised to hear the successors of his old political enemy, Alexander Hamilton, after 12 years of their control of the affairs of the Nation, admit that the justice does not overstate the condition. He would learn that the Republican Party had not only built up and encouraged other monopolies by its policies, but that it had claimed itself to have a monopoly on prosperity. He could turn the files of the newspapers in the recent days of soaring prices and marvel at the bold assurances of the leaders of the Republican Party that we were permanently on that high-price level, and that it was no longer true that what goes up must inevitably come down; and at last he would read that vision seen by Mr. Hoover himself of a new America from which the Republican Party had actually abolished poverty. As he read on he would mark the collapse of prices, and the cries of the losers, and the losses of the victims, and the unemployment of the helpless, and even his powerful mind would be confused. How could a party of the best minds have lost its monopoly on prosperity, he would ask; and the Republican answer would be that somehow the ghost of Cleveland or Wilson had returned to the prosperity feast of good Republicans and scared prosperity away. Besides he would be assured by the Republican leaders that the panic is due to international causes. Mr. Jefferson

would be still more confused by this last explanation, for he would read elsewhere the Republican doctrine that America is self-contained and may live and prosper by itself alone without regard as to how high the tariff walls may be erected around us.

The conditions are indeed tragic and terrible, but the Democratic Party can not win by merely placing the responsibility for the panic on the Republicans. The American people are in no mood to be patient with the ordinary play of politics. The American people demand that the Democratic Party show the power and the purpose to lead in reconstruction and to liberate and strengthen the courage and capacity inherent in the minds and hearts of the people that they may recapture their prosperity and rebuild their fortunes.

Bad as the conditions are, I do not consider the difficulties as great as those that Thomas Jefferson faced and fought and conquered. He made this a popular Government with only the hopes and ideas of isolated and scattered people and a few associate leaders at his back against the determination of the brilliant Hamilton to place power in the possession of the privileged classes. Under his administration a struggling people saw wealth accumulate and taxes go down, and a mounting surplus become a problem in the Treasury of the United States. This change Jefferson accomplished in part because of his insistence that the Government must be frugal; because of his hatred of public debt; because of his love of economy in public affairs. Were he to revisit us to-day I believe the condition of the public purse would be his primary concern. He would not only insist that expenses be reduced; he would not appoint a commission to consider the problem; but he would reduce them. Our great leaders in Congress, Speaker GARNER and Senator ROBINSON, would have no stronger supporter than Mr. Jefferson in their patriotic position that, although the Republican Party created the deficit, the Budget of the United States must be balanced and expenses of Government must be reduced.

DANGER OF ORGANIZED MINORITIES

Wherever one tries to cut expenditures there are scores of interested persons who deny that the cut can be made without great injury. But hard necessity has shown individuals and private business how expenses can be reduced. Of course every one recognizes that the largest items in the National Budget must be paid in bad as well as good times, but millions may yet be saved. One of the ways to save, Mr. Jefferson would say, is to take power out of the hands of organized and local minorities or blocs and turn it back to the majority of unorganized men and women who go silently about their own affairs and supply ultimately most of the money the Government spends. Mr. Jefferson hated every form of tyranny over the mind of man, and he detested special privileges. He believed that the rule of the majority had its faults and confessed its dangers, but he nevertheless believed that a representative democracy was the best government and that the decision must rest with the majority as a working rule of such government. He was right—eternally and fundamentally right—when he said, "The man in each locality knows his own business better than any one else." Yet in our country to-day the decision often results from the activities of a small part of the voters, separated into different blocs, and organized and determined to win their own objectives by concentrating political pressure on Members of Congress.

Mr. Jefferson always gave his occupation as that of a farmer. Agriculture was his hobby, and he did more for its promotion than any other statesman that ever lived. He believed that values come ultimately from those who work the soil; and how can the creators of wealth, these feeders of the Nation, regain a fair living unless they can market at a profit their exportable surplus? With one-half of our population dependent upon agriculture, when this great purchasing power is reduced, as it has been for the last 10 years, every maker of things to sell must suffer. Remember that over half the cotton, over half the tobacco, over a third of the copper, more than a fifth of the wheat and flour, a quarter of the agricultural machinery, more than one-eighth of the refined oil, and a tenth of the automobiles were exported in 1929. It is a fair implication from Mr. Jefferson's political writings that he would to-day work toward an international economic union and perhaps reciprocal treaties by which duties could be imposed to furnish reasonable revenue and at the same time to encourage the marketing of our exportable surplus.

PLATFORM SHOULD BE SHORT AND CLEAR

The platform written by the Democratic Party should be so clear and simple that the man on the street can understand it without calling in a lawyer to interpret its provisions. Our position on the tariff should be clearly stated.

Wars grow out of economic competition, and lives as well as dollars may be the price of tariff battles. Routes of trade and flow of commerce concern the United States as deeply and as vitally as it concerns a human being to have his arteries and veins open and healthy.

Obviously the tariffs of the United States have contributed powerfully by example and effect to interference with the trade of the world. Following our example, there is no European nation to-day that is not to the limit of its ability placing barriers against the interchange of commodities upon which the prosperity of international trade fundamentally depends.

We see to-day as a direct result of Republican policies our foreign markets closed, a reckless waste of governmental revenues; we see the farmer ruined because he has no market for his surplus, and our manufacturers, in order to escape tariff reprisals

against American-made goods, erecting factories abroad and depriving the American workman of a job and our Government of taxes.

COST OF GOVERNMENT MUST BE LOWERED

Our governmental expenses, local, State, and national, have increased from three billions of dollars in 1913 to fifteen billions in 1931. This is an increase of 500 per cent in amount, an increase of more than four times per capita. To-day \$1 out of every \$5 we earn goes to 250,000 tax-gathering and tax-spending agencies. Eighteen million of our citizens are now dependent upon tax pay rolls for their support. To-day the value of our basic commodities, the only source from which the wealth of our Nation is replenished, is much below the 1913 level. In agriculture the purchasing power of the farmer's dollar is only a little more than half as compared to 1913. Our foreign trade is back to the 1910 basis. Our governments, local, State, and national, can not continue to live in the boom days of 1929. If we do, disaster will inevitably follow. The Democratic Party should declare for lowering our governmental costs—national, State, and local—to the ability of the citizens to pay. This can only be accomplished by less Government in business and more business in Government.

PROHIBITION SHOULD BE SUBMITTED TO PEOPLE

And now for a moment let us discuss prohibition. The eighteenth amendment as such has not been indorsed by either the Democratic or Republican Party. The recent vote in Congress to resubmit the eighteenth amendment indicates that the division on prohibition is as sharp in the Republican Party as in the Democratic Party. I have throughout my public career supported dry legislation and advocated temperance. I believe that the open saloon and its evils, legally abolished by the eighteenth amendment, should never be permitted to return. I say this so that my position will not be misunderstood. The prohibition law and all other laws should be enforced, but we must recognize that no law is stronger than the public sentiment to sustain it. In Virginia I voted as a member of the State senate to submit to the people of Virginia a referendum on prohibition. My views on the national problem are identical. No problem has ever touched the lives and morals of our citizens more closely than prohibition. It should be removed from party politics and submitted directly to the people themselves for decision. The Democratic platform should declare for the enforcement of all laws, but an immediate task of the Democratic Party is to work out the most fair and feasible method to carry the prohibition question to the people.

If the eighteenth amendment, or a modification, is sustained by such referendum, a clear mandate will result to enforce the prohibition laws. I am opposed to any referendum unless it be conducted under the law of the land. I do not favor any plan that will permit the people of a particular State to vote that State out of the control of the Constitution of the United States while other States remain under the Constitution. I stand, therefore, upon these beliefs:

- (a) That prohibition is the law and should not be nullified by deliberate failure to observe it; but
- (b) That it is still a human law that may be amended or changed; and
- (c) That as a question affecting the lives and habits of the people it should be decided by a popular vote by the people themselves.

No matter what plan is proposed, a constitutional amendment is necessary. I suggest an amendment to provide the legal machinery to permit the people themselves to determine this vexing question. The amendment could read as follows:

"The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose an amendment or amendments to or the repeal of Article XVIII of the amendments to this Constitution, or to any future amendment or amendments thereof, which shall be valid to all intents and purposes as part of this Constitution when ratified at an election to be held in each of the several States on a certain day, to be designated by Congress, by the majority of the electors voting thereon in three-fourths of the several States. The electors in each State shall have the qualifications requisite for the electors of the most numerous branch of the State legislatures."

This will enable—

(a) When two-thirds of Congress desire, the question of the repeal or modification of the eighteenth amendment can be submitted to every qualified voter in every State on a day selected by Congress when no other election is held.

(b) Each State will vote as a unit, and three-fourths of the States, as at present, will be necessary to change the existing amendment.

As I see it, in no other way can the voice of the people in secret ballot be given expression. A constitutional amendment submitted to legislatures does not enable a direct expression from the people; neither does an amendment submitted to State conventions.

Regardless of my own individual views on prohibition or any other question of equal importance affecting the lives and habits and individual rights of the people, I am willing to stand firmly upon the fundamental democratic principle that the people themselves have the right to decide it, and whenever desired by a substantial proportion of our people they should be given the opportunity to do so. It is not more police or more government but stronger convictions and law-enforcement spirit that we need. This means a revivification of honesty and courage, which will

require all the fortitude that Jefferson bequeathed us. I make this suggestion without thought of candidacy for any office but as a constructive effort to solve the problem confronting us.

Now, in conclusion, the Republican Party is discouraged; their hearts are failing them before the nation-wide criticism of their administration; but hope springs eternal in their predictions that we will divide and defeat ourselves. Our opponents will be disappointed. This country we love, this people we serve, needs the Democratic Party to lead them out of the depths of depression. The ambitions of no individual will divide us, the dislike of no individual will be permitted to weaken our common strength. Sobered and stimulated by the shining example of the greatest Democrat of the ages, let us highly resolve that this party, dedicated to popular service, will select its leader and follow him without dividing reservations to recapture for all Americans the prosperity and happiness of a people to whom Jefferson bequeathed the power to control their Government.

GOVERNMENT AID TO CURE THE DEPRESSION—ADDRESS BY SENATOR TYDINGS

Mr. LEWIS. Mr. President, I beg to tender for the RECORD an address delivered in the city of Washington last evening over the radio by the Senator from Maryland [Mr. TYDINGS] on the subject of "How Government Can Help Cure the Depression." I ask that it may be printed in the usual way.

The PRESIDENT pro tempore. Without objection, the address referred to will be printed in the RECORD.

The address referred to is as follows:

It should be evident to every thinking person at this time that what is needed to help lead the country out of its present long and serious depression, to lessen the injurious effects of unemployment, and to secure at least a partial return to prosperity, is some plan which will accomplish these altogether worthy results. It must be a plan which will provide work for the unemployed and by providing them with work, furnish them with purchasing power to buy the things people use and need, which our factories and farms will then be called upon to produce. It must be a plan which will not further burden a public already groaning under an almost unbearable burden of National, State, city, county, and municipal taxation; and, lastly, it must be a plan which can be called into play at once in order to stem the tide of adversity long before the cold winds of next winter are felt.

Can such a plan be devised and carried through which will accomplish these requisites to a return of prosperity and at the same time not burden the public with more taxes which they will find it difficult to pay?

My answer is an emphatic, "Yes; it can be done; it should be done; it must be done or grave consequences are in store for the country."

I have introduced such a plan in the National Congress in the form of an amendment to the revenue act, and this plan will shortly come up for a vote in the Senate of the United States.

It is my purpose now to explain briefly but thoroughly that plan in the hope that I may impress the country with its soundness and merit and secure enough popular support for it to insure its adoption by the Congress.

This plan is as follows. It provides three things:

First. The creation of a bond issue in the sum of \$1,500,000,000 to be liquidated at the rate of one-tenth of this sum per year, or, in other words, to pay off this loan at the rate of \$150,000,000 per annum.

Second. It provides that with the sum of money obtained from the bond issue a gigantic construction program will be immediately inaugurated all over the United States, embracing all of those construction projects already authorized by the Congress, but for which no appropriation has as yet been made, due to a shortage of national funds. These already-authorized projects embrace a building program of a billion dollars, which would be spent for labor and materials. In addition to this a further sum of \$400,000,000 would be available for the immediate construction of roads, river and harbor improvements, and flood-control projects. As stated, the whole program would call for the expenditure, starting immediately, of the sum of \$1,500,000,000.

Third. The plan provides further that this huge bond issue of \$1,500,000,000 shall be paid off entirely by levying a special tax of 24 cents a gallon on beer containing 2.75 per cent of alcohol by volume. To permit the sale of this beer the Volstead Act is amended, raising the alcoholic content it now specifies, of one-half of 1 per cent, to 2.75 per cent, which is the point where scientists and the medical fraternity unite in declaring such beverage is not intoxicating in fact.

It will be asked, "Would such a tax on beer in itself furnish enough revenue to the Federal Government to pay off the principal and interest of the bond issue without additional burdens upon the people in the form of other taxation?" My answer is "Yes," and I will attempt to prove that answer is true and accurate by quoting the figures of the United States Census Bureau.

In 1914, when the manufacture and sale of beer was legal in many parts of the country, about 1,980,000,000 gallons were consumed that year. Since then our population has increased, but even with this increase of population since 1914, assuming that there would be no more beer consumed now than then, a tax of 24 cents a gallon at the rate of the 1914 consumption of beer

would yield \$500,000,000 annually. This is two and one-half times the sum required to pay for the yearly amortization or sinking fund requirement of the bonds, plus interest due, on the billion and half dollar issue.

In other words, if this beer were legalized, as stated before, and instead of consuming approximately 2,000,000,000 gallons a year, as we did in 1914, we should now consume only 40 per cent of this amount, a tax of 24 cents per gallon on this amount of beer would yield approximately the \$200,000,000 which would be sufficient to pay the \$150,000,000 annually required for the sinking fund to amortize the bonds beside the interest upon those outstanding.

I believe that the consumption of beer to-day would be equal to that of 1914, but a consumption of less than one-half this amount would furnish all the revenue required to pay off the bond issue in full.

Again, the bill provides that the beer would be sold only in bottles, a revenue stamp being placed upon each bottle at the rate of 3 cents a pint.

It is provided that the money derived from this revenue tax on beer would not go into General Treasury funds. The Treasurer of the United States is directed to keep all moneys arising from beer taxes in a special fund, which would be used first to pay off the yearly amortization of the construction-bond issue, together with accrued interest. All amounts received from beer revenues in addition to that needed for the purpose of paying off the principal and interest of the construction bonds can be used for general Government expenses. It is estimated this additional fund would provide an added \$300,000,000 not needed for construction-bond amortization, and this sum would make many of the taxes now contemplated to be imposed on automobiles, stock certificates, and the like unnecessary.

Now, let us look at the whole proposition again:

One billion five hundred million dollars to be spent for all kinds of construction work is equivalent to \$10 for every person or \$40 for every family in the United States. Many heads of families are now employed; so that, if this fund were confined to those unemployed—of which there are about 10,000,000 at the present time—the sum available for construction would be equivalent to about \$150 for each of the 10,000,000 people now out of work, for which there is now no employment fund at all. As applied to half the unemployed, it would afford double this sum, or \$450 per unemployed person this year.

This huge sum of money would be paid, first, for all kinds of materials that would be needed in the various projects and for the labor necessary to manufacture them. Again, labor would be employed to construct these projects throughout the United States in the form of bricklayers, electricians, carpenters, architects, accountants, bookkeepers, and the like. The railroads would be called upon to haul the freight and the general effect would be to stimulate many lines of business apart from the pure construction of the buildings themselves.

In order to put through this plan, not one dollar of income tax, inheritance tax, or taxes on automobiles, radios, refrigerators, cigarettes, or any other present governmental revenue would be needed. Beer alone would furnish sufficient revenue to pay two and one-half times the necessary cost of the construction bond demands, which fact I think makes the plan sound and feasible.

And consider the extent to which all business would be benefited. The unemployed, now a nonbuying part of our citizenship, would come back into the markets and purchase food and clothing and all of the products of our country. Its effect would give business a much-needed upturn, which, in my judgment, we need before the harsh effects of next winter descend upon the country and upon our huge army of unemployed.

Besides, we know that large quantities of beer are being consumed anyway. We know that the racketeer, the gangster, and the bootlegger are taking tribute from the sale of illegal beer and are becoming enriched while millions of law-abiding citizens storm the streets asking only for an opportunity to earn a respectable living.

This is one of the few commodities in America that is being sold in large quantities and which is not contributing a single cent toward the Nation's expenses. The Government is not getting a penny from beer racketeers either in taxes on their products or from the big incomes they are getting, while law-abiding citizens pay income taxes, and taxes are levied on many other commodities. Criminals are lining their pockets with beer revenues while Congress seeks here, there, and everywhere for something else to tax in order that Government income will be equal to its expenditures.

Therefore no one can deny, first, that the expenditure of \$1,500,000,000 for varying construction projects which have already been authorized, and which will be built anyhow some time in the future, would not put many of the 10,000,000 of the unemployed to work?

No one can say that the tax on beer I have outlined is in conflict with either the spirit or the letter of the eighteenth amendment.

Who can say that the tax of 24 cents a gallon, which I have mentioned, will not furnish two and one-half times the amount of money annually needed to pay off the bond issue without any additional burden to our present taxpayers?

And who can say, if this plan is adopted, that it will not deal a deathblow to the gangsters and racketeers who are now getting rich while the Government can not pay its bills?

Here are some additional observations regarding the consequences of legalizing beer apart from those already mentioned:

A respected Harford countian, who has made a success of both farming and canning—at least up to now—recently shipped to a Baltimore grain-brokerage firm his wheat crop, consisting of 717½ bushels of wheat, for which he received a check in the sum of \$180.60. However, the following expenses were incurred in producing the crop:

Preparing soil, sowing wheat, and harvesting	\$35.00
Seed	60.00
Threshing	55.00
Total	150.00

Here the calculations stopped; there was no charge for depreciation of machinery, taxes, and other normal farm expenses; so, without counting these latter charges, the farmer received approximately 4 cents a bushel for his crop. If all things are considered, it is doubtful if the grower of this wheat received such financial return as would permit him to break even.

Before the Senate Committee on Agriculture in 1917, when the food production act was before the Senate, much testimony was taken which is of interest at this date when the food and commodity conditions are diametrically opposed to those prevailing through war years. During the war the slogan was to save food and commodities; now the problem is how to use them. Dr. Deets Pickett, research secretary of the Board of Temperance, Prohibition, and Public Morals, in the course of the hearing made the following statement:

"In the United States census reports for 1910, volume 8, page 363, the consumption of coal by the brewing industry for the year ended June 30, 1909, was shown to be 2,990,357 tons, or three and one-half times as much as the packers, six times as much as the printers and publishers, nine times as much as the manufacturers of boots and shoes, twenty-five times as much as the manufacturers of men's clothing."

There is widespread unemployment and distress in the coal industry; thousands of mines are closed.

A letter from Mr. Hoover, now President, then, in 1917, Food Administrator, contains the following interesting observation: "The cessation of brewing would effect a saving in grain of approximately 3,150,000 bushels a month * * * or 37,800,000 bushels a year."

There is more wheat than can be consumed in this country.

Dr. Irving Fisher, of Yale University, president of the National War-Time Prohibition Association, in a statement which was read into the CONGRESSIONAL RECORD by arid Senator Cummins, of Iowa, in 1917, makes the following observations concerning the question of railroad cars and transportation used by the breweries:

TRANSPORTATION REQUIRED BY BREWERIES

	Tons
Raw material, 3,000,000,000 pounds of foodstuffs, equals	1,500,000
Required coal	3,000,000
Product, 60,000,000 barrels	9,000,000
Total on teams and cars	13,500,000

All of which require hauling and over one-half of which require railroad transportation. This requires over 200,000 freight cars during a year, and uses several hundred locomotives constantly, and increases freight congestion.

The railroads are not prosperous, thousands of railroad men are out of employment and that both engines and freight cars are idle.

Doctor Fisher, the eminent dry authority, in 1917, did not stop there, however; he vigorously took up the sugar matter with this poignant comment: "The breweries annually use 64,000,000 pounds."

Newspaper dispatches say it is largely due to sugar difficulties in Cuba that revolution there is imminent.

But Doctor Fisher, in 1917, moves on and deals with the brewery problem with more dynamic statistics. He says: "The breweries of the United States employ 65,000 men, but the total engaged in making, handling, and selling it is over 300,000."

I understand that in the United States about 10,000,000 people are out of employment.

The courts have held and no less an eminent authority than avocatrix, the comely and sparkling Mrs. Mabel Walker Willebrandt, the supreme court of the wine-grape industry, states that wine may be made in the home without legal consequence by using the product turned out by the California grape people. The agents and advertisements inform one that a choice of flavors from sauterne to Riesling can be had. A test shows the ultimate alcoholic horsepower of these precious liquids runs around 15 per cent. However, while arrests of wine makers using the qualified products seldom ever occur, those who deign to make home-brew are not so fortunate and frequently find themselves headed for long vacations in Government hotels at Leavenworth and Atlanta.

In short, while legal to make 15 per cent wine without Government revenue, it is illegal to make 4 per cent beer even with it.

Meanwhile a deficit of approximately two and a half billion dollars impends in the Treasury and a new tax bill levying a billion dollars is to be laid upon the American people.

The last "beer year" showed there was a consumption of the cold amber liquid in these United States of 1,980,000,000 gallons. A tax of 25 cents per gallon would yield an annual Government revenue of approximately \$500,000,000. More, if now permitted, it would put coal miners to work digging out those 2,990,357 tons

which Mr. Pickett says the breweries annually required; more, it would put in use 200,000 freight cars and several hundred locomotives constantly per year, which Dr. Irving Fisher says were necessary for the transportation needs of the breweries; more, it would use up 64,000,000 pounds of sugar per year, and perhaps lessen the likelihood of civil war in Cuba; and yet more, it would employ 300,000 men who, dry Doctor Fisher says, were used annually in the brewing business; and still more, again, it would pull the Treasury deficit down to a figure where it could be comprehended. But what is more important to my friend from Harford County, who sold his wheat crop for 4 cents a bushel, is that it will require 3,000,000,000 pounds of foodstuffs per year, and, in the very nature of things, return him a higher price for any he may raise in the future.

Far be it from me to argue the moral side of this matter, for that would present the picture, no doubt, in certain quarters, of Bacchus talking with Moses. However, it did seem to me that a wiping out of the Treasury deficit, ending a possible civil war in Cuba, employing several hundred thousands of men now out of work, starting 200,000 freight cars and several hundred locomotives clanking over the rails, and getting my farmer friend more than 4 cents a bushel for his wheat contained some of the elements of godliness.

Every thoughtful person looks ahead to next winter with apprehension. The army of unemployed grows. Business further staggers. A survey of the country shows much distress. In the State of Mississippi school-teachers have not been paid for a year, and the State government has taken 25 per cent of all the land in that State for nonpayment of taxes. In Chicago school-teachers and other municipal officials are unpaid. Many municipal governments are either laying off employees or not paying them due to lack of income. Banks have been failing. Thousands upon thousands of farms have been sold under mortgage foreclosure and delinquent taxes.

Question: Can we raise sufficient community funds, particularly in our large industrial centers, to properly feed, house, and clothe the unemployed next winter? I hope we can, and, of course, those able will do their best; but States and State governments in many cases may then be unable to assist, while here in the National Capitol we are trying desperately to raise enough money to pay the Government's current bills, and there is no money now in the Treasury which could be loaned to the States, the cities, or the communities. What are we going to do with all these unemployed people next winter?

My measure is, I believe, sound, simple, practical, and helpful. It provides work now for the unemployed. It increases no present taxes. It is calculated to have ramifications helpful to all business enterprises in America. The whole Nation will benefit. The construction program contemplates the building of structures we will build anyhow in the coming years, and which are now or will be needed shortly. It will help to alleviate the distress of next winter. And, if my proposition is not adopted by the Congress, won't we be less prepared to deal with the matter of unemployment successfully? Or, may I ask, who has a better plan to prevent the distressing future prospect?

The issue is clear-cut. Shall the bootlegger or the Government, which needs it, get this money? Shall crime flourish and unemployment exist, or shall crime be put down and unemployment be lessened? Shall we make the product of 2.75 per cent beer available in bottles and sold by the Government or sold illegally by a privileged few racketeers?

Now is the time for action. When the snows of next winter have fallen, it may be too late to deal rationally with a serious situation.

In the interest of all who are out of work and in want, in the hope of assisting their wives and children underfed and underclothed, and in the interest of what I hope will bring again some measure of prosperity to all and relieve the Treasury of some of its deficit, the construction amendment to the revenue bill is offered in the Congress of the United States.

EXCERPTS FROM ADDRESS BY LOUIS BROWNLOW

Mr. LA FOLLETTE. Mr. President, I ask unanimous consent to have printed in the Record excerpts from the address by Hon. Louis Brownlow, director of Public Administration Clearing House before American Society of Editors at Washington, D. C., April 23, 1932.

There being no objection, the excerpts from the address were ordered printed in the Record, as follows:

ECONOMIC CONDITIONS

Among the things most commonly said these days in support of the well-nigh universal demand for reduction of governmental costs and reduction of governmental activities is this: "Private business has been forced to make cuts and government must follow suit." Within certain limits I have no particular quarrel with that, but at the very outset I would beg to suggest that private business has cut down when, as, and if the demand for its products, wares, and services has fallen off, and to point out that in many very important respects the demands on government have been tremendously increased by the very force of private business retrenchment.

One, but not the only one, of these demands on government that has increased, is now increasing, and inevitably will continue to increase for at least another 12 months, is for the provision of

food and fuel, shelter and clothing, health and morale for some millions of Americans who have no jobs because private business has been forced to cut down.

For instance, in Chicago, in January of this year, it was calculated that more than one-third of the workers ordinarily employed were out of jobs, that the wage loss due to this fact was \$2,000,000 a day, and that the expenditure for food and fuel for the jobless was \$100,000 a day. In other words, a cut down in private business of \$20 was producing an increase in public expenditure of \$1. Since January the wage loss has increased, while the number of persons whose needs must be met, if at all, from the public treasury or from private philanthropy has increased also, but more rapidly as the resources of savings, of relatives, of neighbors, and of credit have been exhausted.

This single illustration of the increasing demand upon government is merely an example of what is going on in practically every community in the country, the figures varying with the varying effects of the economic crisis as determined by local conditions. It is a trend that further confuses and complicates the consideration of what is always, in our country, a confused and complex relation of private business to public business, of private philanthropy to public welfare, and, on the public side, the relations of the people and the taxpayers to their stratified governmental structure, local, State and Federal.

The problem is made more difficult because of its huge proportions. Measured in terms of the number of persons directly affected, it is the greatest calamity that has befallen the American people; in scope and complexity nothing to compare with it has so upset the industrial world order since the industrial revolution began; considered solely as a problem of succor for the suffering, it is of a size tremendously larger than ever before has been known in the United States. Is it any wonder that the American people as represented by their governmental organizations, by their philanthropic agencies, by their business institutions, by their newspapers, have been puzzled, confounded, and disturbed?

At the same time, perhaps the most disturbing factor in the entire situation is that the facts are not fully known; indeed, the existence of the problem is scarcely recognized in anything like its true and menacing aspect, by many of the very persons and institutions upon whom the solution must depend.

From the point of view of the newspaper, and of the public as well, this inadequate knowledge is in large part due to the lack of that sudden dramatic incidence that makes news.

Let us go back a little more than 60 years for another illustration—and again to Chicago. In October, 1871, Chicago had 300,000 people instead of 3,000,000. It was then that the widow O'Leary's cow kicked over the lantern and started the great conflagration that constituted one of the major calamities of modern times. For two days the flames consumed their fodder and left a city prostrate; a quarter of a thousand dead, a hundred thousand homeless, they and another hundred thousand as well without food, and \$200,000,000 worth of property destroyed.

It was sudden. It was dramatic. It was news. Let me quote from the last edition of the Encyclopedia Britannica: "A vast system of relief was organized and received generous aid from all parts of the world. The money contributions from the United States and abroad were \$4,996,782; of this, foreign countries contributed nearly \$1,000,000 (England half of this). These funds, which were over and above gifts of food, clothing, and supplies, were made to last till the close of 1876. Out of them temporary homes were provided for nearly 40,000 people; barracks and better houses were erected; workmen were supplied with tools and women with sewing machines; the sick were cared for, the dead buried; and the poorer classes of Chicago were probably never so comfortable as during the first two or three years after the fire." That is the end of the quotation. After two generations we still think of the Chicago fire as a major calamity.

Sixty years later, in October, 1931, last October, Chicago had more than ten times as many people. Chicago's problem of the relief of the unemployed had begun to give extraordinary concern to those whose business it was to be concerned with such things as early as 1928, and that concern had increased rapidly through 1929.

In April, 1930, the jobless numbered 160,000. Then was set up the governor's commission on unemployment and a fund of \$5,000,000 was raised from contributions from Chicago people. It was believed to be enough to last from October, 1930, to October, 1931. This was given over and above the amounts that were being given by the county, by private family-welfare agencies, and by the private person-to-person contacts with the needy. Did it last? No. On July 18, 1931, that fund was exhausted. In October, 1931, a new campaign for funds was started. This time the goal was set at \$8,800,000, to last a year, but burdened already with the deficits incurred since mid-July. The people of Chicago were generous. They subscribed \$10,500,000, nearly two millions more than the goal of the campaign. But by mid-December half of that money was gone. Local governments were handicapped by serious fiscal difficulties and Chicago turned to the State government. A fund of \$18,000,000 was provided by the legislature in the early part of 1932—to last through the year. This week the legislature at Springfield was told that Chicago must have another \$20,000,000 to see it through the year.

To-day in Chicago about 600,000 persons, twice as many as lived in the city at the time of the great fire, eat only the bitter bread of public charity. Five millions of dollars forthcoming from the whole world for the fire disaster was made to last five years. Sixty years later Chicago can scarcely make \$5,000,000 last 60 days. And

are there new houses for the poor? New tools for workmen? New sewing machines for the women? None. Are the poorer classes more comfortable? No one who knows how a family lives on the diminishing dole that a financially embarrassed Government supports from a tax-striking public would dare to say so.

Yet the creeping paralysis of this calamity of 1931 was not sudden, however numerous the victims it engulfed. It was not dramatic, however tragic to its hundreds of thousands of doomed. It was not news, in the sense that the great fire was news. It was and is a depressing and a deplorable fact, but it is not local to Chicago. There is the same tale to tell in hundreds of American cities.

From the beginning of American life, in the times of the Colonies the care of the destitute was assumed to be the obligation of the local unit of government until in a relatively few of the larger cities toward the very end of the nineteenth century it was taken over in part, but only in part, by private charitable agencies. Then there grew up in some of our more important urban centers a custom of devolving relief given in the homes of needy families upon private agencies, but usually retaining as a public duty the care of the destitute in institutions. In no two cities, in no two counties, in no two communities in the United States was the pattern of the division of responsibility precisely the same in organization, intent, or result.

Judging from the best figures that I have been able to find, it is unlikely that at any time in American history more than half of the money expended for poor relief was furnished by private agencies. Reliable statistics show that during the first two years of the present emergency 70 cents out of every dollar given for relief has come from public treasuries and only 30 cents from the generous private giver.

Last fall and winter, for the first time since the World War, the campaigns of the community chests were coordinated throughout the Nation and much publicity was given to the need for generous giving to meet the requirements of the unemployment situation.

Two hundred and ninety chests raised, if we include the estimated goals of a few still under way, for 1932 purposes a total of \$100,000,000—a huge sum of money to be given for private philanthropy in times like these, and it came from the pockets of all classes of the people of these nearly 300 communities. But of this amount only 35 per cent, according to Mr. Allen T. Burns, executive director of the National Association of Community Chests and Councils, was intended to be spent for home relief of families. The other 65 per cent, says Mr. Burns, goes to such indispensable services as hospitals, visiting nursing, child welfare, crime prevention, and provision against the misuse of the immensely increased leisure time. Who shall say to Mr. Burns that the demands for the services represented by this 65 per cent have decreased? Not I.

That means that the campaign last fall and winter, with a few cities not coming in until this spring, raised by private subscription in the greatest national campaign for private unemployment relief ever undertaken a total of \$35,000,000 in a coast-to-coast effort with the blessing of the President's organization and with the aid of the press and the radio and all the arts of publicity.

Was it enough? The State of New York alone will spend more than that in 1932 for this purpose. I do not know what the total will be, or can be, but I do know that public treasuries, local and State, will spend in 1932 much more than twice the total amount expended by private agencies.

Here intrudes another perplexing feature of the problem. What is paid out of public treasuries must come in from public taxation or from public borrowing which must eventually be repaid from taxes.

The burden of providing the bare necessities of life for the destitute lies as a legal obligation upon the local governmental unit in by far the greater part of the United States. Sometimes the township, sometimes the county, sometimes the city, has that duty to perform. Most of these governmental units derive most of their revenues from the general property tax, which in turn is levied and collected mostly upon real property.

What happens when a home owner no longer with an income exhausts his savings and is forced to turn for food to the public relief agencies? Does he pay his taxes?

What happens when a tenant no longer has an income, and turns to the public relief agency for food and for money to pay his rent?

What happens to the landlord when his tenants no longer can pay their rent?

In some places, no relief legally can be given to a family that has an equity, no matter how slender, in a home. So the family is forced to give up its home in order that it may find food. In some cities the relief funds do pay rents. If the funds are public that amounts to the city paying taxes to itself. In other cities the relief funds pay no rents. Sometimes the landlord says he can not evict the tenant, there is no other tenant in sight and the building will be sacked by vandals or torn down for fuel if it is left unoccupied. So the landlord has no income from which to pay taxes. In some instances landlords who are still the owners of tenant-occupied houses have themselves been forced to come to the city relief agency for the food that they no longer can buy.

Translated into the technical jargon of governments this means tax delinquencies. With mounting tax delinquencies local governments find it more difficult to borrow the money that they need to make up for the taxes they can not collect, and consequently more and more difficult to meet the need for unemployment relief.

It may be said that the local governments should cut out other expenditures to meet this situation. In many places, willingly or not, it is being done, but still this has not met the requirements of the major calamity of which I am talking.

Then there is recourse to the State governments. Some of them, too, rely mainly upon the general property tax. Others have income taxes. New York doubled its income tax to meet the specific requirements of this problem for a year and in six months had to propose a bond issue in order to double the provision of money. Other States have diverted gasoline taxes. Others have invented or are considering the invention of new taxes.

But with all this the problem is not solved. It is not even in better case than it was last winter. It is worse now than it has ever been. Every student of it agrees that it will be much greater in size and scope next winter than it is now.

From some 40 cities, according to reports compiled by the Survey and by Business Week and quoted in the New York Times, the crisis of the exhaustion of local and of State resources for relief will come this spring and early summer; in some places at the end of April; in others in May; in many in June. In fact, it appears that few, if any, of the larger cities involved are financed for their needs beyond August.

The seasonal upturn in employment is disappointingly small. The seasonal drop in demands for relief is almost imperceptible. Experts in the field are agreed that even if employment conditions were to begin now to improve that the exhaustion of savings and other factors will inevitably produce a greater number of persons who must be fed next winter than we had last winter.

There was, of course, the appeal to the Federal Government. It was not a unanimous appeal; and although I have seldom read anything more significant or impressive than the hearings before the Senate committee on the proposals for Federal aid to the States, Congress did not see fit to heed. It may be doubted if it saw fit to read.

Nothing is settled with respect to this problem. It is difficult to find all the facts about it. There are profound and utterly sincere differences of opinion about methods of procedure in dealing with it.

I have my own opinion, but suppressing that I appeal to the editors of the country that they assign their very best men to an examination of the facts, and that without prejudice or preconception; that they give to the facts so discovered as complete and as wide publicity as the delicate conditions of the country will permit; that it base upon these facts fairly faced and fully considered its opinion as to what ought to be done.

With the cause or with the cure, or with my notions of the cause or the cure, I have not dealt. I am content only if I am permitted to say that in my opinion the manner in which we deal with the crisis that we shall face this summer when funds are exhausted, the manner in which we shall make provision for the effects of this calamity next winter, may determine whether or not hungry Americans who can not find the work they desire above all charity will be fed; may determine whether or not if too much hunger they will continue to suffer mutely or whether they will rebel against an order which has failed to find them food.

In my opinion, this is a profound social problem that can not be solved by reference to apparently inflexible divisions of the duties of government among its several levels as ordained in the late eighteenth century.

It will be hard in the midst of a presidential campaign to see these new things clearly and without the confusion caused by party politics. But if we are to avoid the spread of this disaster from the social to the political field, I am persuaded that we all of us must make the effort to meet this situation calmly, coolly, and courageously.

RECESS

Mr. McNARY. I move that the Senate take a recess until 12 o'clock noon to-morrow.

The motion was agreed to; and (at 5 o'clock and 30 minutes p. m.) the Senate took a recess until to-morrow, Wednesday, April 27, 1932, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

TUESDAY, APRIL 26, 1932

The House met at 12 o'clock noon.

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

Blessed Lord God, we pray to Thee, to whom we owe our first, our last, and our eternal allegiance. May nothing stand between us and our obedience to Thy holy will. Let Thy sympathy make us social, Thy love make us charitable, and Thy grace make us cheerful. So order our lives that they will respond to service and sacrifice. Endow us with the mind that sees the heights and with the soul that sounds the depths, and in all things keep us in harmony with Thy holy purpose. Spare our country from that poverty which kills the spirit that the physical nature may be preserved.