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Congressional Record

SEVENTY-THIRD CONGRESS, SECOND SESSION

SENATE

MONDAY, MAY 21, 1934

(Legislative day of Thursday, May 10, 1934)

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

THE JOURNAL

On motion of Mr. ROBINSON of Arkansas, and by unanimous consent, the reading of the Journal for the calendar days Friday, May 18, and Sunday, May 20, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. ROBINSON of Arkansas. 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:

Adams	Cutting	Keyes	Robinson, Ark.
Ashurst	Davis	King	Robinson, Ind.
Austin	Dickinson	Logan	Russell
Bankhead	Dieterich	Long	Schall
Barbour	Dill	McCarran	Sheppard
Black	Duffy	McGill	Shipstead
Bone	Erickson	McNary	Smith
Borah	Fess	Metcalf	Steiwer
Brown	Frazier	Neely	Thomas, Okla.
Bulkley	Gibson	Norbeck	Thompson
Bulow	Goldsborough	Norris	Townsend
Carey	Hale	Nye	Vandenberg
Clark	Harrison	O'Mahoney	Van Nuys
Connally	Hastings	Overton	Wagner
Coolidge	Hatfield	Patterson	Walsh
Copeland	Hayden	Pittman	Wheeler
Couzens	Kean	Pope	White

Mr. ROBINSON of Arkansas. I desire to announce that the Senator from California [Mr. McADOO] is absent because of illness, and that the junior Senator from Arkansas [Mrs. CARAWAY], the Senator from Illinois [Mr. LEWIS], the Senator from Iowa [Mr. MURPHY], and the Senator from Florida [Mr. TRAMMELL] are necessarily detained from the Senate.

I wish further to announce that the junior Senator from Tennessee [Mr. BACHMAN], the senior Senator from North Carolina [Mr. BAILEY], the Senator from Virginia [Mr. BYRD], the Senator from Georgia [Mr. GEORGE], the senior Senator from Tennessee [Mr. McKELLAR], the junior Senator from North Carolina [Mr. REYNOLDS], the Senator from Kentucky [Mr. BARKLEY], the Senator from South Carolina [Mr. BYRNES], the Senator from Connecticut [Mr. LONERGAN], and the Senator from Maryland [Mr. TYDINGS] are temporarily detained from the Senate at the White House in a conference with the President.

I also wish to announce that the Senator from Colorado [Mr. COSTIGAN], the Senator from Florida [Mr. FLETCHER], the Senator from Virginia [Mr. GLASS], the Senator from New Mexico [Mr. HATCH], the Senator from Mississippi [Mr. STEPHENS], and the Senator from Utah [Mr. THOMAS] are detained in an important committee meeting.

Mr. FESS. Mr. President, I desire to announce that the Senator from Rhode Island [Mr. HEBERT], the Senator from Wisconsin [Mr. LA FOLLETTE], and the Senator from Pennsylvania [Mr. REED] are necessarily absent from the Senate.

The VICE PRESIDENT. Sixty-eight Senators have answer to their names. A quorum is present.

ONE HUNDREDTH ANNIVERSARY OF THE DEATH OF LA FAYETTE

The VICE PRESIDENT laid before the Senate the following cablegram, which was read:

[Cablegram—Translation]

PARIS, *May 18, 1934.*

The PRESIDENT OF THE CONGRESS OF THE UNITED STATES,
Washington, D.C.:

I beg you to make the French Chamber of Deputies a party to the moving and high testimony of fidelity given by the American Congress to the memory of La Fayette, whose name will remain forever the symbol of that Franco-American friendship which the magnificent part taken by the United States during the war in the common defense of right and liberty has rendered faultless henceforth.

FERDNAND BUISSON,
President of the Chamber of Deputies.

Mr. BYRD. Mr. President, I submit a resolution, which I ask to have read, and ask unanimous consent for its present consideration.

The VICE PRESIDENT. The resolution will be read.

The resolution (S.Res. 246) was read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the thanks of the Senate are hereby extended to the French Chamber of Deputies for their expressions of friendship and good will, communicated in the message of May 18, 1934, of the President of the Chamber of Deputies.

Resolved further, That a copy of this resolution be communicated through appropriate channels to the French Chamber of Deputies.

A. CYRIL CRILLEY

The VICE PRESIDENT laid before the Senate a letter from the Secretary of Commerce, transmitting draft of proposed legislation to relieve A. Cyril Crilley, assistant trade commissioner, and a special disbursing officer of the Bureau of Foreign and Domestic Commerce, in the matter of a certain expenditure, which, with the accompanying paper, was referred to the Committee on Claims.

MARCH REPORT OF RECONSTRUCTION FINANCE CORPORATION

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Reconstruction Finance Corporation, submitting, pursuant to law, a report of the activities and expenditures of the Corporation for March 1934, together with a statement of loans authorized during that month, showing the name, amount, and rate of interest in each case, which, with the accompanying papers, was referred to the Committee on Banking and Currency.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate resolutions adopted by the Greenville (S.C.) Trades and Labor Council, favoring the removal of H. H. Willis as chairman of the State Cotton Textile Industrial Relations Board, and the sending into South Carolina of someone to assist in reducing machine loads in the textile industry and to put into effect the provisions of the N.I.R.A., which were referred to the Committee on Finance.

He also laid before the Senate a resolution adopted by the board of supervisors of the county of Maui, Territory of Hawaii, favoring the enactment of legislation granting statehood to Hawaii, which was referred to the Committee on Territories and Insular Affairs.

He also laid before the Senate resolutions adopted at a special session of the Municipal Council of Badajoz, Province of Romblon, and by a mass meeting of residents and vacationists of the city of Baguio, Mountain Province, P.I., pro-

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testing against the levy of an excise tax on coconut oil and its products exported to the United States from the Philippine Islands, which were ordered to lie on the table.

He also laid before the Senate resolutions adopted by the municipal court of Calapan, Province of Mindoro, and the municipal and provincial governments of Zamboanga, at Zamboanga, P.I., approving and expressing appreciation for the enactment of Public Law No. 127, Seventy-third Congress, being an act to provide for the complete independence of the Philippine Islands, to provide for the adoption of a constitution and a form of government for the Philippine Islands, and for other purposes, which were ordered to lie on the table.

THE WORLD COURT

Mr. BARBOUR. Mr. President, I present and ask unanimous consent to have printed in full in the RECORD and appropriately referred a paper in the nature of a resolution adopted at the annual meeting of the Middle Atlantic Conference of Congregational and Christian Churches.

There being no objection, the paper in the nature of a resolution was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

The Middle Atlantic Conference of Congregational and Christian Churches urges the Senate Foreign Relations Committee to report at once to the Senate the three World Court treaties which have been in its hands since 1930; and earnestly requests the Senate to give its consent to the ratification of these protocols before the present session adjourns, so that this issue, which has been pending before the Senate in some form for 11 years, may be settled and the 1932 pledges of both parties for adherence to the World Court fulfilled without further delay.

REPORTS OF COMMITTEES

Mr. DILL, from the Committee on Interstate Commerce, to which was referred the bill (S. 3266) to amend the Railway Labor Act approved May 20, 1926, and to provide for the prompt disposition of disputes between carriers and their employees, reported it with amendments and submitted a report (No. 1065) thereon.

Mr. LOGAN, from the Committee on Military Affairs, to which was referred the bill (H.R. 9123) to authorize the Secretary of War to lend War Department equipment for use at the Sixteenth National Convention of the American Legion at Miami, Fla., during the month of October 1934, reported it with amendments and submitted a report (No. 1066) thereon.

He also, from the same committee, to which was referred the bill (H.R. 363) for the relief of James Moffitt, reported it without amendment and submitted a report (No. 1067) thereon.

He also, from the Committee on Claims, to which was referred the bill (S. 762) for the relief of Teresa de Prevost, reported it with amendments and submitted a report (No. 1072) thereon.

Mr. SHEPPARD, from the Committee on Military Affairs, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

H.R. 311. An act for the relief of Martin Henry Waterman, deceased (Rept. No. 1068); and

S. 2581. An act for the relief of Charles H. Willett (Rept. No. 1069).

Mr. AUSTIN, from the Committee on Military Affairs, to which was referred the bill (S. 3199) for the relief of Thomas A. Coyne, reported it without amendment and submitted a report (No. 1075) thereon.

Mr. SMITH, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 1132) to amend the Standard Baskets Act of August 31, 1916, to provide for a 1-pound Climax basket for mushrooms, reported it with an amendment and submitted a report (No. 1070) thereon.

Mr. POPE, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 2462) relating to loans by the Reconstruction Finance Corporation in connection with agricultural improvement projects, reported it with an amendment and submitted a report (No. 1071) thereon.

Mr. PITTMAN, from the Committee on Mines and Mining, to which was referred the bill (S. 2836) to amend the Mining Act of May 10, 1872, as amended, reported it with an amendment and submitted a report (No. 1073) thereon.

Mr. HATCH, from the Committee on Indian Affairs, to which was referred the bill (S. 2531) to define the exterior boundaries of the Navajo Indian Reservation in New Mexico, and for other purposes, reported it with amendments and submitted a report (No. 1074) thereon.

Mr. FRAZIER, from the Committee on Indian Affairs, to which was referred the bill (S. 3626) referring the claims of the Turtle Mountain Band or Bands of Chippewa Indians of North Dakota to the Court of Claims for adjudication and settlement, reported it without amendment and submitted a report (No. 1076) thereon.

PROCEDURE IN IMPEACHMENT PROCEEDINGS

Mr. ASHURST, from the Committee on the Judiciary, to which was referred the resolution (S.Res. 242) authorizing the appointment of a committee to receive evidence and take testimony in impeachment trials, reported it with amendments.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

Mr. LOGAN, from the Committee on Military Affairs, reported favorably the nominations of several officers in the Regular Army.

Mr. DIETERICH, from the Committee on the Judiciary, reported favorably the nomination of William Ryan, of Illinois, to be United States marshal, eastern district of Illinois, to succeed Arthur M. Burke, resigned.

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

The VICE PRESIDENT. The reports will be 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. ASHURST (by request):

A bill (S. 3646) to amend section 938 of the Revised Statutes to vest the courts with discretion to refuse to order the return of vessels seized for violation of any law of the United States; and to amend subsection (b) of section 7 of the Air Commerce Act of 1926, as amended, to provide for the forfeiture of aircraft used in violation of the customs laws; to the Committee on the Judiciary.

By Mr. NEELY:

A bill (S. 3647) authorizing the Sistersville Bridge Board of Trustees to construct, maintain, and operate a toll bridge across the Ohio River at Sistersville, Tyler County, W.Va.; to the Committee on Commerce.

By Mr. THOMAS of Oklahoma:

A bill (S. 3648) to validate certain conveyances by Kickapoo Indians of Oklahoma made prior to February 17, 1933, where a full and fair consideration has been paid, and to provide for actions in partition in certain cases, and for other purposes; to the Committee on Indian Affairs.

By Mr. DILL:

A bill (S. 3649) for the relief of Emanuel Wallin; to the Committee on Public Lands and Surveys.

A bill (S. 3650) to amend the Emergency Railroad Transportation Act, 1933, approved June 16, 1933; to the Committee on Interstate Commerce.

By Mr. FLETCHER (by request):

A bill (S. 3651) to amend the Federal Reserve Act and sections 5197 and 5136 of the Revised Statutes, as amended by the Banking Act of 1933, and for other purposes; to the Committee on Banking and Currency.

By Mr. CLARK:

A bill (S. 3652) authorizing the coinage of a 2½-cent nickel piece; to the Committee on Banking and Currency.

A bill (S. 3653) authorizing the erection of a memorial to John D. Orear; to the Committee on the Library.

By Mr. GEORGE:

A bill (S. 3654) to authorize the disposal of surplus personal property, including buildings, of the Emergency Con-

servation Work; to the Committee on Public Lands and Surveys.

By Mr. STEPHENS:

A bill (S. 3655) to amend the act entitled "An act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes", approved June 30, 1906, as amended; to the Committee on Commerce.

A bill (S. 3656) for the relief of Robert N. Stockton; to the Committee on Claims.

By Mr. ASHURST:

A bill (S. 3657) authorizing the construction of a dam on the San Pedro River, Ariz.; to the Committee on Irrigation and Reclamation.

CONTROL OF CHINCH BUGS

Mr. CLARK. Mr. President, I ask unanimous consent, on behalf of the Senator from Iowa [Mr. MURPHY] and myself, to introduce a joint resolution of an emergency character, which I ask may be read and lie on the table until I may have an opportunity to ask unanimous consent for its consideration.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the joint resolution will be read.

The joint resolution (S.J.Res. 126) to provide funds to enable the Secretary of Agriculture to cooperate with States in control of chinch bugs was read the first time by its title and the second time at length, as follows:

Resolved, etc., That to enable the Secretary of Agriculture to apply such methods of control of chinch bugs as in his judgment may be essential to accomplish such purposes, in cooperation with such authorities of the States concerned, organizations, or individuals, there is hereby appropriated and made immediately available $1,000,000: *Provided*, That this appropriation shall be used for expenditures of general administration and supervision, purchase and transportation of materials used for the control of chinch bugs, and such other expenses as in the discretion of the Secretary of Agriculture may be deemed necessary, including the employment of persons and means in the District of Columbia and elsewhere and rent outside the District of Columbia: *Provided further*, That the cooperating State shall be responsible for the local distribution and utilization of such materials on privately owned land, including full labor costs: *Provided further*, That in the discretion of the Secretary of Agriculture no part of this appropriation shall be expended for chinch-bug control in any State until such State has provided the necessary organization for the cooperation herein indicated: *Provided further*, That procurements under this appropriation may be made by open-market purchase notwithstanding the provisions of section 3709, Revised Statutes: *And provided further*, That no part of this appropriation shall be used to pay the cost or value of farm animals, farm crops, or other property injured or destroyed.

The VICE PRESIDENT. The joint resolution will lie on the table.

STUDY OF SALES TAX

Mr. BARBOUR submitted the following resolution (S.Res. 245), which was referred to the Committee on Finance:

Resolved, That the Committee on Finance is authorized and directed to make a full and complete study with a view to determining:

(1) The feasibility and advisability of a Federal sales tax on all articles, except foodstuffs, sold in the United States by the producer, manufacturer, or importer thereof, and levied with the object of allocating a proportion thereof to States which do not levy and/or collect, and which do not permit their respective political subdivisions to levy and/or collect, any production, manufacture, and/or sales tax on articles subject to such Federal tax.

(2) What provisions or limitations should be contained in such Federal sales tax with reference to any or all such articles.

(3) What articles should be defined as foodstuffs for the purposes of such tax.

(4) What portion of the receipts from such Federal sales tax should be allocated to the States, and the basis and method of allocating such portion to the individual States eligible therefor.

(5) The methods to be used in collecting such Federal tax.

(6) The method of ascertaining the sale price of all articles subject to such tax.

In making such study the committee shall consider all factors bearing upon such a tax program, with particular reference to any revision which may be necessary in the tariff laws.

The committee shall report to the Senate, as soon as practicable, the results of its study, together with its recommendations for necessary legislation in connection with such tax program.

For the purposes of this resolution the committee is authorized to hold such hearings, to sit and act at such times and places during the sessions and recesses of the Senate in the Seventy-third and succeeding Congresses until the submission of its final report, to employ such clerical and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed $25,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

CHANGE OF REFERENCE

On motion of Mr. SHEPPARD, the Committee on Military Affairs was discharged from the further consideration of the bill (S. 2100) to provide for the commemoration of the Battle of Big Dry Wash, in the State of Arizona, and it was referred to the Committee on Public Lands and Surveys.

UTAH POWER & LIGHT CO.

Mr. KING. Mr. President, recently I received a letter from the secretary of the Consumers League of my State, an organization which is interested in questions affecting the public welfare. It is particularly interested in public utilities. The secretary requested that I have placed in the CONGRESSIONAL RECORD a statement signed by a number of citizens of my State and addressed to the directors of the Utah Power & Light Co. I intended that this statement, after having been placed in the RECORD, should be referred to the Federal Trade Commission, which has for some time been investigating certain public utilities. After communicating with the members of the Commission I am advised that they have practically completed their investigation and are now preparing a report for submission to Congress. I have also conferred with the Chairman of the Committee on Interstate Commerce of the Senate and with members of that committee, and he and they are of the opinion that the statement should be referred to such committee.

Accordingly, Mr. President, I ask unanimous consent that the statement be inserted in the CONGRESSIONAL RECORD and be transmitted to the Committee on Interstate Commerce of the Senate for consideration and appropriate action upon its part.

There being no objection, the statement was referred to the Interstate Commerce Committee and ordered to be printed in the RECORD, as follows:

[From the Salt Lake City (Utah) Tribune of Apr. 29, 1934]

APRIL 28, 1934.

BOARD OF DIRECTORS,
Utah Power & Light Co., City.

GENTLEMEN: The undersigned, being holders of 6 and/or 7 percent preferred stock of Utah Power & Light Co., and representing only their own stock, make the following requests of the directors of the Utah Power & Light Co., and request an acknowledgment and answer to this letter:

1. That the contract between the Utah Power & Light Co. and the Electric Bond & Share Co. for managerial and other services be canceled.

(The Utah Power & Light Co. has paid to the Electric Bond & Share Co. for such services the following amounts:

In the year 1933	$105,540.35
In the year 1932	145,343.00
In the year 1931	159,163.00
In the year 1930	181,386.00
In the year 1929	166,530.00

These figures secured from the Utah Power & Light Co. and the Utah Public Utilities Commission.

These fees, we understand, are largely based on a percentage of the gross revenue received by the company. (Reference: P. 1688, Report of Federal Trade Commission of July 15, 1932.) It is contended by these stockholders that any services rendered by the Electric Bond & Share Co., if any such services are necessary, should be paid for by the Utah Power & Light Co. for actual services only and not on a percentage of gross revenue received by the Utah Power & Light Co.

2. That a proper retirement reserve be set aside each year.

(In the past the amount set up for retirement reserve has greatly varied. In the year 1931 the retirement reserve was cut to $500,000 from $700,000 in the previous year and a dividend of $900,000 was paid on common stock, and in the year 1932 the retirement reserve was cut to $300,000 and a dividend of $150,000 was paid on common stock.

In the year 1933, retirement reserve	$700,000
In the year 1932, retirement reserve	300,000
In the year 1931, retirement reserve	500,000
In the year 1930, retirement reserve	700,000

These figures obtained from the annual reports of the Utah Power & Light Co.)

3. That the preferred-stock holders be given the right to select three fourths of the members of the board of directors.

In the report of the Federal Trade Commission made July 15, 1932, pages 1686 and 1687, referring to the Utah Power & Light Co., the following is stated (quoting from Federal Trade Commission report):

"As successor by reorganization to Utah Securities Corporation, Electric Power & Light Corporation became and continued to be the owner of all outstanding common stock of the Utah Power & Light Co. The total inflation of $34,330,246 is equal to all of the $30,000,000 book value of common stock and $4,330,246, or 16.8 percent, of the book value of preferred stock outstanding on December 31, 1930."

These stockholders have not sufficient information at this time to confirm the figures of the Federal Trade Commission and do not necessarily agree with them; nevertheless it is believed that the greatest equity in the property lies in the preferred-stock holders.

Dividends were paid on the common stock of the Utah Power & Light Co., which was owned by the Electric Power & Light Co., a subsidiary of the Electric Bond & Share Co., as follows:

1928	$1,200,000
1929	1,200,000
1930	1,200,000
1931	900,000
1932	150,000
1933	None.

(This information obtained in letter dated Jan. 2, 1934, from G. M. Gadsby, president Utah Power & Light Co.) These dividends were paid without plainly disclosing this fact in the annual published report to preferred-stock holders of the company, with the exception of the year 1932, which showed dividend payment on the common stock of $150,000.

4. That one half of the common stock now held in the Utah Power & Light Co. by the Electric Bond & Share Co. be distributed pro rata to the preferred-stock holders.

(By this means the preferred stock, with this one-half interest in the common stock, would have voting control of the property.)

We believe that the management should set aside out of earnings a reserve for the payment of dividends on the preferred stock. We have faith in the property; we favor proper and strict regulation by the public service commission, with justice and fairness to the public, to the company's employees, and the shareholders.

The company is faced with difficult economic and climatic conditions, opposition to the public-utility industry, and constant demand for lower rates. In addition, there is dissatisfaction on the part of many preferred-stock holders due to the acts of the management of the company. We believe that the people of this State are willing that a public utility receive a fair return on an investment fairly established and that the influence of the large number of resident preferred-stock holders will be great if exerted in a just cause. It is believed by these stockholders that if this corporation is directed and operated by the preferred-stock holders. 10,000 of whom reside in this territory, that, with such management, cooperation with the public and customers would be secured, which would give reasonable rates to the consumer, reasonable wages to the employees, and a reasonable return to the stockholders.

Sincerely,

ERNEST BAMBERGER, *Salt Lake City, Utah.*
CHARLES E. HUISH, *Eureka, Utah.*
PATRICK HEALY, *Ogden, Utah.*
JOHN A. MARSHALL, *Salt Lake City, Utah.*

REGULATION OF TRAFFIC IN FOOD AND DRUGS

Mr. DIETERICH. Mr. President, I ask unanimous consent to have printed in the RECORD a memorandum in regard to Senate bill 2800, submitted by various associations and members of the cosmetic industry, relating to food, drug, and cosmetic control.

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

MEMORANDUM IN REGARD TO SENATE BILL 2800, SUBMITTED BY THE UNDERSIGNED ASSOCIATIONS AND MEMBERS OF THE COSMETIC INDUSTRY

APRIL 24, 1934.

To the honorable the Members of the United States Senate:

GENTLEMEN: We respectfully submit the following memorandum in regard to S. 2800, relating to food, drug, and cosmetic control, now before the Senate for consideration, and in doing so beg leave to say that in our judgment, and in the judgment of the cosmetic industry generally, legislation of the character proposed, if properly framed, will be of advantage to the legitimate members of the industry as well as to the public, in that it will give full protection to health and tend to relieve the public of apprehension in regard to the character of cosmetic products permitted in interstate commerce. The public is clearly entitled to the elimination of cosmetics, as well as of drugs, which are dangerous to health, and if the bill is so framed as to accomplish this purpose, it is bound to be to the lasting advantage of both the public and the industry.

There are, however, at least two particulars in which the bill in its present form is plainly unjust to the industry, without in any way adding to the protection of the public. What we have to say in addition is by way of what we hope are constructive suggestions, which would, we believe, assist in effecting the purposes of the act. Concretely, our objections are as follows:

ADULTERATED COSMETICS

In defining what is an adulterated cosmetic in section 5 (a), the bill uses language unnecessarily involved, which may be expected to give rise to conflicting interpretation causing unnecessary hardship to the industry and interfering with the effective administration of the act. It seems obvious to us that as the only legitimate purpose of such a definition is to protect health, a provision applying to cosmetics the language of section 4 (a), which defines an adulterated drug, and as proposed at the hearing (hearings, pp. 258–261), is all that is necessary to accomplish this purpose. We suggest, therefore, that for the section as reported there be substituted the following:

"SEC. 5. A cosmetic shall be deemed to be adulterated—(a) If it is dangerous to health under the conditions of use prescribed in the labelling thereof, or if no conditions of use are thus prescribed, then under such conditions of use as are customary or usual."

Everything that is dangerous to health is included in this definition. As stated, it follows the language of the provision in regard to drugs, with the addition of the words emphasized, and it must be evident that if the language is sufficient in the case of drugs, it is sufficient in the case of cosmetics as well, for the dangers to health from the use of drugs are obviously greater than the dangers to health from the use of cosmetics, since drugs are used largely internally, and cosmetics entirely externally.

In connection with cosmetics, the head of the present Food and Drug Administration, Mr. Campbell, stated at the hearing that the definition provided by the bill of adulteration in cosmetics was "more exacting" than in the case of drug products, and in discussing the subject he referred to instances of disastrous injury which he said had resulted from the use of certain cosmetics (hearings, Feb. 27 to Mar. 3, 1934, p. 546). He seemed to assume that the prevention of such injuries in the case of cosmetics required the use of more sweeping language than that provided in the case of drugs. It is respectfully submitted however, that all of the cases which he so vividly presented were obviously due to cosmetics dangerous to health, and would therefore come within the definition of an adulterated cosmetic which we have suggested. If it is sufficient to define an adulterated drug as one that is "dangerous to health", it is also sufficient to use the same language in defining an adulterated cosmetic, and clearly in both cases the definition adequately protects the public.

Our specific objection to the provision as it now stands is that it naturally gives rise to variety of interpretations, some of which would be most injurious to the industry, and while we do not believe that such interpretation would be sustained by courts of last resort, it must be remembered that we are dealing with a criminal statute, and those engaged in the industry are entitled to have the language of the statute so clear as to leave no doubt as to its meaning. The provision of the bill as reported is as follows:

"SEC. 5. A cosmetic shall be deemed to be adulterated (a) if it bears or contains any poisonous or deleterious substance in such quantity as may render it injurious to the user under the conditions of use prescribed in the labeling thereof, or under such conditions of use as are customary or usual."

Preperly construed, this is probably unobjectionable, but according to one interpretation the words "as may render it injurious to the user" may mean as may possibly render it injurious to any user, an interpretation placed upon it by Mr. Campbell himself (hearings, p. 547).

That such a provision would be arbitrary, injurious, unreasonable, and indefensible seems very clear. There are few, if any, cosmetics even within the broad definition of the bill, which includes soap and all other cleansing materials, which when applied to the skin may not in some circumstances and with some people result in irritation or injury, no matter how innocuous the substance may be. A similar definition as to drugs would probably likewise ban a large number of medicinal preparations which are obviously proper and useful.

Mr. Campbell referred to the suggestion that word "average" be used, making the paragraph read "injurious to the average user." We quite agree that such a provision would be insufficient, because the term "average" might leave outside the definition cases of cosmetics or drugs which would be injurious to a great many people, although not injurious to the "average." It is submitted that a drug or cosmetic ought not to be put under the ban, where it is not dangerous to health in itself, and only results in irritation or injury because of some supersensitivity or idiosyncracy in cases so rare as to be negligible. Long lists of wholesome foods and harmless drugs have frequently been suggested which are, in such cases, injurious to the user.

It is perfectly obvious that under the definition as it now appears in the bill, if interpreted as suggested, the Food and Drug Administration could bar from interstate commerce numerous cosmetics which have never been considered, and are not, dangerous to health or harmful to the user, merely on its assumption that they might be harmful to some one or more users, no matter how rare the case or remote the possibility.

The reported definition would inevitably give rise to large numbers of civil claims and administrative complaints absolutely without foundation, based on the definition and its interpretation by claims' attorneys to the effect that any user who can possibly assert a casual relation between some alleged injury and the use of a particular cosmetic is entitled not only to maintain a civil action for damages but to cause as well criminal proceedings to be insti-

tuted against the manufacturer, and to make demand upon the Secretary of Agriculture that the products be suppressed. A field would thus be opened up where the possibilities of blackmail and nuisance actions are unlimited, and legitimate industries would be exposed to wholly needless and unjustified expense and litigation.

MULTIPLE SEIZURES

The bill provides for seizures of any article of food, drug, or cosmetic in interstate commerce that is adulterated or misbranded, or manufactured, processed, or packed in a factory not holding a valid permit. The multiplicity of such seizures may well in certain instances destroy the business of the manufacturer or otherwise result in irreparable injury. It is submitted that the provisions of section 19 (c) which seek to avoid such a result are too narrow for the purpose. It is noted in the first place that the jurisdiction given the district courts is to restrain by injunction the institution of more than one seizure, whereas it should include jurisdiction to restrain the prosecution of more than one where more than one seizure action has been begun. Moreover, it is limited to cases of misbranding only. It seems clear that the district courts ought to be invested with power to restrain the institution or prosecution of more than one seizure action in any case where it is convinced that the public interest will not thereby be adversely affected, and that the ends of justice require it to be done. Therefore, we ask that section 19 (c) be changed to read as follows:

Further to avoid multiplicity of libel for condemnation proceedings without impairing the protection of the public or the opportunity for prompt trial on the merits of alleged violations, the district courts of the United States are hereby vested with jurisdiction to restrain by injunction as hereinafter provided the institution or prosecution of more than one seizure under section 16 where in the judgment of the court the issuing of such an injunction will not adversely affect the interests of the public and the ends of justice require such action.

It is noted that the foregoing provision does not require such action on the part of the court, but merely allows it to issue the injunction in the exercise of its judicial discretion.

THE REGULATORY POWER

By way of constructive criticism, it is suggested that section 10 (a) which, at present, touches only the question of tolerances and the power to determine them, might well be broadened so as to include the power to prescribe other conditions of use to safeguard the public health. By way of illustration, the manufacturer of cosmetics might be required in certain cases to give instructions and directions in regard to their use, and in some cases, require tests to avoid irritation due to hypersensitivity, as has been done in New York City.

Such a broadening of the regulatory powers would seem to be in the public interest and could be accomplished by merely adding at the end of section 10 the words "and in connection with such tolerances, or otherwise, he may prescribe other conditions for the protection of health."

THE COMMITTEE ON PUBLIC HEALTH

We also suggest that the efficient administration of the act would be assisted if there were added to the Committee on Public Health, as provided for in section 22, one or more members of each of the three industries subject to regulation, with the industry member or members empowered to sit with the committee only when consideration is being given to his or their particular industry. To accomplish this, it is suggested that there be added after the words "to their political affiliation", in section 22, subparagraph (6), line 5, page 37, the following: "2 members to be selected by the President from the food-producing—processing—and manufacturing industry, 2 from the drug industry, and 2 from the cosmetic industry, all of whom shall be selected for their scientific attainment and training in their respective industries. The members thus chosen from an industry shall sit as members of the committee only when regulations and matters concerning their own industry are under consideration."

It is perfectly clear that the industry members thus selected by the President would be in accord with the purposes of the act and capable of rendering constructive aid in the formulation of regulations, on account of their scientific training and familiarity with the history and conditions of the industry, and that, in many instances, they would be able to call to the attention of the Secretary and the committee conditions needing correction, which might otherwise escape notice, and to point out how such conditions could best be dealt with for the protection of the public without injury to the industry. The conclusions of a committee thus constituted would carry greater weight with the courts, and assure their more ready acceptance by the industry itself. In this way, enforcement of regulations through acquiescence would, in a large measure, be substituted in place of enforcement through prosecution.

ADMINISTRATION

Our final suggestion is that the bill be amended by substituting the Secretary of Commerce for the Secretary of Agriculture. In support of the proposal, we may point out, among other things, the fact that the natural growth of the Department of Agriculure has been so great as to make it impossible for the Secretary to give active attention to all its activities even in normal times, and that his duties under the Agricultural Adjustment Act and arising out of the present emergency absolutely preclude him from giving any active attention to the administration of food, drugs, and cosmetic legislation.

At the hearings objection was voiced to this proposal on the grounds that the administration of the Food and Drug Act had for 25 years been in the hands of the Food and Drug Administration, and it was not desirable to change that situation. We had no intention to suggest that the matter be taken out of the hands of that body. Our thought is that this bill puts three great industries having a volume of billions of dollars, under Governmental administration and direction and they are entitled to have the control placed in the hands of a Cabinet officer whose circumstances would permit him to give their affairs his active and personal consideration. At the hearing before the sub-committee the Secretary of Agriculture said: "My own time has been taken up so exclusively with emergency matters in the field of agriculture and national recovery that I have not had an opportunity to give this measure the degree of study and active support it deserves." As is also well known, he has been obliged to put the active conduct of processing and compensating tax matters and other functions of the greatest importance in the hands of subordinates, although the law contemplated that they should be performed by himself.

The matter of this bill was deemed a proper one for the consideration of the Committee on Commerce and not the Committee on Agriculture, and, in fact, it concerns commerce and public health alone, and is in no way concerned with the functions of the Department of Agriculture, which was created "to acquire and to diffuse among the people of the United States useful information on subjects connected with agriculture in the most general and comprehensive sense of the word, and to procure, propagate, and distribute among the people new and valuable seeds and plants."

Control of cosmetics and control of drugs lie wholly outside of the normal functions of the Department of Agriculture and the sort of control of food that is given by the present act lies outside of agricultural functions. The whole matter relates to commerce and the conduct of commerce among the States, and comes directly within the scope and purpose of the Department of Commerce, both as stated in the act creating it and in practice. Chapter 10 of title 5 of the United States Code provides for a Department of Commerce, and section 3 states that "it shall be the province and duty of said Department to foster, promote, and develop the foreign and domestic commerce, etc." Clearly, so far as foods, drugs, and cosmetics are concerned, the Government ought to have two objectives, viz: To protect the public health and to foster commerce. Neither of these matters is in any way a function of the Department of Agriculture. The interest of the farmer in the matter is identical with those who live in cities, towns, and villages. Obviously with respect to food, the primary need of protection lies with the urban and not the rural class. That the administration is now nominally in the hands of the Secretary of Agriculture is an accident. To place the supervision of the act in the hands of the Secretary of Commerce would not require the transfer of the Food and Drug Administration to his Department either physically or administratively. It is assumed that if the Secretary of Commerce were given this responsibility, the Food and Drug Administration would remain where it is now and function as it does now, with the exception that instead of being a practically autonomous body it would have the benefit of the active supervision of the head of the Department officially concerned, viz, commerce.

It is no argument against this suggestion that the Food and Drug Administration is housed in 1 of the 6 acres of buildings now used by the Department of Agriculture. The bureaus and divisions of the Interior Department, for instance, are very widely scattered.

Nor is there any reason why the Secretary of Commerce and the Food and Drug Administration should not have all the advantages of the facilities of the Bureau of Animal Industry which the Food and Drug Administration now enjoys.

Here it may be suggested that the purpose of the act probably requires the active assistance of the Bureau of Standards of the Department of Commerce, but there seems to be no practical or administrative difficulty in utilizing the functions of bureaus and divisions in different departments of the Government in order to carry out the purpose of this or any similar act. The Bureau of Public Health Service is a bureau in the Treasury Department, but there seems to be no reason why the facilities of that Bureau may not be used in the administration of the Food and Drug Act, despite the fact that it is not under the Secretary of Commerce or the Secretary of Agriculture.

The duty of exercising all the important powers listed in the bill is by its terms placed upon the Secretary of Agriculture; he is to find the facts; he is to formulate the regulations, and promulgate them, and in general he is to exercise discretionary powers of a very broad and important nature. As already stated, everybody knows that the circumstances are such as would prevent him from even giving direction to the affairs of the Food and Drug Administration.

As stated, the administration of the bill should have in mind the protection of the public and the interests of the great commerce involved in the three industries. Both of these functions belong to the Department of Commerce, in whose Secretary, it is suggested, control of the administration of this act should rest. It is noted that both of these objectives are within the scope of the Departments' activities, as shown by the Twenty-first Annual Report of the Secretary of Commerce for the fiscal year ending July 30, 1933, page IX.

"The chief service of the Department of Commerce, measured by the proportion of funds so devoted, is in the interest of public

protection and safety. It has become customary to regard the Department as concerned almost exclusively with the promotion of trade. Most of its budget, however, is spent in protecting life and property. At least 65 percent of its available funds is devoted to the maintenance of lighthouses, marine and aeronautic inspection, to the prevention of mining disasters, to protection against dishonest weights and measures, and to the performance of other functions, the activities and responsibilities of which do not shrink with the general decrease of business. In times like the present keener competition for the reduced volume of business naturally results in curtailing expenditures, subjects the general standards and practices of business and transportation to unusual strain, and it is especially necessary that vigilance in the interest of public security be maintained."

It may be noted that since the close of the first 9 months of the year covered by the foregoing report, the activities of the Department of Commerce have been materially curtailed, and, in consequence, there is no reason why the direction of the administration of the proposed act could not have the personal attention of the Secretary.

We earnestly ask your careful consideration of the foregoing suggestions.

Respectfully submitted.

Allied Manufacturers of the Beauty and Barber Industry, George D. Chisholm, president, 36 West Forty-fourth Street, New York City; Beauty and Barber Supply Institute, Inc., Joseph Byrne, secretary, 11 West Forty-second Street, New York; National Hairdressers and Cosmetologists Association, Inc., Emil Rohde, president, 2322 South Grand Avenue, St. Louis, Mo.; American Cosmeticians Association, Mrs. N. McGavran, Hotel Sherman, Chicago; Chicago and Illinois Hairdressers Association, Marc Gartman, president, 139 North Clark Street, Chicago, Ill.; New York State Hairdressers and Cosmetologists Association, Emile F. Martin, president, 507 Fifth Avenue, New York City; Los Angeles Hair Dressers and Cosmetologists Association, J. Crowley, secretary, Los Angeles, Calif.; All American Beauty Culture Schools Associated, H. T. Raley, president, Raley Building, Harrisburg, Ill.; New York State Beauty Schools Association, Inc., C. B. MacNeil, vice president, 33 West Forty-sixth Street, New York; Ladies Hairdressers Association of New England, May Kehoe, president, Boston.

NOTE

Allied Manufacturers of the Beauty and Barber Industry includes a membership of 47 manufacturers in New York and throughout the country employing over 5,000 workers.

Beauty and Barber Supply Institute, Inc., includes 500 jobbers and distributors located throughout the country with approximately 6,000 employees.

National Hairdressers and Cosmetologists Association, Inc., represents 29,455 shops throughout the country with approximately 90,000 employees.

Chicago and Illinois Hairdressers Association represents 1,250 shops in the State of Illinois with 5,000 employees.

New York State Hairdressers and Cosmetologists Association represents 2,000 shops in the State of New York with 8,000 employees.

New York State Beauty Schools Association, Inc., includes 27 schools with over 2,000 students.

Los Angeles Hairdressers and Cosmetologists Association includes in its membership shops in Los Angeles and vicinity and the All American Beauty Culture Schools Associated represents a large number of schools throughout the country, but exact statistical information regarding these two organizations was not available at the time of going to press. The American Cosmeticians Association has a membership of about 45,000.

CHAIRMANSHIP OF REPUBLICAN NATIONAL COMMITTEE

Mr. ROBINSON of Indiana. Mr. President, I ask unanimous consent to have printed in the RECORD an article published in the Week, at Columbus, Ohio, of the issue of Saturday, May 19, 1934, entitled "A Chairman Skillful in Organization, Entrenched in Confidence of Business Men, Wise in Party Needs, Is Demand of the Times."

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

[From the Week, Columbus, Ohio, Saturday, May 19, 1934]

A CHAIRMAN SKILLFUL IN ORGANIZATION, ENTRENCHED IN CONFIDENCE OF BUSINESS MEN, WISE IN PARTY NEEDS, IS DEMAND OF THE TIMES

The coming meeting of the National Republican Committee scheduled for the city of Chicago, Ill., on June 5, 1934, is an occasion that should arouse the intense interest of every Republican voter in the Nation.

The decision, that it is contemplated will be made at this meeting, of choosing a successor to the retiring chairman, Mr. Everett Sanders, is a matter of profound importance, not only to the future of the Republican Party but to the future peace, happiness, and prosperity of the American people.

At this juncture in the affairs of the Nation when our economic and social existence is threatened, if not actually involved, with the prospect of dissolution, leadership in politically organized defense of the sacred inheritances guaranteed under the Constitution calls for those outstanding qualifications and traits of character which radiate courage, inspire confidence, elevate and dignify honesty of purpose in espousing a cause in the interests of the common weal.

Intensified and highly efficient organization ability, supported by the all-important powers of capable and judicious management, combine with the foregoing to provide ideal leadership. The decision, therefore, to be made at this meeting is second in importance to few, if any, which the party has been called upon to make since it came into existence.

Personal ambitions, friendships, or reward for services rendered must all be subordinated to the greater importance of organization and management through which only can success be achieved.

The situation is sufficiently precarious to justify extraordinary measures if need be. And before a decision is made the jury sitting in judgment should enrich its knowledge by a preliminary survey of exhaustive proportions. Should it appear that no one man was available who possessed all the qualifications required, but who did possess the necessary organizing ability, then it would appear that two men, whose combined qualifications would supply the required power, should be named. Success is paramount to all else.

The pressure imposed by a vivid realization of the advantage attached to an early decision should not be permitted to outweigh the more important element of capability. On the other hand, it does not appear that any necessity exists for deferring the choice of a new leader until after the November elections.

Temporizing would only serve to handicap rather than promote the program contemplated; hence, as soon as the man for the job is decided upon, his appointment should be immediately made. Nothing is to be gained by unnecessary delay, whereas much can be lost through the disadvantages that attach to the lack of organization when organized effort is essential to successful accomplishment.

Organization should be in the process of development now. The public mind is gradually awakening to the fallacies of government by theory and experiment, and there is much concern in Washington over the rising tide of criticism besetting the multitude of agencies comprising the new deal.

The failure of the administration, also, to impugn the integrity of former public officials through imperialistic modes of procedure has in no way added to their comfort. That the American people have not forsaken the traditional spirit of fair play is each day becoming more apparent.

The opportunism which contributed so largely to the favorable acceptance of the blatant theories advanced by the Democratic Party in 1932 is fast becoming recognized to have been a delusion.

Antidotes of Russian extraction, embodied in the alphabetical soup dished up by the administration, have failed to live up to the many virtues proclaimed for them, and the American people are beginning to see that it is time to call a halt. As a result the business world is in a state of chaos and bewilderment.

The underlying currents of thought are demanding a definition of purpose. From what has taken place, so far, there is little hope of any such assurance from the invisible government in power at the present time. "Planning" as used by the administration has proved to be a misnomer. A use of words that dignify the employment of practical methods, in arranging a definite series of steps for the attainment of a particular objective, has proven to be nothing more than proselyting in an effort to delude the people with reference to the risks involved in theories, speculation, and experiment.

Hence, in the absence of judicious leadership, we are left to ponder whether we are jumping from the frying pan of new dealism and restriction to the fire of regimentation and inquisition, through new laws about to be adopted by Congress. We are simply floundering in a maze of artificialities totally devoid of sense of direction or clarity of purpose.

This challenge to our civilization must be met in no uncertain way. A most auspicious occasion for the choosing of weapons is provided by the coming meeting of the National Republican Committee. It would seem that sufficient importance attaches to the occasion to justify the exercise of every reasonable precaution. The offices of a subcommittee, for the purpose of making a survey among the outstanding leaders in all walks of life, might afford a most valuable prelude to selective action. This would naturally involve a temporary delay of possibly 2 weeks, but better 2 weeks' delay than the prospect of 4 more years of apostate philosophy of government.

Delay is not always a manifestation of weakness. On the contrary, the very essence of strength lies in the virtues of investigation and research. However, Rome must not be permitted to burn while the modern Nero fiddles. Neither must the bogey of demagogues nor political opportunists serve to sway us from the line of duty.

To build constructively and securely we must provide a sound foundation upon which our superstructure is to rest. The designs for such an undertaking stand out upon the trestle board and the economic vision and political foresight of the master builder is much in demand to interpret properly and correlate their arrangement into a towering edifice of political supremacy, in the interests of a common cause.

The gauntlet has been thrown down in the nature of an abdicated Congress, whereby the illegitimate offsprings of mental degeneracy have been foisted upon business America until the future is altogether unassuring.

With each new shuffle in the new deal comes a corresponding new joker. We are unable to determine whether trumps of today will be trumps tomorrow. We are unable to determine whether our business shall suffer extinction by suffocation, under the arbi-

tary rules of higher wages and shorter working hours, or tomorrow will find us in the arms of a legalized monopoly under the codes, or we may be cast adrift altogether to shift for ourselves.

The time has come, and the Republican Party must carry the flag, for a restoration of constituted government as defined by the Constitution of the United States of America. The American way, as evidenced by its 157 years of evolutionary progression, has achieved a world accomplishment.

We have already gone too far toward the Russian way, in experimentations that possess no lasting merit; and it is high time that patriotic Americans, who are interested in the future welfare of the Nation, join hands in the erection of a beacon light—the selection of a leader—whose guiding genius will steer us clear of the shoals of ignominious disaster.

ELECTION OF PRESIDENT AND VICE PRESIDENT—CONSTITUTIONAL AMENDMENT

Mr. ROBINSON of Arkansas. I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Senate Joint Resolution 29.

The VICE PRESIDENT. Is there objection? The Chair hears none, and lays before the Senate the joint resolution.

The Senate resumed the consideration of the joint resolution (S.J.Res. 29) proposing an amendment to the Constitution of the United States providing for the popular election of President and Vice President of the United States.

Mr. NORRIS. Mr. President, I ask unanimous consent that the joint resolution be read for amendments, committee amendments to be considered first.

The VICE PRESIDENT. The clerk will read the joint resolution for amendment.

The Chief Clerk proceeded to read the joint resolution and read as follows:

Resolved, etc., That the following be proposed as an amendment to the Constitution of the United States, which shall be valid as a part of said Constitution when ratified by the legislatures of three fourths of the States, to wit:

"The Executive power shall be vested in a President of the United States of America. He shall hold his office during the term of 4 years and, together with the Vice President, chosen for the same term, be elected as follows: The choice of each State for President and Vice President shall be determined at a general election of the qualified electors of such State. The time of such election shall be the same throughout the United States, and unless the Congress shall by law appoint a different time such election shall be held on the first Tuesday after the first Monday in November in the year preceding the expiration of the regular term of the President and Vice President. The electors in each State shall vote directly for President and Vice President, and the laws of such State which apply to the canvassing of votes for chief executive of the State shall apply to the votes cast for President and Vice President. The laws of the State providing for the placing of the names of candidates for the office of chief executive of such State, including the names of independent candidates, upon the official ballot, if any is provided by the laws of the State, shall apply to the names of candidates, including independent candidates, for the office of President and Vice President. Each State shall be entitled to as many votes for President and Vice President as the whole number of Senators and Representatives to which the State is entitled in Congress. Each State shall certify and transmit, sealed, to the seat of the Government of the United States, directed to the President of the Senate, the result of said election. Such certificate shall contain distinct lists of all persons for whom votes were cast for President and for Vice President, the number of votes for each, and the total votes of the State cast for all candidates for President and for all candidates for Vice President. The President of the Senate shall, at a joint session of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted.

Mr. ROBINSON of Arkansas. I desire to suggest an amendment, on page 3, line 8, after the word "votes", to insert the words "by States", so that it will read:

And the votes by States shall then be counted.

Mr. NORRIS. Mr. President, I shall have no objection to that amendment; but under the unanimous-consent agreement, we are considering committee amendments first.

The VICE PRESIDENT. Let the Chair understand the parliamentary situation. The Senator from Nebraska did not ask, as the Chair understands, that committee amendments be considered first.

Mr. NORRIS. Yes; I did.

Mr. ROBINSON of Arkansas. I did not so understand.

Mr. NORRIS. Yes; but I have no objection to the amendment suggested by the Senator from Arkansas.

The VICE PRESIDENT. Without objection, the amendment proposed by the Senator from Arkansas is agreed to.

The reading of the joint resolution was resumed.

The first amendment of the Committee on the Judiciary was, on page 3, after line 8, to strike out:

The votes cast in any State for any candidate for President shall be disregarded if such votes are less than 1 percent of the total votes cast in such State for President. Each person for whom votes were cast for President in each State shall be credited with such proportion and fraction thereof of the Presidential votes of such States as he received of the total votes cast at said election for President, using for such fraction three decimals. The person having the greatest number of Presidential votes for President shall be President.

And in lieu thereof to insert:

The person having the greatest number of votes cast for President in any State shall be credited with all the Presidential votes for President to which said State is entitled. The person having the greatest number of Presidential votes for President shall be the President, if such number is 35 percent or more of the total Presidential votes cast for President.

Mr. NORRIS. Mr. President, I desire to offer an amendment to the committee amendment. On page 3, lines 22 and 23, I move to strike out the words "is 35 percent or more" and to insert in lieu thereof the words "be a majority."

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. It is proposed, on page 3, lines 22 and 23, to strike out the words "is 35 percent or more" and to insert in lieu thereof "be a majority", so as to make the sentence read:

The person having the greatest number of Presidential votes for President shall be the President, if such number be a majority of the total Presidential votes cast for President.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Nebraska to the amendment of the committee.

The amendment to the amendment was agreed to.

Mr. ROBINSON of Arkansas. Mr. President, as I understand the purpose of the amendment just offered by the Senator from Nebraska and adopted by the Senate is to substitute a majority for 35 percent?

Mr. NORRIS. That is correct. That is the only effect of the amendment.

Mr. ROBINSON of Arkansas. The Senator has become convinced it is better not to permit an election by popular vote of what may be termed a minority candidate?

Mr. NORRIS. That is true.

The VICE PRESIDENT. The question is on agreeing to the committee amendment as amended.

The amendment as amended was agreed to.

The next amendment of the Committee on the Judiciary was, on page 4, line 4, in section 2, after the word "President", to insert "or if no person shall have received 35 percent of the total Presidential votes"; in line 6, to strike out "such persons" and insert "the persons having the highest numbers of Presidential votes not exceeding 3 on the list of those voted for as President", and in line 9, after the word "immediately" to insert the words "by ballot", so as to read:

If two or more persons shall have an equal and the highest number of votes cast for President, or if no person shall have received 35 percent of the total Presidential votes, then from the persons having the highest numbers of Presidential votes not exceeding 3 on the list of those voted for as President, the House of Representatives shall choose immediately by ballot the President.

Mr. NORRIS. Mr. President, I have an amendment which I desire to submit, striking out section 2. It has been proposed to amend section 3 by two committee amendments. The amendment that is printed and on the desks of Senators provides for striking out on page 4, lines 3 to 17. That will include all of section 2. It is immaterial whether the committee amendments are agreed to or otherwise, but they will have to be disposed of first under the parliamentary situation, I presume.

The VICE PRESIDENT. Without objection, the committee amendments to section 2 are rejected.

Mr. NORRIS. Now I offer an amendment to strike out section 2, on page 4, lines 3 to 20.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. It is proposed to strike out, on page 4, section 2, as follows:

SEC. 2. If two or more persons shall have an equal and the highest number of votes cast for President, then from such persons the House of Representatives shall choose immediately the President. In choosing the President, the votes shall be taken by States, the representation from each State having 1 vote. A quorum for this purpose shall consist of a Member or Members from two thirds of the States, and a majority of such quorum shall be necessary to a choice.

If two or more persons shall have an equal and the highest number of such votes cast for Vice President, then from such persons the Senate shall choose the Vice President.

The VICE PRESIDENT. Without objection, the amendment offered by the Senator from Nebraska is agreed to.

Mr. NORRIS. That completes the committee amendments.

The VICE PRESIDENT. The question is on the engrossment and the third reading of the joint resolution.

The joint resolution was ordered to be engrossed for a third reading and read the third time.

The VICE PRESIDENT. The question is, Shall the joint resolution pass?

Mr. VANDENBERG. Let us have the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. BANKHEAD (when his name was called). I have a general pair with the senior Senator from Wisconsin [Mr. LA FOLLETTE]. If permitted to vote, I would vote "nay."

The VICE PRESIDENT. The Chair calls the attention of the Senator from Alabama to the fact that, this being a joint resolution involving an amendment to the Constitution, it requires a two-thirds vote to pass it.

Mr. FESS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. FESS. Do pairs count on a question of this kind?

The VICE PRESIDENT. It would require two pairs in the affirmative against one in the negative.

Mr. METCALF (when his name was called). I have a general pair with the Senator from Maryland [Mr. TYDINGS]. Not knowing how he would vote, I withhold my vote. Were I permitted to vote, I should vote "nay."

The roll call was concluded.

Mr. TOWNSEND (after having voted in the negative). I inquire if the senior Senator from Tennessee [Mr. MCKELLAR] has voted?

The VICE PRESIDENT. That Senator has not voted.

Mr. TOWNSEND. I have a general pair with that Senator. Not knowing how he would vote, I withdraw my vote.

Mr. FESS (after having voted in the negative). I have a general pair with the senior Senator from Virginia [Mr. GLASS]. I am not advised how he would vote. Therefore, I must withdraw my vote.

Mr. HATFIELD (after having voted in the negative). I inquire if the senior Senator from Florida [Mr. FLETCHER] has voted?

The VICE PRESIDENT. That Senator has not voted.

Mr. HATFIELD. I have a general pair with that Senator. Not being able to obtain a transfer, I withdraw my vote.

Mr. METCALF. I understand that under the ruling of the Chair I am at liberty to vote. Therefore, I vote "nay."

Mr. McNARY. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. McNARY. I submit the inquiry to justify the vote just cast by the Senator from Rhode Island. A number of Senators have general pairs. This being an amendment to the Constitution requiring a two-thirds vote, is a Senator having a single pair at liberty to vote on a question of this kind?

The VICE PRESIDENT. The pairs of Senators are a matter of conscience with them. The Chair, as a parliamentarian, could not answer as to the technique of their consciences, as to whether or not they feel they should withhold their votes. Ordinarily, 2 affirmative votes are required for 1 negative vote in case of a general pair on a question requiring a two-thirds vote.

Mr. McNARY. The question arises with me not so much as a matter of conscience as a matter of the rules of the Senate.

The VICE PRESIDENT. There is no rule of the Senate concerning the matter. The Chair repeats that, in his opinion, it is a matter of conscience on the part of the various Senators concerning their pairs with their colleagues.

Mr. McNARY. I feel quite indifferent about the matter; but the usual practice has been that pairs are assumed to cover legislative measures, and that when a constitutional question arises, pairs of two to one being required, the parties to a pair are absolved from it.

The VICE PRESIDENT. That would be the ordinary construction of the Chair, though, as he repeats, some Senator might think he was obligated to his pair in his absence, and withhold his vote.

Mr. NORRIS. I desire to announce the absence from the city of the Senator from Wisconsin [Mr. LA FOLLETTE]. If present, he would vote "yea."

Mr. DIETERICH. I desire to announce the absence of my colleague [Mr. LEWIS] on important official business.

Mr. ROBINSON of Arkansas (after having voted in the affirmative). I have a general pair with the Senator from Pennsylvania [Mr. REED]. I have been advised that I am at liberty to vote. However, I transfer my general pair with the Senator from Pennsylvania to the Senator from Iowa [Mr. MURPHY] and will let my vote stand. I am advised that the Senator from Iowa would vote "yea" if present.

Mr. FESS. Mr. President, on the same basis I feel that I am at liberty to vote, although I do not know how my pair would vote if present. I therefore vote "nay."

Mr. HATFIELD. In keeping with the statement made by the Senator from Arkansas [Mr. ROBINSON] and also in keeping with the explanation made by the Senator from Ohio [Mr. FESS], I vote "nay."

Mr. NORRIS (after having voted in the affirmative). In order that I may make a motion to reconsider, I change my vote from "yea" to "nay."

Mr. ROBINSON of Arkansas. I regret to announce that the Senator from California [Mr. MCADOO] is detained from the Senate on account of illness.

I desire further to announce that the Senator from Tennessee [Mr. BACHMAN], the Senator from Kentucky [Mr. BARKLEY], the Senator from North Carolina [Mr. REYNOLDS], the Senator from South Carolina [Mr. BYRNES], the Senator from Connecticut [Mr. LONERGAN], the Senator from Georgia [Mr. GEORGE], the Senator from Tennessee [Mr. MCKELLAR], the Senator from North Carolina [Mr. BAILEY], the Senator from Virginia [Mr. BYRD], and the Senator from Maryland [Mr. TYDINGS] are detained at a conference at the White House.

The Senator from Colorado [Mr. COSTIGAN], the Senator from Florida [Mr. FLETCHER], the Senator from Virginia [Mr. GLASS], the Senator from New Mexico [Mr. HATCH], the Senator from Mississippi [Mr. STEPHENS], and the Senator from Utah [Mr. THOMAS] are detained at an important committee meeting.

The Senator from Arkansas [Mrs. CARAWAY], the Senator from Oklahoma [Mr. GORE], the Senator from Iowa [Mr. MURPHY], and the Senator from Florida [Mr. TRAMMELL] are necessarily detained from the Senate.

Mr. FESS. I desire to announce that the Senator from Rhode Island [Mr. HEBERT] and the Senator from Pennsylvania [Mr. REED] are necessarily absent. I am advised that the Senator from Pennsylvania would vote "nay" if present.

The Senator from Connecticut [Mr. WALCOTT] is detained from the Senate on official business. If present, he would vote "nay."

The Senator from California [Mr. JOHNSON] is detained on official business. I am informed that if present he would vote "yea."

The roll call resulted—yeas 42, nays 24, as follows:

YEAS—42

Adams	Couzens	McCarran	Russell
Ashurst	Cutting	McGill	Schall
Black	Dill	Neely	Sheppard
Bone	Duffy	Norbeck	Shipstead
Borah	Erickson	Nye	Thompson
Brown	Frazier	O'Mahoney	Van Nuys
Bulkley	Harrison	Overton	Wagner
Bulow	Hayden	Pittman	Walsh
Clark	King	Pope	Wheeler
Coolidge	Logan	Robinson, Ark.	
Copeland	Long	Robinson, Ind.	

NAYS—24

Austin	Dieterich	Hatfield	Patterson
Barbour	Fess	Kean	Smith
Carey	Gibson	Keyes	Steiwer
Connally	Goldsborough	McNary	Thomas, Okla.
Davis	Hale	Metcalf	Vandenberg
Dickinson	Hastings	Norris	White

NOT VOTING—30

Bachman	Costigan	La Follette	Stephens
Bailey	Fletcher	Lewis	Thomas, Utah
Bankhead	George	Lonergan	Townsend
Barkley	Glass	McAdoo	Trammell
Byrd	Gore	McKellar	Tydings
Byrnes	Hatch	Murphy	Walcott
Capper	Hebert	Reed	
Caraway	Johnson	Reynolds	

The VICE PRESIDENT. On this question the yeas are 42, the nays are 24. Two thirds of the Senators present not having voted in the affirmative, the joint resolution is rejected.

Mr. NORRIS subsequently said: Mr. President, I ask unanimous consent that tomorrow, at 3 o'clock p.m., the Senate proceed to vote without further debate upon the motion to reconsider the vote by which Senate Joint Resolution 29 was rejected, and that if the vote shall be reconsidered the Senate shall then vote without further debate upon the passage of the joint resolution.

The PRESIDING OFFICER (Mr. LOGAN in the Chair). Is there objection to the unanimous-consent request of the Senator from Nebraska?

Mr. McNARY. Mr. President, I think one or two Members on this side of the aisle opposed the joint resolution when it was brought up a few days ago. They are not present. Personally, I have no objection to the request; but in the absence of Members of the Senate who opposed the joint resolution, I should not want to give unanimous consent to proceed to vote again on it without further debate.

Mr. NORRIS. Let me say to the Senator that I have no desire myself to have that done. I include that in the request only because I realize that Senators in charge of the unfinished business do not want delay, and I have assumed that no one wants to debate the question further, because it has been debated. I can, of course, make the motion at any time within 3 days without unanimous consent. I simply submitted the request for unanimous consent in my desire not to interfere with the consideration of the unfinished business any more than necessary.

Mr. ROBINSON of Arkansas. Mr. President, my understanding is that the Senator from Nebraska has requested that at 3 o'clock tomorrow the unfinished business be temporarily laid aside, and that the Senate proceed at once to vote on a motion to reconsider, and, if that motion shall prevail, to vote without further debate on the joint resolution itself.

Mr. McNARY. I understand that perfectly. The Senator has made a very full and complete explanation. I quite appreciate what the Senator desires. Only a few Members of the Senate are present, however; and I cannot consent to a vote on reconsideration and on the joint resolution itself without debate in view of the possibility that some Senator may wish to debate it. I suggest that the Senator renew his request tomorrow, when there will be a larger attendance of Senators.

Mr. NORRIS. Then I will submit another request for unanimous consent. Several Senators have said that they are not familiar with the joint resolution in its amended form. I ask unanimous consent that Senate Joint Resolution 29, as amended, and as we voted upon its final passage, be printed in bill form, and be printed in the RECORD so that Senators may be apprised of its exact form.

Mr. McNARY. I think that is quite proper.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it so ordered.

The joint resolution as amended is as follows:

Joint resolution proposing an amendment to the Constitution of the United States providing for the popular election of President and Vice President of the United States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two thirds of each House concurring therein), That the following be proposed as an amendment to the Constitution of the United States, which shall be valid as a part of said Constitution when ratified by the legislatures of three fourths of the States, to wit:

"The Executive power shall be vested in a President of the United States of America: He shall hold his office during the term of 4 years and, together with the Vice President, chosen for the same term, be elected as follows: The choice of each State for President and Vice President shall be determined at a general election of the qualified electors of such State. The time of such election shall be the same throughout the United States, and unless the Congress shall by law appoint a different time such election shall be held on the first Tuesday after the first Monday in November in the year preceding the expiration of the regular term of the President and Vice President. The electors in each State shall vote directly for President and Vice President, and the laws of such State which apply to the canvassing of votes for chief executive of the State shall apply to the votes cast for President and Vice President. The laws of the State providing for the placing of the names of candidates for the office of chief executive of such State, including the names of independent candidates, upon the official ballot, if any is provided by the laws of the State, shall apply to the names of candidates, including independent candidates for the office of President and Vice President. Each State shall be entitled to as many votes for President and Vice President as the whole number of Senators and Representatives to which the State is entitled in Congress. Each State shall certify and transmit, sealed, to the seat of the government of the United States, directed to the President of the Senate, the result of said election. Such certificate shall contain distinct lists of all persons for whom votes were cast for President and for Vice President, the number of votes for each, and the total votes of the State cast for all candidates for President and for all condidates for Vice President. The President of the Senate shall, at a joint session of the Senate and House of Representatives, open all the certificates, and the votes by States shall then be counted. The person having the greatest number of votes cast for President in any State shall be credited with all the Presidential votes for President to which said State is entitled. The person having the greatest number of Presidential votes for President shall be the President, if such number be a majority of the total Presidential votes cast for President. The foregoing provisions shall apply to the election of Vice President, but no person constitutionally ineligible to the office of President shall be eligible to that of Vice President.

"SEC. 2. If two or more persons shall have an equal and the highest number of votes for President, then the House of Representatives shall choose immediately, by ballot, one of them for President. If two or more persons do not have an equal and the highest number of votes for President, and if no person have a majority of such votes, then from the persons having the three highest numbers of such votes the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by States, the representation from each State having 1 vote. A quorum for this purpose shall consist of a Member or Members from two thirds of the States, and a majority of all the States shall be necessary to a choice.

"If no person has a majority of the votes for Vice President, then from the persons having the two highest numbers of such votes the Senate shall choose the Vice President. A quorum for this purpose shall consist of two thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice.

"SEC. 3. Congress may by law provide what procedure shall be followed and the method of obtaining a decision in case there shall be more than one certificate of Presidential votes from any State, or in case of any other dispute or controversy that may arise in the counting and the canvassing of the Presidential votes by said joint session of the Senate and House of Representatives.

"SEC. 4. Paragraphs 1, 2, and 3 of section 1, article II of the Constitution, and the twelfth amendment to the Constitution are hereby repealed."

Mr. NORRIS. I now move to reconsider the vote by which Senate Joint Resolution 29 was rejected, and give notice that I shall call up the motion at 3 o'clock p.m. tomorrow.

The PRESIDING OFFICER. The motion will be entered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the House had concurred in Senate Concurrent Resolution No. 17, as follows:

Resolved by the Senate (the House of Representatives concurring), That the President be requested to return to the Senate the bill (S. 3355) to authorize the coinage of 50-cent pieces in commemoration of the two hundredth anniversary of the birth of Daniel Boone, to correct an error therein.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (S. 2845) to extend the provisions of the National Motor Vehicle Theft Act to other stolen property, and it was signed by the Vice President.

RECIPROCAL TARIFF AGREEMENTS

The Senate resumed the consideration of the bill (H.R. 8687) to amend the Tariff Act of 1930.

Mr. FESS obtained the floor.

Mr. LONG. Mr. President, I rise to a parliamentary inquiry. I do not want to lose my rights. When the Senate took a recess on Friday, I had the floor, and yielded to other Senators. I am perfectly willing that the Senator from Ohio shall take my place and make his speech, but I do not want to lose my right to complete my speech.

Mr. ROBINSON of Arkansas. Mr. President, it is perfectly apparent that a Senator cannot retain the floor under the circumstances.

The VICE PRESIDENT. No; the Senator cannot retain the floor. The Senate has transacted business since last Friday concerning the joint resolution just disposed of, and undoubtedly no Senator has a preferential right to recognition.

Mr. LONG. I do not think we ought to be quite so technical as that. I yielded on Friday in order that the Senate might take a recess.

Mr. ROBINSON of Arkansas. The Senator has a right to resume the floor. There is no question about that.

Mr. LONG. Very well.

Mr. FESS. Mr. President, last Friday I had occasion to make some remarks on the history of the much-disputed tariff question, and stated at the time that at a later date I should claim the floor to discuss the pending measure. That is my purpose in rising to address the Senate.

The trying and protracted period of a world-wide economic depression may be compared with an epidemic that ravages mankind throughout a large portion of the world. At first there are various speculations as to the cause of the trouble and the best methods of effecting a cure. As the disease grows in momentum and magnitude, hope gives way to panic, and established and approved methods are abandoned for hastily conceived nostrums and cure-alls. The country becomes a laboratory of experimentation, and despair prompts us to grasp at any new remedy that promises some degree of relief. Whatever may be claimed as justification for reliance upon experiments and panaceas during a crisis, these should cease when the emergency passes. Important as is a return of economic recovery, desirable as is immediate return of prosperity, vastly more important and desirable is the maintenance of our Constitution and the institutions developed under it.

Crises are not new and not confined to our own country. In our past they have been more or less periodic and due to disturbances of economic forces in which speculation has played a part, and at times legislation has been the occasion. The remedy lies in the correction of faulty legislation where that is the cause and to resumption of normal processes where speculation is the cause. The crisis of 1817 was an inevitable result of the speculation that followed the War of 1812. That of 1837 resulted from the speculative movement in western land purchases. That of 1857 was largely due to the Walker tariff of 1846, only deferred by foreign demands for our goods in China and the countries engaged in the Crimean War. That of 1893 was likewise largely due to tariff tinkering, as was the case of that of 1913, only to be relieved by the World War.

In all of these cases the sound remedy was followed—the resumption of the normal processes of economic law to relieve results of the violation of the forces of the laws of economic growth. True, in every case there were theoretical reformers urging various nostrums as cure-alls, but not until 1933–34 was there any yielding by the Congress to any such nostrums.

The depressing effects of the present crisis reached us in 1929, although the economic disturbance had affected Europe the year before. It resulted from a world-wide convulsion in the play of economic forces to win the war, resulting in the death of 15,000,000 of the world's best, when 25,000,000 more seriously, if not, totally disabled; in the devastation and destruction of hundreds of billions of dollars of property, and in the mortgaging for the future of much of the world's existing property, heavily debt burdened. The major cause of the all-embracing economic break-down is found in the all but complete abandonment of all sound principles of business and government, which will not and cannot be relieved by further violation of the laws of a sound economy such as has been inaugurated, the failure of which we all recognize, if we do not admit. As in the past, and as in the present as viewed in other countries, notably the British Empire, if not the quickest, the surest method is to permit the normal laws of trade to operate, free from the deadening uncertainty of experimentation with the laws of economic progress. Had the foibles of the new deal been avoided and the operation of normal processes of trade been permitted to continue as they were operating in the last half of the year 1932, we would doubtless have been today far in the lead of Great Britain's substantial comeback, reached without resort to fantastic theories foisted upon us in the program of experimentation. Even as it is, in spite of these artificial stimuli, some gains are to be noted.

There is accumulating evidence throughout the world that the depression has run its course, and that the crisis will pass if interferences with normal processes are but removed. Responsibility for the amelioration of human suffering and distress has not ceased, and will continue in greater or less degree until that distant time we call the millennium shall come.

There has never been a time when the relief of human distress and of human want has not engaged the thoughtful and earnest endeavor of civilized nations.

There have been notable instances of individual effort, of associated activities of public-spirited groups and organizations, and of national and governmental assistance. Individual and organized beneficences are primarily a local function, and doubtless government participation in relief activities where local resources are exhausted must continue throughout our day and through generations yet unborn. "The poor ye have always with you"; and the poor and suffering must always be a fundamental concern of individuals and of organized society. But this does not mean that a program devised in times of panic and despair to cover an emergency period must necessarily be applied as a permanent policy, even though the patient is on the road to recovery. It does not mean that economic experiments initiated in times of panic should be continued when and if the crisis is passing, or that emergency should be continued to be cited as an excuse merely for economic or fiscal experimentation. Emergency must not be allowed to become the vehicle on which revolutionary or unconstitutional measures are to become permanent policies.

That the world, especially beyond our borders, is recovering from the economic distemper that has afflicted it for 4 years or more, is daily becoming more evident. The nations making the greatest progress are those least affected by artificial remedies. Reliance upon emergency measures and economic and fiscal experiments as shown in these countries in contrast with our own is a hindrance rather than a help. Such nostrums can no longer have the excuse of necessity or of expediency. As might have been expected when recovery is viewed as a world situation the improvement has been first apparent and has proceeded further in

the countries which were first to feel the effects of the depression and unhindered by artificial stimuli. Economic and industrial improvement is shown in figures of industrial production compiled by the statistical section of the League of Nations for the following countries: Japan, United Kingdom, Canada, Belgium, France, and Germany.

Taking the indexes of industrial production as compiled by these countries and reduced by the League of Nations to a common base by which the average production of 1928 is taken as 100, the index of Japan, at the end of 1933, had advanced 39 percent above the level of 1928. The indexes of the other countries were still below the 1928 level, but the percentages which they had regained of their extreme losses below the level of 1928 were, for the United Kingdom, 92 percent; for Canada, 43 percent; for Belgium, 42 percent; for France, 40 percent; and for Germany, 35 percent. Compared with these figures, the percentage of recovery for the United States, according to the Cleveland Trust Co. Business Bulletin, April 15, 1934, is 32 percent. It is true that we cannot tell how much of this increase is due to Government expenditure, which is more properly for relief than for recovery. Obviously it must be a large percentage.

It will be noted that this larger degree of recovery up to the end of 1933 in the countries mentioned—Japan, United Kingdom, Canada, Belgium, France, and Germany—than in the United States for the same period, has been brought about without resort to the experimental or emergency legislation which has been put into effect in this country. It would appear, therefore, that what we need at this time in America, instead of resorting to the laboratory of experimentation, is a calm appraisal of national and international conditions and an abandonment of the prevalent practice of citing an emergency as the reason for unprecedented experiments in legislation as is here proposed, as the sine qua non of economic recovery.

It is this economic emergency which is given as the reason for each and every item of the program of the new deal and is now being urged as the ground for the passage of the pending measure, H.R. 8687, to delegate to the President the power to negotiate reciprocal trade agreements. In section 350 (a) of the pending bill it is described "as a means of assisting in the present emergency, in restoring the American standard of living, in overcoming domestic unemployment, and the present economic depression."

In his testimony before the Ways and Means Committee on March 8, 1934, the Secretary of State cited the existing great emergency as the reason for requesting this extraordinary grant of power to the executive branch of the Government.

I wish here and now to say that, while I cannot agree with the Secretary on his tariff views, all who know him will freely concede to him great respect for his consistency of views. He is one of the few outstanding American statesmen who still resist the protective tariff theory, and consistently plead for the principle of limiting tariff duties to revenue purposes.

HULL AMENDMENT TO TARIFF LAW

When we were discussing the act to amend the tariff law of 1930, Secretary Hull, then Senator, offered the following amendment:

> The Government of the United States agrees not to increase its protective tariffs above the present level for a period of 2 years, or to create new barriers or impediments to trade, provided other nations shall agree to pursue a like policy.

When before the committee on the pending proposal, and after referring to the fact that "we have seen in every part of the world despotism, dictatorships, and autocracies spring up overnight", the Secretary of State said:

> My observation after rather careful investigation has been that the mainspring of the moving influence of those revolutions has been people out of work, people who have become hungry, without enough clothes, without enough shelter, and other people have been hurled headlong into bankruptcy and are mad at everybody and everything, including their own institutions of government. We are not going to fall into that soon, but you could easily become victims of those things in other parts of the world, and for that reason I would invoke your attention long enough to deal with this emergency situation, the acuteness of which I cannot overemphasize. (P. 17, Ways and Means Committee Hearings.)

Again, the Secretary of State said in his testimony before the Ways and Means Committee, and other spokesmen of the administration said substantially the same thing:

> It is manifest that unless the Executive is given authority to deal with the existing great emergency somewhat on a parity with that exercised by the executive departments of so many other governments for purposes of negotiating and carrying into effect trade agreements, it will not be practicable or possible for the United States to pursue with any degree of success the proposed policy of restoring our lost international trade.

Mr. President, I wonder whether the words of the Secretary of State are properly understood when he makes the statement—

> It is manifest that unless the Executive is given authority to deal with the existing great emergency somewhat on a parity with that exercised by the executive departments of so many other governments * * * it will not be practicable or possible for the United States to pursue with any degree of success the proposed policy of restoring our lost international trade.

In appraising this statement it should not be overlooked that over 300,000,000 people of Europe and Asia, constituting the populations of many of the countries with which we are to bargain, are today under dictators. To give the President of the United States commensurate power with such dictators for bargaining is proposing an abandonment of American ideals never before suggested in high circles.

At the hearing held by the Finance Committee on April 26 the Secretary of State said:

> We are now faced with a panic and extraordinary measures are needed to meet the emergency. This is an emergency measure.

While it is admitted that we have unemployment today in our cities in large proportions but slightly relieved beyond Government stimulation, an examination of the recovery of other parts of the world would argue against, rather than for, such radical departures as here proposed.

The proposition before us, as stated by the spokesman of the administration, can be summed up in these words: That an emergency exists; and that the President must be given authority somewhat on a parity with that exercised by the executive departments of so many foreign governments for the purpose of negotiating trade agreements, in order that we may restore our foreign trade.

That the world has been engulfed in a great depression is known to all men. That signs are multiplying that the world is recovering from the depression is apparent to students of world affairs and observers of world conditions. In some aspects the emergency in our own country seems to be passing. To deny that we are emerging from the emergency is to deny the efficacy of the recovery program of the President which Senators on the other side of the aisle pressed so earnestly for adoption, and which many on this side supported in order that those having the responsibility of leadership in the crisis might have authority to act. If, in accordance with the contention of the Democrats, their policy is effective, it becomes the duty and the obligation of the legislative branch of the Government to scrutinize with greater care the remedies proposed by the Chief Executive and his advisers.

No one disputes the statement of the Chairman of the Finance Committee in presenting the bill to the Senate that the commerce of the world has materially declined, especially since 1929; and it is equally true that domestic trade has declined. In fact, the relative decline in domestic trade has been greater than the decline in foreign trade. Let Senators not forget that improvement in domestic business is the surest and soundest method of obtaining improvement in our foreign trade. Advancement of foreign trade as against domestic trade is a positive injury to our people. On the other hand, a prosperous domestic trade is the first essential of a prosperous foreign trade. To state it differently, a prosperous America would be our greatest possible contribution to the prosperity of the world. This should be our first and foremost concern in all our legislation, both of an emergent and permanent character, the opposite of

which, when viewed from results, is emphasized in the pending bargaining-tariff proposal.

If we will but give domestic business a chance, we shall be definitely setting our faces toward recovery and the return of more prosperous times. Since 1928 in the outside world, and 1930 in our own country, production has been greatly interrupted. It is now showing a normal and worldwide advance toward improved conditions. It should not be further interrupted by hazardous and unwise experiments, and we should definitely avoid using the occasion for embarking on dangerous and unconstitutional proposals. It is the belief of the best thought of America that all basic elements of the country—agriculture, manufacturing, transportation, banking resources, mining, managerial ability, and skilled labor—now temporarily interrupted, will emerge if given a chance free from governmental interference.

Authorities on trade movements inform us that due to slowing up of production our inventories are low, that we now have greater shortages of goods and construction that our people need and want and greater accumulations of money and credit seeking employment than have ever existed before in this or any other country.

Mr. President, the significance of those facts must not be overlooked. With low inventories of goods, the people want and need, due to a slowing down for 4 years, and with the largest accumulation in history of money and credit idle and willing to work, nothing is necessary for resumption of business except confidence, which never can come except through the removal of the uncertainty which is brought about by this program of experimentation.

Improvement will be insured if we will but remove the obstacle of uncertainty involved in a program of artificial nostrums. The removal of uncertainty is the most important determinant of revival of business to absorb unemployment.

I cite as an example a recent statement of the Cleveland Trust Co., which is recognized as an authority because of the careful analyses it makes of economic currents:

> The index of industrial production of this bank was 29 percent below normal in January, 26.3 in February, 23.6 in March, and the April estimate is 21.7.

Showing a gradual improvement in the industrial situation as reflected by the analysis of that bank:

> Further improvement seems indicated for May. April increases were largest in iron and steel, textiles, lumber, automobiles, and coal.

All of those are basic commodities.

The Department of Labor estimates that manufactures have absorbed two and three quarters millions of workers more than a year ago, and that there has been an increase of $79,000,000 in weekly wages. General Johnson puts the figure at 3,000,000 reemployed through the operation of the National Recovery Administration. Of course, these wage increases are in reality a restoration of actual wage cuts incidental to the new monetary policy, and must be interpreted in the light of currency revaluation reducing the dollar to 59 cents, which tended to reduce the purchasing power of the previous wage scale. Under more normal and less artificial and arbitrary methods of recovery, gains might have been and most certainly would have been less nominal and more real.

Bank clearings are offered as another criterion of domestic improvement. They recorded on April 21 of the present year the largest weekly total since January 1932. After allowing for technical differences in the periods compared, bank clearings this year reflect some gains in business over last year. Many cities reported larger clearings than a year ago, an increase being noted in New York, Boston, Philadelphia, Chicago, Pittsburgh, Cleveland, and some other western and southern points. To what extent this showing is due to Government stimulation by public expenditures is difficult to analyze. What proportion is relief and what recovery is, of course, quite important but difficult to determine.

Production of durable goods, the key log to the jam, has not been satisfactory, but has shown some increase. Production of nondurable goods has increased slightly more than seasonally in March and the first half of April 1934, according to the monthly report of the Conference of Statisticians in Industry of the National Industrial Conference Board. Whether there is any substantial improvement beyond Government stimulation is still a question. Notable gains were reported, especially in the automobile industry; some gains in building and engineering construction, which would be reflected in gains in steel and iron; bituminous coal mining; electric power production; and textile apparel manufacturing. What percent, if any, of this increase is normal and what is artificial stimulus has not as yet been analyzed. It is the belief of management that it would have been greater if permitted to pursue normal processes free from the uncertainty of experimentation. Some gains are also noted in the production of passenger cars and trucks; and exports of motor vehicles substantially increased in February over a year ago.

Statistics appearing during the week of April 21 indicated a rising business tendency, according to Moody's index figures, for freight-car loadings, electric-power production, and steel-ingot output. It is believed that, given a chance, with greater certainty in the future, less experimentation, and less governmental interference, we will see, as in England and Canada, a substantial turn toward recovery.

Mr. President, it should be noted that in the last 2 weeks, from the index figures of same agencies, there has been something of a recession instead of an increase. It is, however, rather difficult to analyze.

The future analyst in dealing with this period of the new deal will point to the economic adventures as attempted artificial stimuli on behalf of reforms involving serious economic consequences.

He will not only emphasize the danger of such artificial nostrums as relief, but will also direct attention to penalizing legislation, written on the impulse of the moment, which ultimately must result not only in disappointment but in disaster, so well illustrated by what we have been passing through since the 4th of March 1933, in the form not only of deficits, and increased taxes to meet them, but many other radical suggestions. No thoughtful student can view the recent trend in taxation without concern.

That principle of taxation which applies the burden according to ability to pay is sound within limits. When it reaches the point of penalizing the taxpayer, it will defeat itself as a revenue source and result in an actual loss. This is demonstrated by experience in the history of taxation. It is the principle known in political economy as "diminishing returns." In the field of customs duties it is well demonstrated. Rates up to a given scale insure increased revenue; beyond that scale they mean a decrease of revenue. A rate of taxation which discourages enterprise will reduce the revenue. That is why a balanced Budget, not by increasing taxes but by reducing Government expenses, is essential. If it must depend upon constant increase of the tax burden, it will defeat itself. All Government obligations must in the final analysis be met by this source, unless repudiation is resorted to, which makes a growing deficit a continuous obstacle against business revival.

The outlook for the payment of taxes is not brightened by a program of Government competition with industry on the one hand and penalizing legislation on the other. Unless there is some assurance that the profits of industry are not to be totally absorbed by tax demands, there will be no enlargement of an existing industry nor the development of a new industry. The contention from high circles for a redistribution of wealth through the form of taxation is a deterrent to recovery. The demand from like sources for the elimination of the element of profit from investment on behalf of business as a philanthropy is a further deterrent. Investment at best is a risk fraught with grave concern. If the Government policy dictates the elimination of profit on behalf of philanthropy, then it must guarantee against loss, else business is wiped out and revenue lost.

It is obvious that the investor who is under Government compulsion through exacting taxation to conduct his busi-

ness on altruistic lines by eliminating the element of profit will decline to make the effort. The constant threat on the part of certain influential factors of the administration that if the manager declines to embrace the expensive plans of the new deal, which demand additional taxes, his business will be taken over and run by the Government, compels him to stop, look, and listen.

This cumulation of adverse forces antagonistic to a revival of business is one of the greatest obstacles against normal recovery through which enterprise must employ labor, and the Government may be compelled to continue its ominous program inaugurated on Government expenditure, already resulting in a shocking state in the Treasury, which, if not halted, will make the Government the chief employer of labor, with all the frightful consequences involved in political management of industry.

This situation accounts for the rumor that a number of men with large incomes have recently said that rather than see their earnings swallowed up by the Government in taxes, they would take things easy. The danger of this statement arises from the fact that it is not so much a matter of choice as compulsion. While the rumor will be criticized by the element which is throttling the thrifty and punishing the frugal and industrious in a desire to soak the rich, the country is less interested in a criticism of a practice than it is in actual results compelled by Government policies, as inevitable results are much more important to the public than mere individual criticism of the conduct of the taxpayer. These are some of the obstacles in the way of normal recovery, which, if removed, would open the way. Yet in the face of these obstructions the strength of American industry is sufficient to show some gains in meeting demands.

In a not distant future the years 1933 and 1934 will be singled out as the years when an American administration actually ordered millions of hogs slaughtered, and meat destroyed, when 10,000,000 men were out of work and in needy circumstances. This period will be marked as the time when the Government paid farmers $10 per acre for leaving their wheat ground lie fallow, a similar sum if they would plow up their cotton, notwithstanding the millions of citizens seeking in vain employment, and actually suffering by underconsumption of these very necessaries of life. These are some of the economic blunders of the program of national planning which make business revival very difficult.

The power to revive is further shown in our foreign trade. The foreign commerce division of the Chamber of Commerce of the United States reports that—

> The year 1933 was a turning point in our foreign commerce. The steady decline in both our export and import trade was definitely checked in the middle of the year, and was replaced during the last half of the year by a substantial recovery movement. This paralleled in part the improvement in domestic trade and the change in economic conditions in many major sections of the world.

In the testimony before the Ways and Means Committee by the administration advocates of conferring this extraordinary tariff power upon the President, and repeated by the chairman in opening the debate on the floor of the Senate, much stress was laid upon the decline of our foreign trade from 1929 to 1932. But in these arguments the decline in imports and exports was stated in terms of value, and not in terms of volume. The decline in value makes an impressive showing, amounting to something like 69 percent in 1932 compared with 1929; a decline that is largely due, however, to the enormous fall in commodity prices.

But when the decline is expressed in terms of volume instead of value the picture is not such a gloomy one. In volume the decline in our imports and exports amounted to about 30 percent, about the same as the decline on some branches of domestic production and far less than the decline in the steel and construction industries. In these arguments, however, the comparison of the statistics of foreign trade have generally been based upon the figures for 1929 and 1932. The year 1929 was a boom year, a year of abnormally large exports and imports, and the year 1932 followed the collapse of central Europe, a low year of the depression. The comparison is misleading because it is based on inflated prices in 1929 and deflated prices in 1932.

A comparison of 1929 and 1933 would not make quite such a bad showing. Imports in 1932 were $1,323,000,000; in 1933 they were $1,449,000,000. Our exports in 1932 were $1,577,000,000; in 1933 they were $1,647,000,000. Here was an increase of $126,000,000, or 9.6 percent, in imports in 1933 over 1932; and an increase in our exports of $70,000,000, a 4-percent increase over 1932. When it is noted that our exports for the first 5 months of 1933 were lower by 24 percent than they were in the first 5 months of 1932, the net gain of 4 percent for the full 12 months of 1933 over 1932 is more significant. Suspension of production covering the usual period of depression will give way to increased business activity due to low inventories as is shown by statistics. Our foreign, as our domestic, commerce awaits the chance for normal processes, not artificial nostrums, and certainly not unconstitutional proposals, such as delegating the taxing power to the Executive.

The increase of exports and imports took place without the exercise by the President of any tariff-bargaining powers and in spite of the program of experimentation. It is reasonable to suppose that foreign trade will gradually improve as business conditions improve both here and abroad and world prices approach a more nearly normal level. A plan to stabilize currencies and restore world prices would have a better and more far-reaching effect upon world trade than Presidential bargain hunting. Our domestic trade is twice as large as the trade of the rest of the world.

Mr. President, not to detain the Senate unduly, I should like to have permission to insert in the RECORD, without reading, a table which gives the total exports and imports by months for the years 1932 and 1933.

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

Total exports and imports, by months, 1932 and 1933

[Values in thousands of dollars, i.e., 000 omitted]

Month	Domestic exports		Reexports		Total exports		
	1933	1932	1933	1932	1933	1932	Percent gain (+) or loss (−)
January	$118,559	$146,906	$2,030	$3,116	$120,589	$150,022	−19.6
February	99,423	151,048	2,092	2,924	101,515	153,972	−34.1
March	106,293	151,403	1,722	3,473	108,015	154,876	−30.3
April	103,265	132,268	1,952	2,826	105,217	135,094	−22.1
May	111,845	128,553	2,358	3,346	114,203	131,899	−13.4
June	117,517	109,478	2,274	4,671	119,791	114,149	+4.9
July	141,573	104,276	2,536	2,555	144,109	106,831	+34.9
August	129,315	106,270	2,157	2,330	131,472	108,600	+21.1
September	157,490	129,537	2,629	2,500	160,119	132,037	+21.3
October	190,842	151,035	2,228	2,054	193,070	153,089	+26.1
November	181,291	136,402	2,965	2,432	184,256	138,834	+32.7
December	189,788	128,975	2,831	2,638	192,619	131,613	+46.4
Total	1,647,201	1,576,151	27,774	34,865	1,674,975	1,611,016	+4.0

Month	General imports			Total trade	
	1933	1932	Percent gain (+) or loss (−)	1933	1932
January	$96,006	$135,520	−29.2	$216,595	$285,542
February	83,748	130,999	−36.1	185,263	284,971
March	94,860	131,189	−27.7	202,875	286,065
April	88,412	126,522	−30.1	193,629	261,616
May	106,869	112,276	−4.8	221,072	244,175
June	122,197	110,280	+10.8	241,988	224,429
July	142,980	79,421	+80.0	287,089	186,252
August	154,916	91,102	+70.0	286,388	199,702
September	146,641	98,411	+49.0	306,760	230,448
October	150,857	105,499	+43.0	343,927	258,588
November	128,505	104,468	+23.0	312,761	243,302
December	133,217	97,087	+37.2	325,836	228,700
Total	1,449,208	1,322,774	+9.6	3,124,183	2,933,790

Total exports and imports, by months 1934 (first quarter)

[Values in thousands of dollars; i.e., 000 omitted]

Month	Domestic exports, 1934	Reexports, 1934	Total exports		General imports	
			1934	Percent gain over 1933	1934	Percent gain over 1933
January	$169,531	$2,643	$172,174	42.8	$135,711	41.4
February	159,671	3,134	162,805	60.4	132,656	58.5
March	187,495	3,520	191,015	76.8	158,000	66.6

Source: Bureau of Foreign and Domestic Commerce, Department of Commerce.

Mr. FESS. Mr. President, no other nation has the domestic purchasing and consuming power that we have. Here in the United States—I scarcely need repeat what is known by our people—we have a market for over 90 percent of our production. We are dependent upon foreign markets for less than 10 percent of our consumption, while foreign countries, in contrast, depend upon exports for an outlet for from 20 to 80 percent of their products. There certainly is no prospect for us to increase the export of such goods as are now produced in other countries far in excess of their domestic requirements. I need go no further by way of illustration than to refer to our experience in the case of wheat. At one time we found a market in Europe for all our surplus wheat. Today that market is gone, not because the people are not consuming wheat, but because they are getting it from countries which are now producing it which did not produce wheat prior to the World War.

With the exception of cotton, certain types of machinery, some electrical appliances, typewriters, adding machines, and automobiles, the demand for many of our products which were formerly exported in large quantities has declined because of increased production in countries that can sell these products at prices lower than our cost of production.

The export demand for American cattle and wheat has declined sharply because of increased production in Canada, Argentina, Australia, and Russia. Intensive effort has been directed since the World War toward increased production of both agricultural and manufactured products. Almost every country has made some effort to become more self-contained and less dependent upon other countries.

This economic situation is one of the contributions of the World War which was called into existence first as an emergency and has now become permanent. It has definitely absorbed the foreign market by supplying it with cheaper production, never to be regained by us with our more expensive products due to higher standards of living.

That is one reason for the decline in world trade; and so long as this tendency continues we shall find it difficult to obtain larger foreign markets through international agreements by tariff bargaining, except upon such terms that we shall have far more to lose than to gain.

The advocates of extending this unprecedented tariff power to the President have not told us with any definiteness where greater foreign markets are to be found or what of our commodities may benefit, and they have been equally indefinite about what domestic products are to be sacrificed in order that our exports may be increased. There have been some intimations from the Secretary of Agriculture that some unspecified small and inefficient industries may be wiped out and their products imported from more efficient foreign countries, his test of efficiency apparently being cheapness of price. It would be interesting to the American people to be told by authority just what articles of American production are to be included in the list of those which are inefficient and expensive. In all probability the American people will deny both intimations—that their industries are inefficient, or that they are expensive.

The Secretary also intimated that if we bought more sugar from Cuba, Cuba might buy more lard from us. Such a prospect might appeal to the Corn Belt, but it would be far from satisfactory to Louisiana and the beet-sugar States.

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

Mr. FESS. I yield.

Mr. DICKINSON. I should like to suggest that the best corn section of Iowa is also the sugar-beet-producing section of Iowa. Therefore, if we were to buy more sugar from Cuba in order to sell more lard, we should be cutting off the sugar-beet area of Iowa. On top of that, the best corn area of Iowa is also the best hog area of Iowa. Therefore, we have three conflicting interests there, none of which can be segregated according to any international trade agreement with any country in the world without punishing some particular industry.

Mr. FESS. I appreciate the statement of the Senator from Iowa, who conclusively refutes the statement of another citizen of Iowa from whom I was quoting. That is why I used the expression that the action that is proposed might be favorable to the hog area or the corn area. I had not attempted to analyze it, but I admit the strength of the statement of the Senator.

Mr. President, if Secretary Wallace's definition of efficiency—that is, cheapness—should be applied to all our products, Japan would supply our pottery; France, our silk, laces, and wines; England, our cotton and worsted goods; Germany and Belgium, our steel products; Switzerland, our cheese and watches; Argentina, our wheat, flaxseed, and meat; and New Zealand, our butter. Under any such impracticable program, new alphabetical bureaucracies would have to be speedily established to care for the unemployed and feed the hungry, and "recovery" would be a word to be mentioned only in our prayers. Of course, no administration should be permitted to carry out any such program as that.

Nevertheless, implied and involved in this tariff-bargaining plan is some thought or idea of applying such a theory in part, at least. The program is definitely described as being a give-and-take arrangement. What is there that we could take in a foreign market that would compensate us for what we would have to give of our domestic market? Let the items be specified.

There are many cities in the United States whose trade is worth more to us than the entire commerce of some foreign countries. Our domestic market is so much more important to us than any possible foreign market that it should be maintained and safeguarded in spite of the alluring but deceptive promises of reciprocal trades. We have only the friendliest feeling for foreign countries and for their people; we wish them peace, prosperity, and continued development; but our altruistic sentiments do not include the folly of destroying our own business, or any part of it, to promote at our expense the business of foreign competing countries.

We were assured that there would be no lowering of the tariff on agricultural products. That assurance came from the very highest authority, the President of the United States, while a candidate; and the assurance has been constantly repeated by those identified with the administration.

Mr. President, if we could always match promise with performance, it would not be serious; but, unfortunately, promises made in a campaign may not, at the time they are made, be fully comprehended by the one making them. Consequently, it is a common thing for the most solemn promise to be broken, or, I may say, respected only in the breach rather than in the observance.

In a speech on July 30 at Albany, N.Y., Governor Roosevelt, now President Roosevelt, said:

> Let us have courage to stop borrowing to meet continuing deficits. Stop the deficits. Let us have equal courage to reverse the policy of the Republican leaders and insist on a sound currency. * * * This concerns you, my friends, who have managed to lay aside a few dollars for a rainy day.

That statement was made by the same person who on the 10th of March 1933 announced that for 3 long years we had been on the road to ruin, and said that we were facing a startling deficit of $1,200,000,000 for that year. Hardly 6 months had elapsed—in fact, only 4 months—when a message came to us stating that the deficit, instead of being $1,200,000,000, would be six times that; and yet the order was to "stop these deficits."

On October 4 Mr. Hoover was making an address in Des Moines, Iowa. He made rather a startling statement in

reference to the country having narrowly escaped going off the gold standard. That statement was offensive to many of our Democratic leaders, including the very distinguished Senator from Virginia [Mr. GLASS].

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

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

Mr. FESS. I yield.

Mr. LONG. I suppose the Senator could quote Mr. Hoover as our Democratic tariff authority now. That ought to be good news. Whatever the Senator might quote would be good Democratic tariff philosophy at this time.

Mr. FESS. My friend from Louisiana is so facile in his illustrations that I am afraid to approve or disapprove his statement. I am not sure just what he means. Of course, I know he makes that statement in good humor, as I take it in good humor.

Mr. LONG. I was just comparing what President Hoover had said with what President Roosevelt had said. President Hoover had said that he wanted to have the tariff-making authority turned over to him under the flexible-tariff law, and President Roosevelt had spoken of it in effect as being anarchistic and unconstitutional.

Now we have flopped back and have adopted Mr. Hoover's policy, I guess, or that of somebody else—I do not know who it is. I have never found out where President Roosevent comes in on this thing. Either he is disowned here or he has quit the company. I do not know just where we stand on this matter. I am going to send out a questionnaire and find where I stand with the party.

Mr. FESS. I should be interested in that.

I interpret the reference of the Senator from Louisiana to mean that those of us who supported the flexible-tariff provision as approved by President Hoover are inconsistent now because we refuse to go as far as the pending bill proposes to go. I discussed that question last week. I said that I approached the flexible-tariff provisions with a good deal of reluctance. When it was first suggested, it was offensive to me; but the logrolling practice which always obtains in the legislative branch when there are two or three thousand tariff items to consider, all at one time, offered so many opportunities for error that I felt, if we could enter upon a scientific method by which a survey would be made, the data assembled, and a body of facts presented upon which the President might act, not upon a whole schedule but upon an individual item, the innovation would be justified; and for that reason, with some reluctance, I supported it. Of course, however, I never dreamed of going to the extent of permitting the President, without a hearing or the collection of data, just upon his own ipse dixit, to say what a tariff rate should be. That would be exceedingly offensive, to my way of thinking on tariff legislation.

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

Mr. FESS. I yield.

Mr. VANDENBERG. Is there not the further very important distinction that under the existing flexibility there is a specific yardstick—to wit, the cost of production—whereas under this proposed new arrangement we are embarking upon the uncertain sea of personal judgment, which may be unrelated to cost of production; indeed, which we are notified will be primarily related to a tryrannical decision as to what business is entitled to survive in the United States? I do not know how a dfference could be more fundamental than that.

Mr. FESS. The Senator is correct. He gives an illustration very apt and commanding.

There is another danger which I should like to have my colleagues realize. If power shall be given to the President to say what this rate shall be or what that rate shall be, an industry which is now protected might be forced into a controversy with the highest authority on some rule under the N.R.A. which might involve serious consequences. What is to deter the President from saying, "Meet this requirement, or you will be destroyed"? The President would not say that, but why should we give such power to any man that under impulse he might be led to do such a thing? That is a consequence which would be possible under the provision written into this authority, of which heretofore nobody ever dreamed.

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

Mr. FESS. I yield.

Mr. VANDENBERG. The Senator certainly is justified in his observation. I call his attention to the fact, by way of further confirmation, that it is a fundamental theory in the philosophy of fascism that a dictatorship of that character can only succeed as it has its hand upon the economic power to rule or ruin industry. Therefore this proposal is Fascist in its philosophy, Fascist in its objective, and might well become Fascist in its operation.

Mr. FESS. Certainly that is true, and, as has been said so often, the danger is not how far the step, it is the direction in which the step is taken. It is not the number of steps taken, but rather whether the first step is to be taken. When the first step shall have been taken, everybody knows what will follow.

Mr. President, I recall that less than 20 years ago, when I was a Member of the other body, there was a destructive fire in a city in a certain State, and an appeal came from that State to the House of Representatives for relief from the Government. The appeal developed a very serious debate, and even a Member of the House from the State which was to be benefited spoke against the relief being given, on the ground that if we embarked on that policy we would never stop.

As I have stated, that was less than 20 years ago.

There was recently a drought in the West, and I am told that it is being estimated that the loss will amount to somewhere between five and six hundred million dollars. No doubt we shall be asked, before we adjourn, to give authority for the appropriation of an enormous amount of money for relief, and we shall be justified in taking that action, because we have started upon the policy, the first step of which was difficult to take, but it has now become the practice of the Government, and we pursue the course easily. That is the significance of any innovation, especially if there is a test of constitutional authority in making it.

Mr. President, I was about to quote what President Hoover said about our near approach to going off the gold standard. His statement somewhat aroused our Democratic brethren, and an ex-Secretary of the Treasury, now a very distinguished Member of this body, who wrote the Federal Reserve Act of 1913, and who was called upon to reply to the statement which had been made by President Hoover. Let me read a brief statement made by the Senator from Virginia [Mr. GLASS], who had been Secretary of the Treasury in President Wilson's Cabinet, and who wrote the plank in the Democratic platform announcing the party's position in favor of a sound currency. This is what the Senator said:

> I assert that those of us responsible for legislation never had the remotest intimation from the administration that the gold standard was in danger. I repeat the assertion that anybody who now says anything to the contrary of what is alleged here is either ignorant of the facts or indifferent to the truth.

The Senator further commented upon the statement:

> If the President and the Secretary of the Treasury had knowledge of the fact that this country was faced with imminent disaster by being driven off the gold standard in 2 weeks, and failed to so advise the banks and private investors who purchased nearly $4,000,000,000 of these Federal securities, they were guilty of amazing dishonesty; they were cheating the investment public; and could not even appropriate to themselves the solace of future oblivion.

That was the statement of the senior Senator from Virginia in answering President Hoover's allegation that we were within 2 weeks of going off the gold standard.

The Democratic candidate for President at that time, now the distinguished President of the United States, made this statement:

> The business men of this country, battling hard to maintain their financial solvency and integrity, were told in blunt language in Des Moines, Iowa, how close an escape the country had some months ago from going off the gold standard. This, as has been clearly shown since, was a libel on the credit of the United States.

The distinguished speaker proceeded:

> No adequate answer has been made to the magnificent philippic of Senator Glass, in which he showed how unsound was this assertion. And I might add Senator Glass made a devastating—

I wish this language to be especially noted—

> Senator Glass made a devastating challenge that no responsible government would have sold to the country securities payable in gold if it knew that the promise, yes, the covenant, embodied in these securities, was as dubious as the President of the United States claims it was.

Mr. President, I am mentioning this to indicate the danger of relying upon promises made during the time of a campaign. I have just finished quoting a statement from the President. What followed? First, gold payments were suspended. Next, the gold standard was forsaken, although that action was claimed to be but temporary. Then it was flatly repudiated by law, the President thereafter referring to it as one of the old fetishes of so-called "international bankers."

On October 22, discussing the gold-purchase plan, the idea being to change the value of the dollar much faster by manipulating the price of gold, the President said:

> We are thus continuing to move toward a managed currency.

Mr. President, let us keep in mind the statement that no responsible government would issue bonds to be paid in gold, if it knew that the gold-redemption clause was to be eliminated or that the Government was to go off the gold standard. It took 3 months to accomplish that result, and during those 3 months the Government sold to banks and investors $1,400,000,000 worth of securities, all of them bearing the engraved words, "Principal and interest payable in gold coin of the present standard of value."

On March 9, 1933, the Congress enacted an emergency law investing the President and the Secretary of the Treasury with absolute power to control money and banking, including the power to require all private owners of gold, if necessary, to deliver it up to the United States.

On March 12 the Treasury sold $800,000,000 worth of short-term bonds, called "certificates of indebtedness", and on each bond was engraved the promise to pay in gold.

On March 15, 3 days later, another issue of $100,000,000 of Treasury bills was made.

On April 5, only 20 days later, the President issued an order commanding all private persons and all private banks to deliver by May 1 all their gold possessions.

On April 5, parallel to the President's order commanding privately owned gold to be surrendered, the Secretary of the Treasury issued a statement saying:

> Those surrendering gold, of course, receive an equivalent amount of other forms of currency.

And that is a fairly good statement of what gold-standard money is, in accordance with the statement of the Secretary of the Treasury.

On April 19 the President proclaimed the embargo on exports of gold.

On April 23, 4 days after the President had proclaimed the embargo on gold exports, thereby serving notice on the world that the American Government would no longer hold its dollar to the gold standard—for that is what the embargo meant—the United States Treasury offered and sold $500,000,000 of short-term bonds called "3-year notes." It issued them in small denominations, and recommended them to small investors; and in the Treasury circular offering these bonds the Government said:

> The principal and interest of these notes will be payable in United States gold coin of the present standard of value.

People bought them on that representation, unaware that the Government was then writing a law to repudiate that contract.

Five days later the Senate passed the inflation law.

Then, on June 5, responding to the wishes of the administration, the Congress by joint resolution repudiated the gold clause and violated its most solemn pledge without consulting the other party to the contract.

Mr. President, I take the time to point out only that one instance, dealing with the money question, to say nothing about a great number of other issues treated in identically the same way, to indicate that the promise we have that there will be no lowering of the tariff on agricultural products cannot be relied upon. That is not questioning the honesty of the utterance. It is simply calling attention to the fact that promises are not kept when it appears convenient to break them.

Mr. President, I have dealt with our present economic situation. I now propose to indicate by contrast how Great Britain proceeded and what her condition was in 1921. When Great Britain was faced with her most dangerous unemployment problem, and had for sometime before entered upon the system of the dole, and was seriously considering its abandonment, as a necessity, the problem before the Parliament of Great Britain was, What is to be done about the unemployed? Bonar Law was the man who was willing to announce a policy that had been antagonistic to the British idea of trade for more than 70 years. The Prime Minister said that there were three possible alternatives:

One was to abandon the dole; but the consequences of such abandonment at the time could not be fully understood.

The second alternative was to allocate to the various colonies a certain portion of the unemployed.

The third alternative was to adopt the system of protective tariff.

The British had not gone far in the discussion until the idea of giving up the dole without some substitute had to be abandoned. Then the question came as to the allocation of the unemployed. Immediately certain questions arose: First, where to send the unemployed? Who would want them? Second, what would be sent with them? What would be their condition after they were sent away? What would be their feeling about being taken from their old localities, in which their ancestors were born and lived, and sent to foreign parts?

The present administration, under the new deal, evidently was not familiar with the experience of Great Britain; for when the British Government came to inaugurate the program of sending large numbers of the unemployed to various colonies, the whole plan was found to be so impracticable that it was immediately dropped. I had not heard anything about it after that until it was revived here in the United States by the announcement that that would be one of the methods of caring for the unemployed. I assumed that those who were talking about it had not looked into the possible consequences, and I am not at all surprised that we now are hearing nothing more about it.

Great Britain finally was led to the only practicable alternative of the three, namely, to adopt the policy of giving to her own people sufficient work to employ at least a portion of them.

With that statement as a preface I desire to present the problem of Great Britain, and how she was dealing with it back in 1921.

THE EXPERIENCE OF GREAT BRITAIN—THE BRITISH TRADE CRISIS—DEFINITE ACTION ESSENTIAL

There is a striking similarity in the description of conditions in the United States today, as stated by the advocates of the pending bill, and conditions in England in 1921, as depicted in a bulletin of the Tariff Reform League of London. I am about to quote from the Tariff Reform League bulletin; and I should like to have those who do me the honor of listening note the similarity of the condition of Great Britain then with our condition of today.

1. Our overseas trade (i.e., British foreign trade), upon which this country depends for the bulk of its food and raw materials, has dwindled to less than one half of its pre-war volume.

Taking 20 principal countries, including the United Kingdom, investigation of official returns for the latest fully comparable period namely, the third quarter of 1920, shows that the aggregate weight—volume, not value—of exports from these countries amounted to 92.3 percent of the pre-war volume, while exports from the United Kingdom alone were only 41.6 percent of their pre-war volume.

Our exports—

Note that the word "our" refers to Great Britain and not to the United States—

Our exports of United Kingdom produce in 1913 were 91,803,000 tons.

Our exports of United Kingdom produce in 1920 were 39,509,000 tons.

A falling off of nearly two thirds.

For the first 5 months of this year, 1921, our exports of United Kingdom produce, excluding coal, coke, and fuel, were 2,935,000 tons, as compared with 6,324,000 tons in the corresponding 5 months of 1913.

That was about a 2-to-1 ratio.

2. Our chief foreign competitors—Germany, Belgium, the United States, and Japan—are capturing our former markets in all parts of the world, including our own Empire.

Examples: The United Kingdom's share in the total competitive import trade of Australia decreased from 63.2 percent in 1913 to 46.6 percent in 1919, whilst in the same period the United States' share increased from 11.8 to 29.3, and the share of Japan from nil in 1913 to 11.4 percent.

The statement shows that Britain's decrease in that trade was nearly 50 percent while the United States increased her trade by a little less than 200 percent.

The United Kingdom's share in the total import trade of New Zealand decreased from 59.73 percent in 1913 to 37.6 percent in 1918, and the United States' share increased from 9.46 percent to 26.2 in the same period, and Japan's share from nil to 4.3.

The United Kingdom's share in South Africa's import trade decreased from 54.4 percent in 1913 to 45.5 percent in 1919, whilst the United States' share increased from 9.5 percent to 24.1 percent, and the Japanese share from 0.3 to 3.8.

3. The chief reason for these adverse conditions is the high price of British goods, both at home and abroad.

Examples are given, comparing British and German prices—and this is very suggestive, because Germany is one of the countries that even then put, and since then has put, much emphasis on efficiency in manufacturing:

Examples: German steel bars, £10 a ton; British, £16 to £17 a ton. German magnetos, £5; British, £12 to £15.

In other words, in Britain the price was more than double that in Germany—

German gramophones, £3. British, £7.

German rock-cutting machine, £650. British, £1,200.

And so it goes. These items are only a few that I have taken, but about the same ratio is shown throughout:

German chucks, 17s. 7d. each. British, 54s. 6d. to 58s. each.

German 3-jaw chucks, £2 3s. 7d. each. British, £6 0s. 8d. each.

Meat-cutting machines: German price, £295. British price, £500.

Eighteen tenders were presented for a 10,000-kilowatt turbo alternator, including British, French, German, and various other manufacturers, with the following result:

German price, £47,000, delivered in 10 months.

British price, £84,000 and £95,110, deliveries from 12 to 18 months.

4. The price of British goods is high because of (a) high taxation and high cost of raw materials and (b) low production coupled with high wages.

The report proceeds:

5. We are being undersold in the world's markets by Germany and other countries because—

(A) Taxation is lower in these countries than it is here—

Meaning Great Britain—

(B) Production is higher in these countries than it is here.

(C) Wages are lower in proportion to production in these countries than they are here. In the case of Germany, owing to this fact and the depreciated value of the mark, wages are only about one fourth the value of British wages.

(D) These countries control their own home markets, which absorb three fourths of their normal production, and this enables them to maintain a large output.

Mr. President, if we take those facts, and in their light look into our own situation, the similarily is most striking. Although Britain has a free-trade background of many years, if she could have her own labor employed to produce the commodities she consumes, instead of letting them come in from Germany, she would have some relief, and it is the trend on the part of Great Britain ultimately to leave the field of free trade for, at least, a modified form of protection.

Although there is a marked similarity in the condition of British trade in 1921, as described by this bulletin, with conditions in the United States at the present time, as pictured by the official spokesmen of the administration, there was a very decided difference in the remedy proposed in Great Britain compared with that submitted for our approval here. This will be apparent as I continue to read from the bulletin:

6. If this country (i.e. Great Britain) is to recover and increase its trade in overseas markets, we must produce cheaper, and in order to do so, we must command a large and prosperous trade in the home market.

I ask if that does not sound like the American protective-tariff principle? We must produce more of our needs, and we must maintain our home market.

This can only be accomplished by the adoption of a trade policy which will secure the control of British markets in the interests of British production, and the essential basis of such a policy is a national customs tariff.

There is the first official statement of the British authority, as expressed in this bulletin, that the British have got to go on the basis of protection.

Up to this time, Mr. President, the labor question has not been discussed. I now will cite some of the statements in this bulletin on that particular phase of the problem:

THE INTEREST OF LABOR

No one is more interested than the British working man in the adoption of such a policy. The dominant feature of the industrial situation today is the justifiable demand of labor for the maintenance of high wages and a higher standard of living than was possible before the war. It is more necessary today therefore than ever before to convince our industrial workers—

Does that not sound like the policy of Henry Clay, of William McKinley, of Samuel J. Randall, and of other leading Democrats who believe in the protective tariff—and we have many of them who at least believe in the protection of specific articles?

This bulletin goes on to say:

1. That wages can only come from production.

2. That high wages, if obtained from low production, necessarily mean high cost of production and therefore high prices. That is to say, when wages are high and goods are scarce the purchasing power of money is low. High wages from low production do not therefore ensure a high standard of living.

That is splendid American doctrine. I quote further from the bulletin:

3. That high wages, if obtained from high production, permit of low cost of production and therefore the possibility of low prices. Under such conditions goods are plentiful and the purchasing power of money is high. High production must therefore accompany high wages if a high standard of living is to be maintained.

That is a splendid illustration of our modern formula of efficiency production—a better article this year, produced at a lower price by labor paid at a high price, and put on the market on a margin of profit. That is the formula of modern industry, and, though stated in other words, that is what this British bulletin suggests:

(4) That wages—whether high or low—can only be assured to the worker if the industry which pays the wages is protected against unrestricted foreign competition.

There is a recital of the experience of what we used to call "free trade" England, and that is the remedy that was considered and applied in order to surmount the difficulty in 1921.

I shall now proceed to enumerate the acts of Great Britain leading to the protection of home industries in order to provide employment for her unemployed.

The Safeguarding of Industries Act and later legislation of an even more pronounced protectionist character was England's method of meeting the crisis. She restricted competitive imports, safeguarded domestic industries, put people then on the dole back on the pay rolls, and shielded her

own industries and those of her colonies with imperial preferential tariffs.

Throughout Europe, as was the case in England, since the World War it has been the aim and object of the various nations to solve first their domestic problems, find employment for their own people, safeguard their own industries, and establish wherever they could new industries, in order that production might be diversified, the national life enriched by new opportunities for the employment of labor and capital, and the national economic system so developed and strengthened that it would be less dependent upon foreign sources of supply.

While this program of national development is more difficult for the nations of Europe than it is for the United States, nevertheless it has proceeded to some considerable extent, and national needs heretofore supplied by international trade have been supplied from domestic sources to a larger extent than was formerly the case.

Because of the lack of natural resources and of restricted area, with the necessary absence of varied climatic conditions suitable to a wide variety of agricultural production, there is much more economic interdependency on the part of the nations of Europe than is the case with the United States, which spans the richest section of a continent endowed by nature with unparalleled resources, with a tropical, semitropical, and temperate climate, and blessed with a skilled, inventive, and industrious people unmatched anywhere in the world, past or present.

Europe, with an area of 3,800,000 square miles, is divided into some 25 nations of varied nationalities, religions, customs, and laws, separated by artificial tariff barriers.

The United States, with an area, exclusive of its insular possessions, of 3,026,789 square miles, is one Nation, under one Constitution and one flag; with a united people speaking one common language, actuated by a common purpose, and moving forward to a common destiny with uninterrupted freedom of trade representing the greatest buying power in all history.

It is not surprising, therefore, that Europe, crisscrossed as it is with national boundaries, populated with 330,000,000 of people of divided allegiance, of diverse interests, with age-long feuds, animosities, and suspicions, should have, as Washington pointed out many years ago, a set of primary interests distinct from our own. It is not surprising that they have adopted measures and resorted to practices peculiarly adapted to their political and economic system.

We are told that we should follow their example. We are told by the spokesmen of the administration that we should adopt their methods. We are urged to adopt a bargaining tariff system because Europe has it. What about our own, our American system, the system adopted by Washington and approved by Jefferson, Madison, Jackson, and an almost unbroken line of American Presidents and by almost all our most illustrious statesmen?

It is a system recommended by Hamilton's famous report on manufactures, founded upon our unmatched natural resources, adapted to our climatic conditions and the spirit and enterprise of our people.

It is the mainspring of our national development. It has enlarged to an unrivaled extent the domestic market for agricultural products. It has encouraged manufactures. It has diversified our industries. It has led to a more abundant life for the American people than any other economic system in the world. No other eulogy of the American system is needed than that uttered by Woodrow Wilson in an article in the North American Review of October 1909, when he said:

> The principle upon which the system of protection was originally founded was the development of the country, the development of the resources of the continent, and the skill of the people. The principle is intelligible and statesmanlike, especially in a new country. Hamilton's position, the position of those who have intelligently and consistently followed him, is defensible enough. Nobody now doubts that the policy of Hamilton put the Nation under a great stimulation, gave it the economic independence it needed, immensely quickened the development of its resources and the power of its people.

Because of the efforts to widen opportunities for employment and secure a greater distribution of labor an increasing proportion of our population was finding employment in manufacturing, mining, and mechanical pursuits. In 1860 we were no longer a people devoted almost exclusively to agriculture. By 1880 only 49 percent of our population were engaged in agriculture, lumbering, and fishing; 25 percent in manufacturing, mining, and mechanical employment; and 12 percent in trade, transportation, and clerical work.

The Nation's industrial expansion under the policy of protection continued throughout the 40 years following the census of 1880, and the census of 1920 graphically depicts the progress that was made. According to the census reports of that year, 27 percent, or a fraction over one fourth, of our population was engaged in agriculture, lumbering, and fishing; 33 percent in manufacturing, mechanical pursuits, and mining; and 25 percent in trade, transportation, and clerical work; leaving but 15 percent for all other pursuits.

The enlightened vision of Washington, Hamilton, Jefferson, and Andrew Jackson was reaching its full achievement, and the efforts of American statesmanship for the diversification of our industries, the distribution of our labor, and the development of a well-rounded industrial system, through the encouragement and protection of agriculture and manufacturing, were accomplishing some of the results hoped for at the initiation of the program.

I wish to call attention to that particular phase which evidently is a product of our protective-tariff system. We have about as many people engaged in manufacturing as in agriculture, and about as many in each of those industries as we have in other fields; so we have today, through the legitimate operation of this American system, a population equally divided in the various lines of activity. Today the energies of our people and the population of our country are almost equally divided between agriculture, manufacturing, transportation, trade, clerical work, and professional or domestic service.

No nation on earth shows such a wise and beneficial balance of human effort and human service. In no other nation are there such opportunities for agriculture, manufacturing, trade, and professional and clerical service. No economic or fiscal system devised by the ingenuity of man has brought such far-reaching results, such widespread development, and such far-flung benefits as the so-called "American system."

Yet it is this system that the political descendants of Thomas Jefferson, James Madison, Andrew Jackson, and Woodrow Wilson now ask us to abandon, and in its place to accept the European system; to give up the American policy of protection to agriculture, of encouragement to manufactures, of equality of treatment to all nations, and adopt the European system of bargaining tariffs. Notwithstanding our efforts, within our constitutional limitations, to introduce into our tariff system more flexible methods of tariff adjustments, foreign countries, and particularly European countries, have, it is true, a far more flexible and expeditious method of effecting tariff changes than we have. This is possible because of the fundamental difference in their form of government. These other governments are not bound by strict constitutional limitations as we are. They have not the sharp distinction between legislative and executive power that is laid down in our Constitution. They are not hampered by a provision of fundamental law. In those countries where the executive is a constituent part of the Parliament, or where the legislative branch of the government is less restrained by constitutional limitations than is the American Congress, wide power to impose or to change customs duties may be conferred upon executive officials or administrative boards without submission to or ratification by the legislature.

Under the cabinet system of government, generally denominated "responsible ministry", the legislative program is controlled by the "government" of the day. When the government proposes a bill and insists on its passage, the legislature must pass it or resort to one of two alternatives—either to force the resignation of the cabinet, permitting the opposition to take over responsibility, or to ask the sovereign to prorogue Parliament and send the issue directly to the voters for approval or disapproval. Such executive

control of legislative procedure makes it also comparatively simple for ministers to obtain the routine enactment of minor measures, for instance, bills confirming provisional orders, as in Great Britain.

A large part of the tariff rates actually enforced in France, Spain, Switzerland, Italy, Germany, and other European countries are finally determined, not by the legislature, but by treaties negotiated by the executive, though these treaties are submitted to the legislative bodies for amendment, and the treaties are sometimes made provisionally effective before ratification. Especially during the war nearly all the governments of Europe controlled tariff rates by executive decree; but even in times of peace many governments have granted much wider powers to the executive than has been the custom in this country.

Under stress of the ever-increasing complexity of modern administration and of the growing difficulty of passing complicated measures through Parliament, the expedient of delegating legislative powers to executive authorities has been resorted to more and more frequently. Present-day acts of the British Parliament have a tendency to lay down a few broad general rules or declarations of principles, leaving details to be worked out on those general lines by the legislature, and brought into force by administrative regulations or statutory rules.

But the Parliament of Great Britain has been consistently cautious in its delegation of legislative powers, insisting that they be carefully expressed and limited, and not unfrequently reserving to itself some kind of control over the powers delegated. The judicature act amendment (1875) for an early example, and the tithe act (1891), required that every order in council and rule of court made in pursuance of it be laid before each House of Parliament within 40 days after being made, subject to being annulled on an address from either House. The board of agriculture act (1889) stipulates that the draft of any order in council made under the act shall be laid before each House for not less than 30 days, during which time it can be rejected by an address of either house against the draft, or any part of it, without prejudice, however, to the making of any new draft order.

In changing her policy from a tariff for revenue to a tariff in part protective, Great Britain entrusted large powers to the executive. The safeguarding of industries act, 1921, enumerated certain products of key industries to be dutiable at 33⅓ percent ad valorem; but the board of trade was empowered to include other articles in the list and to exclude articles improperly included. That is to say, the board defined in detail what articles were included in such phrases as "optical instruments", "scientific glassware", "laboratory porcelain", and "synthetic organic chemicals." There have been a considerable number of additions and exclusions. In Great Britain, confirmation by Parliament of executive orders usually means that the orders are confirmed wholesale in a routine way; but owing to the acuteness of the controversy over free trade and protection, the confirmation of orders under this section of the law was at times hotly contested.

The special act for the protection of the dyestuffs industry in Great Britain provides for a licensing system, and the determination of the articles and the quantities to be admitted is left to the board of trade. Many Senators will recall that when we first discussed the protection of synthetic dyes, a very powerful argument was offered in both branches of Congress to the effect that we should do it by the licensing system, because it had been adopted by Great Britain. The law establishes the procedure to be followed, and prescribes the establishment of certain committees, but the acts of the board of trade are not submitted to the confirmation of Parliament.

TARIFF POLICIES IN THE DOMINION OF CANADA

Mr. President, a discussion of the tariff policy of the colonies of Great Britain is a most interesting line of study.

In sections 286–301 of the Canadian customs act (R.S., ch. 48) the powers of the Governor-in-Council are set forth under 40 heads or subheads. Most of the powers relate to administration rather than to the substance of the tariff. A similar broadly discretional power over tariff duties was conferred on the Governor-in-Council in 1922, in the following terms:

> If at any time it appears to the satisfaction of the Governor-in-Council on a report from the Minister of Customs and Excise, that natural products of a class or kind produced in Canada are being imported into Canada, either on sale or on assignment, under such conditions as prejudicially or injuriously to affect the interests of Canadian producers, the Governor-in-Council may, in any case or class of cases, authorize the Minister to value such goods for duty, notwithstanding any other provisions of this act, and the value so determined shall be held to be the fair market value thereof (act of 1922, ch. 18, sec. 3).

TARIFF CHANGES IN AUSTRALIA

In Australia's tariff act, 1921, provision was made for the flexibility of rates in 75 instances by use of the elastic clause, as prescribed by departmental bylaws, meaning bylaws made by the minister of trade and customs. Such bylaws have been issued altering the customs duties in three different ways:

First. Permanently classifying, under certain of the elastic numbers, commodities theretofore unclassified.

Second. Transferring commodities from other items to a special elastic one, thereby, until a new order is issued, establishing a new rate of duty.

Third. Altering duties temporarily, frequently for a single day.

The tariff board act, 1921–24, of Australia provided for the appointment of a tariff board consisting of four members, to be appointed by the governor general for a term not less than 1 year nor more than 3 years. One of the members shall be an administrative officer of the department of trade and customs, who shall be appointed chairman of the board. The declared purpose of the tariff board is to assist the minister in the administration of matters relating to trade and customs.

TARIFF TRENDS IN FRANCE

In France taxes can be laid or abolished only by law—law of June 1, 1864, and repeated annually in the budget act. However, a large measure of control over tariff matters has been delegated by French law to the executive, not only during the war but also before and since. This power to change tariff duties is exercised by decrees issued by the council of ministers, the decrees being submitted to the chambers for ratification within a period stated.

Mr. President, I have made a rather hasty recital of the efforts of these countries to drift away from the free-trade policy and to embracing some form of protective policy.

We are frankly told that we should grant this power to negotiate tariff bargains because other governments have such power, and because such authority in the hands of the Executive is necessary in order to increase our foreign trade. It is this European practice which has appealed to this administration. Such authority has been vested in European activities for many years. But has it increased the foreign trade of European countries; has it opened export markets for them to any appreciable extent? Commerce between European countries and world trade in general during 1932 was at its lowest ebb when stated in depreciated prices. It has been alleged that this is due to the high tariffs and the trade barriers and restrictions which have been set up since the World War.

It is true that tariffs have been raised throughout the world and that trade barriers have multiplied. In some cases these tariff increases have been made for purely bargaining purposes in order that reductions may be made as a concession for tariff reductions by other countries.

Mr. President, the Senator from Michigan [Mr. VANDENBERG], only the latter part of last week emphasized this particular point and illustrated, in a tariff discussion, that often the rates are not raised as a basis of protection or for revenue but because they are to be used in trading, and the desire is to have them high enough so they may be reduced 50 percent and still be within the safety zone.

Mr. VANDENBERG. Mr. President——

The PRESIDING OFFICER (Mr. HATCH in the chair). Does the Senator from Ohio yield to the Senator from Michigan?

Mr. FESS. I yield.

Mr. VANDENBERG. I should like to call the attention of the Senator to the fact that the opinion to which he adverts, and which I uttered in the debate on Friday, is based upon official credentials. I call to the Senator's attention Document No. 7 of the Seventy-third Congress, first session, in which the Chairman of the United States Tariff Commission makes this specific statement:

Unless a reciprocity policy is handled with skill, it may succeed in obtaining no concessions other than removal of those high rates, trade barriers, and discriminations which foreign countries have erected or maintained for the very purpose of bargaining them away.

Mr. President, that is not the worst of it. I continue reading from the same official document, which comes from the same source which now recommends to us this amazing policy against which the Senator so eloquently inveighs:

Since 1919 there is evidence that the increasing of tariff rates and the erection of barriers, principally for use in bargaining, has grown rather than diminished. Accordingly the difficulty of making a reciprocity policy yield net reductions in foreign tariffs has increased rather than diminished as the bargaining countries have attained greater experience.

We have attained no experience. We are undertaking to cope with those who for 10 years have been engaged in this practice of manipulation.

Even that is not the end of the warning which comes to us in this official document. I intrude upon the Senator's good nature with this one final interruption.

Mr. FESS. I very gladly yield.

Mr. VANDENBERG. I quote against the same authority:

In fact, a worse result might follow from a reciprocity policy announced but not rapidly executed.

In other words, the European manipulation, putting tariffs up for the mere purpose of bargaining them down, has come to be such a scientific success that, except as we may be in a position to act swiftly and promptly—and everybody knows we are not going to act in that fashion—we stand to lose even the trade which we now possess.

Mr. FESS. The Senator is absolutely correct in that warning. I am glad he reinforces what he said the other day, and what I am saying now, by the recitation of a statement made by the tariff authority of the Government.

I recall with interest the Senator's suggestion the other day that, when we engage in diplomatic rivalry with the trained diplomats of foreign nations we are apt to lose everything we have. I recall a statement made to me by our former Ambassador to Belgium, the famous Brand Whitlock, commenting upon the danger of American diplomats or American financiers undertaking to reach a safe conclusion on the subject of a balanced currency. His statement was, "Our boys would find, before the night was half over, that they had not even a shirt left."

In almost every case of this kind a reciprocal agreement would prove unequal and unjust. That is because of the difference in purpose between European tariff making and ours. We have no rates in our tariff law designedly fixed for bargaining purposes, while that is the ruling motive in many foreign countries. Any concession we should make would be an actual concession and possibly an extremely costly one, whereas many concessions made by foreign countries would be only nominal in character. They follow the custom of the proverbial trader who puts his bid high enough to give him a large margin and still leave him in the safe zone. A reduction from their higher rate, or bargaining rate, would still leave their intermediate or lower rate sufficiently high to protect their domestic industry, while our tariff rates are supposed to equalize the difference in foreign and domestic costs of production, and any reduction in such rates would open the doors to unequal and unfair competition.

As pointed out in a report on tariff bargaining, submitted to the Senate March 29, 1933, by the Tariff Commission, the one from which the Senator from Michigan has just quoted, there is grave danger, in negotiating reciprocal agreements, that no concessions will be obtained "other than removal of those high rates, trade barriers, and discriminations which foreign countries have erected for the very purpose of bargaining them away."

Since 1919—

The report continues—

there is evidence that the increasing of tariff rates and the erection of barriers, principally for use in bargaining, has grown rather than diminished. Accordingly, the difficulty of making a reciprocity policy yield net reductions in foreign tariffs has increased rather than diminished.

The report points out that—

Many countries are maintaining emergency tariff rates and trade barriers—

And

the possibility that the United States would obtain in return for its tariff concessions only the abandonment of measures too cumbersome and oppressive, and of tariff rates too high, to outlast the depression * * * and reciprocal tariff agreements by which concessions were made in return for the reduction of such temporary duties might mean the grant of valuable concessions in return for totally illusory concessions.

I quote from pages 9 and 10.

The European tariff bargaining system offers us no promise of real or substantial benefits, and the results it has accomplished so far do not commend it to us as a model for us to follow. Even if it were extended to the free list, as has been suggested in certain quarters by some economists, it must not be overlooked that such practices could not only be in violation of the very foundation principle of the protection system, for the preservation of which we must resist this European proposal of bargaining tariff. Duties on goods not produced in this country would insure revenue, and as a revenue-only tariff, would be justifiable. But the policy violates the principle of duties for the encouragement of American industry on behalf of investment of American capital in the employment of American labor. It is fundamental with protectionists that duties on noncompeting articles, such as coffee, must be resisted to avoid the burden upon all our people of paying a tax in the form of customs duties which cannot be shifted from the American consumer to the foreign producer, as in the case of a protective duty on a competing article.

The proposal to give to the President the power to bargain on noncompeting articles on the free list, either by placing duties on such articles as coffee, for example, or to reduce the quota of such articles, would not only be in violent contravention of the principles of the American system, but it would result in direct opposition to the wishes and interests of the American public. Our refusal to tax these noncompetitive common necessities is not so much to please the foreign producer as to help the American consumer. It is true, as was said on the floor of the Senate, that if the purpose of the bargaining tariff be to conduct successful negotiations without regard to the welfare of our own people, then the free list must be included, just as, if the purpose of imposing tariffs were for revenue only, we should include duties on imports which we must have and do not produce in our country. Neither can be justified.

Mr. VANDENBERG. Mr. President, will the Senator from Ohio yield again?

Mr. FESS. I yield.

Mr. VANDENBERG. I should like to revert for just a second to the discussion we were having respecting the European system of putting up rates in order subsequently to bargain them down. The Senator from Ohio read from the official document to which I had previously referred. He did not read from the document the very significant heading, and I desire to insert it at this point in the debate, because, in a single sentence, it sums up the whole challenge. The heading of this official document reads:

The padding of tariff rates in preparation for bargaining.

Mr. FESS. That is very significant.

Mr. VANDENBERG. Yes, Mr. President. They have padded their rates. We have not padded our rates. When Uncle Sam goes into the market place in search of that kind of a bargain, he comes home at night in a barrel.

Mr. FESS. Mr. President, the fact emphasized by the Senator from Michigan must not be overlooked—that we place our duties on the basis of protection. European countries place their duties on the basis of bargaining. Ours are limited to the difference in the cost of production between our country and the country competing with us. We cannot afford to reduce our tariffs. They can afford to reduce their tariffs, because of the different purpose in mind when the rates are fixed.

EUROPEAN AND AMERICAN EXPERIENCE WITH BARGAINING TARIFFS

Our people need not be in the dark on the possibilities involved. In Europe a bargaining-tariff system has been employed for many years, and tariff walls are higher and more numerous there than they have ever been before. Tariff barriers have increased more in tariff-bargaining countries than anywhere else. These European bargaining tariffs are the cause of more jealousy, strife, friction, and negotiations than any other tariff procedure that could be devised. This result is inevitable where no principle is involved, and the only determinant is points for bargaining.

France, for instance, may offer reciprocal concessions to Germany, and immediately England and other countries demand that the same concessions be granted to them. Italy may offer concessions to Russia, and at once the high officials of neighboring nations are stirred with alarms of military or economic alliances. Germany and Austria agree on a reciprocal basis for the free interchange of commodities, and immediately the proposed bargain is thrown into the World Court and annulled. It might have meant the establishment of fairer trade relations between two neighboring states and promoted their economic recovery; but the consummation of this tariff bargain was not permitted, by a World Court vote of 8 to 7, on the ground that it violated Austria's international engagements under the Geneva protocol of 1922.

Of course, I am referring, as the Presiding Officer knows, to the proposed customs union, which, without any question, would have been effective between Germany and Austria had it not been for the determined protest of the former Allies against these two countries, which finally was referred to the League of Nations and later by the League of Nations referred to the World Court.

Years of tariff bargaining in Europe show that the main purpose of the negotiations is national security, the enlargement of national influence, and alliances either of a political or an economic character. They are entered into for strategic purposes, and are not consummated through the sacrifice of domestic industries or at the expense of domestic labor. Whatever else might be said of the American foreign policy, we have learned the wisdom of equal treatment of all nations with no discrimination, never asking for any treatment we were not willing to grant others.

Not only have we the experiences of Europe to caution us against such an unwise course, but we have our own unfortunate, unsuccessful, or abortive experiments with bargaining tariffs. The few times when any suggestion to modify this principle was made, it failed of its purpose. In our early tariff legislation we proceeded on the theory of equal treatment to all nations. The limited occasions in the past when it seemed mutually advantageous to enter into a particular tariff agreement with some particular country are conclusive in results. Entertaining originally the intention of offering equality of treatment, special commercial relations that were entered into with certain nations resulted in inequality of treatment. Our history along this line is of value in this discussion.

Prior to 1890 the United States attempted to negotiate tariff treaties with six countries—with the German Zollverein in 1844, which was not ratified; with Canada, in 1854, which was ratified, but abrogated in 1866; with Hawaii in 1875, which was ratified and extended in 1887, remaining in effect until 1900; with Spain, in 1884, for Cuba and Puerto Rico, which was not ratified; with the Dominican Republic, in 1884, which was not ratified; and two treaties with Mexico, the first of which, in 1856, was not ratified by the Senate, and the second of which, though ratified by the Senate, never became effective because the necessary legislation was not enacted by Congress.

The treaty with the Zollverein was not ratified by the Senate. The treaties with Spain and the Dominican Republic, negotiated by President Arthur, were withdrawn from the Senate by a great Democratic President, Grover Cleveland, and never resubmitted. A treaty with Great Britain relating to the British West Indies, which had been in process of negotiation, was not consummated because the British Government withdrew from further negotiations when it learned the fate of the Spanish treaty. So, out of these protracted efforts to secure tariff bargains, only two treaties—those with Canada and with Hawaii—became effective.

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

Mr. FESS. I yield.

Mr. HATFIELD. Has the Senator from Ohio in his investigation found where a Chief Executive has ever asked for authority so extensive as asked for in this legislation?

Mr. FESS. No; there has never been a case in our history when any President asked for any such authority as this.

Mr. HATFIELD. And in all the reciprocity relations that heretofore have existed between this country and other nations, it was necessary to have the approval of the Senate before they were put into effect.

Mr. FESS. Oh, certainly. In other words, there never was any effort to make a bargain with any country except through treaty channels, and the treaty had to have the approval of this body.

Mr. HATFIELD. What vote does it take on the part of the Senate to approve such treaty?

Mr. FESS. Two thirds.

The treaty with Canada remained in force only 11 years. It was abrogated by the United States because of the hostile sentiment aroused against Canada during the Civil War, because of the need of additional revenue and because of the dissatisfaction of the fish, coal, and lumber industries of the United States.

The Hawaiian bargaining treaty led to grave international complications. When the treaty went into effect the British Commissioner to Hawaii notified the Hawaiian government that under the most-favored-nation clause of the British-Hawaiian Treaty of 1851—

> Her Majesty's Government cannot allow of British goods imported into the Sandwich Islands being subjected to treatment other than that which is accorded to similar goods of American origin.

The German Government also raised the question of most-favored-nation treatment, although it had no treaty with Hawaii upon which to base a claim.

The British Government insisted upon its claims, and Hawaii sent an envoy to Europe to negotiate with the British and German Governments. The American minister wrote to James G. Blaine, then Secretary of State, that "the British claims are still held over the head of the Hawaiian government."

The situation called from Mr. Blaine the emphatic statement to the Hawaiian government that—

> This Government cannot permit any violation, direct or indirect, of the terms and conditions of the treaty of 1875. The treaty was made at the continuous and urgent request of the Hawaiian government. It was expressly stipulated "on the part of His Hawaiian Majesty that so long as this treaty shall remain in force he will not make any treaty by which any other nation shall obtain the same privileges relative to the admission of any article free of duty hereby secured to the United States."

So runs the quotation from our then Secretary of State, James G. Blaine, to the Hawaiian government.

> The extension of the privileges of this treaty to other nations under the most-favored-nation clause in existing treaties would be as flagrant a violation of the explicit stipulation as a specific treaty making the concession. The Government of the United States considers this stipulation as of the very essence of the treaty and cannot consent to its abrogation or modification, directly or indirectly.
>
> If any other power should deem it proper to employ undue influence upon the Hawaiian government to persuade or compel action in derogation of this treaty, the Government of the United States will not be unobservant of its rights and interest and will be neither unwilling nor unprepared to support the Hawaiian government in the faithful discharge of its treaty obligations.

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

Mr. FESS. I yield.

Mr. HATFIELD. It was the then distinguished Secretary of State, Mr. Blaine, who initiated the idea of reciprocal trade agreements, was it not?

Mr. FESS. It was.

Mr. HATFIELD. Possibly he was the pioneer in that movement, was he not?

Mr. FESS. He was.

Mr. HATFIELD. But he never thought of asking the Congress of the United States to abrogate its power in favor of the Chief Executive in carrying out the idea of reciprocal trade relations?

Mr. FESS. Certainly not. The Senator from West Virginia is emphasizing the importance of the historic fact that what has been done in the effort toward reciprocal tariff arrangements in this country, which has usually been linked with the names of Blaine, McKinley, and others, cannot be cited as a justification for the pending proposal, for that now before us is as different from the previous proposals as the day is from night.

This threatening controversy led to a change of ministry in Hawaii and to the acceptance, finally, of the position taken by America's dauntless Secretary of State. Thus, of the two bargaining tariffs negotiated prior to 1890, one could not stand the stress of war-time passions and the dissatisfaction of injuriously affected industries, and the other drew us into the dangerous whirlpools of international complications. This is our history of tariff bargaining through the constitutional channel of treaty making down to 1890.

Mr. HATFIELD. Mr. President, will the Senator yield again?

Mr. FESS. I yield to the Senator from West Virginia.

Mr. HATFIELD. If that be true, the complications resulting from the pending proposal would be far greater than the complications which might have arisen under treaty agreements ratified by the Senate?

Mr. FESS. I should think so. If there were likely to be any liability or any possible involvement incident to a treaty, it would almost certainly be disclosed in the discussion in this body, and the ratification of such treaty would require a two-thirds vote before it could become binding. For that reason I should think that the dangers in connection with reciprocal agreements could be and would be avoided if they could be negotiated through the ordinary channels of treaty making. In the consideration of such a question, the difference between the judgment of 1 man and the judgment of 96 men ought to be considered very outstanding.

Mr. HATFIELD. In other words, the discussion that would necessarily take place amongst the 96 men in the Senate of the United States would bring about such an expression of opinion as would go far toward disclosing and averting any complications or any embarrassments which might result to the Government, as contrasted with what might happen if the entire responsibility were left with the Chief Executive of the Nation and those associated with him representing the executive department of the Government of the United States?

Mr. FESS. I think the Senator's conclusion is justified.

Mr. HATFIELD. Mr. President, will the Senator yield further?

Mr. FESS. Yes.

Mr. HATFIELD. Has the Senator given any consideration to the fact that under the responsibility which will go with the enactment of this proposed legislation, the Chief Executive by secret treaty may carry on and make these contracts which will extend over a period of at least 3 years, and for the Congress of the United States to abrogate them in any way will be to repudiate a contract made by the Chief Executive?

Mr. FESS. That involvement is possible. The Senator makes an inference that ought not to be overlooked. We have been asked to give this authority to one man largely because of the difficulty of reaching bargains in the open, which, it is said, could be obviated by reaching them in secret. It has been stated over and over again that that is one of the difficulties we want to obviate by this method.

The suggestion made by the Senator from West Virginia about the safety of having tariff bargaining brought about through the channel of treaty making rather than as an Executive function calls attention to a recent episode that has become very historic. I say what I am about to say not by way of criticism of President Wilson, because I was a great admirer of his, but everyone knows that had the treaty-making power been limited merely to negotiations conducted by the President this country today would be in the League of Nations. I recall how a small group of Senators sent out warning against involvement in that covenant, lest we might become party to it, and I remember how the late President Wilson referred to them as a "band of willful Senators" and how it wrought upon his mind, because he was so completely committed to the idea that that was the greatest single thing he could do in the direction of averting war. I think I do not go too far when I say that the failure to ratify that covenant almost, if not entirely, cost him his life. My own view of the matter is that it would have been a fateful step for this Government to have gone into the League of Nations. I was one of the few Members of the House of Representatives at that time who gave reasons at once after the covenant was first printed on the 14th of February 1919 why we must not become a party to it unless the covenant was amended. I was called down in rather brutal language by my warm friend, William Howard Taft, who was then ex-President, and who said that I "talked like a wild man." I think history since that fight has justified a million times the position that some of us took on the League of Nations controversy.

There is not a person in the country who does not know that had it not been for the opportunity in this body for unlimited debate in opposition to that covenant, thereby getting the facts before the people, we would have taken that step. That, I know, is rather a far-fetched illustration, but it does call attention to the possible danger of giving to the Chief Executive treaty-making power without requiring ratification of the treaty by this body.

Mr. HATFIELD. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from West Virginia?

Mr. FESS. I yield.

Mr. HATFIELD. I hardly agree with the Senator that it is a far-fetched illustration. I think it is absolutely in line with the power that is being asked by the Chief Executive to regulate tariff rates. Had the then President of the United States, Mr. Wilson, been given the same power by the Congress of the United States, as the Senator properly has stated, we would now be an integral part of the League of Nations. There is little difference between the power which the present incumbent of the White House is asking and the power which President Wilson failed to ask of Congress before he undertook to negotiate his treaty which would have let the United States into the League of Nations.

Mr. FESS. I thank the Senator for his interpretation and his opinion.

Mr. President, there is a cycle of thinking in the country, more vocal today than I have ever known, tending to ignore all the lessons of history. It is said that the past holds no lessons for the present nor suggestions for the future. We all well know of the derision of the past by modern statesmen. The lesson of history is offensive to them. To be up to date you must not merely subscribe to all the folly and foibles of the new deal but to be modern and progressive it becomes necessary to ignore the voice of history, to junk fundamentals, embrace revolution in the fatuous name of evolution, and join the economic adventures in their great crusade against the hopeless failures of our fathers and supplant the institutions of 140 years of growth by a modern system, the handiwork of the reformers fresh from the college cloister, too often the incubator of theories—some sound, but most mere fancies—of use when confined to the classroom as mental exercise for students, but dangerously harmful

when seriously applied in the field of governmental experimentation.

After 1890 our further experience with bargaining tariffs continued to be disappointing and unsatisfactory. The tariff bill introduced early in 1890 by William McKinley became the vehicle through which the realization of reciprocity ideals was attempted, although the bill as introduced in the House of Representatives by Mr. McKinley contained no reciprocity provisions. It is this legislation to which the advocates of the pending measure wrongly allude as a precedent for the present proposal. In a letter to President Harrison, Mr. Blaine said that the lack of shipping facilities to reach the South American markets had been the chief obstacle in the way of increased exports, and pointed out that nearly all articles exported to those countries were subjected to excessive customs duties, and that over 85 percent of the American imports from Latin America—coffee, cocoa, rubber, hides, dye, and cabinet woods—were admitted free of duty. He advised that an amendment should be submitted to the House bill authorizing the President to declare free entry to the products of any nation of the American Hemisphere whenever such nation should admit free of duty American foodstuffs, lumber, furniture, manufactures of iron and steel, cottonseed oil, and refined petroleum. This amendment, unlike the pending proposal, provided a definite program, authorized by legislation, and did not leave the field of negotiation wide open to Presidential discretion and tariff bargaining upon the sole responsibility of the Executive. It did not violate the taxing power as provided in the Constitution, which remained a legislative function. It was made, as the pending resolution proposes, a Presidential prerogative.

Provisions for this limited, constitutional reciprocity were inserted by the Senate through proper legislative methods, the bill as reported to the Senate having contained, like the House bill, no such provisions.

In a special message to Congress, President Harrison transmitted the letter from Mr. Blaine, and alluding to the statement that over 85 percent of the imports from Latin America were admitted free, he said:

> If sugar is placed upon the free list (as it was in the tariff bill, a bounty being substituted for the duty) practically every important article exported from those States will be given untaxed access to our markets, except wool. The real difficulty in the way of negotiating profitable reciprocity treaties is that we have given freely so much that would have had value in the mutual concessions which such treaties imply.

Mr. Blaine, in a speech on August 29, 1890, said it would be a great mistake to repeal the duties on so large an amount of imports from Latin American countries without an attempt to secure in return reciprocal arrangements which would stimulate our export trade to Latin America. He said that he favored "a system of reciprocity not in conflict with the protective tariff but supplementary thereto." Here is the distinction ignored by the present advocates of tariff bargaining in the pending tariff proposal.

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

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from West Virginia?

Mr. FESS. I yield.

Mr. HATFIELD. The Senator from Ohio is aware of the fact that there is now in existence a treaty which has been negotiated between the Governments of Colombia and the United States. The authorities representing both sides of the contract, I take it, are waiting for the passage of this measure through the Senate before the treaty is submitted for approval. Does the Senator know anything about that matter?

Mr. FESS. I have not the facts about it.

Mr. HATFIELD. I communicated with the Assistant Secretary of State, Colonel Thayer, and he admitted that such a treaty is in existence and has been in existence since last December. I asked for the substance of the treaty, and he declined to give it to me; but he did send me a news release which dealt with the fact that such a treaty does exist.

Mr. FESS. Does the Senator say that the Assistant Secretary of State declined to let the Senator see the treaty?

Mr. HATFIELD. That is very true.

Mr. FESS. I cannot understand that.

Mr. HATFIELD. In my address on May 1 I read the letter which I received from the Assistant Secretary of State and made it a part of my remarks on that occasion.

Mr. FESS. The proper course would be to introduce a resolution in the Senate asking that the information be sent to the Senate.

Mr. HATFIELD. I may say to the distinguished Senator from Ohio that I am now having prepared a resolution which I shall introduce tomorrow, I hope, with the purpose of asking to have the treaty sent to the Senate. It seems to me that the Committee on Foreign Relations should take up this matter, and bring before it some representative from the office of the Secretary of State with the idea of inquiring into the matter.

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

The PRESIDING OFFICER (Mr. DIETERICH in the chair). Does the Senator from Ohio yield to the Senator from Michigan?

Mr. FESS. I yield.

Mr. VANDENBERG. The Senator from West Virginia is making an amazing statement.

Mr. FESS. He certainly is.

Mr. VANDENBERG. I wonder if I have correctly understood it. Does the Senator from West Virginia state that we have already negotiated with Colombia, through our State Department, a reciprocity treaty which could not be made effective unless this bill should be passed?

Mr. HATFIELD. That is my understanding; and my understanding is based on the conversation I had by telephone with the Assistant Secretary of State, Dr. Sayre.

Mr. VANDENBERG. In other words, the Senator is stating that without waiting for congressional approval of this revolutionary grant of power to the Executive a treaty already has been negotiated, in advance of obtaining such power?

Mr. HATFIELD. Not only is that true, if the Senator from Ohio will permit me——

Mr. FESS. I yield.

Mr. HATFIELD. But I understand that there is a tacit agreement between the State Department authorities and the authorities of Germany whereby, if this reciprocal legislation shall be passed, the United States will exchange so many million pounds of lard for so many dyes that will be manufactured by German chemists instead of being manufactured in the United States of America, as is the case at the present time.

Mr. VANDENBERG. I hope the Senator will persist in his proposal to inquire by resolution whether there are any existing commitments in the State Department in respect to this subject.

Mr. HATFIELD. I may say to the distinguished Senator from Michigan that I am having the resolution prepared, and it is my purpose to submit it tomorrow.

May I make a further observation?

Mr. FESS. Just a moment. The serious thing is not that such a treaty is being framed but that a Senator is denied, by a responsible member of the State Department, the opportunity of knowing what the treaty is. That is a serious situation; and I do not think there is any Member of this body who will not say that we want all the facts with regard to it.

Mr. HATFIELD. I may say to the Senator from Ohio that the office of the Secretary of State has made the record, and it is to be found in the CONGRESSIONAL RECORD of May 1. I may say further to the Senator, respecting the imports that heretofore have come from Colombia to the United States, that 90 percent of them are represented by coffee and crude oil.

Mr. LONG. Mr. President, before the Senator from West Virginia takes his seat, let me inquire whether the Senator understands that a large quantity of tallow is about to be moved into this country, and that there have been tentative negotiations along that line? I have received, through

such sources as were available to me, the information that negotiations are in process to move a large quantity of tallow into this country.

Mr. HATFIELD. Mr. President, I have not had any information upon that subject; but I have good reason to believe that there are many movements in the direction of reciprocal treaties which will involve not only the agricultural industries of this country but the chemical industry and many other industries.

Mr. FESS. Mr. President, if the Senator from West Virginia is correct in the understanding of this matter that he has expressed, it is positively the most astonishing thing that has come to my attention. I have never said, here or elsewhere, very much about the trend toward assumption of Executive authority. I have felt it deeply; and the evidences are cumulative that we are rapidly drifting into a stage of assumption of Executive authority that the country will not tolerate. This is one of the items. It is an absolutely unbelievable thing to me.

Now, I shall proceed with the history of what is known as the "McKinley reciprocity proposal."

The McKinley Tariff Act was approved October 1, 1890, and contained provisions for reciprocity through penalty duties prescribed by Congress itself on five specified commodities—sugar, molasses, coffee, tea, and hides—which were to be imposed automatically when these commodities were imported from countries whose duties on American products were, in the opinion of the President, "reciprocally unequal and unjust." Please note that these provisions were punitive, embodying penalty duties. Thus the reciprocity provision of the act of 1890 was based on the principle of penalizing, not on that of promising tariff reductions in return for supposititious and dubious concessions. That proposal was legislative and not Executive, and it was punitive to insure protection, not to abandon it.

Ten reciprocity agreements were arranged under the terms of the McKinley Act, most of them being designed, especially on the part of Germany and some other countries, to obtain the advantage of shipping beet or cane sugar into our market free of duty.

In 1892 Grover Cleveland was for the second time elected President, and with him a Democratic House and Senate. A tariff bill was introduced in December 1893 and approved October 3, 1894. This Democratic tariff law of 1894 repealed the reciprocity provisions of the act of 1890. The report of the Ways and Means Committee declared that these provisions had brought "no appreciable advantage to American exporters." Further to insure the repeal of the reciprocity provisions of the McKinley law, the House of Representatives passed a resolution specifically providing for repeal.

The Republicans regained control in 1896. In the meantime popular sentiment for reciprocity had gained headway, and the Dingley Tariff Act of 1897 reincorporated provisions designed to secure reciprocal concessions and advantages. The President was authorized, by specific legislation enacted by Congress, to negotiate with the governments of countries exporting argols, crude tartar, brandies, wines, paintings, or statuary with a view to the arrangement of commercial agreements in which reciprocal and equivalent concessions might be made.

John A. Kasson, of Iowa, was appointed a special commissioner to negotiate agreements under the provisions of the act. In December 1899 the Kasson treaties were submitted to the Senate; but no action was taken in 1900 and 1901 beyond extending the time limit for ratification. Mr. Kasson strongly supported ratification, contending that the treaties were unquestionably consistent with the principles of protection; that the United States was not sufficiently sure of its foreign markets to abandon a policy of reasonable protection for its home market; but he contended the home market was so safeguarded for American producers as to justify moderate concessions to aid the export trade. Disheartened by the failure to ratify the treaties, Mr. Kasson resigned in March 1901. Action on the treaties was abandoned, and no mention of reciprocity was contained in President Theodore Roosevelt's message of 1904.

In 1903 the convention with Cuba was ratified.

In 1903 an agreement for special treatment of United State imports into Brazil was arranged.

In 1909 President Taft arranged with the Canadian Government for a reciprocity agreement between the United States and Canada, but Canada refused to ratify it in 1911.

This, in brief summary, recounts our experiments with reciprocal and bargaining tariffs. It is not a record that prompts us to look with favor upon President Roosevelt's prescription of bargaining tariffs for economic ills, and for the expansion of our foreign trade. We are now told that we can no longer rely upon the treaty route. It is too difficult to reach conclusions. Delay in ratifying treaties, or the failure of the Senate to ratify some proposed treaties, cannot justify, as is claimed by spokesmen of the administration, the abandonment of legislative precedents, the violation of constitutional limitations on the power of the Executive, and the abrogation of the rights and prerogatives of Congress, as proposed in this bill. If a treaty cannot win the approval of the Senate as the Constitution provides, it is far better that we have no such treaty, and it is surely no justification for unconstitutional procedure.

If a treaty affecting the mining, fishing, agricultural, or manufacturing industries of the country cannot obtain the consent and approval of the legislative branch of the Government, it is for the best interest of our country that we have no such treaty.

The unimpaired maintenance of our constitutional checks and balances as between legislative and executive functions, and the continuance of our democratic form of government, are of vastly more importance than foreign markets purchased at the sacrifice of our rights and liberties. As a general rule the negotiation of just and equal reciprocity treaties is an intricate, difficult, and exacting task. To be fair to all domestic and foreign interests involved is well-nigh impossible. Of such treaties as we have entered into in the past, few, if any, have proven satisfactory, and most of them soon outlived whatever usefulness they had. These results do not argue for speed, but rather caution and the taking of time. It is claimed that if we could rush into them more speedily, avoid the delays encountered in the past, eliminate the constitutional right and duty of the Senate to advise and concur, and confer upon the President the sole power to negotiate and approve the compacts, we would be equipped with an instrumentality to solve the economic problems of a troubled world.

Mr. President, it is this trend which must be alarming to every student of our American system. I wonder how many people realize how far we have drifted away from the constitutional barriers, checks, and balances which hold nicely in their relationship the judicial and legislative branches of the Government.

I was tremendously impressed with the possible involvement of President Roosevelt's closing address to the House of Represenatives and the Senate in joint session, when, appearing before us to ask for a certain type of legislation, he made the statement frankly that what we needed in this country, in contradistinction to the equal power of the coordinate departments, was a union of these departments. Those were his words.

Where is the student who can comprehend the full meaning of that? It is the comment not only of American authors, but the best foreign opinion which ever expressed itself on the American system of government, that the one outstanding differentiation between ours and all other governments is that this is the one Government which maintains a strict independence of each of the three coordinate departments, where there is an interdependence in relationship, but an entire independence in the exercise of their functions. That differentiates ours from every other government on earth today.

Consider Great Britain. What is the power of the King in Britain today? The power there is the House of Commons. Once it was "The *King*, the Lords, the Commons." Later it became "The King, the *Lords*, the Commons." But today it is "The King, the Lords, the *Commons*." That is because the House of Commons have all the power in the British Empire today, both legislative and executive.

Mr. HATFIELD. Why "the Commons"?

Mr. FESS. It is because of the drift toward giving more voice to the people who are represented in the Commons. Here in our own country, born out of the struggle between the executive and the legislative, there is this differentiation, which maintains the absolute independence of the various departments in the exercise of the functions assigned to them.

Why was Thomas Jefferson so bitter against the aggressions of Great Britain? I will state the reason, which all Senators will readily recall. The Legislature of the State of Virginia, of which Thomas Jefferson was a member, was adjourned by a provincial governor appointed by the British King. The great apostle of local government and individual liberty in government, sitting as the elected representative of his own people, to legislate for their welfare, was sent home. By whom? By an officer appointed by the King of Great Britain. That was only one of the incidents which led to a jealousy on the part of our people to maintain a strict relationship between the three coordinate departments. Whatever might have been in the mind of President Roosevelt when he commented upon the change of relationship between the legislative and the executive, when he said that what we need is a union of them, the possibilities are tremendously significant.

There has been much said about the trend toward Executive authority. I am the last who would charge, here or elsewhere, that the President of the United States wants to be a dictator. I do not believe it. But I do say that I am greatly distressed over the step-by-step progress by which we are getting away from the legislature, gradually giving the power over to the Executive.

Mr. President, let me illustrate what I mean; and I am glad to have my learned friend the Senator from Maryland [Mr. TYDINGS] listening to what I am saying, because I know that he and I do not differ very widely in respect of what is in my mind.

These departments have been so sharply differentiated, and they are so jealous of their prerogatives, that the President is always confined in his legislative functions to the signing of a bill or vetoing it, and any effort toward dictating what shall be done, anything beyond a message to inform the people of the state of the Union, is always resented.

For the last 20 years we have been drifting away from that standard, but we have never reached such a stage as that in which we now are. Let me illustrate:

A few days ago a message from the President was read concerning a problem of legislation. The moment the clerk ceased the reading and the message had been ordered referred to the proper committee, the chairman of the committee to which the message had been ordered referred, rose in his place and presented a bill, which had been framed at the White House and sent here, carrying out the principles written in the message. In other words, we are in an emergency situation. We are doing things none of us would endorse. The only excuse is that "These are emergencies, and we have nothing else to do. The President wants us to do it. The American people are back of the President, and therefore we are going to do it."

We get the President's advice; and not only that, but the bill is written at the White House, and then we undertake to put it through as it is written.

Think of doing a thing of that kind 25 years ago! Think of coming before either House of Congress with a bill sent from the White House! It would have created such a furore that it would not have gotten anywhere. Today, however, we say there is nothing else to do; that the President has the responsibility, and the President ought to have the power. He has with him counselors. They ought to be the best. If he believes this is the thing to do, all we will ask him to do is to send it to us, and we will put it through.

That is not wise. We say it is limited to emergencies. Every now and then people raise the question whether or not we are totally abandoning our fundamental American principles. I think we are slipping along that way. Step by step we are doing it.

One of the key men of the present administration appeared in my home town to speak to the students of the college of which he had been a professor before he was given his position in the Government. In that speech he used language which has been used by many of the key men of the Executive Department. He talked about revolution. A friend of mine read a report of the speech in a local paper, and as the two men were very warm friends, my friend wrote to the speaker and said he hoped he was being misquoted. In the letter sent to the speaker who talked revolution, my friend used this language:

> I am convinced that the propaganda of revolution by those temporarily in positions of administrative authority is doing much to defeat recovery. The President, in his recent New York address, stressed the harm being done by fear, and the necessity of substituting confidence for fear before recovery becomes a reality. This is true. Recovery will be unattained as long as fear is the motive of action. No instrumentality can more effectively entrench fear in the minds of men than to promote the idea that this administration stands for revolution.

Then the writer added:

> But I wish to express a thought beyond the fact that such actions are retarding recovery. I, together with millions of Americans, regardless of party, or race, or belief, am giving unswerving loyalty to this administration and to its efforts for recovery. If, under the cloak of this loyalty, this administration is promoting the purposes of revolution rather than of recovery, then a different issue is presented to the country. It is an issue of such unprecedented importance that it should be decided by the country and not imposed upon it by administration officials.

That was written to a leading figure, a man prominent in this administration, in commenting upon his address at the college.

I now read from the letter of this key man, written in reply to the writer of the letter from which I have just read:

> I must say that I was somewhat surprised by your letter of the 17th.
>
> Apparently you did not take Franklin Roosevelt seriously when he promised that if elected he would inaugurate a new deal. Knowing Roosevelt, I knew that when he said that he was for a new deal he meant a new deal and not a return to the old methods and the old evils. Certainly when the people of the country swept him into office and swept the old dealers out, they were voting for a change in economic arrangements and not for a return of the old economic order.
>
> * * * * * * *
>
> In the face of these revolutions we have attempted to conduct our economic life with a set of individualistic ideas adapted to conditions that existed in preceding centuries. The result was bound—

Note this language:

> The result was bound to be antisocial, and, as it turned out, also immoral and irreligious. It is natural, therefore, for those of us who really believe in the new deal to speak of it as a revolution; for we know that the recovery that you seem to think we should aim at is only a return to the old speculation which is to bring again in turn the old depressions and ruin in its wake.
>
> Whatever you may think of President Roosevelt's new deal, you certainly cannot accuse him of misleading the people of the country into thinking that all he wanted was recovery of things as they were. He referred the other night over the radio to the "edifice of recovery" that his administration was attempting to construct—

And so on.

This man, who happens to be a personal friend of mine, who is a very brilliant scholar, and who is a great social force in America, and who was called to Washington because of his great prestige, makes no apology. He wanted to get away from what he said is antisocial, immoral, irreligious. What is it? It is the capitalistic system, it is the individualistic system which he is against. People say to me, "Why, this is not the abandonment of any principles in the United States." I am afraid it is.

In view of the fact that I read part of this letter, I think I ought to read the second letter which my friend wrote to this key man in Washington, who, as I said, is also a friend of mine:

> Your revolution, taking from the people their liberties and substituting therefor the State's power, is not a new deal but an old deal which in the experience of humanity has heretofore been a bad one. Such historical inaccuracy affords little basis for confidence in one's ability either to properly appraise the present or to mold the future.

I cannot agree with such an appraisal of the life of America or of western civilization. It is true that society is not static, and that a free society such as has obtained in America, infused as it is with the principle of living growth, is subject to change and evolution. It is likewise true that society is never perfect, and that every period of our history had had and will have its attendant evils. Those evils have been met and removed through the agency of reform, not of revolution.

And so on.

I have read this letter publicly now for the first time, although it has been in my possession since November 1933 during all this talk about Dr. Wirt and Professor Tugwell and the others who are constantly quoted here.

Mr. President, is there anyone who does not see a suggestion of revolution in the statement that this is an antisocial, immoral, irreligious civilization of ours which must be reformed? Some persons call it "bloodless" revolution. We have suggestions coming to us to pass over to the President such powers as we have been giving him. We have suggestions to give to the Secretary of Agriculture the power we gave him under the Agricultural Adjustment Act, and after 10 months of the most dismal experience we are supplementing it by compulsion, until we are saying to the farmer, "the time will be here when you cannot put a plow in your field or turn a furrow without first getting advice from Washington."

The proposal now is to give to one man or a set of men the power to agree to suspend laws; and then, when such agreements shall be approved by the President, they become the fair-trade practice and have the force of law with the power of imposing a penalty not in the courts, not by a jury, but by the enforcer of the code. Do you say, Mr. President, that does not mean anything; that that is not a trend away from American ideals? It is the most amazing course any nation ever undertook, especially a nation such as ours.

That, Mr. President, is not the only thing that has been done or said. I presume that Dr. Tugwell is one of the clearest-headed thinkers of the numerous experts who have been brought to Washington. Dr. Tugwell has been a rather copious writer as well as a frequent speaker. Nobody, as a rule, can fail to understand him, because he speaks very clear English. In a recent book Dr. Tugwell says:

The flow of new capital into different uses would need to be supervised. * * * If there were a system of planning * * * which allocated to specific industries capital sufficient to produce an amount of goods which would be taken by consumers at the price possible with capacity production, and no more, prices could be lower than they are at present. The surplus-investment capital could then be assigned to other industries.

There is a suggestion, Mr. President, coming from what is pretty generally known as one of the brilliant minds connected with the group of experts here advising the President, that we ought to have a national planning system, with authority in Washington to say how much capital may go to this industry, how much to that, and how much to the other; and that it should be allocated. Think of the possibilities. Could such a plan be hatched in a brain in America with the background of American liberty? My God, what would be the thought of such a man as Thomas Jefferson, if he were alive today, on hearing the doctrine proclaimed that, if a man wants to go into business, the capital to be put in the business is to be allocated to him by authority of the Government?

Then the second principle that Dr. Tugwell enunciates is:

Prices would have to be controlled.

There is price fixing. The citizen is not only told how much he may sow, but how he will reap it; how much he will keep for home consumption; what part he may sell, at what price he may sell it, to whom he may sell it, and under what conditions he may sell it. That is a fine situation, is it not—price fixing?

Third—

Industrial associations are to be set up which must receive certificates of convenience and necessity from the Government, with authority to fix conditions of competition, maximum prices, and minimum wages, working under a control board.

The further you go the worse it gets.

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

The PRESIDING OFFICER (Mr. LOGAN in the chair). Does the Senator from Ohio yield to the Senator from West Virginia?

Mr. FESS. I yield.

Mr. HATFIELD. Has the distinguished Senator from Ohio any idea as to the amount of money expended by different industries in America yearly in the way of experimentation in order to develop the highest efficiency and to unfold and reveal new processes and uses, all for the welfare of the country?

Mr. FESS. I do not have the figures, but they are tremendously large, I know.

Mr. HATFIELD. I will say to the distinguished Senator from Ohio that chemical research and control for the chemical industry and the chemical processing industries is estimated to approximate $75,000,000 to $100,000,000 annually. In fact, Mr. President, there are few, if any, industries in America that could operate successfully without the chemical equation entering into their manufactures. This large sum for research has for its purpose the unfolding of the undeveloped equations in chemistry, thus giving to the American people since the World War a chemical industry sufficient for domestic needs.

Mr. FESS. Mr. President, I wonder what would be the future of the chemical industry if, instead of its being under the large impulse of aspirations for profit, it were put into the deadening hands of Government and made a regimented industry? Where would it then get? It would be under such an influence as that said to be exercised by the peculiar bird of Australia which, reaching a sleeping citizen, gradually fans him into complete forgetfulness from which he never awakens. That is the situation we are in; and here is the keyman of the present administration offering such contemptible ideas to America; and yet it is said that we are not drifting away from American ideals. I will have something more to say about that later on, not today but at some other time; I am too full for utterance just now.

Mr. President, I now quote from a Representative in Congress who came before the Committee on Ways and Means asking for this proposed legislation:

The situation the world over at this time, as I understand it, is that all of the other countries practically are in a position now, under the tariff system in vogue in those countries, to act promptly through their ministerial or executive branches of the government and to negotiate trade agreements, and we alone are standing out here with such rigidity in our tariff policy that we cannot act fast enough to protect ourselves.

That seems to be one of the spurs which are used for the purpose of urging action on this bill.

In reply to that interrogative statement, Secretary Wallace said:

Yes, sir. Secretary Hull made that point abundantly clear this morning.

I am quoting from Committee on Ways and Means hearings, part I, page 49.

Assistant Secretary of Commerce Dickinson urged the conferring of this tariff power upon the President, "where", as he said, "it can be exercised with speed and promptness." (Ways and Means hearings, pt. 3, p. 30.)

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

Mr. FESS. I yield.

Mr. HATFIELD. The Senator is aware of the fact that the distinguished Secretary of State when a Member of this body introduced a measure repealing the flexible-tariff provision of the present tariff act?

Mr. FESS. Yes; I remember that, and I think I referred to it in the earlier part of my address. Such a program accentuates the dangers of the proposal to grant this power to the President. It denies to domestic industries fair warning of contemplated changes in the tariff duties under which they plan and conduct their business.

If speed is what is needed and if secrecy is essential, then sacrifice is bound to result. It threatens labor with sudden dislocation and unemployment. It aggravates instead of assuages the troubles and unrest of our citizens and intensifies the dangers inherent in tariff bargaining. It multiplies the faults of the old method and retains none of its

merits and safeguards. It involves such grave possibilities that haste should be avoided. I commend the warning of Abraham Lincoln.

As though conscious that this is true, Secretary Hull said in his testimony before the Ways and Means Committee, part I, page 4:

> It can be stated with emphasis that each trade agreement undertaken would be considered with care and caution, and only after the fullest consideration of all pertinent information. Nothing would be done blindly or hastily. The economic situation in every country has been so thoroughly dislocated and disorganized that the people affected must exercise patience while their respective governments go forward with such remedial undertakings as the proposed bilateral bargaining agreements.

Assistant Secretary of State Sayre said that care, caution, and research would be necessary before negotiations are completed. "The agreement is not going to be made", he said, "until both sides are convinced that there is a sound basis for a trade." (Ways and Means hearings, pt. V, p. 5.)

The argument that this reciprocal trade proposal is necessary to expedite reciprocal tariff bargaining and introduce a new element of speed and promptness into the negotiations is refuted by the admissions of the spokesmen of the administration.

Instead of speed they now suggest a thorough study; instead of rapidity they propose research; instead of promptness they urge patience. In spite of these assurances of caution, the pending proposal carries Executive authority to tax our people by a charge of duty without survey and recommendation of any sort and even without hearing on the part of the citizens to be affected.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield?

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

Mr. FESS. I yield.

Mr. ROBINSON of Arkansas. Does the Senator take the position that such hearings as may be had should be public?

Mr. FESS. I should think so. I will say to the Senator from Arkansas that in matters of an international character where treaties are involved there ought to be an element of secrecy, but when it comes to matters of bargaining or trade, I think open covenants openly arrived at would be the better plan.

Mr. ROBINSON of Arkansas. Why does the Senator distinguish as to hearings between a treaty and an executive agreement? The object of an executive agreement is to make a mutually favorable bargain between the two contracting nations. Does not the Senator realize that if the matter were to be heard in public and at length it would tend to embarrass both the governments which were prospective parties to the agreement and thus prevent the accomplishment of the purpose in mind?

Mr. FESS. I think the Senator is drawing a wrong conclusion. Where we are dealing with the tariff we are affecting individuals all over the country involved in the particular industry with which we are dealing, and that ought not to be done in secret.

Mr. ROBINSON of Arkansas. Of course, if the hearings which are to be held should proceed in the open it would place both parties to the contract at a very great disadvantage with respect to the desires and interests of other nations which are competitors of the contractors in commerce. In other words, if we made public all the details of the proposed bargain, the competitors would attempt to anticipate our success by seeking to obtain a bargain for themselves.

Mr. FESS. I do not agree with the conclusion the Senator has stated.

Mr. ROBINSON of Arkansas. Does the Senator feel that all hearings should be public?

Mr. FESS. I think all hearings dealing with matters like the tariff, or, let us say, trade agreements, ought to be public.

Mr. ROBINSON of Arkansas. What I cannot understand is why the Senator distinguishes between the tariff and other matters of public concern.

Mr. FESS. There is a wide difference where there is involved a principle of proper international relationship which might contemplate some delicate question which ought to be considered in secret. I have always recognized there is strength in that contention. But where it is a matter of bargaining for a tariff agreement, where we grant some concession and receive some concession, then the hearings should be conducted in the open.

Mr. ROBINSON of Arkansas. Where a mere trade agreement between two nations is involved, does the Senator feel it is to the advantage of those seeking to enter into the bargain to advise their competitors fully of all they have in mind?

Mr. FESS. Whatever might be accomplished in secrecy, if thereby an error be committed, such error could be avoided if the negotiations had not been conducted in secrecy. I think I am justified in my contention that tariff bargaining should not be conducted in secrecy.

Mr. President, in the light of these facts, with all the efforts of the proponents to overcome the solid objections of the producers and wage earners of the country, to mitigate the dangers of their proposal, and to conciliate the opposition to their program, the pending measure still remains a menace to cordial international relations and a threat to many domestic industries.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield further?

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

Mr. FESS. I yield.

Mr. ROBINSON of Arkansas. The Senator realizes, does he not, that our competitors for foreign commerce have been indulging their right to enter into executive agreements or into arrangements similar to the executive agreements contemplated by the pending measure, and that they have already obtained very great advantages over our Government by reason of the agreements which they have heretofore made?

Mr. FESS. And because they did that, ought we to do the same thing?

Mr. ROBINSON of Arkansas. The Senator does not assume that circumstance has caused hostility on our part toward the foreign nations so promoting their own advantage, does he? Why should we assume that if we shall pursue the course to which they have resorted we will give an affront when they have given us none?

Mr. FESS. I think it is much wiser for us to pursue the American idea than to borrow anything which European countries are practicing. Their interests are not ours.

Mr. ROBINSON of Arkansas. Under that course, which has prevailed during the last few years, all international commerce has been dwindling and our foreign commerce has been shrinking more rapidly and out of proportion to the foreign commerce of our competitors.

Mr. FESS. It is very obvious that the Senator from Arkansas was not present when I discussed that phase of the subject, because that situation is easily explained.

Mr. ROBINSON of Arkansas, If the Senator from Ohio will permit me, the Senator has been speaking now 4½ hours and it has not been possible for me to be present all the time, nor would it be possible for me to remain in constant attendance if he should choose to speak 4½ hours more.

Mr. FESS. I apologize to the Senator. I am likely to speak 4½ hours more if the Senator from Arkansas pursues his present course.

Mr. President, in the light of these facts, with all the efforts of the proponents to overcome the solid objections of the producers and wage earners of the country, to mitigate the dangers of their proposal, and to conciliate the opposition to their program, the pending measure still remains a menace to cordial international relations and a threat to many domestic industries. Abroad it will arouse jealousies and animosities among nations now on friendly terms with us, alienate those nations not included in the agreements or benefited by the bargains, and involve us in international complications and controversies. In this

country it will foster ill feeling and discontent among those whose business and employment are sacrified in the supposed interest and for the presumed benefit of other groups and other industries. It flaunts the traditional democratic theory of equal opportunity for all and special privileges for none and runs directly counter to the established American policy of equality of treatment for all nations, which is a basic principle of the American tariff policy.

The people of this country are not willing to abandon the American system and adopt the European system. They will not surrender the protective tariff for a bargaining tariff. They will not approve reciprocity negotiations that are not consistent with the principle of protection, and within the limits of the Constitution. They will not substitute an international game of "you scratch my back and I will scratch yours" for our historic policy of equality of treatment for all nations and adequate protection for our own labor and industries.

America will not barter its birthright for a mess of pottage. It will not surrender constitutional government for a personal government. It will not scuttle the Republic and set up a political or an economic dictatorship.

MESSAGE FROM THE PRESIDENT—APPROVAL OF BILLS AND JOINT RESOLUTION

A message in writing from the President of the United States was communicated to the Senate by Mr. Latta, one of his secretaries, who announced that the President had approved and signed the following acts and joint resolution:

On May 15, 1934:

S. 2313. An act providing for the suspension of annual assessment work on mining claims held by location in the United States and Alaska.

On May 17, 1934:

S. 8. An act to add certain lands to the Boise National Forest; and

S. 3144. An act to legalize a bridge across the Saint Louis River at or near Cloquet, Minn.

On May 18, 1934:

S. 696. An act to authorize Frank W. Mahin, retired American Foreign Service officer, to accept from Her Majesty the Queen of the Netherlands the brevet and insignia of the Royal Netherland Order of Orange Nassau;

S. 2080. An act to provide punishment for killing or assaulting Federal officers;

S. 2249. An act applying the powers of the Federal Government, under the commerce clause of the Constitution, to extortion by means of telephone, telegraph, radio, oral message, or otherwise;

S. 2252. An act to amend the act forbidding the transportation of kidnaped persons in interstate commerce;

S. 2253. An act making it unlawful for any person to flee from one State to another for the purpose of avoiding prosecution in certain cases;

S. 2575. An act to define certain crimes against the United States in connection with the administration of Federal penal and correctional institutions and to fix the punishment therefor;

S. 2841. An act to provide punishment for certain offenses committed against banks organized or operating under laws of the United States or any member of the Federal Reserve System; and

S.J.Res. 36. Joint resolution authorizing the President of the United States of America to proclaim October 11, 1934, General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 1328. An act to provide for the donation of certain Army equipment to posts of the American Legion;

S. 1882. An act to authorize the Secretary of the Interior to issue patents for lots to Indians within the Indian village of Taholah, on the Quinaielt Indian Reservation, Wash.;

S. 2042. An act to establish a department of physics at the United States Military Academy at West Point, N.Y.;

S. 2442. An act for the protection of the municipal water supply of the city of Salt Lake City, State of Utah;

S. 2794. An act to amend the Longshoremen's and Harbor Workers' Compensation Act with respect to rates of compensation, and for other purposes; and

S. 3397. An act to amend the laws relating to the length of tours of duty in the Tropics and certain foreign stations in the case of officers and enlisted men of the Army, Navy, and Marine Corps, and for other purposes.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H.R. 7306) to amend section 10 of the Act entitled "An act extending the homestead laws and providing for right-of-way for railroads in the District of Alaska, and for other purposes", approved May 14, 1898, as amended.

The message further announced that the House further insisted on its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, and 15 to the bill (H.R. 8617) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1935, and for other purposes; further insisted on its amendments to Senate amendments numbered 12 and 16 to the bill; agreed to the further conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. LUDLOW, Mr. GRANFIELD, Mr. SANDLIN, Mr. BUCHANAN, Mr. MCLEOD, and Mr. SINCLAIR were appointed managers on the part of the House at the further conference.

RECIPROCAL TARIFF AGREEMENTS

The Senate resumed the consideration of the bill (H.R. 8687) to amend the Tariff Act of 1930.

Mr. METCALF. Mr. President, I offer the amendment which I send to the desk. I shall not ask for a vote on it tonight; but I should like to have it read, so that it will appear in the RECORD.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. It is proposed to add, at the end of the bill, the following section:

SEC. —. The provisions of this act shall not be used in a manner which will withdraw protection from American workers against those countries which employ cheap labor or who operate under a standard of living which is lower than that prevailing in this country. To this end, the Bureau of Labor Statistics of the Department of Labor shall be required to ascertain differences in the wages of labor, and whenever the wages in the foreign country are 20 percent or more below the domestic wage no agreement may be consummated.

Mr. METCALF. Mr. President, ordinarily any discussion of this bill would lead to the age-old conflict between protectionists and free-traders. Today, however, the theory of protection is up against a strange and new protagonist. The protectionist is given no argument to combat; he is given no facts to prove right or wrong; he is given no ground upon which to prove the claim that protection is right. Instead, he is face to face with abstract and academic theories born in the brains of economists trained under ultra liberal tutelage.

Men who really accomplish things are men who deal in facts and not in abstractions. One Senator was for years an ardent champion of the theory of tariff for revenue only, until suddenly confronted by facts. He suddenly discovered that the copper workers of his State were face to face with the copper workers of foreign countries, and he found the mines and the smelters closing their doors, and whole towns destitute and decaying. He found the roofs of the copper-mine buildings of his State covered with copper sheeting from Chile, paid for by the very men who go into the bowels of the earth in his State and by the sweat of their brow attempt to compete with the men their earnings support.

Such things are facts, and no amount of theory or international reciprocity can correct them.

I should like to deal in facts as they concern the State of Rhode Island, not particularly because it happens to be my State, but because I am most familiar with it, and because I believe it to be representative of the industrial regions of the United States.

The population of the State of Rhode Island is 687,000, with an average of a little over 4 persons in each family. Two years ago, approximately 400,000 Rhode Islanders received their livelihood from the factory pay rolls. In other words, in excess of 95,000 persons were engaged in the manufacture of products for sale.

By far the largest manufacturing industry in the State of Rhode Island is the production of textiles; and in this pursuit there were 57,087 wage earners. In order of their importance, the textile mills produced worsteds, woolens, cotton goods, dyeing and finishing materials, silk and rayon, and lace.

The Secretary of Agriculture has declared, without objection on the part of any other official of the administration, that the manufacture of finer textiles in this country is inefficient and should be sacrificed in order that Belgium, France, and China may sell their textiles to this country. Specifically mentioned in the category of finer textiles is lace goods, in the manufacture of which are employed some 1,100 people in the State of Rhode Island. Two years ago 7,060 persons were engaged in the production of finer textiles other than lace goods, and of these the new deal has already threatened the jobs of some 2,000.

The second largest industry in Rhode Island is the manufacture of metal goods. Divided in order of importance is the manufacture of textile machinery, foundry goods, electrical machinery, and numerous other plants employing from 100 to 2,500 people. A few of these, particularly those engaged in the manufacture of instruments, ornamental ironwork, nonferrous metal products, and gold and silver metal work, have been marked as victims of reciprocity trade agreements. The employees of these industries are to be forced into competition with the employees in similar industries in foreign countries. While the number of employees thus affected is small in relation to the whole of the United States, they nevertheless constitute an important factor in the small community of Rhode Island. They total in number approximately 785.

The jewelry industry ranks third in importance in Rhode Island. Two years ago there were engaged in the manufacture of this product 6,829 persons. Of these, 438 manufactured optical goods; about 100 manufactured jewelry and instrument cases; 1,028 jewelers' findings; and 5,430 manufactured common jewelry. Parts of the jewelry industry will undoubtedly be slated for destruction under reciprocity treaties with the jewelry-manufacturing countries of Europe. Specifically, the importation of optical goods and of certain kinds of cheap jewelry will be encouraged, according to rumors already prevalent among the "brain trust" in Washington. In this category Rhode Island has approximately 1,100 employees.

My State also produces a quantity of rubber goods, which have already met disastrous competition from Japan. It is my understanding that some of the workers in Rhode Island rubber plants found that they could buy Japanese rubber shoes in the stores of Rhode Island for less money than the actual wages they received for the manufacture of such shoes. Under a reciprocity treaty reducing the tariff on these goods, the workers in the rubber industry of Rhode Island could easily be entirely eliminated. Already one of the largest rubber plants in the State has been forced to close its doors, and the homes of the workers are standing vacant, with hundreds of them receiving relief from the State and Federal Governments.

Under the theory out of which this tariff bill was conceived, a minimum of 5,585 Rhode Island workers would lose their jobs. Eleven hundred of these have for years been engaged in the manufacture of lace goods and have no other means of earning a living. The remainder are engaged in the manufacture of optical goods, jewelry, fine textiles, rubber goods, and certain fine metal products. The total number of persons dependent for their livelihood upon the pay checks of these people is over 20,000. Taking Rhode Island as a basic example of the working of the new tariff bill, we would find the jobs of 5,500 persons destroyed and the capital investments which gave them work made worthless.

In compensation for this act the "new dealers" expect an increase in our foreign trade. That is, in return for the money which we would pay Japan, France, Belgium, and other countries for their lace, rubber goods, silk, and jewelry, we should sell them other products, the manufacture of which would theoretically stimulate industrial activity and give work to additional people. In order for this to be successful it would be necessary for the surviving industries to absorb those persons made idle by reciprocal tariffs. It would be necessary for the woolens, worsteds, and cotton goods factories of Rhode Island to absorb some 1,500 employees who had been engaged in the manufacture of lace and other fine textiles. This is on the basis of employment 2 years ago.

We find that from 1929 to 1931 employment in the manufacturing industries of Rhode Island had decreased by 30,000 persons. Among those 30,000 persons are workers who have for years been trained in those industries which might survive reciprocity treaties. It would, therefore, be in the interest of industrial efficiency, as well as common justice, for the surviving industries to absorb the employees who were idle as a natural result of the depression before they could absorb the employees made idle by the artificial effects of tariff reduction and who would be people trained in other lines. By the use of simple logic anyone can conclude that the failure of 5,500 persons to produce lace or jewelry or rubber in order that foreign countries might sell these commodities in the United States could not by the wildest imagination make a market abroad for more than the actual products manufactured by 5,500 persons of equal productive power.

Even if we assume the theorists to be correct, and find that the woolen and worsted industries or the metal industry or some parts of the jewelry industry are able, by virtue of an increased foreign trade, to employ new workers to the extent of those made unemployed by the act which brought about this new foreign trade, it must follow that they would be drawn from the 30,000 persons who were taken from the pay roll of these industries between 1929 and 2 years ago. The natural result would be that we would have 5,500 unemployed citizens of Rhode Island, who are trained in specialized work, and many would find it too late in life to learn new trades. We would experience in the State of Rhode Island not only the destruction of the capital investment in those factories which would close, but as well, a depression in all other plants as a result of a lack of confidence in their fate from day to day, and from a loss of the margin of profit upon which all industry must depend for its very existence.

This is a most conservative prediction, and is based upon declarations of policy already made by officials of the administration who have designated certain industries in this country as inefficient. Actually the possibility of a loss in the industrial production of Rhode Island is much greater. One administration leader declares that "it ought to be evident that among articles the imports of which total less than 5 percent of domestic production, will be found fertile opportunities for a profitable trade bargaining to open closed markets to our products of farms and factories."

In analyzing this statement one can readily refer to the famous resolution requiring the United States Tariff Commission to furnish a list of such products from which the administration might choose those to be used for bargaining with foreign countries.

Further reiterating the policy of the administration, the Secretary of State declared that:

> In shaping its policy and executing its obligations under any agreement, each government should direct its first and greatest efforts toward eliminating the restrictions and reducing the duties which most clearly lack economic justification.
>
> Particularly (a) duties or restrictions which now completely or almost completely exclude foreign competition, such as those which restrict the importation of particular commodities to less than 5 percent of the domestic consumption thereof.
>
> (b) Duties or restrictions on articles whose imports have been substantially curtailed since 1929 as compared with domestic consumption.

This was made a declaration of policy by Secretary Hull at the Economic Conference in London and was again reiterated in the conference at Montevideo.

Thus we have two outstanding members of the administration stating the declaration of policy upon which this tariff bill would operate, and we find in the list of products from which would be drawn articles for trading with foreign countries many commodities manufactured in the State of Rhode Island. Among them are cotton goods, yarns and pile fabrics, wool and worsted goods, and silk and rayon manufactures.

Just what will happen as a result of reciprocal trade agreements in these particular industries cannot be predicted. However, it is significant that the cotton goods which I have mentioned, woven wool fabrics, cotton cloth, wool cloth, and silk fabrics, are on all three lists from which will be drawn articles for reciprocal bargaining. It is not unreasonable to assume that reciprocal treaties will be entered into which would more than offset any possible gain which the major industries might expect from favorable foreign-trade balances. It is a lamentable fact that plants manufacturing these products must go through a period of instability, and that those men who have spent their lives in building up a manufacturing business must have a complete lack of confidence in the acts of their government insofar as the prevention of disastrous foreign competition is concerned.

The State of Rhode Island should regard with serious concern the tremendous increase in importations from abroad. Last year bleached cotton cloth was shipped into the United States in the amount of 21,000,000 square yards, which is a record for all time. In fact it is 60 percent above the previous high record in 1929. Printed, dyed, and colored cotton cloth was admitted into the United States last year in the amount of 15,913,000 square yards, which was an increase of 16 percent above 1932. Cotton floor coverings were imported in the amount of 12,200,000 square yards last year, an increase of 126 percent above the year 1929. Cotton yarns were imported in the amount of 1,631,000 pounds, an increase of 29 percent over the year 1932.

The cotton-goods industries of my State cannot continue to face foreign competition of this nature. The tremendous inflow of cotton manufactures cannot help but make serious inroads on the employment of men in the State, and any hope of recovery will most certainly be retarded for many years should these industries be further forced to curtail their operations by reason of reciprocal tariff agreements entered into by men who have never seen a cotton mill.

As I have said before, the manufacture of wool goods is of tremendous importance to the citizens of Rhode Island. Over 25,000 people are normally employed in the woolen and worsted plants alone. Last year these plants witnessed the alarming spectacle of an increase of 88 percent in importations of wool yarns, 37 percent increase in importations of lightweight worsteds, 35 percent increased admissions of heavyweight worsteds, and 37 percent more general woolen goods. The same thing is true in silk manufactures and in the manufacture of knit wear, where the importations increased in 1933 on a range of from 11 percent to 22 percent.

Rhode Island has for a long time been a leading State in the manufacture of files and screws. A substantial percentage of the output of our factories has gone into the export trade. This business has felt severely the effect of the slump in international trade.

The average exportations of files and rasps from the United States between 1926 and 1930 was 2,261,000 dozen, which fell last year to approximately 1,000,000 dozen. Importation of files from Germany and Switzerland increased steadily from 1920 until the adoption of the present tariff law, after which importations fell off rapidly until at the present time only 30 percent of the number shipped into the United States in 1929 are in competition with the American file industry.

Importations consist of ordinary files from Germany and a class of small, fine files called "Swiss-pattern files" from Switzerland. Production of Swiss-pattern files is a specialty in United States industry and forms an important factor in the trade. While importations have never seriously endangered industries of this kind, nevertheless, the decrease in importations from 93,000 dozen in 1929, as a result of the Smoot-Hawley tariff, is of considerable importance to the profitable operation of our plants.

A similar situation exists in the manufacture of other small metal products in the United States, all of which are of first importance in the metal industry of Rhode Island. In the manufacture of such metal products the superior workmanship and superior methods of American plants have made it possible for us to compete with foreign countries, even with our higher wage scales. These industries deserve protection, and we should scrutinize with utmost care any move on the part of Washington professors to delve into the complex workings of the industry.

When the effect of the protective tariff is brought down to specific cases we have revealed facts which are alarming to any business man. Importations of that type of commodity produced in the manufacturing regions of the United States are already increasing. In the manufacture of cotton, the manufacturer is forced to add to his cost of production increased pay rolls as a result of code regulations and trade practices; he is forced to curtail his output of goods and at the same time to pay higher taxes and heavier prices for raw materials. Each of these factors is mounting rapidly, and we cannot expect to continue to build up the prices of domestic commodities if we are to compete with foreign countries.

With these facts in mind, I do not see how we can expect early industrial recovery, if we insist upon passing measures like the pending bill.

KING HILL IRRIGATION DISTRICT

Mr. BORAH. I ask unanimous consent for the present consideration of Senate bill 3151, to cancel certain Government liens on lands within the King Hill irrigation district, State of Idaho. I spoke to the majority leader about the bill this morning. I think there is no objection to it.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 3151) to cancel certain Government liens on lands within the King Hill irrigation district, State of Idaho, which had been reported from the Committee on Irrigation and Reclamation with an amendment, to strike out all after the enacting clause, and to insert in lieu thereof the following:

> That the Secretary of the Interior is hereby authorized to enter into a contract with the King Hill irrigation district, organized under the laws of the State of Idaho, by which said district and the United States shall rescind the agreements between them of March 2, 1926, November 14, 1923, January 11, 1922, June 17, 1920, and December 17, 1917, each party in such rescissory agreement to release the other from all obligations, accrued or to accrue, under the said five agreements, and the United States as a part of said rescissory agreement to quitclaim to the said district all the right, title, interest and estate of the United States in or to said King Hill reclamation project, including the water rights thereof and any real estate acquired or held by the United States in connection therewith.

Mr. BORAH. Mr. President, I do not think it is necessary to enter into an explanation of the bill, further than to say that the measure as it is now on the calendar was drawn in the Interior Department, and has the approval of that Department. It also has the approval of the Reclamation Bureau and the Budget Director. It provides for the cancelation of certain claims on a project in Idaho, the Government having concluded that it does not desire to proceed any further in the construction of the project.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

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

The title was amended so as to read: "A bill to convey to the King Hill irrigation district, State of Idaho, all the interest of the United States in the King Hill Federal reclamation project, and for other purposes."

VEHICLES FOR HIRE IN THE DISTRICT OF COLUMBIA

Mr. KING. Mr. President, I desire to make a brief statement with respect to a bill reported from the Committee on the District of Columbia.

As Senators are aware, recently there has been considerable criticism growing out of the fact that there have been numerous accidents as the result of the alleged negligence of taxicab drivers. In some instances, there is no provision for obtaining compensation, as many of them are not financially responsible and do not carry insurance. The matter was inquired into very carefully in the Senate Committee on the District of Columbia, and a bill was unanimously reported providing for the carrying of insurance by those having licenses as public carriers within the District.

I ask unanimous consent for the present consideration of Senate bill 3032, the measure to which I refer.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. McNARY. Mr. President, does the bill involve taxicab bonds?

Mr. KING. It requires of operators and owners that they obtain the usual insurance to operate taxicabs.

Mr. McNARY. Did the committee hold hearings?

Mr. KING. A subcommittee was appointed, and I understand that hearings were held on the subject, and that the question was fully considered.

Mr. McNARY. And the committee unanimously reported the bill?

Mr. KING. Yes.

Mr. McNARY. I have no objection to the consideration of the bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Utah for the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 3032) to require financial responsibility of owners and operators of vehicles for hire in the District of Columbia, and for other purposes, which had been reported from the Committee on the District of Columbia with amendments, on page 1, line 4, after the word "require", to strike out "any and all corporations, companies, associations, joint-stock companies, or associations, partnerships, and persons, their lessees, trustees, or receivers, appointed by any court whatsoever", and insert "all owners"; on page 2, line 5, after the word "insurance", to strike out "in a solvent and responsible surety or insurance company authorized to do business in the District of Columbia"; in line 8, after the word "payment", to strike out "to any person"; in line 9, after the word "such", to strike out "corporations, companies, associations, joint-stock companies or associations, partnerships, and persons, their lessees, trustees, or receivers, appointed by any court whatsoever, or renters of their cabs" and insert "owner or his agent, lessee, employee, or renter"; in line 14, before the word "to", to strike out "injury" and insert "damage"; in line 16, after the word "such", to strike out "motor cabs or other vehicles" and insert "vehicle"; in line 18, after the word "terms", to insert "and/"; in line 19, after the word "the", to strike out "Commission" and insert "Public Utilities Commission of the District of Columbia"; on page 3, line 4, after the word "respective", to strike out "judgments. Any such policy of liability insurance shall be issued only by such insurance companies as may have been approved by the Commission, and any such bond or undertaking shall be secured by a corporate surety approved by the Commission. No such bond or policy of insurance may be canceled or terminated unless not less than 20 days prior to such cancelation or termination notice of intention so to do has been filed in writing with the Commission", and to insert "judgments: *Provided, however,* That such bond or bonds, or policy or policies, of insurance shall contain a provision for a continuing liability thereunder notwithstanding any recovery thereon"; at the end of section 1 to insert the following new sections:

SEC. 2. That the bond or bonds, policy or policies, of insurance required by this act shall be issued only by such company or companies as shall be certified to the Public Utilities Commission of the District of Columbia by the superintendent of insurance of the District of Columbia as hereinafter provided, except the superintendent of insurance shall not certify to the Public Utilities Commission that a company issuing insurance policies or surety bonds under the provisions of this act is responsible, unless such company or companies shall have and maintain at all times, in addition to the reserve provided by law, an unimpaired capital, if a stock company, of $50,000; and if a mutual company, a surplus to the policyholders of not less than $50,000: *Provided,* That such company or companies shall be subject to the approval of the Public Utilities Commission.

SEC. 3. If, after the issuance of a certificate, it shall appear to the said superintendent that any company or companies are no longer trustworthy or financially capable of meeting their obligations, he shall withdraw from the Public Utilities Commission the certificate theretofore issued by him, and in such event the company or companies shall immediately cease to write any further bond or bonds or policy or policies of insurance under this act.

SEC. 4. No bond or policy of insurance written pursuant to the terms of this act shall be canceled or terminated by any insurance or surety company unless not less than 5 days prior to such termination or cancelation notice of intention to do so has been filed in writing with the commission.

And on page 4, line 19, before the word "It", to insert "Sec. 5"; in line 20, after the word "this", to strike out "paragraph" and insert "act"; in line 25, after the word "this", to strike out "paragraph" and insert "act"; on page 5, line 1, after "Sec.", to strike out "2" and insert "6"; and after line 5 to insert a new section, as follows:

SEC. 7. This act shall take effect and be in force 60 days from and after the passage and approval of this act.

So as to make the bill read:

Be it enacted, etc., That the Public Utilities Commission of the District of Columbia is hereby directed to require all owners operating, controlling, managing, or renting any passenger motor vehicles for hire in the District of Columbia, except as to operations licensed under paragraph 31 (b) of the act approved July 1, 1932, known as the "license act", and except such common carriers as have been expressly exempted from the jurisdiction of the Commission, to file with the Commission for each motor vehicle to be operated a bond or bonds, policy or policies, of liability insurance conditioned for the payment of any judgment recovered against such owner or his agent, lessee, employee, or renter, for death or for injury to any person or damage to any property, or both, caused in the operation, maintenance, use, or by reason of the defective construction of such vehicle. Any such bond or undertaking or policy of liability insurance shall be in such form and on such terms and/or conditions as the Public Utilities Commission of the District of Columbia may direct: *Provided,* That such bond or policy may limit the liability of the surety or insurer on any one judgment to $2,500 for bodily injuries or death and $500 for damage to or destruction of property, and all judgments recovered upon claims arising out of the same transaction or transactions connected with the same subject of action to $5,000 for bodily injuries or death and $1,000 for damages to or destruction of property, to be apportioned ratably among the judgment creditors according to the amount of their respective judgments: *Provided, however,* That such bond or bonds, or policy or policies, of insurance shall contain a provision for a continuing liability thereunder notwithstanding any recovery thereon.

SEC. 2. That the bond or bonds, policy or policies, of insurance required by this act shall be issued only by such company or companies as shall be certified to the Public Utilities Commission of the District of Columbia by the Superintendent of Insurance of the District of Columbia as hereinafter provided, except the Superintendent of Insurance shall not certify to the Public Utilities Commission that a company issuing insurance policies or surety bonds under the provisions of this act is responsible, unless such company or companies shall have and maintain at all times, in addition to the reserve provided by law, an unimpaired capital, if a stock company, of $50,000; and if a mutual company, a surplus to the policyholders of not less than $50,000: *Provided,* That such company or companies shall be subject to the approval of the Public Utilities Commission.

SEC. 3. If, after the issuance of a certificate, it shall appear to the said Superintendent that any company or companies are no longer trustworthy or financially capable of meeting the obligations, he shall withdraw from the Public Utilities Commission the certificate theretofore issued by him, and in such event the company or companies shall immediately cease to write any further bond or bonds, or policy or policies, of insurance under this act.

SEC. 4. No bond or policy of insurance written pursuant to the terms of this act shall be canceled or terminated by any insurance or surety company unless not less than 5 days prior to such termination or cancelation notice of intention so to do has been filed in writing with the Commission.

SEC. 5. It shall be unlawful to operate any vehicle subject to the provisions of this act unless such vehicle shall be covered by an

approved bond or policy of liability insurance as provided herein. The Commission shall have the power to make all reasonable rules and regulations which, in its opinion, are necessary to make effective the purposes of this act.

SEC. 6. Any violation of this act or of the regulations lawfully promulgated thereunder shall be deemed a misdemeanor and upon conviction shall be punishable by a fine of not more than $300 or by imprisonment for not more than 90 days.

SEC. 7. This act shall take effect and be in force 60 days from and after the passage and approval of this act.

The PRESIDING OFFICER. The question is on agreeing to the amendments of the committee.

The amendments were agreed to.

Mr. KING. Mr. President, without making a full explanation of the measure, I ask to have inserted as a part of my remarks several paragraphs of the report which was submitted by the Senator from Nevada [Mr. MCCARRAN], who was chairman of the subcommittee.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

The purpose of this bill is to require all owners operating, controlling, managing, or renting any passenger motor vehicles for hire in the District of Columbia to file with the Public Utilities Commission of the District of Columbia for each motor vehicle a bond or policy of liability insurance conditioned for the payment of any judgment recovered against such owner for death or for injury to any person or damage to property caused in the operation of such vehicle. Under the present law there is no requirement in the District of Columbia which protects the public from the negligent or careless operation of public vehicles for hire. The enactment of this legislation will eliminate from the public streets many cab owners and operators who are not financially responsible and are judgment-proof. The legislation will likewise prevent many persons from entering the public-utility field who are unreliable and financially unable to meet the demands made upon them in cases where judgments are rendered by the courts.

The bill requires that the owner or operator file with the Public Utilities Commission a bond or policy of liability insurance, but limits the liability of the insurance company or surety on the bond to $2,500 for bodily injuries or death and $500 for damage to property, with the further provision that such bond or insurance policy shall contain a provision for a continuing liability notwithstanding any recovery thereon. The bill further provides that the superintendent of insurance of the District of Columbia shall pass upon the bonds or policies of insurance and shall certify to the Public Utilities Commission that the company or companies issuing the bonds or insurance policies are responsible. The bill provides for a penalty for the operation of any motor vehicle for hire without complying with the provisions of the bill.

Approval has been given to the bill by many civic and other organizations of the District of Columbia, namely, the Federation of Citizens' Associations, the Washington Board of Trade, the Washington Chamber of Commerce, and others, as well as by the Public Utilities Commission of the District of Columbia, the Insurance Department, the Corporation Counsel, and the Board of Commissioners of the District of Columbia. The above organizations and bodies, as well as numerous others, endorse and recommend the passage of this legislation.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

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

RECIPROCAL TARIFF AGREEMENTS

The Senate resumed the consideration of the bill (H.R. 8687) to amend the Tariff Act of 1930.

Mr. HARRISON. Mr. President, does the Senator from Louisiana desire to speak on the bill tonight?

Mr. LONG. No.

Mr. HARRISON. Does the Senator from Oregon know of any Senator who does wish to speak at this time?

Mr. MCNARY. Not this evening. We shall have one or two speakers tomorrow.

RECESS

Mr. HARRISON. Then, Mr. President, I move that the Senate take a recess until 11 o'clock tomorrow morning.

Mr. MCNARY. Will not the Senator make that 12 o'clock tomorrow, in view of the fact that there are to be some important committee meetings and conferences?

Mr. HARRISON. Very well, Mr. President. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 58 minutes p.m.) the Senate took a recess until tomorrow, Tuesday, May 22, 1934, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

MONDAY, MAY 21, 1934

The House met at 12 o'clock noon.

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

Merciful God, our Heavenly Father, help us this day to fulfill the duties of our station; to bear any annoyances or trivial irritations; to put kindly construction on unkindly acts; to give of our best to the least; to love even the ungrateful. Enable us to do these things not for the praise of man but for the extension of Thy kingdom in human hearts and homes and for the sake of our Savior, whom we love, and all praise and glory be unto Thee forever. Amen.

The Journal of the proceedings of Thursday, May 17, 1934, and Sunday, May 20, 1934, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Horne, its enrolling clerk, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 9092. An act to authorize the Secretary of War to lend to the housing committee of the United Confederate Veterans 250 pyramidal tents, complete; fifteen 16- by 80- by 40-foot assembly tents; thirty 11- by 50- by 15-foot hospital-ward tents; 10,000 blankets, olive drab, no. 4; 5,000 canvas cots; 20 field ranges, no. 1; 10 field bake ovens, to be used at the encampment of the United Confederate Veterans, to be held at Chattanooga, Tenn., in June 1934; and

H.R. 9394. An act to authorize the Federal Radio Commission to purchase and enclose additional land at the radio station near Grand Island, Nebr.

The message also announced that the Senate had passed a bill and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 3586. An act for the relief of George A. Fox; and

S.Con.Res. 17. Concurrent resolution requesting the President to return to the Senate the bill (S. 3355) to authorize the coinage of 50-cent pieces in commemoration of the two hundredth anniversary of the birth of Daniel Boone, for the correction of an error therein.

The message also announced that the Senate disagrees to the amendments of the House to the amendments of the Senate to the bill (H.R. 8617) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1935, and for other purposes, nos. 12 and 16; further insists upon amendments to said bill, nos. 1, 2, 3, 4, 5, 6, and 15, disagreed to by the House; and requests a further conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. TYDINGS, Mr. BYRNES, Mr. COOLIDGE, Mr. HALE, and Mr. TOWNSEND to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 4253) for the relief of Laura Goldwater, disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BAILEY, Mr. LOGAN, and Mr. CAPPER to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the joint resolution (H.J.Res. 325) extending for 2 years the time within which American claimants may make application for payment, under the Settlement of War Claims Act of 1928, of awards of the Mixed Claims Commission and the Tripartite Claims Commission, and extending until March 10, 1936, the time within which Hungarian claimants may make application for payment, under the Settlement of War Claims Act of 1928, of awards of the War Claims Arbiter, disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. KING, Mr. GEORGE, Mr. WALSH, Mr. REED, and Mr. COUZENS to be the conferees on the part of the Senate.

SWEARING IN OF MEMBER

The SPEAKER laid before the House the following communication from the Clerk of the House:

MAY 21, 1934.

Hon. HENRY T. RAINEY,
Speaker of the House of Representatives,
Washington, D.C.

DEAR SIR: The certificate of election of Hon. J. Y. SANDERS, Jr., has been received, to fill the unexpired term of Hon. Bolivar E. Kemp, of the Sixth District of the State of Louisiana.

Very respectfully,

SOUTH TRIMBLE,
Clerk of the House of Representatives.

Mr. WILSON. Mr. Speaker, it is my pleasure to present to the House of Representatives Hon. JARED Y. SANDERS, Jr., Member-elect from the Sixth Louisiana District, and I request that the oath be administered.

Mr. SANDERS appeared in the well of the House and took the oath of office prescribed by law.

CORRECTION

The SPEAKER laid before the House the following concurrent resolution from the Senate:

Senate Concurrent Resolution 17

Resolved by the Senate (the House of Representatives concurring), That the President be requested to return to the Senate the bill (S. 3355) to authorize the coinage of 50-cent pieces in commemoration of the two hundredth anniversary of the birth of Daniel Boone, to correct an error thereon.

The resolution was agreed to.

HOMESTEAD LAWS FOR THE DISTRICT OF ALASKA

Mr. DEROUEN. Mr. Speaker, I call up the bill (H.R. 7306) to amend section 10 of the act entitled "An act extending the homestead laws and providing for right-of-way for railroads in the District of Alaska, and for other purposes", approved May 14, 1898, as amended, with a Senate amendment and move to concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out lines 1 to 20, inclusive, and insert "*Provided further*, That any citizen of the United States, after occupying land of the character described as a homestead or headquarters, in a habitable house, not less than 5 months each year for 3 years, may purchase such tract, not exceeding 5 acres, in a reasonable compact form, without any showing as to his employment or business, upon payment of $2.50 per acre, under rules and regulations to be prescribed by the Secretary of the Interior, and in such cases surveys may be made without expense to the applicants in like manner as the survey of settlement claims under the act of June 28, 1918 (40 Stat. 632), as amended by section 1 of the act of April 13, 1926 (44 Stat. 243): *And provided further*, That the minimum payment for any such tract shall be $10, and no person shall be permitted to purchase more than one tract except upon a showing of good faith and necessity satisfactory to the Secretary of the Interior."

The Senate amendment was agreed to.

CALENDAR WEDNESDAY

Mr. BYRNS. Mr. Speaker, I ask unanimous consent that business in order on Calendar Wednesday of this week be dispensed with.

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

There was no objection.

COMMITTEE ON BANKING AND CURRENCY

Mr. STEAGALL. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency may be permitted to sit this afternoon during the session of the House.

Mr. TRUAX. Mr. Speaker, reserving the right to object, I understand the purpose of this meeting is to report a bill that would be a substitute bill for the McLeod bill. Will the distinguished chairman of the committee give us some information as to whether that is so.

Mr. STEAGALL. I cannot say to the gentleman what action the Committee on Banking and Currency will take this afternoon. I may say to the gentleman that legislation in which he is interested is under consideration by the committee along with other measures, but I cannot anticipate the action of the committee or give assurances as to what will be done. I am not in position to say. That will be for the committee to decide.

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

Mr. TRUAX. Mr. Speaker, I object.

Mr. WOLCOTT. Will the gentleman withhold his objection a moment?

Mr. TRUAX. I withhold my objection.

Mr. WOLCOTT. I know the gentleman's views on this legislation, and the gentleman and other Members are acquainted with my views on the subject. I am a member of the committee, and I have gone over this matter very carefully with the Chairman of the Committee on Banking and Currency and with the gentleman from Michigan [Mr. BROWN].

Mr. TRUAX. Has the gentleman consulted the author of the McLeod bill?

Mr. WOLCOTT. I have, and I may say to the gentleman that this bill now under consideration by the Banking and Currency Committee can be made a good bill. I am convinced that we should get together with the administration in an attempt to get relief for the depositors in these closed banks. The gentleman and I have talked this over. I have talked the matter over with Mr. MCLEOD, and, although I cannot speak for him, I can say that we are heartily in favor of any legislation which will give relief to the depositors in closed banks. I hope the gentleman will not insist upon his objection. [Applause.]

Mr. BURKE of Nebraska. Mr. Speaker, I demand the regular order.

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

Mr. BYRNS. Mr. Speaker, may I make a statement to the gentleman? Surely the gentleman is not going to object to the committee sitting this afternoon to consider matters now pending before that committee.

Mr. TRUAX. I am not convinced that is the purpose of the meeting.

Mr. BYRNS. There is no other purpose in the world. The members of the committee desire to meet, and they are certainly entitled to meet, and I am sure the gentleman is not going to object to the members of the committee having a meeting this afternoon when the only object they have is the perfection of the bill referred to.

Mr. STEAGALL. I have stated to the gentleman from Ohio [Mr. TRUAX] the business before the committee. I cannot, of course, disclose to the gentleman things transpiring in executive meetings of the committee, and I cannot undertake to commit the committee to any action in advance. I can only make this request in order to expedite the business of the session.

Mr. TRUAX. Mr. Speaker, in view of the fact that the distinguished Chairman of the Committee on Banking and Currency and his colleagues have at last decided to take some action, I withdraw my objection.

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

There was no objection.

STATUES OF GEORGE WASHINGTON AND ROBERT E. LEE

Mr. WOODRUM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting the proceedings had in the rotunda of the Capitol on Friday night at the ceremonies in connection with the acceptance of the statues of Washington and Lee.

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

There was no objection.

Mr. WOODRUM. Mr. Speaker, I desire to here record in the permanent archives of the Government a brief description of the ceremonies and the addresses delivered in the rotunda of the Capitol on the evening of May 18, 1934. The occasion was ceremonies under the auspices of the Virginia delegation in Congress officially accepting, on behalf of the Government, the statues of George Washington and Robert E. Lee, which many years ago had been presented to the Government and placed in Statuary Hall.

As a matter of historic interest, I should like to recall briefly that about 30 years ago the State of Virginia,

through a committee from the Senate and House of Delegates from Virginia, procured and presented to the Government these two statues. The commission representing the State at that time was as follows:

From Senate of Virginia: Hon. H. T. Wickham, of Hanover; Hon. J. N. Opie, of Staunton; Hon. Thos. D. Gold, of Berryville; Hon. Edward Lyle, of Roanoke; Hon. Don P. Halsey, of Lynchburg.

From House of Delegates of Virginia: Hon. Richard B. Davis, of Petersburg; Hon. J. C. Featherston, of Campbell County; Hon. Geo. E. Sipe, of Harrisonburg; Hon. H. C. Rice, of Charlotte County; Hon. J. C. Gent, of Lebanon.

Of the above commission, only three members are still alive, to wit, Hon. H. T. Wickham, of Hanover; Hon. Don P. Halsey, of Lynchburg; and Hon. George E. Sipe, of Harrisonburg.

The statues were placed in Statuary Hall, but were never officially accepted by the usual procedure of the passage of a resolution of acceptance. When I came to Congress, I learned somewhat accidentally that Virginia's contribution to the Hall of Fame had never been officially accepted by the Government. I found upon inquiry that the reason assigned was that some objection had been made to the acceptance of the statue of Lee because he wore a Confederate uniform. After considerable discussion among my colleagues, I was led to believe that if there had been such feeling in other years, it had entirely passed away. On February 22, 1932, the two hundredth anniversary of the birth of George Washington, I introduced in the House of Representatives the following resolution:

House Concurrent Resolution 24

Resolved by the House of Representatives (the Senate concurring), That the thanks of this Congress be presented to the Governor and through him to the people of the State of Virginia for the statues of George Washington and Robert E. Lee, whose names are so honorably identified with the history of our country; that these works of art are accepted in the name of the Nation and assigned to places in the old Hall of Representatives already set aside by Congress for the statues of eminent citizens; and that a copy of this resolution, signed by the President of the Senate and the Speaker of the House of Representatives, be transmitted to the Governor of Virginia.

This resolution was duly reported out by the House Committee on the Library and placed upon the calendar. The first time it was called for consideration some objection was raised by one Member of the House, but on the second calling of the resolution it was passed by the House as originally drawn. This resolution was concurred in by the Senate.

The ceremony in the rotunda of the Capitol on the evening of May 18 was the official acceptance of these statues and was under the auspices of the Virginia congressional delegation all of whom were present and who are as follows:

CONGRESSIONAL DELEGATION FROM VIRGINIA

Senators: CARTER GLASS and HARRY FLOOD BYRD.

Representatives (at large): CLIFTON A. WOODRUM, ANDREW J. MONTAGUE, SCHUYLER OTIS BLAND, THOMAS G. BURCH, HOWARD W. SMITH, PATRICK H. DREWRY, COLGATE W. DARDEN, JR., JOHN W. FLANNAGAN, and A. WILLIS ROBERTSON.

Through the kind offices of the Architect of the Capitol, Mr. David Lynn, and his genial and efficient assistant, Mr. Arthur E. Cook, supervising engineer, very ample and sufficient arrangements were made for this ceremony. An audience of approximately 650 people, composed of distinguished citizens of Virginia and other States, Federal and State officials, Members of the House of Representatives and Senate from other States, and many visiting dignitaries of patriotic and fraternal organizations was present. The Marine Band orchestra furnished music. Appropriate floral decorations were furnished by the Department of Agriculture and the Botanic Garden, and the young ladies who are sponsors for the several congressional districts in the Virginia Society of the District of Columbia served as ushers. Preceding the formal ceremony an informal reception was held in Statuary Hall.

The program in the rotunda of the Capitol was introduced by our distinguished and beloved senior Senator from Virginia, Hon. CARTER GLASS. In opening the ceremony Senator GLASS said:

We come not to pay tribute to George Washington and Robert E. Lee, but to perform belated formalities in doing honor to Statuary Hall.

The presentation of the statues was by Gov. George C. Peery, of Virginia, who spoke as follows:

Mr. Chairman, Senator WALSH, fellow Virginians, ladies, and gentlemen, the Congress of the United States, by a resolution passed in 1864, designated the old assembly hall of the lower House as "National Statuary Hall." The resolution of Congress authorized the President to "invite all the States to provide and furnish statues in marble or bronze, not exceeding two in number for each State, of deceased persons who have been citizens thereof and illustrious for their historic renown or for distinguished civic or military services such as each State may deem to be worthy of this national commemoration."

The purpose to be accomplished met with hearty accord. The practical execution thereof met with some difficulty. The number of illustrious persons to be commemorated was limited to two from each State. This limitation of selection engendered differences of opinion in some States, resulting in delay in accepting the invitation of the President. In other instances doubt arose, following the animosities of war, as to whether the selection of some of the heroes of the South would be graciously received and approved by the Nation. Happily, in later years this feeling has been forgotten and the States, in response to the resolution, have from time to time made selections and sent statues of their heroic dead to take their place in the Nation's Hall of Fame.

It is difficult to appraise accurately the elements of greatness in persons whose character, virtues, and achievements widely differ. Perhaps it is well that the selections have not been limited to any one class or profession and that they have taken a wide range among those eminent in the several walks of life.

And so to this pantheon of fame have come the statues in marble or bronze of many of the Nation's great. "Where pilgrims from all parts of the Union, as well as from foreign lands, may come and behold * * * the actual form and mold of those who have inerasably fixed their names on the pages of history."

In this galaxy of the Nation's renowned, here and there, we find the figures of one whose fame rests upon military achievement. We see another who has won distinction by patriotic service and exalted leadership. From one State comes the statue of a great inventor. Another sends the kindly image of a French missionary, whose faithful work among the Indians, coupled with his daring and achievement as an explorer, entitled him to receive this chaplet of distinction.

From the Lone Star State came the marble likeness of a man in frontier garb, who was born in Virginia, later became Governor of Tennessee, and still later emigrated to Texas and became Governor and Senator from that great State.

Another State placed one of her crowns of distinction upon one of Indian blood, who invented an alphabet for the people of the Cherokee race.

From one of our Southern States came the statue of a beloved physician, who discovered sulphuric ether as an anæsthetic in surgery, and who declared that his profession was to him a "ministry from God."

To the State of Illinois belongs the distinction of contributing the first statue of an illustrious woman. She contributed the statue of Frances E. Willard.

After years had softened the feeling that arose from civil strife there came from two of the States of the South the likeness of the President and Vice President of the Confederacy, so that the devotees of a lost cause might look with reverent affection upon the image of these heroes of the South.

For Virginia, the duty of selecting two of her most illustrious sons has not been a difficult task. Upon her roster are the names of many distinguished men whose statues might well merit places beside the illustrious dead from other States. There are Jefferson, Madison, Monroe, Marshall, Mason, Henry, Jackson, Wilson, and a host of others whose fame rests upon no insecure foundation and each of whom might well be awarded a place in the Nation's Hall of Fame.

But a review of the roster brings us unerringly back to two who stand out in bold relief as the Commonwealth's most illustrious men. And those men are Washington, the Father of our Country, and Lee, the matchless leader of the lost cause.

In presenting the statue of Washington to the Nation, Virginia feels that she has set the chief star in the Nation's Hall of Fame. No galaxy of illustrious American leaders would be complete that did not include Washington. His statue alone would suffice to illumine any chamber in which are gathered the immortals of the Nation. Virginia gave him birth. She reared him. She loved him. In Virginia he made his home. And now Virginia guards his grave. And while he is still the child and son of the Old Dominion, yet the Commonwealth recognizes that he is the Father of the Republic and that our glory is the glory of the Nation.

Neither do we stop there, for in truth the glory of our Nation in Washington is shared by the free people of all the earth.

We read in Holy Writ that "There is one glory of the sun, and another glory of the moon, and another glory of the stars—for one star differeth from another star in glory." This is true of the illustrious dead whose statues have been awarded a place in the Nation's Hall of Fame, but methinks that if these silent figures could be touched to life, they would all bow in common obeisance to the glory of Washington.

Our National Capital bears his name. Here in this beautiful city where all may see, a lofty monument, built by a grateful people to his memory, points to heaven. And hary-by, at historic Mount Vernon, in his native Virginia, his mortal remains rest in

dreamless sleep. Virginia and the Nation acclaim him as a pioneer in freedom.

"First in war, first in peace, and first in the hearts of his countrymen."

The other upon whom Virginia places her signal mark of distinction is a man who has been described as "One of the most striking, one of the noblest tragic figures the world has ever produced." This man is the beloved Lee. Virginia gave him birth, and now points to many shrines which bespeak his life and character. We wander through the halls at Stratford and muse with ourselves upon the surroundings that helped to mold his character in infancy and early boyhood. We follow him to school in Alexandria and on to West Point, where he became a model student and graduated high in his class. We read with interest and delight of the romance of his life, culminating in his marriage to Mary Custis at Arlington in June 1831, of the happy married life that followed and of the splendid sons and daughters who were born of the marriage. We follow him in his career back to West Point, where he became superintendent of the Military Academy in 1852, and then years later returned to the Army and continued in the military service of the Nation until the tragic days of civil war arose.

Then came the time for making the most momentous decision of his life. It was marked by no vacillation or weakness. It was devoid of personal interest. It was glorified by unselfishness, and eloquently bespoke the nobility and greatness of the man. His decision was that he could not take up arms against his native State.

We go with him through that tragic struggle to Bull Run, Sharpsburg, Chancellorsville, and many other battlefields, and finally to Gettysburg and to the travail and sorrow that came with the fall of the curtain at Appomattox.

Lee's greatness was the greatness that withstood defeat. Too often is the world's standard of greatness measured by success. Washington was great, but he was successful; Lincoln was great, but he, too, was successful. Grant was a great soldier, but he drank of the joy of victory. But Lee was great in defeat.

In the combination of the traits that go to make up true nobility and greatness, Lee, among the men of his day and generation, stood out like the giant mountain peak that rears its lofty head far above its stately fellows and stands out with a distinctive glory and grandeur.

Among the tributes to Lee, I mention but two.

The late Theodore Roosevelt said of him:

"Lee will undoubtedly rank as without any exception the greatest of all the great captains that the English-speaking people have brought forth—and this, although the last and chief of his antagonists may claim to stand as the full equal of Marlborough and Wellington."

Lord Wolseley said of him:

"He was the ablest general and to me seemed the greatest man I had ever conversed with."

Virginia presents to the Nation the statues of these two men—the choicest spirits of her illustrious sons.

Upon one are the words "Washington—Virginia", and upon the other, "Lee—Virginia"—only two words of inscription upon each! But what a wealth of meaning in those words! What a reminder of a glorious past, and what an inspiration for what we steadfastly hope will be a more glorious future!

The acceptance of the statues was by Senator DAVID I. WALSH, of Massachusetts, whose address follows:

It is a high privilege to participate here in the ceremonies attending the formal consecration in the Hall of Fame of these statues of two of America's immortals, which is, indeed, a hall of exalted associations, long the meeting place of our House of Representatives in the early days of our Republic. Originally a place of statutes, it is now a place of statues—of many illustrious men who contributed to the establishment and the advancement of our Nation.

All those who are enshrined here in sculptured marble and bronze have claim to fame. But the two of her native sons whom Virginia has proudly selected for inclusion in the noble array of soldiers and statesmen are of the heroic figures of the ages whose names and whose fame are imperishable—George Washington and Robert E. Lee.

It is not my purpose on this occasion to undertake any eulogy of either of these heroic figures. Their lives and their deeds have been recounted and extolled times without number. Yet with such men as these our tributes and the world's tributes will never cease. But other speakers will deliver the eulogies appropriate to this occasion.

I am here not in any personal capacity but rather as the delegate of the Congress to accept on its behalf Virginia's gift to the Hall of Fame which Congress established. Moreover, much as I appreciate the privilege and honor thus conferred upon me, I realize that it is not to me personally but rather to my native State—Massachusetts.

It seems to me to be peculiarly fitting and appropriate that it has devolved upon a representative of the Commonwealth of Massachusetts to respond on behalf of all of the 48 States to this presentation of Washington and Lee from the Commonwealth of Virginia.

Massachusetts and Virginia were the earliest British colonies in the New World, and from the earliest days to the present time their histories have had many parallels.

Virginia and Massachusetts stood shoulder to shoulder in the battles of the Revolutionary War. They collaborated in the Declaration of Independence, and both figured prominently in the proceedings of the constitutional convention.

It was John Adams of Massachusetts who proposed George Washington for Commander in Chief of the Army, and it was Adams who was our first Vice President and who succeeded Washington as President. And it was Adams who appointed the great John Marshall of Virginia Chief Justice of the Supreme Court.

When we turn to the Civil War we find Massachusetts and Virginia on opposite sides, but, as in the past, each was in the forefront. Massachusetts was in the lead in the demand for the abolition of slavery. Massachusetts contributed heavily in men and in money to the support of the Union forces. Virginia gave the South, General Lee, and the capital of the Confederacy was established at Richmond.

The animosities engendered by the Civil War have long since been obliterated. The Mason and Dixon's line is no longer even a figure of speech. Much more than that is the fact that as time marches on the pioneer States which share a common ancestry and similar histories tend more than ever to a common consciousness and community of interest and of spirit. Whatever the spirit of sectionalism, if there be any such spirit today, it does not exist between Massachusetts Bay and Jamestown.

Furthermore, it seems to me that the acceptance here by the Nation of Virginia's gift of a statue of Gen. Robert E. Lee is in the nature of a final attestation of the entire extinguishment of the passions which once divided our country and set brother against brother, and which lingered long after all arms had been laid down.

We demonstrate here that the terms "friend and foe" no longer have any application to our own countrymen. Many statues have been erected to the brave and noble leader of the armies of the Confederacy, but the placing of a statue of Lee alongside of Washington in the national hall of fame beneath the Capitol dome, is epochal.

We now unite in proclaiming Lee a national hero. And again I advert to the happy circumstance that it is a successor to Charles Sumner in the Senate of the United States from Massachusetts, who stands here to give official expression to this sentiment on behalf of Congress, and, may I be permitted to add, on behalf of the Nation.

Virginia has many illustrious sons from whom to choose in determining which two should be accorded the particular honor or statues in Statuary Hall—Washington, Jefferson, Marshall, Madison, and Lee—to name only a few. The Virginia roll of honor is a long one. The selection of Washington, of whom alone it has been said so often and so well that he was "first in war, first in peace, and first in the hearts of his countrymen", was, of course, obvious and very nearly inevitable. The selection of Gen. Robert E. Lee rather than Jefferson or Marshall or Madison to stand beside Washington in this Hall might not at first glance look to be so obvious a choice. But upon reflection, we cannot fail to be deeply impressed by the qualities of greatness which Washington and Lee had in common and which make them particularly fitting companions in this gallery of heroes.

It is much more than the fact that they were both natives of the same State and that their dispositions were shaped by the influences of the same physical surrounding, the same social life, and the same general ancestry. Earnest, sedate, and studious, even in boyhood, both early assumed the duties of manhood. A commanding presence and an equally commanding personal dignity were common to both from their youth to their last hours. Both were remarkable for a combination of moral and intellectual qualities so evenly balanced and so exquisitely proportioned that no one quality overshadowed or dwarfed another. Equally characteristic of both were their perfect integrity and probity in every relation and every situation of their lives.

Both proved themselves of the greatest military genius the world has ever known. And, finally, both were endowed with those supreme gifts of mind and of soul which raise up one man among millions to be a historical leader of men.

It is the singular felicity of the Commonwealth of Virginia to produce two such stainless captains.

To Washington and to Lee, all honor and glory, now and forevermore!

The addresses of Governor Peery and Senator Walsh were broadcast over the Dixie network by the Columbia Broadcasting Co.

Judge Don P. Halsey, of Lynchburg, Va., a distinguished Virginian, who was secretary of the Virginia commission which presented the statues to the Government, made the following address:

VIRGINIA'S SONS IN STATUARY HALL

As the secretary of the commission which had the matter in charge, I think it may be of interest if I give a brief historical summary of how, why, and when, the statues of George Washington and Robert Edward Lee were placed in Statuary Hall, formerly the Hall of the House of Representatives, here in the National Capitol of the United States.

As you all probably know, this Hall was set apart by Congress as a shrine of patriotism, where each State of the Union is given the privilege of placing the statues of two of its illustrious dead, such as "each State shall determine to be worthy of this national commemoration."

Some 30 years ago, when I was a young member of the Virginia State Senate, the thought occurred to me, that, of all Virginia's great sons, the two most "worthy of this national commemoration" were Gen. George Washington and Gen. Robert Edward Lee. Accordingly, I introduced and secured the passage of the necessary enactments, which provided that the Houdon statue of Washington should be copied in bronze, and that a companion statue of Lee should be made by Mr. Edward V. Valentine, the great Virginia sculptor, who had made the famous recumbent statue of Lee which marks his tomb in Lexington. A commission was created with authority to cause these statues to be made and placed in Statuary Hall, which was composed of the following members: Hons. H. T. Wickham, J. N. Opie, Thomas D. Gold, Edward Lyle, and myself, on the part of the senate, and Hons. Richard B. Davis, J. C. Featherston, George E. Sipe, H. C. Rice, and J. C. Gent, on the part of the house of delegates. The Honorable Claude A. Swanson, then Governor of Virginia, was a member ex officio, and, when present, acted as chairman. The regularly elected chairman was Hon. Richard B. Davis, of Petersburg, and the secretary of the commission was your present speaker. After the death of Senator Opie, Judge George L. Christian, of Richmond, was chosen to fill the vacancy.

The statue of Lee having been completed in handsome style by Mr. Valentine, both this statue and the copy of the Houdon statue of Washington were cast in bronze at the foundry of the Gorham Manufacturing Co., in Providence, R.I., and during the summer of 1909 were transported to Washington and duly erected upon suitable pedestals in Statuary Hall, where they have since remained.

In choosing Washington to be thus honored there could be no difference of opinion, for not only Virginia but all America with unanimous acclaim hold him supreme and unrivaled, alone in his imperial grandeur, deserving above all others the immortal tribute of Gen. Henry Lee, as "first in war, first in peace, and first in the hearts of his countrymen." And if Virginia had desired to select his companion in this hall of fame from among his contemporaries, so many there were deserving of the honor that their number constituted an embarrassment of riches—Henry, Madison, Monroe, Jefferson, Mason, Wythe, Marshall, and many others fully measured up to the highest standard of greatness, and would have reflected honor upon their State and Nation, and have been found worthy to stand in this great company of America's noblest and best. But having selected Washington for our representative of the Revolutionary time, it seemed fitting to take the other from a later time, and that the most stirring period of the Nation's history, and with this in view, surely none could be found more truly worthy of the honor than the stainless chieftain, Robert Edward Lee.

In presenting the measures providing that the statue of Lee should accompany that of Washington in our national Valhalla, I did so from no desire to offend northern sentiment, although the wounds of the War between the States were then not wholly healed, but rather from entirely opposite motives. I believed then, and time has proved that I was right in believing, that such a gesture by Virginia would be, as it was intended to be, of great moment toward strengthening the ties that now bind together the once divided North and South into one great reunited country in which sectionalism is dead and buried, and reunion and reconciliation have taken its place, with "the wounds of war healed in every heart and on every hill." I believed then, as I know now, that for Virginia thus to exercise her legal right to make her own choice in this matter would enhance, rather than diminish the love and respect in which she is held by all her sister States, and that every star in the constellation of the Union would twinkle with delight when Virginia gave the statues of her Washington and her Lee to the Nation she helped to make, and which, as time has proved, she stands forever ready to defend.

I believe then, and I know now, that Virginia and the South had all to gain and nothing to lose by thus sending Lee as well as Washington to stand in America's Capitol, for, as time again has proved to be true, I felt that the more the character of Lee was discussed, the more it would stand out as similar to that of Washington, and the more would the world be brought to a realization and an appreciation of his greatness and the righteousness of the cause for which he fought, and I am content with the result. In the beautiful and felicitous language of the gifted and lamented James Lindsay Gordon, I knew that "of the long list of glorious names which America has furnished to the history of the world, it was our mother's fortune to furnish the two that lead that mighty band—the two characters that tower in complete and rounded stature over all their great compatriots, the Castor and Pollux of our Nation's history, the 'Great Twin Brethren', who will ride down the centuries leading the vanguard of our army of immortality—chiefs of the deathless host of patriots, soldiers, philosophers, and statesmen, who put life to heroic uses and battled for noble ends, the two of this continent incomparable and unrivaled—George Washington and Robert E. Lee."

Both of them were "rebels." If one is to be condemned for it, the other must be also, for there is no difference between them except that the rebellion in which Washington figured was successful, while that led by Lee was not. Both of them had held commissions under the governments which they afterward opposed. Washington won against the King under whose flag he had served, while Lee lost against the country whose battles he had fought. Each went with his State, when the time came, when the choice had to be made, and the parallel between them is complete except that one was victorious and the other was vanquished.

If Washington had been living in 1861, and had been confronted with the same choice that Lee had to make, I have no doubt that he would have done the same as Lee did, and that is among the reasons why I wanted to see them together in Statuary Hall—because there are no two great characters in history so much alike as Washington and Lee, and because I wanted the world to know that Virginia gives to these two noblest and best beloved of all her sons equal honor and equal reverence.

In a notable speech on Robert E. Lee, which he said was inspired by the action of the Virginia Legislature in declaring the purpose to present his statue to be placed in Statuary Hall, Judge Emory Speer, a distinguished and eloquent Georgian, said:

"Deny Lee a place by Washington! Ah, is it sure, if in the awful hour when the invading columns approached Virginia's soil, the winds of the Prophet had breathed upon the slain that they might live, caught from the wall at Mount Vernon by the reincarnated hand of the Father of his Country, the defensive blade of Washington would not have gleamed beside the sword of Lee? Repel them not, my country, the fervid love of thy sons who fought with Lee, and of the children of their loins. Their prowess thou hast seen on the hills of Santiago, on the waters of Luzon. In thy need the children of Grant have been and are brethren in arms of the kinsmen of Lee. Officers of his, thou hast called to thy service in the highest places in peace and war. His comrades and his kinsman wear thy swords. With joy his sword, too, leaped at thy command. The flowers of spring with equal hand thou wilt henceforth strew on graves of all the dead. Why, then, repel his blameless name from thy immortals' scroll? Then honor him and in thy need on those who love him wilt thou not call in vain. And woe to the foe in press of battle when the soul of Lee shall fire their hearts and his bright sword shall point the charging columns of thy sons."

Not only at Santiago and Luzon, but since those words were spoken, the sons of those who followed Lee and Grant have fought and died together on the fair fields of France in the cause of liberty and right, and though the eloquent tongue of Speer is silent now, in death, his patriotic and prophetic spirit inspires us here tonight with a love that embraces every foot of American soil, every State in the Union.

It is not, therefore, in any spirit of sectional prejudice or bitterness that Virginia gives these statues, but rather in the spirit of those noble words uttered by the late President Theodore Roosevelt over 30 years ago:

"We are now a united people; the wounds left by the great Civil War, incomparably the greatest war of modern times, have healed, and its memories are now priceless heritages of honor, alike to the North and to the South. The devotion, the self-sacrifice, the steadfast resolution and lofty daring, the high devotion to the right as each man saw it, whether northerner or southerner, all these qualities of the men and women of the early sixties, now shine luminous and brilliant before your eyes, while the mist of anger and hatred that once dimmed them have passed away forever. All of us, North and South, can glory alike in the valor of the men who wore the blue, and the men who wore the gray."

Mr. Roosevelt also wrote such high praise of Lee, as a soldier, that none of his own followers could say more.

In his life of Thomas H. Benton, in the American Statesman Series, on page 34, are found these words:

"The world has never seen better soldiers than those who followed Lee, and their leader will undoubtedly rank as without any exception the very greatest of all the great captains that the English-speaking peoples have brought forth, and this although the last and chief of his antagonists may himself claim to stand as the full equal of Marlborough and Wellington."

It is, then, with the greatest pride and gratification that Virginia today, with a heart full of love and gratitude, acknowledges the thanks that the Congress has bestowed upon her for presenting these statues of her greatest sons. For nearly a quarter of a century they have stood in this Capitol, by right of law but until now without the thanks of Congress and ceremony of dedication. Never, however, has Virginia doubted that this day would come, and now that it has and her sister States join with her in thus paying tribute and homage to her great sons, she extends to them one and all her heartfelt appreciation and loving regard, feeling more fully at one with them and the "Union strong and great" than she has ever felt before.

The true significance of Virginia's selection of Washington and Lee as her representatives in Statuary Hall is found in those words of Thomas Carlyle: "Who is to have a statue? means whom shall we consecrate and set apart as one of our sacred men, * * *. Show me that man you honor; I know by that symptom better than any other what kind of a man you yourself are, for you show me there what your ideal of manhood is; what kind of a man you long inexpressibly to be, and would thank the gods, with your whole soul, for being if you could." It is because Washington and Lee are still Virginia's ideal men that she today dedicates and consecrates these statues to their memory and thereby declares that by their example and their teachings she hopes forever to abide. In honoring them, Virginians honor themselves, and show to the world the kind of men and women we would be if we could. And if we cannot honor them more, it is only because—

"Far above us and all our love, beyond all reach of its voiceless praise,
Shine forever the names that never shall feel the shade of the changeful days
Fall and chill the delight, that still sees winter's light in it shine like May's.

"Strong as death is the day's dark breath whose blast has withered the life we see,
Here where light is the child of night, and less than visions or dreams are we;
Strong as death; but a word, a breath, a dream is stronger than death could be.
"Strong as truth, and superb in youth eternal,
Fair as the sundawn's flame,
Seen when May, on her first born day, bids earth exult in her radiant name,
Lives, clothed around with our love, and crowned with praise that dies not, their lovelit fame."

Dr. Francis P. Gaines, president of Washington and Lee University at Lexington, Va., closed the program with the following eloquent tribute to Washington and Lee:

It may be the despair of historians, but it is a fact of human experience that the deeds of men, like the low features of a swiftly retreating landscape, become quickly confused and indistinguishable, while the characters of important men rise slowly with enhanced vividness, the hilltops of our observation. In the case of men, moreover, about whom epochs revolve, these characters may become merged with ideals or transmuted into them; and then the personages are the mountain peaks, open to long stretches of vision, inevitable in snow-capped loftiness against the horizon. Upon such a vista does this program focus, upon twin mountain majesties of worth—if we may modify a Byronic phrase, upon Washington and Lee.

Not from surface manifestations could we classify these men as twins. The apparent variation between their careers is almost as wide as the range of human fortune.

It was ordained that both of these men should lead an effort to smash a formal political pattern.

It was ordained that one of them should succeed and that having broken to bits that ancient pattern he should become chief artisan in a new design that excited the wonder of the world, and remains, we fondly believe, the image of its hope. Honor and glory were his; cities and States and nations did him homage; and his name was set upon the chronicles of time in the luster of victory.

It was ordained that the other man should fail. For a long time the throngs that follow the tribal god, success, passed this man by and he was marooned in a kind of forlornness, accepted at best as the perfect type of gracefulness in defeat. But his people loved him always, even when not quite comprehending him, loved him as no mere mortal was ever loved by his own. Some drew near and became acquainted with him; and all who learned to know him found a refreshing of life, as weary pilgrims come into the shadow of a great tree; never again the hot rays of bitterness to scorch the tissues of their souls, never again the dreary desert stretches of despair to daunt their spirits.

Tonight we demonstrate that even as these men could

"Meet with triumph and disaster
And treat those two imposters just the same",

so can we in our appraisal. The outcome of their effort is of little significance. Issues have been acknowledged, factionalisms have been forgotten. Even the warfare into which these men entered is not the chief item in our thinking of them; the spilling of blood, in which they had reluctant part, was a gesture of our development, unnecessary but perhaps with such compensations as Whitman indicates:

"That the hands of the sisters, Death and Night,
Incessantly softly wash again, and yet again, this soiled world."

The deeds of these men are not of primary consequence, as the landscape of the years retreats from us. But upon the horizon remain the everlasting granite of their characters, the shining eminence of their ideals, the twin mountain majesties of worth.

For though these men lived in different centuries, exalted with heroic effort different flags, entered into widely divergent consequence, there is about them some basic identity which of itself would make appropriate their eternal fellowship here.

II

The initial identity gives us caution. Washington and Lee were both spiritual citizens of a kind of incommunicable solitude. They resided in the fastnesses of the primal sanities, and the temper of modern interpretation, seeking headlines in human eccentricity, does not find in them easy material. The rootage of their lives was in profound yet simple motives, below the level of our fluencies, and the fruitage of their lives is not to be packed into glib phrases.

But it is obvious to even hurried and casual scrutiny that these men share a fundamental harmony in that for them character was destiny. In each case this quality was revealed before and during and after the particular crisis of life that challenged.

For each man found himself conspicuously emergent in a crisis that he had little part in precipitating. Neither had concerned himself with the political antecedents of the decisive hour. Neither had so manipulated the issues and the tense emotions as to frame a set-up of circumstances that might give him a sudden supreme opportunity. In both cases the hour sought the man, because his preparation had been in terms of competence, his chief equipment was trustworthiness. With the spotlights of doom playing upon the stage, each man quietly entered and took the center because of the character that was his.

Both recognized in this crisis not an invitation to self-assertion but a trust committed. As the preparation had been one of character, so was the realization. Whatever statics of action or analyses of strategy be stored in the academic records, the notable facts of their career derive from the quality of their endeavor, from the fortitude, from the energy of devotion, from the keeping of inviolate faith. Gradually both of these men became in themselves the cause they championed. Armies followed them, suffered with them, died before their eyes, because from these two men emanated a strength of character that exalted little lives into surpassing heroism.

Both personages were projected by force of character into immense influence upon events subsequent to the crisis. One of them found beyond the moment of victory an era of national chaos; the other discovered beyond the moment of defeat an era of sectional desolation. By some paradox of history, success for the one and failure for the other meant alike the rebuilding of a society. Each one might well have closed the chapter of his performance, to submit it with confidence into the far-away tribunals of utter justice; such a course was impossible for both by reason of their character. They turned from yesterday unto tomorrow. They penetrated in statesmanlike vision far into the future; they labored for that future; they belong to it.

Beyond all exposition of their performances, beyond the labored eulogies of their distinction, the final interpretation of these men is in terms of the vigor and the beauty of their dream, outrunning the span of their own earthly days.

It is not surprising that both of these men should have had sympathy for an enterprise which is of all human effort most prophetic of brighter tomorrows—education. Washington set increasing reliance upon it; gave to it a growing enthusiasm. As sunset drew near, he was hoping for a dawn bright with learning. In state papers he pleaded for it. He endorsed the idea of West Point, citadel of knowledge for military security; he yearned for a national university in this city, as if to set the governing function and the educative process upon a plane of comparable dignity; he turned a substantial gift which Virginia had made to him unto an educational institution in that State, which gratefully took his name.

Lee dreamed of a great future beyond the desolation of his day, and he too turned to education. Modestly declining manifold proposals that guaranteed economic sufficiency or glory of position, he dedicated his life, as it were, to another epoch of hardship that he might plant harvests for others to reap. He rode his gray horse over Virginia's mountains to the same school Washington had favored, and there he sought to make effective his dream in the perpetual miracle of life, by which in the souls of youth, tenderest of materials, immutable purposes are fixed.

III

Above all other factors that may give fitness to their presence in sculptured likeness here where the heart of the Nation beats, is this quality of forwardness, this survival value of character in the continuity of their dream. The twin mountain peaks are no longer behind us across a landscape which the years make dim. These figures have shifted and are in front of us, always in front of us. They are not ideals which we remember; they are ideals to which we aspire.

Virginia does not make here a contribution to a museum of history. Virginia does not present effigies of biography, however significant. Virginia does not offer specimens of the wealth of personality that has been her endowment, nor memorials of the shining figures of great drama in which she had a share.

Virginia presents here an enduring illumination of the qualities of character which give promise to our life. Here are the symbols of hope, the incarnations of prophecy. Here are the heralds of a

"Golden Age whose light is of the dawn,
And not of sunset, forward, not behind."

To think of these characters is to be conscious not of trivial incidents in a crowded career but of some heritage of nobility which, please God, shall prove inescapable. To look upon these likenesses is to believe that we can yet pay them the adequate tribute of building a Nation which shall be the fulfillment of their dream.

The invocation and benediction were given by the Reverend James Shera Montgomery, Chaplain of the House of Representatives.

Mr. Speaker, the heroic and inspiring figures of Washington and Lee, as they now stand side by side in Statuary Hall, have at last been officially recognized and accepted by the United States Government.

THE LEGISLATIVE APPROPRIATION BILL—1935

Mr. LUDLOW. Mr. Speaker, I call up the bill (H.R. 8617) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1935, and for other purposes.

The Clerk read the title of the bill.

Mr. LUDLOW. Mr. Speaker, I move that the House further insist upon its disagreement to Senate amendments nos. 1, 2, 3, 4, 5, 6, and 15; also further insist upon its amendments to Senate amendments nos. 12 and 16, and agree to the conference asked by the Senate.

The SPEAKER. The question is on the motion of the gentleman from Virginia.

Mr. LUDLOW. Mr. Speaker, I yield such time as he may desire to the gentleman from Texas [Mr. BUCHANAN].

Mr. BUCHANAN. Mr. Speaker, I have secured this time in order to make a statement to the House so that the House may decide the policy to pursue on this bill, and the one which will probably hereafter be pursued. I do not think the five members of a conference committee ought to speak for the House on a question that may or may not disturb the cooperative relations between the Senate and the House.

To start with, the legislative bill has been agreed to in conference and the conference report approved by both Houses, except as to a few amendments increasing the salary of certain employees of the Senate. Your conferees did not agree to these amendments and did not recommend an agreement to these amendments for this reason. When we were conducting hearings on the legislative bill, numerous requests came to us to increase the salary of certain employees of the House. Several requests came to us to grant additional employees for the House. We have a rule of the House that prohibits legislation on appropriation bills. We respect and enforce this rule. We did not even consider or conduct hearings on these applications for increases in salaries of employees of the House, neither did we conduct hearings on increasing the number of employees of the House; and in the consideration of the legislative bill on the floor of the House, when an amendment was offered to the bill providing that each Member should have another secretary during these times when we have so much work to do, we made a point of order against the amendment, and it was held not in order.

So the Members of the House have been denied any increase in the number of employees and all requests for increases in salary have been denied.

The bill goes over to the Senate; and while the Senate has a rule that no legislation can be placed on an appropriation bill they put amendments on the bill increasing the number of employees of the Senate, which we agreed to, and increasing the salary of some of the employees of the Senate, which we did not agree to. Two of the salaries were increased $1,500 each.

Your committee did not feel this was the time to increase the salary of employees of either the House or the Senate when we are carrying a reduction in the basic salary of all other employees of the Government. We did not agree to this and had another conference and I have had several individual conferences with Senate conferees.

The Senate is now contending, and this is the point I want the House to decide when the vote comes on the motion of my colleague, the gentleman from Indiana [Mr. LUDLOW], that the number of its employees and the salaries the Senate pays its employees is the business of the Senate and not the business of the House. They say they concede the same right to the House and they further contend that this course of procedure is essential to continued good will between the two Houses. They further insist that never in the history of this Government has the Senate ever attempted to interfere with the number of employees of the House or the salaries paid the employees of the House. They are incorrect in this last mentioned contention.

I want to present both sides of this question and I do not want my opinion or my personality, if it could have any effect, to enter into your decision of this matter, because it marks a change of policy on the part of the House. Heretofore the Senate has insisted very strenuously on the right of a veto power of the action of the House in fixing the salaries of its own employees and the House has just as strenuously insisted on the noninterference of the Senate in such matters.

I read from Hinds' Precedents, volume 5, section 7241. On March 3, 1881, the House, by a resolution of instructions to its conferees, insisted on its right to determine the compensation of its officers and employees and forced the Senate to recede.

Now listen:

In 1875 a prolonged disagreement occurred between the House and Senate over the Senate amendments to the legislative bill. The Senate insisted on diminishing the amount of compensation of the clerks at the desk of the House, and the House insisted that that was a matter in which the courtesy between the two Houses should leave to the House to fix.

The Senate now claims that they never attempted to interfere with the House fixing the salaries of its own employees, and yet we have here a Senate amendment attempting to reduce the salaries of the clerks at the desk in the House and holding up the bill through four conferences on account thereof.

I continue from Hinds' Precedents:

There were four conferences without an agreement. The fifth conference agreed, and the report was drawn up on the principle as stated by Mr. Horace Maynard, of Tennessee, chairman of the House conferees, "That each House shall be entrusted by the other to regulate the number and pay of its own employees."

I am reading this to you in order that you may have both sides, in order that you may have the position formerly taken by the House, and the position formerly taken by the Senate.

The Senate formerly took the same position your conferees now take. To save my life, when our affirmative approval is required to this bill and these amendments, I cannot see how we can dodge the responsibility resulting from the Senate amendments.

Neither can I see why the employees of the House and the employees of the Senate should have any special treatment over and above the employees throughout the Federal service of the United States.

Mr. McLEOD. Will the gentleman yield?

Mr. BUCHANAN. I yield.

Mr. McLEOD. Is it not a fact that the committee on the part of the House, in discussing it, contended that no discrimination should be made regarding certain employees without a complete survey of the whole employees? The question was raised that it pertained to different classes, and is it not a further fact that at the first conference it was practically understood that if we receded on the amendment for the additional employees that the Senate would recede on the additional salary?

Mr. BUCHANAN. It was the understanding according to every member of the House conferees and according to the Clerk of the House that if we would recede on the amendments increasing the number of employees the conferees of the Senate would recede on the increase of salary. Since then one member of the conferees on the part of the Senate said that he did not so understand it. Our understanding and our agreement was that our agreement as to the number of employees in the Senate was in consideration of their receding on the increase of salaries of their employees of the Senate. I did not intend and would not have mentioned this part of our proceeding except for the direct question of my conferee.

Now, one other idea as to the parliamentary procedure between the two Houses. When either House places a legislative amendment on an appropriation bill and that amendment goes to conference, if the other House does not agree to it, it is understood that the body that proposes the legislative amendment shall recede.

Mr. DONDERO. Will the gentleman yield?

Mr. BUCHANAN. Yes.

Mr. DONDERO. How many additional employees of the Senate does this involve?

Mr. BUCHANAN. My recollection is six. With two of them the increase is $1,500 each, and they are new employees of the Senate. Therefore, when you vote on this motion to insist, I want you to understand that you are voting that this House will take stock now and hereafter of how many employees the Senate will have and what their salaries shall be, and you are also voting that the Senate now and hereafter will take stock of how many employees the House has and what their salaries shall be. Individually I think that a wholesome practice. That is my individual conviction. When any bill requires affirmative action by the House and Senate both Houses are responsible for its passage, and are equally responsible to our constituents.

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

Mr. BUCHANAN. Yes.

Mr. RAMSPECK. I agree with what the gentleman said, but I am wondering whether the committee has made any investigation of whether or not these increases are warranted. I think that is the real question.

Mr. BUCHANAN. Some of them are, probably, but some are not.

Mr. RAMSPECK. Has the committee considered that question?

Mr. BUCHANAN. Some of them are and some of them are not. I think that is a fair statement. There are salaries where an increase is warranted to make them comparable with the salaries of other employees in the House. What I contend now, and what I have contended with the committee, is that they should bring in a joint resolution, a legislative resolution, where the subject belongs, and not on an appropriation bill, and have an overhauling of the salaries. They should have an overhauling of the salaries of the employees of the Senate and the salaries of the employees of the House, and settle the matter by legislative action so that there will be no more trouble about it.

Mr. RAMSPECK. I agree with the gentleman that we ought to stop legislation on appropriation bills.

Mr. BUCHANAN. That is all I have to say to you. I just want you to know what you are voting on. [Applause.]

Mr. LUDLOW. Mr. Speaker, I yield myself 5 minutes. I think there is nothing that I can add to what has been so well said by the chairman of our committee. The entire issue involved here is an effort by the other branch of Congress to increase the salaries of some of its employees. When the legislative appropriation subcommittee, of which I have the honor to be chairman, was in session, several gentlemen came before it and presented very convincing reasons why certain employees of the House should have increases of salary. A number of our employees are very obviously underpaid. The Parliamentarian of the House is a much underpaid official, considering his importance in the legislative equation. [Applause.] One of the assistant cashiers in the Sergeant at Arms office is patently underpaid, as is our pair clerk, and so I might recite a very considerable list of employees of this branch, all of whom are inadequately remunerated for their services; but we took what we believed was a correct position, a very sound position, that in times like these there should be no increases in salaries either in the departments or in the legislative branch of the Government. We put thumbs down on all of those applications for increases in salaries in the personnel attached to the House of Representatives. The bill went to the Senate. In the Senate Committee on Appropriations certain increases in salaries were made in regard to the personnel of that branch.

Then the bill appeared for consideration on the floor of the upper branch of Congress, and there was a regular rush to add amendments to it, increasing the salaries of Senate employees. In two cases amendments were adopted on the floor giving to certain employees—and I have no doubt they are valuable and efficient employees—an increase of $1,500 each per annum as long as each one of those employees was continued in the service, and as a matter of fact neither one of the employees has been in the service any considerable length of time. I think one less than a year and the other perhaps about a year. I have no doubt they are capable and conscientious employees and perhaps should be better paid, but our legislative conferees took the position in the conference committee that having stood consistently, and as we thought righteously, against any increases in salaries in the personnel of the House or of the departments, we were not going to stand for these increases in the other body, and that is where the whole issue lies. As a matter of fact, this way of increasing salaries is altogether improper at best. As the able chairman of this committee has stated, the matter should be approached in a regular way through a regular legislative committee, after a complete study and very thorough consideration of these positions in their interrelationship one with the other.

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

Mr. LUDLOW. Yes.

Mr. BLANTON. I believe every Member of this House appreciates the splendid work the gentleman from Indiana [Mr. LUDLOW] has done with his bill. He has the precedents behind him and is supported by them, and I believe the House is going to back him up. I am glad that he is a man of decision and backbone. Why not vote on the question now?

Mr. LUDLOW. I thank the gentleman for his very kind remarks. I think the matter has been brought up here primarily to enable the House to express itself, as the proposition is one of importance, and I think that was the idea that actuated the chairman of our committee in making his able and illuminating presentation of the issue to which we have just listened.

Mr. BLANTON. All the precedents of the two Houses back the gentleman up in his position.

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

Mr. LUDLOW. I yield.

Mr. BANKHEAD. I think all Members of the House ought to have a fair interpretation of the precedents in this matter, if there are any. As I understood the case read by the chairman of the committee, after four conferences and violent disagreements, it was finally decided that each House should have the discretion of fixing salaries of its employees.

Mr. BUCHANAN. It was not decided that each House should have the discretion to employ and fix the salaries of its own employees. The Senate merely finally yielded after four conferences on that bill. In other words, the Senate position was like the conferees' position is now—just reversed.

Mr. BLANTON. Will the gentleman yield?

Mr. LUDLOW. I yield.

Mr. BLANTON. Every Member of the House is held responsible by the country for all the money that is taken out of the Federal Treasury whether it goes to the Senate or somewhere else, because we are a party to it whenever we allow it to be taken out. Now, where they have an unlimited, tremendous contingent fund to draw from and they spend $50,000 for this and $100,000 for that without the House having any voice in it at all, it is not exactly fair to the House. The time ought to come when each House could have the right to pass upon the reasonableness of the expenses of each body. I think the position taken by the gentleman from Indiana [Mr. LUDLOW] is sound legislatively. It is sound because the people want it that way. The people want to depend on both Houses, and if we leave it to the voice of only one House, there could be extravagance the like of which the people never heard of before. [Applause.]

Mr. LUDLOW. Mr. Speaker, I yield to the gentleman from Michigan [Mr. MCLEOD].

Mr. MCLEOD. I just want to ask one question. Is it not the intention of the gentleman from Indiana to offer a resolution calling for the appointment of a committee to make a survey of the situation that has been discussed this morning, relative to salaries?

Mr. LUDLOW. I understand there is a resolution now pending before the Committee on Accounts to make a survey of these various positions, and that it is being approached in a legislative way, which, as the gentleman himself said a moment ago, is the proper way to approach it.

Mr. MCLEOD. It is the only reasonable way to approach it.

Mr. LUDLOW. I am thoroughly in accord with the gentleman from Michigan [Mr. MCLEOD] in what he said a moment ago. It was our understanding when we rejected these piecemeal proposals for increases in salaries that the entire subject would be studied in a thorough way, and that a resolution would be brought in that would do justice to everybody and take care of all worthy cases.

Now, Mr. Speaker, this matter has been brought up in this way by the chairman of the committee in order that the House may understand exactly the issue involved here. As chairman of the subcommittee, I could not violate my sense of honor by agreeing to these Senate increases when we have consistently and uniformly denied increases to the personnel of the House of Representatives, in cases that are at

least equally meritorious. There is no purpose on our part to violate the comity that exists between the two Houses; but there is a right way and a wrong way to revise salaries, and we stand for the right way.

I hope that the House will back us up and send this bill back to conference.

The SPEAKER. The question is on the motion of the gentleman from Indiana [Mr. LUDLOW].

The question was taken; and on a division (demanded by Mr. BUCHANAN) there were—ayes 95, noes 4.

So the motion was agreed to.

The SPEAKER appointed the following conferees: Messrs. LUDLOW, GRANFIELD, SANDLIN, BUCHANAN, MCLEOD, and SINCLAIR.

WHAT AND WHY MUST AMERICA CHOOSE

Mr. EATON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by inserting a brief address which I made over the radio.

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

There was no objection.

Mr. EATON. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following address which I made in Washington, D.C., May 16, 1934, over the radio:

Since the depression set in, the American people, until a few months ago, have been in a state of political and economic hypnosis. Because we had attained a level of economic prosperity unequaled in the history of the world, we fell further and harder in the crash of 1929 than did any other country. We were bewildered by the irrational contradictions of our condition. We were confused and discouraged by poverty in the midst of plenty; by unemployment of millions with enormous areas of work waiting to be done. Our greatest national asset for 150 years had been the courage, initiative, and individual self-reliance of our people in all walks of life. Like the securities in our banks, this asset suddenly became frozen by fear and distrust. Having joyously sown the winds of greed, selfishness, dishonesty, and simian frivolity, we found it a grievous business when suddenly called upon to reap the inevitable whirlwind harvest of ruin.

In July 1932 unmistakable signs of recovery began to show and, judging by our experience in previous depressions, this movement would have continued until normal conditions returned. But the process of recovery was interrupted by the political campaign of 1932. The popular appeal in this campaign rested upon two propositions equally false, and, because of the universal distress, equally alluring. The first proposition was that the world-wide depression was caused by a political administration in Washington. The second proposition was that this world-wide depression could be cured by placing a different political administration at the helm in Washington. By an overwhelming nonpartisan vote the Democratic Party was returned to power, and on March 4, 1933, President Roosevelt in his inaugural address launched the new deal.

No peace-time President ever faced a more difficult task. But he approached his immediate problems with a show of courage and optimism which was contagious and which gained for him and his initial policies a popular confidence and support without parallel in our history.

The first objectives to which the new administration addressed itself were relief and recovery. Legislation was demanded by the President giving him almost unlimited control over our banking and monetary systems, economy in governmental expenditures, and industrial and agricultural recovery. This legislation was passed by Congress practically without discussion or amendment and by a nonpartisan vote.

During the special session of 1933, Congress, completely dominated by the President, was mainly occupied in denuding itself of its constitutional rights, duties, and responsibilities, and in clothing the Chief Executive with new autocratic powers without precedent in our peace-time history. All this was done in the name of emergency and with the almost unanimous support of public opinion.

As long as Mr. Roosevelt and his advisers confined their efforts to solving the problems of relief and recovery, the Republican minority in Congress refrained from exercising its constitutional functions of criticism and opposition. The whole country, in and out of Congress, regardless of politics, was united in waging a war for relief and recovery from the depression.

During the present session of Congress a revolutionary change has taken first place in the program of the Roosevelt administration. It is called "reform" by some of its advocates. A rapidly increasing number in both political parties call it "revolution." As yet it has not been presented to the American people as a coherent, all-inclusive plan, although its advocates seek to sugar-coat the pill by describing it as "national planning." Up to date it consists of a conglomeration of contradictory and hampering legislative restrictions upon American business, industry, and agriculture. One definite thing about this favorite child of the new-deal "brain trust" is the enormous increase in the national debt which it has created. Another certainty created by this revolution is the uncertainty as to the future, by which it has slowed down business recovery. It is not socialism. It is not fascism. It seems to be a species of denatured communism imported direct from Russia and decked out with a few American trimmings. It has been aptly described by Mr. Walter Lippmann as the "economy of bedlam."

The first objective of this Rooseveltian revolution is to make permanent the temporary and admittedly unconstitutional sections of the emergency legislation enacted by Congress to effect relief and recovery.

The second objective which has been to a considerable degree achieved is to bring all American industry, agriculture, trade, and commerce under the bureaucratic control of the Federal Government.

As soon as this new mass of contradictory and coercive legislation, which was opposed by the Republican minority in Congress and voted for under protest by many American-minded Democrats, reaches the enforcement stage, it will reveal the fact that the American farmer is regimented to the status of a mere cog in a bureaucratic machine. American industry and commerce are imprisoned in a bureaucratic strait-jacket. The free expression of adverse public and even private opinion has been made a crime. And by granting the Executive the tariff-making authority, lodged by our Constitution in Congress alone, the American worker will have had cut from under him the American standard of living and will inevitably be reduced to the economic level of the workers in low-wage countries.

This sovietizing of America rests upon the assumption that the old America, which was the hope of the world, and which in 150 years by practice of American principles and methods had become the greatest nation in all history, ceased to exist on November 8, 1932, and an entirely new America fashioned on the Russian model was born on that fateful day.

Professor Tugwell, the high priest of the new American sovietism, says, "Many observers are observing the contemporary Russian practice and are carefully recording the experience there which later may be of assistance to us." He further declares:

"We have a century and more of development to undo. The institutions of laissez faire have become so much a part of the fabric of modern life that the removing of their tissues will be almost like dispensing with civilization itself."

In outlining the steps to be taken in order to completely Russianize America under the new deal, Professor Tugwell proposes, first, "to uproot statutes and constitutions"; second, "to completely destroy all industry as industry has been developed in America"; and, third, "to completely destroy the sovereignty of the States."

To effect these changes he declares that—"it will require the laying of rough, unholy hands on many a sacred precedent, doubtless calling on an enlarged and nationalized police power for enforcement."

As an earnest of how this new-deal revolution will work when the "enlarged and nationalized police power" takes hold, we have the case of the little New Jersey tailor who was fined $100 and sent to jail for a month because he had committed the heinous crime of pressing a pair of pants for 35 cents.

Since the essence of this new-deal revolution is political control and political planning of all business and all life, it is only fair to inquire what guaranty have we that political government will do better than the private citizen has done in planning and operating business and agriculture. If it is granted that business is shot through with dishonesty, corruption, and inefficiency, is it not equally true that politics is rotten with hypocricy, selfishness, greed, and stupidity? Why then swap a horse admittedly lame in one leg for another one lame in two or three legs? Under our present constitutional system the citizen can watch, criticize, and control his Government. But under this new-deal revolutionary scheme, which makes the citizen nothing and the Government everything, who is there to control the Government? In other words, why trade self-government by free citizens for a ruthless, bureaucratic despotism inflamed by half-baked theories and dominated by self-appointed and inexperienced advisers.

Against all this the Republican Party is girding itself for a finish fight. And in this inevitable conflict it will find a growing support from important groups in the Democratic Party who still believe in the principles of Jefferson. The next great political alinement in this country will be between American-minded citizens in both political parties on the one side, and Russian-minded citizens on the other.

The Republican Party once more faces a supreme responsibility to the Nation and to civilization itself. The issue is every hour becoming more clearly defined. It is simply this: Can we retain our American political liberties for which the English-speaking race has battled through a thousand years, and at the same time achieve for our citizens adequate economic freedom? In a word, the issue, is, Shall we as a nation remain American or become Russian? Within this issue lies all the materials for a progressive, sane, workable public policy which recognizes the existence of evils, economic, social, and cultural, and which proposes remedies that, while curing these evils, will at the same time strengthen and perpetuate all that is permanent in our national economy.

The distinguished Secretary of Agriculture tells us, in effect, that America must now choose between being regimented under an alien system of sovietized government control; or taking a place in open competition with the starving low-wage nations of the world, as just another unit in a high-sounding scheme of economic

internationalism. I believe such a choice to be as unnecessary as it is un-American and ruinous.

In a period of social and economic transition such as the world is now passing through, we must expect and provide for fundamental changes in the ideals and mechanics of civilized existence. But granting this I do not believe that the American people can be induced to throw away their solid and infinitely valuable national achievements of 150 years in exchange for a foggy mass of alien social theories that have never succeeded anywhere, any time. Whatever we may choose in the future it will be, as in the past, an American-minded choice in accord with tested American ideals. We have no use for any kind of dictatorship at home. And still less use for any plan of internationalism that must inevitably reduce our standards of living to the proletarian levels now in ascendancy throughout the rest of the world.

MESSAGE FROM THE PRESIDENT

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

On May 16, 1934:

H.R. 4060. An act for the relief of Ellen Grant; and

H.R. 8052. An act to amend sections 203 and 207 of the Hawaiian Homes Commission Act, 1920 (U.S.C., title 48, secs. 697 and 701), conferring upon certain lands of Auwaiolimu, Kewalo, and Kalawahine, on the island of Oahu, Territory of Hawaii, the status of Hawaiian home lands, and providing for the leasing thereof for residence purposes.

On May 17, 1934:

H.R. 190. An act for the relief of Elizabeth T. Cloud;

H.R. 1209. An act for the relief of Nellie Reay;

H.R. 2750. An act for the relief of Scott C. White;

H.R. 4927. An act for the relief of C. J. Holliday; and

H.R. 4929. An act for the relief of J. B. Trotter.

On May 18, 1934:

H.R. 200. An act for the relief of Jacob Durrenberger;

H.R. 503. An act to authorize the donation of certain land to the town of Bourne, Mass.;

H.R. 1207. An act for the relief of Robert Turner;

H.R. 1208. An act for the relief of Frederick W. Peter;

H.R. 2021. An act to place Jesse C. Harmon on the retired list of the United States Marine Corps;

H.R. 2203. An act for the relief of Enoch Graf;

H.R. 2431. An act for the relief of certain newspapers for advertising services rendered the Public Health Service of the Treasury Department;

H.R. 4928. An act for the relief of the Palmetto Cotton Co.; and

H.J.Res. 317. Joint resolution requesting the President of the United States of America to proclaim May 20, 1934, General La Fayette Memorial Day for the observance and commemoration of the one hundredth anniversary of the death of General La Fayette.

GOLD REVALUATION

Mr. GRAY. Mr. Speaker, I ask unanimous consent to address the House for 3 minutes—preferably 5 minutes, but I will accept 3—on the gold-revaluation program.

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

There was no objection.

Mr. GRAY. Mr. Speaker, the gold-revaluation plan to restore the currency represents the deliberate consideration and judgment of Congress, the House, the Senate, and the President, and is the most forward step in currency legislation taken by Congress and the President during the 100 years since Jackson's time. [Applause.]

Under the relief act passed May 12, 1933, and the declaration of the President following, approving the gold-revaluation plan as a means to restore the depleted money supply, all the machinery and the facilities to put in force the revaluation of gold to increase the supply of money, have been completed in every detail, installed and set up in working order, and all parts made ready to start in motion by the Executive power.

The gold stock of the country has been seized upon and taken over and paid for in gold certificates. And the 2,000,000,000 stabilization fund has been provided and made ready for use to carry out the plan as declared for.

If this plan was now put in operation promptly and without further delay, commodities, values, and the price level would rise promptly to a higher stage. [Applause.] And by next harvest and fall-crop market time, prices would be doubled or raised to the 1926 price level, and earnings and income from industry would be restored or far on their way. [Applause.]

The one question of the hour is, Why do we not do what we have said we should do? [Applause.] Why do we not do what we have determined to do? Why do we not do what we have prepared to do? [Applause.] Why do we not do what we are ready to do? [Applause.] Why do we not do what we can do any day, to restore the money supply back in circulation, stop the panic and bring a return of prosperity? [Applause.] Why are we ignoring and disregarding all we have said and done? Why are we holding all our completed plans and waiting [applause], to try out questionable experiments of creating and maintaining a scarcity to raise prices, without a claim or any practical assurance that such scarcity would accomplish the object?

If the gold-revaluation plan which has been provided in Congress, approved and declared for by the President, and the machinery for the operation of which has been set up and made ready to put in motion, and which could be started any day by the Treasury turning on the Executive power, was put in force and made to operate, the effect upon the country would be like magic. [Applause.] Values and the price level would start rising even before the money was actually in circulation, and the 1926 price level would be reached before all the money was available for use [applause], and farm values and the price level would be doubled by next fall's grain and stock market time. [Applause.] The perverted economic and monetary operations which brought on the panic would be reversed. Earnings and income and the buying and consuming power would be restored to 40 million farm population and dependents which in turn would start normal industrial production, restoring employment and labor's buying and consuming power. [Applause.]

The same powerful controlling financial interests which postponed and prevented currency-relief legislation for 12 years during three Republican administrations are now exerting their force and power, defying and interfering with this Democratic administration in the operation of the gold revaluation relief measure enacted and ready to be carried into effect. While all the mechanics, means, and facilities have been created, installed, and made ready for the issue and restoration of the money supply, they remain motionless and in silent waiting while the panic continues on and the people are in distress under cover of the same misleading plea and assurance of a better feeling and prosperity around the corner held out to postpone relief for three former administrations.

The Roosevelt administration came in power in the midst of a farm and industrial crisis. The people were writhing in the throes of an economic panic or depression. Industry was paralyzed and broken down and the people in want and distress, suffering for the common necessaries of life in the midst of plenty and great abundance. Congress was convened in special session to consider and analyze the cause and charged with the duty and obligation of determining upon a course, plan, and program providing for a solution, remedy, and relief.

THE FAILURE OF THE BUYING AND CONSUMING POWER

When Congress was convened in special session, there were many different theories advanced to explain the cause and account for the panic, among which were the want of confidence, overproduction of the vital necessities of life, the "extravagance" of starving, destitute people, with many other causes presented and assigned. But one by one these causes were considered and explained away, or time had proven their fallacy, or the claim of one had served to disprove the other, until one cause was simplified and made plain. And finally, ultimately, and at last, Congress, on full consideration and final judgment, in practically unanimous accord, agreed that the panic or depression had resulted

from a failure of consumption, a failure of the buying and consuming power, the inability of the people to take, use, and consume what agriculture and industry produce.

THE FALL OF VALUES AND THE PRICE LEVEL

And it was the further determination of Congress that the failure of the buying and consuming power had resulted from the fall of values and the price level, leaving the people without earnings and income, without power to consume what industry produces. And it was further the judgment of Congress that to provide relief and a return of normal prosperity there must be a rise of commodity values, a restoration of the price level and the wage scale to restore earnings and income from industry and bring back to the people—the masses—their power to buy and consume what agriculture and industry produce.

WITHDRAWAL OF MONEY AND CREDIT

It was further found by Congress and the President, as shown by the monetary measures enacted, that the fall of values and the price level had resulted from a contraction of currency and credit, changing the relative value of money and commodities, which had multiplied taxes, debts, and fixed charges, taking away the people's surplus earnings, which constitute their buying and consuming power. And Congress and the President further found, by such currency measures enacted that a recovery from the panic required a restoration of the supply of money and credit to bring a rise of values and the price level and a return of earnings from income and industry.

THE CURRENCY PROVISIONS OF THE RELIEF ACT

To replenish the supply of money and credit, Congress enacted the relief currency provisions as embodied in the Recovery Act of May 12, 1933, which provided for four different forms of currency to restore money and credit withdrawn from circulation. One of these provided for the remonetization of silver, another for the revaluation of gold, another for a resort to Federal Reserve notes (if the Federal Reserve banks would assent), and the fourth for an issue of United States currency notes. By further and additional provisions of the act, and at the instance and request of the President, Congress delegated and gave to the Executive certain powers authorizing the President to employ or resort to one, more, or all of the different forms of currency provided to restore the depleted supply of money and credit.

POWER DELEGATED TO THE PRESIDENT

It was the agreement and consensus of opinion that any of the forms of currency provided, if resorted to in full and proper measure, would raise values and the price level and restore the buying and consuming power. But to meet the request of the President for full and complete control of the measure, and to facilitate, expedite, and hasten the currency operations provided for and bring about restoration and relief promptly, speedily, without hesitation, or delay, the currency plan to be resorted to, as well as the administration of the measure, was placed at the discretion of the President, with full power to employ any or all of the currency provisions provided under the act, to the end that no want of authority or power could intervene to postpone prompt and speedy relief.

Accordingly, as provided under the law, the President in the exercise of his discretion, after mature deliberation until October, declared for the revaluation-of-gold plan as the currency measure under which to restore the depleted money supply. And in February, following this declaration, the President seized upon and took over the gold, provided for a $2,000,000,000 stabilization fund, and all preparations were ready and complete for the administration and enforcement of the law. But the provisions of the recovery act under which the gold revaluation plan was authorized to restore the money supply in circulation has never been put in operation or entered upon or carried into force and effect. The step authorized and prepared for has never been taken to restore the money supply. And today the money supply remains depleted the same as if the measure had never been enacted, the same as if the President had never exercised the option declaring for the revaluation of gold for the restoration of money and credit back in circulation.

THE OBJECT AND WHY REQUIRED

The declared object and purpose of the revaluation-of-gold plan is to bring a rise of commodity prices and thereby a return of earnings and income and a restoration of the buying and consuming power. And the declared goal and object to be reached is the general 1926 price level, which would be to double the price of all farm grain, crops, and stock, and the price of all commodities not arbitrarily fixed by combination or agreement.

Money values and commodity values are always relative and opposite. There can be no such relation as high money values and high commodity values maintained at the same time. If money values are high, commodity values will be low. The higher money values rise the lower commodity values will fall. If commodity values are too low, it is because money values are too high.

The revaluation of gold therefore involves the problem of the general price level, the relative value of money and commodities, the control of the money supply for a restoration and stabilization of prices measured in money. The one most important function or effect of the stabilizing facilities provided is to take from private manipulating financiers the power to control values and the price level and restore that power to the public. The power to control values and the price level now rests with the Federal Reserve Board, a private, selfish banking octopus, without responsibility for the public welfare. Under the gold revaluation program the power to control values and the price level will rest with the Secretary of the Treasury directly responsible to the President until that power can be recovered by Congress.

The practical effect of the revaluation of gold upon the money supply and the commodity price level will be the same as if new gold mines were discovered and the gold supply increased and doubled, which would double the money supply and in turn double the relative value of commodities. Gold is no longer in circulation as money. Currency is issued upon and made to represent gold. Money is not issued upon the quantity or corpus of the metal, but upon the value fixed, real, or assumed. If the existing supply of gold is revalued and its value is doubled, the supply of gold is doubled for the purposes of issuing money the same as doubling the quantity, and upon which double the amount of money can be issued while maintaining the gold standard.

The revaluation of gold is a problem involving the operation of economic laws as well as the principles of money. The immutable law of supply and demand applies to both money and commodities. Gold by itself and of itself is a commodity the same as wheat, corn, or lumber. And its value changes, fluctuates, rises, or falls with the supply and demand for gold the same as with any other commodity.

If the demand for a commodity is increased without a corresponding increase of supply, the value of the commodity will be increased. If the demand is decreased without a corresponding decrease of supply, the value of the commodity will fall. If the supply of a commodity is increased in proportion to the increased demand, the value will remain stable and unchanged. The demand upon gold has been doubled without a corresponding increase of supply, and the object of the revaluation of gold is to increase the supply of gold for money to counteract, neutralize, and equal the increased demand and thereby restore and stabilize the value of gold and the relative values of commodities.

The difficult part of the problem has been to discover the cause, how the increased demand upon gold was maneuvered and brought about by the international bankers and financiers. And the interesting and illuminating part is to realize and understand how the cause has been hidden, covered, and concealed in denial and evasion; how it has been kept a guarded secret for over 12 years, or since May 18, 1920, by the vandal character of the acts being such as to preclude acceptance and belief. For a proper consideration and understanding of the revaluation-of-gold plan, the cause, object, and purpose of the sudden increased demand upon gold must be explained, realized, and understood.

HOW THE VALUE OF GOLD WAS CHANGED

The international financiers and bankers who had amassed fortunes in billions during the great World War, profiteering upon the needs and emergencies of the Government, were not satisfied with their huge profits and gains. As the holders of the war-debt bonds and claims, they conceived a plan to increase and multiply the value of their bonds by increasing the value of the money in which paid, and which they organized and carried out, assuming currency reform, sound money, and an honest dollar.

Under a secret gentlemen's agreement, the precise form of which may never be known, the World War nations were all led in concerted action to make demand for gold to establish a so-called "international gold standard." In pursuance to this agreement and as a part of the plan, a secret bankers' meeting was held May 18, 1920, in Washington, D.C., under the very shadows of the Capitol, and at which a secret resolution was passed calling upon the Federal Reserve and member banks to call their loans and discounts, withdrawing currency and credit from circulation. Following this action and concurrently therewith the discount rate was raised, securities were sold under the open-market operations, loans were called in, and currency canceled until the circulation and credit was all but suspended.

The concerted action of the nations, led and directed under the secret gentlemen's agreement, making demand upon gold for money without an increased supply to meet the demands, made the corner and monopoly of gold complete and multiplied the value of gold manyfold relatively and over other values and prices here and throughout all the World War countries; and the operations of the Federal Reserve Board, in obedience to the secret resolution passed, contracting and withdrawing money from circulation, made the fall of values and prices promptly effective in our own country, and like action was taken in other nations to bring about and accomplish the same purpose.

It was this secret concerted movement, increasing and multiplying the demands upon gold and the action of the secret bankers' meeting and the contraction of money in other nations, which brought on the world-wide panic and a scarcity of money not only here but likewise in other World War countries. The revaluation-of-gold plan is a program to relieve from the increased demand upon gold by increasing the supply of gold in value for use as money and under which the money and credit withdrawn can be restored back into circulation and use.

There are two ways, plans, or systems under which to revalue gold for money. One is by maintaining a stabilization fund with which to bid for and buy gold upon the open markets of the world—by purchasing, increase the demand for gold when gold falls below the stable level, and by selling gold and relieving the demand when gold rises above the stable level. These operations contemplate control of the world price of gold for the purpose of international exchange—that is, for use of money between the nations—looking to world commerce and trade and the sale of our products abroad.

The other means provided and available for the revaluation of gold is the power vested in Congress under the Constitution to coin, issue money, and regulate the value thereof, and which can be exercised by the President under the delegation of powers conferred upon him. The powers conferred by the Constitution under which to revaluate our own gold and restore and stabilize values and the price level here can be exercised promptly and without delay and without waiting for international agreement or the consent of other nations.

Congress has always possessed this power, and there has never been a single day since this panic fell upon the country when Congress could not have revaluated gold, relieving the strain and demand upon gold, raised commodity values, and the price level, and restored normal prosperity within the confines of our own country.

HOW THE INCREASED VALUE OF GOLD WILL INCREASE COMMODITY VALUES AND THE PRICE LEVEL

The increased demand upon gold and thereby the increase in the value of gold without a corresponding increase in money in dollars, brought about by the international bankers, carried the same increased value of gold from gold to money based upon gold. And with their war-debt bonds and claims payable in money, in a fixed number of dollars, the same increased value of gold and money was carried to their bonds and claims, and increased and multiplied their value the same as gold and money, manyfold. But the same operations which increased the value of gold, money, and bonds produced an opposite effect upon commodity values and prices and forced down the value of property and the price level correspondingly and in proportion as gold and money was increased and raised in value.

The effect of these gold maneuvers and manipulations of the international bankers and financiers was to take value from commodities, property, and labor and shift and transfer that value to their bonds and war-debt claims. And every dollar the people have lost in the fall of commodity values, prices, and wages has been taken and is now held by these conspiring, manipulating bankers in the increased value of their war-debt bonds and claims.

Congress found, and it is universally agreed, that the panic was caused or resulted from a failure of the buying and consuming power—the power of the people to take, buy, and consume the products of farm, factory, mill, and workshop. And by following the course of unerring cause and effect, the precise operation of increasing the value of gold can be traced from the secret gentlemen's agreement and the secret bankers' meeting following to the rise of money values and the fall of prices and the destruction of the power of the people to take, buy, and consume what industry produces. Observing the principles and laws of money, that an increase of the value of money decreases commodity values and prices, the increased value of money—the dollar—and the resulting low values and prices, made money call for manyfold the property and commodities for the payment of debts and contract obligations. With taxes and debts left calling for the same number of dollars and the dollar made to call for three to four times the property and commodities, taxes and debts were increased and multiplied upon the people measured in property, commodities, and labor, in which, and only in which, they can be paid.

When this panic fell upon the country before the increased demand for and value of gold and the resulting increase in the value of money and the fall of commodity values and the price level, the farmers were selling not more than one third of their products with which to pay taxes, interest, and fixed charges. And they were left with the other two thirds or more with which to buy, take, and consume the products of factory, mill, and workshop, and with a balance over to use for payments on their debts and mortgages. But when the international financiers and bankers increased the demands for and the value of gold, increasing the value of money and the dollar and forcing down values and the price level, the farmers were compelled to sell instead of one third, three thirds or all of their crops, stock, and produce with which to pay taxes, interest, and fixed charges, and were left with no part with which to buy and consume, destroying the buying and consuming power of 40,000,000 farm population and dependents.

The fall of values, destroying the farmers' buying and consuming power, finally left the retail merchant without demands, the wholesale house without sales, and the factory, mill, and workshop without orders. The wheels of industry slackened and slowed down and brought unemployment to industrial labor and destroyed the buying and consuming power of another 30,000,000 and their dependents. And the fatal circle of hard times, want, suffering, and distress in the midst of plenty and great abundance was realized and complete.

The gold-revaluation plan is a program to reverse these gold-demand operations by increasing the value of gold, not to make gold high, scarce, and dear but to broaden the gold base, and upon which to increase the currency and number of dollars, which in turn will reduce the gold value of money, increase commodity values, prices, and wage scales, and thereby restore the buying and consuming power of the people.

Gold must be further valued higher and more currency issued upon the base.

THE GOAL OR OBJECT TO BE REACHED

The one first and most important step in any great public movement is the declaration of policy and purpose to be entered upon and carried out. The action of Congress and the President providing for the revalution of gold to double the basis of the money supply and for the restoration of the 1926 price level marks the completion of that one first step. This step is a great forward stride in the reform of our money system; and when the administration will go the whole way in carrying out the declared program, prosperity will be far on the way.

While the currency legislation was pending, and to warrant and induce the Congress to delegate its power over money and confer that power upon the President, the President made a clear statement of his intention and the use he would make of that power. The following is the President's declared purpose, made May 7, 1933, to Congress and the country, and the statement is so clear and unequivocal that it precludes any doubt or question of the object, purpose, or goal to be reached:

> The administration has the definite objective of raising commodity prices to such an extent that those who have borrowed money will on the average be able to repay that money in the same kind of money which they borrowed.

This plain, clear, and unequivocal declaration of the purpose of Congress and the country has since been repeated and reiterated on different occasions and at different times, until October 22, 1933, when he said:

> Finally, I repeat what I have said on many occasions, that ever since last March the definite policy of the Government has been to restore commodity price levels. * * * When we have restored the price levels, we shall seek to establish and maintain a dollar which will not change its purchasing and debt-paying power during the succeeding generations. I said that in my message to the American delegation in London last July, and I say it now once more.

It will be observed that the President has declared for a restoration of commodity prices which will allow men who have borrowed money to pay the loan in the same kind of a dollar as borrowed; that is, to repay under the same price level. Congress has generally agreed if not specifically declared for a restoration of the 1926 price level. The farm price level is now only 56 percent, or slightly over one half, of the 1926 price level and a rise to that level would practically double prices. But the President has declared for the restoration of the price level which would carry commodity prices even higher. The great bulk of the debts today are secured by renewal notes and mortgages and were originally and first created under a price level much higher than 1926 prices. If the President carries prices to the 1926 level, commodity values will be substantially doubled. If he changes the relative value of money to give the debtor the right to pay in the same dollar as borrowed, he will carry the price level much higher. And there is where the commodity price should be to restore the tax, debt, and interest-paying power, and the buying and consuming power of the people.

This is the price goal declared for by the President, and to say that he will not vindicate his pledge to Congress and the people of the country is to challenge the integrity of a President of the United States, to charge him with bad faith and false pretense to obtain a grant of power. The President will carry out this pledge to Congress and the people. The only uncertain element remaining is the time in which under this plan the price rise declared for can be accomplished. The President says it can be accomplished and that it will be accomplished. And by the gold-revaluation plan it can be accomplished in record-breaking time.

WHAT IT MEANS AND TO WHAT APPLIED

It must be forever and eternally kept in mind that money values, commodity and labor values, are always relative and opposite. If money values are high, commodity and labor values will be low. If money values rise higher, commodity and labor values will fall lower. The rise and the corresponding fall and the fall and corresponding rise of money, commodity values, and prices, we call fluctuation of values or changing price levels. Stabilization, as the term is used in the new currency legislative program, means to establish at a certain fixed point the relative value of money with commodity values, prices, and labor, so that commodity values, prices, and labor will be held as determined and fixed at a constant or unchanging level.

In stabilization, money is only an incident to the main object to be reached or attained, as fixing an unchanging bushel or pound is only an incident in ascertaining the amount or weight of products sold or exchanged. Money is a measure of commodity and labor values as a bushel is a measure of quantity, or as a pound is a measure of weight and measures out the amount of goods or produce, or the amount of labor or services to be performed required for the payment of taxes, interest and debts, other obligations, or in exchange for other commodities or services.

Stabilization is to keep the money measure of commodities, labor, and labor products unchanging and always calling for the same amount of value. Taxes assessed are payable in money. Debts and contracts for money are payable in money. The people do not raise, grow, or produce money. The people must buy money with their goods, products, and labor with which to pay taxes, debts, interest, and money charges the same as men who have money must buy goods and products with which to live. Money is the value measure, measuring out the amount of commodities and labor required to pay a certain amount of taxes or to pay a certain amount of interest or debts, or to exchange for other property, for other commodities, or other services.

If commodity, labor values, and prices are lowered, the money measure is enlarged and calls for more. More labor and commodities are required to pay taxes, more required to pay interest, debts, and mortgages, and the burden of taxes and debts is increased upon the people. If commodity and labor values and prices are higher, the money measure of commodities and labor is smaller and calls for less commodities and labor to pay taxes, for less commodities and labor to pay mortgages, and the burden of taxes and debts will be lighter upon the people.

Under fluctuating, changing values and prices controlled by the money measure, the farmer who borrowed $5,000 when he could have paid the debt with 3,500 bushels of corn has since been compelled to give up 9,000 bushels of corn to pay and satisfy the same mortgage debt. Whereas if there had been a stabilization of prices by money, the farmer could have paid his mortgage with 3,500 bushels of corn, the same as when he signed the mortgage and would have left 5,500 bushels of corn to sell, the proceeds of which to use to buy and consume the products of factory, mill, and workshop.

Under stabilization through the control of money the same amount of taxes and debts would always call for the same amount of commodities and labor products, and men could always be assured when they sowed of what price they would receive when they reaped.

WHY PRICE RISE MUST PRECEDE STABILIZATION

For want of public control, stabilization, and publicity of money operations, the international financiers and bankers secretly changing the money measure of value and enlarging the money bushel or pound for the measurement of grain and weights of livestock called for by the dollar, debts and their bonds and claims, the dollar measure was made to call for such great amounts of commodities, labor, and the products of labor to pay taxes, interest, debts, and mortgages that nothing was left for the farmer to sell with which to provide for himself and family, which destroyed the farmers' buying and consuming power and brought the panic upon the country.

There have been great influence and pressure brought to bear upon the Secretary of the Treasury and the administration by the United States Chamber of Commerce, representing under cover and concealment the special monied interests of the country, and demanding immediate unconditional stabilization. This peremptory demand for stabilization is reinforced by intimidation and

threat of the horrors of so-called "inflation", which is the bankers' word and term for higher commodity prices and wages. It was the fall of values and the price level, destroying the buying, consuming, and debt-paying power, that brought the panic upon the country. And so without a rise to the 1926 price level, a rise more than doubling present prices, there can be no relief from this depression.

It is for this reason that stabilization becomes the most important and vital part of the currency or money program as well as the whole program for recovery. The few certain, special money manipulators, who have always evaded and opposed stabilization while prices were falling—to bring about or allow a further fall of value—now when prices are to be raised or restored are demanding stabilization before such restoration in order to hold down the present low price level.

Without a rise and stabilization of the 1926 price level or higher price level there can be no relief from the tax burden; there can be no escape from impossible debts, there can be no restoration of the buying and consuming power. Without such restoration and stabilization at this price level, mortgages on real estate at present values can never be renewed or paid by mortgagors and must be foreclosed and the real estate sold, with a deficiency judgment reaching over to be a lien against their personal effects and chattel property. Without a restoration and stabilization at this price level, building-and-loan mortgages can never be collected and the millions of building-and-loan deposits can never be paid, millions of homes will be lost to families, and millions will be lost to building-and-loan depositors.

Without a rise and stabilization of the price level, private industry cannot be restored, the tax burden will be continued to maintain the dole of public employment until its mounting, crushing weight breaks the already nearly exhausted Treasury and piles high the burden of public debts until repudiation will be the only hope for relief. Without a rise and stabilization of the price level, the struggling people can never escape from the merciless strangle hold of misers, Shylocks, and money changers, demanding their remorseless pound of flesh in the payment of debts calling for property, products, and wages manyfold the amount contracted for when made. Without a rise and stabilization of the price level, a restoration of private industry and earnings and income to employers, for want of public funds to pay and the withdrawal of public employment, we shall be drifting far and fast in the course, not on our way to a return of prosperity but to chaos, disorder, civil anarchy, and revolution.

WHY THE PRICE RISE HAS NOT BEEN REALIZED

These currency-relief measures of May 12, 1933, were enacted for the sole purpose of restoring the volume of money to circulation and thereby increasing values, the price level, and the wage scale. Immediately following the passage of this law, psychologically, on anticipation and belief that the new money would be issued and put in circulation, values and the prices started to rise. But as the money was not issued and put in circulation, the rise begun, lagged, slowed down, and fell back, and the relief assured was not realized.

The reason why values and the price level have not been raised and restored is because the step for that purpose provided under the gold-revaluation plan has not been entered upon and taken. Only the foundation or basis for such a step has been provided and completed. It is true that the Secretary of the Treasury has entered upon certain gold-buying operations or manipulations by offering to purchase gold at a price higher than the world market.

These gold-purchasing operations are speculative, problematical, and uncertain as to whether the gold price will be raised or the gold bid for will come to the United States. They are further uncertain and problematical both in the time they will become effective and in the results when realized as the same will effect price levels in this country. But it is certain in any and all events that the people of this country must wait for relief until we shall have first raised values and the price levels of all the gold-using countries of Europe and changed the commodity values of the world.

The gold-revaluation plan, reducing the gold content of the dollar, has operated with the effect to devalue the dollar abroad, but without appreciable force here to cause a rise of values and the price level. The reason for this difference and effect is that the dollar abroad is taken only for the gold that it calls for, that is, for its 59-cent gold content. But here, as it will pay 100 cents of taxes, interest, debts, and mortgages, it is still taken for 100 cents, and the relative value of money and commodities is not changed.

The reason that there has been no rise in values and the price level, as contemplated and claimed for the law, is that nothing has been put in force to cause such rise in values and the price level. If there had been a rise in values and prices, such rise could not have been explained or accounted for on any recognized economic theory, or any principle or law of money. It would have been a phenomenon defying analysis, solution, or explanation. Before there can be such rise in values, the price level ,and the wage scale, another and further step must be taken under the gold-revaluation plan.

THE FURTHER STEP REQUIRED TO PROVIDE RELIEF

Before the gold-revaluation plan provided for by Congress under the Farm Relief Act and declared for by the President will operate to raise values and the price level here, there must be another and further step taken. There must be an increased amount of currency issued upon the increased value of gold and this currency put into circulation. When this further and second step is taken and money issued and put into circulation and stabilized in the proper amount and not less than the 1926 price level, farm values and the price level will be doubled, thereby doubling the tax-paying power and the interest and debt-paying power of corn, wheat, hogs, cattle, and all farm products.

This increased price of farm products and the realization of an increased income from the farm will leave a greater surplus with the farm population of the country, after the payment of taxes, interest, and debts, to be used in buying and consuming power. This restored buying and consuming power of the 40,000,000 farm population and dependents will start orders going back from retail merchant to wholesale house, factory, mill, and workshop, and will restore employment to industrial labor.

Congress has completed its work. There is nothing more to be done to restore the money to circulation except to carry out and put the law in force, which is the duty of the Secretary of the Treasury as the executive officer of the Government. This step could have been taken first before the gold-buying operations began to raise the price level of the European countries, and relief provided here immediately instead of postponing restoration here until we raise the price level of the world.

It is estimated that since the panic began the people have lost over $12,000,000,000 in earnings, a vast and bewildering sum of money, and that they are still suffering a loss of over a billion dollars in earnings and income every year during the continuance of this panic.

The same special money interests which successfully prevented relief-currency legislation during the three former administrations to restore the money supply and raise the price level, are now throwing monkey wrenches in the currency machinery and holding back and preventing the gold-revaluation plan from being carried out and put in operation in the one and only way to provide relief to the people.

There has never been a single day since the beginning of this panic when Congress could not have acted and revaluated our gold supply, issued new money on the gold standard, and restored the money supply in circulation and stopped this panic and relieved the people. And there has not been a single day since Congress enacted the currency provisions of the Farm Relief Act, May 12, 1933, when new money could not have been issued based upon and redeemable in gold to restore the money supply in circulation and

to start the country back to normal and permanent prosperity promptly, without hesitation or delay.

There is no reason why prosperity should now be further delayed or postponed and the country burdened with crushing taxes to support the people in enforced idleness, except to provide the bondholding classes with investments by, through, and from which to drain the people of vast sums as interest.

ONLY ONE MEANS TO RESTORE PRICES

As before explained to the House, the gold-buying operations and manipulations, bidding higher to raise the price of gold in Europe and the markets of the world, is effective only externally, that is, abroad, and only to devalue the dollar relative to the currencies of gold-standard countries. This first step taken will not bring a rise in values, the price level, and the wage scale or have any appreciable effect here, or, if realized, will be negligible and incidental only. Under economic laws and the principles of money as fixed and certain as life and death, only an increased volume and supply of money issued and made available in circulation will bring such rise of values and the price level.

The one and only salvation and relief for farming and agriculture, and incidentally for all other classes, is a rise of farm values and prices. So that after the farmers have paid their taxes, interest, and fixed charges, they will have remaining a greater surplus for use as buying and consuming power. This is the power to buy, take, and consume the products of factory, mill, and workshop, and thereby restore employment to labor and the buying and consuming power of the industrial population.

All other means or so-called "remedies" are mere makeshift maneuvers, and only postpone the day of reckoning when the farmers must come face to face with foreclosure, insolvency, and bankruptcy, foreboding a system of landlord and tenant in America. And with the failure of the farmers, the great toiling and laboring masses, moved by the first impulse of life to live, will be misled to revolt and strike to secure employment and a living wage by other than orderly means and civil process.

THE PROGRESS AND STATUS OF THE PLAN

Congress and the President are in accord and have agreed that the cause of the panic is the failure of the buying and consuming power, and that this failure of the buying and consuming power has resulted from the fall of values and the price level, and is likewise the cause of the continuance of the depression. Congress and the President are in further agreement that the fall of values and the price level has resulted from the failure of the money supply, from an insufficient volume of money in circulation, and that a remedy and relief from the panic requires a restoration of the supply of money to circulation. Congress and the President have also agreed that the remonetization of silver, the revaluation of gold, a resort to Federal Reserve notes, and the issuance of United States currency notes are all available monetary measures by and through which to restore the volume and supply of money in circulation.

The greatest merit of the gold-revaluation plan over the other currency measures provided for is the policy and strategy of the legislation to forego and forestall the propaganda organized to discredit currency-relief measures by raising the hue and cry of "fiat money" or so-called "inflation" and "printing-press money." The gold-revaluation plan resorted to by the President provides for money issued upon the gold standard, based upon a gold reserve, redeemable in gold; to be issued upon the increased value of gold, which operates with the same effect as discovering new gold mines and doubling the corpus of the gold supply. The President is to be congratulated not only on the merits of the gold-revaluation plan but also on the policy and strategy exercised in his choice of the currency measures, thereby to meet, forestall, and foil the propaganda organizing to defeat the operations of any and all currency-relief measures.

On the passage of the Currency Relief Act of May 12, 1933, providing for these several currency-relief measures and for the option and discretionary power in the President to carry one or more of these into force and effect, to restore the depleted volume and supply of money, commodity values, prices, and wages, psychologically on anticipation of the new money, immediately started rising to a higher level, carrying an increase of prices and all farm values and prices, which only stopped and receded when the expected increase of money was not issued and put into circulation.

There are two steps which can be taken in the administration of the gold-revaluation plan. One is to revalue our own stock of gold, the largest of any nation in the world, to the agreed value of $41.34 an ounce, or to such value as would restore the 1926 price level, and upon that increased value of gold issue the new money to go in circulation. This step could have been taken immediately after the enactment of the law or on any day since that date, and the new money promptly put in circulation based upon and redeemable in gold, and commodity values, prices, and the wage scale would have begun a rise psychologically with the announcement and would have been restored promptly in the course of rising values and wages. But this step under the gold-revaluation plan has never been taken or entered upon.

The other step which can be taken and entered upon under the gold-revaluation plan contemplates a course of bidding for gold on the world markets with other nations, and using the two billion stabilization fund to make good the higher prices bid for gold, requiring foreign nations to bid higher or lose their gold to the United States. This step and prices, under which the people of the United States and prices and under which the people of the United States must wait for their remedy and relief until the United States shall have first forced up world values and the price level in our buying contest with foreign nations.

THE COURAGE OF THE PRESIDENT

There has been no such rise or restoration of commodity values, and the price level as contemplated under the gold-revaluation plan and as claimed for the plan by Congress. This failure has not been from any want of merit in the gold-revaluation plan of relief, but because the step to make the plan effective for this purpose has never been taken and entered upon. No other man succeeding to the Presidency has ever possessed the courage and will to take this great forward step in defiance of the money-monopoly interests to restore the money supply of the people. The gold-revaluation program has been hindered and delayed by spy expert advisers and unfriendly Treasury hold-over officials by diverting the operations and administration to the gold-buying, bidding operations.

BELATED SILVER LEGISLATION

Regardless of the merits of silver as a means to restore the money supply, it is apparent that no effective measure for that purpose can now be agreed upon and prepared for administration at this late date of the closing session; and, if passed by Congress in such form, would be disapproved by the President. Such further consideration of silver legislation will not only prove fruitless and of no avail to accomplish and carry out the purpose intended, but will serve to delay and further postpone the administration and enforcement of the gold-revaluation program already agreed upon and waiting to be enforced to restore money to circulation. While the remonetization and use of silver would be an effective means to restore the money supply, a mere purchase of a limited amount of silver without positive and mandatory provisions for the issue of currency upon the metal would be as abortive and ineffective to restore the money supply required as a thin sprinkle of rain to break a long, protracted drought. The currency program adopted by Congress and declared for and prepared for by the President offers the only hope of currency relief and should now be concentrated upon by Congress and the President for administration to restore the supply of money and credit and bring back earnings and income to the people.

THE PLAN HAS NOT FAILED

The gold-revaluation plan provided by the Democratic Congress and declared for by the President has not failed of its object and purpose. It has only been hindered, postponed, and delayed by the special money interests opposing

and preventing its operation and enforcement. It has never been carried into effect or allowed to operate. If enforced, in good faith and courageous administration, it will remedy the panic, restore normal prosperity, and justify every claim of Congress and the President.

What we need in this country today is more of the wisdom of Thomas Jefferson, who foresaw and warned against the evils of the private control of money as "more dangerous to the liberties of the people than standing armies in times of peace." And even more than the wisdom of Jefferson, we need the courage of Andrew Jackson to challenge and defy the money interests in their course and policy of intimidation, to hinder, delay, postpone, and defeat the administration of relief-currency measures, as he challenged, defied, and defeated the money power of his own day and times organized under the name and style to assume the character of a public agency, of the "Second United States Bank."

CASS GILBERT

Mr. CHRISTIANSON. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

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

There was no objection.

Mr. CHRISTIANSON. Mr. Speaker, I have asked your indulgence for a few moments this afternoon while I pay a brief tribute to a Minnesota man who made for himself a name of national and even international significance. Cass Gilbert, the father of the modern skyscraper and the supreme master builder of his time, who died last week, was during the 30 formative years of his life a resident of Minnesota. There he received his early education in the St. Paul public schools and at Macalester College. After serving a year's apprenticeship in an architect's office, he went east to attend the Massachusetts Institute of Technology. He completed his professional training abroad, and then returned to Minnesota to engage in the practice of architecture. In 1895 his design for the State capitol at St. Paul was accepted. That stately structure of white marble was an architectural triumph; it gave its builder immediate and world-wide recognition. St. Paul was too small to hold him. Reversing Horace Greeley's advice, he went east to "grow up with the country."

In New York he did not have to endure the years of struggling apprenticeship that have been the lot of most young men who have gone there to pursue fortune. Almost immediately he began to pierce Manhattan's sky with towers of such incredible beauty that the whole world stopped to look.

A great architect must be a poet as well as builder. He must know truth as well as beauty. Cass Gilbert saw that in order to have significance business must take on a spiritual quality; it must be more than a bartering of goods, a pursuit of profits. To be sure, he did not close his eyes to realities nor fail to see how utterly the actual fails to approach the ideal; but, like the prophets of old, he knew the value of unattainable goals. So his great genius set itself to the task of expressing in architectural form his conception of what business should seek to become. With a boldness which now challenges admiration, but then called forth derision, he did not hesitate to use the motif of gothic cathedrals in building his greatest skyscraper, the Woolworth Tower.

In the shadow of this Capitol stands the still unfinished Supreme Court Building, another product of his genius, chaste in lines that would have done credit to the builders of "the glory that was Greece." In this, as in his other great works, Cass Gilbert has alined himself with those architects who still reverence the past. He never built any modernistic dirigible-mast monstrosities, for he knew that utility does not preclude beauty, and that beauty, universal as to time and place, does not change with vogues and vagaries. Modern he was, but modern in the true sense; he never created something new in order to create something different; he adapted that which was time-tested and authentic to new needs and purposes.

He himself expressed this thought when he said: "My plea is for beauty and sincerity, for the solution of our own problems in the spirit of our own age, illuminated by the light of the past. To carry on, to shape new thoughts, new hopes, new desires in new forms of beauty as we may and can, but to disregard nothing of the past that may guide us in doing so." In those words Cass Gilbert showed himself a sound statesman as well as a great architect.

I hope that I shall be pardoned if in this connection I take occasion to answer the charge that has sometimes been made, that the Middle West is intellectually sterile. The man who, probably more than any other, is responsible for disseminating that libel is a Minnesotan, the author of Main Street. Sinclair Lewis is himself a refutation of the charge. The State that I have the honor to represent has made many cultural contributions to the Nation. If "the great American novel" has yet been written, many critics would pick the epic of the prairies, Giants in the Earth, for the distinction. Its author, O. E. Rolvaag, was a Minnesota man. Knut Hamsun, who wrote Hunger and The Growth of the Soil, developed his literary talent while a street-car conductor in Minneapolis. Paul Manship is making for himself a place beside Rodin and Thorwaldsen in the pantheon of sculpture. The St. Olaf Choir, consisting of young men and women recruited from the farms and villages of the Middle West, has won plaudits in the concert halls of two continents. Every year the Minneapolis Symphony Orchestra plays in the great music centers of America.

Minnesota has made her contributions to science. Drs. William J. and Charles H. Mayo have not only made the little town of Rochester known throughout the world of medicine, but have established and maintained research laboratories in which the boundaries of human knowledge have been extended. In the realm of statesmanship Minnestota has raised to eminence such men as William Windom, Cushman K. Davis, and Knute Nelson, as able as any who have raised their voices in this and the other body, and Frank B. Kellogg, whose legal attainments were recognized in his election to the World Court.

The obvious answer to the charge that there is crudeness and uncouthness in the Middle West is that no part of the United States, or of Europe either, is free from what supercilious critics have called "Americana." But crudeness and uncouthness are not characteristic; they do not measure the cultural level of the people. Unproductive ground does not yield good wheat. An intellectually sterile population would not produce men like Cass Gilbert, who, as a Washington editorialist said last week, "might have walked unashamed with Michelangelo and Da Vinci, with Raphael and Beethoven."

30-HOUR WEEK

Mr. CONNERY. Mr. Speaker, I ask unanimous consent to address the House for 3 minutes.

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

There was no objection.

Mr. CONNERY. Mr. Speaker, I am taking the time of the House at this time to say that I have just filed a new petition, which is now on the Clerk's desk. This petition will discharge the Rules Committee, if 145 names are secured, from consideration of the bill S. 158, the Black bill, the 30-hour week bill, which passed the Senate at the last session of Congress. If the House signs the 145 names, this bill would come up on June 11; and if the House passed the Black bill with amendments, then the bill would go to conference instead of having to go to the Senate and be sent to a committee. If the House passes the Black bill without amendment, the bill would immediately go to the President for his signature.

So I am asking all the Members, including the 76 Members who have signed the Zioncheck petition, to kindly sign this new Connery petition, which is no. 30, the 30-hour week bill.

Mr. BLANTON. Will the gentleman yield?

Mr. CONNERY. I yield.

Mr. BLANTON. The gentleman from Massachusetts [Mr. CONNERY] is one of the most loyal and patriotic men in the

House. Suppose the President were to send us a message today or tomorrow asking Congress, on behalf of the people of the country, to adjourn by June 1, would not my friend from Massachusetts deem it his loyal and patriotic duty as an American citizen and a good Democrat to grant the wishes of the President?

Mr. CONNERY. I would do what I considered my duty as a loyal American citizen and vote against adjournment so as to enact this 30-hour week bill to protect 10,000,000 American unemployed and put them back to work.

Mr. BLANTON. I am afraid the gentleman would not have the majority with him, as the majority will support the President's wishes.

Mr. CONNERY. We will see about that. I have seen stranger things than that happen, I may say to the gentleman from Texas.

Mr. BLANTON. I have followed the gentleman in a great many matters, but I am afraid this is one in which I cannot follow him. I am going to support the President.

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

Mr. CONNERY. I yield.

Mr. TRUAX. The gentleman from Texas asked the question: If the President should send a message to Congress asking them to adjourn for the American people—am I quoting the gentleman correctly?

Mr. BLANTON. Yes; and the Constitution, if the gentleman pleases.

Mr. TRUAX. No; the gentleman just spoke about the people.

Mr. BLANTON. No. The Constitution says that when the two Houses of Congress disagree as to adjournment the President himself can adjourn Congress when he gets ready, and I hope he will.

Mr. TRUAX. I am not talking about the provisions of the Constitution. I am talking about the people of this country. I was elected at large in my State, and I have not received one single request from anyone to adjourn this Congress. They say this is the greatest Congress the country ever had. [Applause.]

Mr. BLANTON. Mr. Speaker, will the gentleman yield for another suggestion?

Mr. CONNERY. I yield.

Mr. BLANTON. If the President should ask Congress to adjourn by June 1, the loyal Democrats of the House would overwhelm the gentleman when he asked them not to adjourn.

Mr. TRUAX. I deny the assertion of the gentleman from Texas.

[Here the gavel fell.]

Mr. ZIONCHECK. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts may proceed for 5 additional minutes.

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

There was no objection.

Mr. CONNERY. I shall not take much of the time of the House. I merely want to make this very clear: That the new Connery petition, petition no. 30, is designed to secure quicker action on the 30-hour week bill. It will discharge the Rules Committee on the Black bill, which has already passed the Senate, if we are in session June 11 and within the 6-day limit.

The Black bill passed the Senate without a roll call and it received a tremendous plurality. If we discharge the Rules Committee and the House takes the bill up on June 11 and passes Senate bill 158 without amendment, it would then go to the President immediately for his signature. If the bill is passed with amendments, the bill will go to conference; but in either event we will save such time as might be required to refer a House bill to the Senate committee.

I call the attention of the House to the fact that daily the newspapers carry accounts of strikes, strikes, strikes—strikes out in the West, and strikes down in the South, strikes up in the North, strikes in the East. Why are the workers striking? They are striking for shorter hours and better wages. The passage of the 30-hour week bill will give them the shorter hours, and with the amendment which we intend to offer in the committee it will give them better wages. The passage of the bill amended in this way will save a lot of trouble, turmoil, and strikes in the United States, and will give labor its place in the sun.

The President of the United States, on March 5, speaking to all the leaders of industry in Constitution Hall in this city, asked them, as President of the United States, to shorten hours and increase wages. That was on March 5. Today is May 21. At this date less than one twenty-fifth of 1 percent of the industrial leaders of the Nation have acceded to the wishes of the President of the United States. I say to my friend from Texas [Mr. BLANTON] that I shall vote against adjournment to make these industrial leaders do what they were asked to do by the President of the United States—to shorten hours and increase wages.

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

Mr. CONNERY. I yield to the gentleman from Texas, having mentioned him.

Mr. BLANTON. Of course, my friend from Massachusetts does not approve of plasterers and painters in Washington who have been getting $9, $10, and $12 a day in steady, continuous employment for several years, striking on Government jobs for more pay, when other men elsewhere are starving to death and have had no work for 2 years?

Mr. CONNERY. Oh, my friend from Texas should know that all these men are striking for is a decent living wage. Establish a decent living wage, and you will not have men starving to death; bring them up to the union wage, and we will not have any starvation in the United States.

Mr. COCHRAN of Missouri. Mr. Speaker, will the gentleman yield?

Mr. CONNERY. I yield.

Mr. COCHRAN of Missouri. May I ask the gentleman from Massachusetts if the Senate bill is now before the Rules Committee?

Mr. CONNERY. It is.

Mr. COCHRAN of Missouri. And the Committee on Labor, of which the gentleman is chairman, favorably reported the bill?

Mr. CONNERY. The Committee on Labor reported the bill unanimously.

Mr. O'CONNOR. Mr. Speaker, will the gentleman yield?

Mr. CONNERY. I yield.

Mr. O'CONNOR. Senate bills do not go to the Rules Committee.

Mr. CONNERY. Well, the bill is on the calendar, and I presented to the Rules Committee my Resolution No. 142, asking for a rule on Senate bill 158. I never received a rule.

Mr. O'CONNOR. Did the gentleman ever ask for a rule on the bill?

Mr. CONNERY. I will qualify that and state to the gentleman that I spoke to the Speaker and to the majority leader at that time, and they said they had conferred with the President, and the administration was not in favor of the bill, because of the provision in the bill which would make foreign nations go on a 5-day week if they wished to ship goods to the United States. So it was useless to ask for a hearing.

Mr. O'CONNOR. Has the House Committee reported the Senate bill?

Mr. CONNERY. Yes; unanimously.

Mr. HASTINGS. Without amendment?

Mr. CONNERY. With amendments.

Mr. HASTINGS. The gentleman is asking that the Senate bill be passed without House amendments?

Mr. CONNERY. If the House so desires; yes. I should prefer amendments which the Committee on Labor might see fit to offer on the bill to take care of the wage situation.

Mr. COX. The gentleman thinks he is safe in the assumption that he will not get a rule from the Rules Committee?

Mr. CONNERY. Yes. I do not think I will discuss it, because I do not want to break any confidences, but I will

say that I am safe in the assumption that the Rules Committee will not give me a rule.

Mr. SCHULTE. Will the gentleman yield?

Mr. CONNERY. I yield to the gentleman from Indiana.

Mr. SCHULTE. The gentleman realizes the conditions in his own district as well as in other districts?

Mr. CONNERY. Yes.

Mr. SCHULTE. I am referring to the 30 hour bill. The reason the 30 hour bill is demanded at this time is because there is so much chiseling going on by the big industries.

Mr. CONNERY. Yes. That is one of the reasons.

Mr. SCHULTE. If the gentleman would permit me in his time, I should like to read a letter.

[Here the gavel fell.]

Mr. SCHULTE. Mr. Speaker, I ask unanimous consent that the gentleman may proceed for 1 additional minute.

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

There was no objection.

Mr. SCHULTE. The letter I refer to is as follows:

STATE OF INDIANA.

DEAR SIR: I wish to notify to you about the place where I am employed—Steel Co. of Indiana Harbor; 76-inch stripe mill. In this mill there are a number of men working 10 hours a day and 7 days a week. They work by hour rate. They do not work according to the N.R.A. schedule. Some men in this mill can't get 3 days a week while others are working 7. I am asking you to check this for the sake of other men and myself.

That is just a sample of the letters we are getting from the industrial centers.

Mr. CONNERY. I have hundreds of similar letters on my desk. May I ask in conclusion that all House Members sign this Connery petition immediately. It is petition no. 30. In my opinion, the passage of legislation to insure a 5-day week 6-hour day in industry will do more to relieve unemployment in the country than any other measure I know of.

The American Federation of Labor and all union labor throughout the country are unanimously supporting this petition and this legislation.

Congress should not adjourn without passing this 30-hour week bill. [Applause.]

Mr. MARTIN of Colorado. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes on the subject matter that has just been discussed by the gentleman from Massachusetts.

Mr. COCHRAN of Missouri. Mr. Speaker, reserving the right to object, and I do not propose to object to this request, we have already consumed an hour. This is an important day. If we are going to take up the time of Consent Calendar day with speeches, we will not get anywhere with the calendar. I serve notice now that I shall object to any further requests for time to make speeches.

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

There was no objection.

Mr. MARTIN of Colorado. Mr. Speaker, I would be recreant to very strong convictions regarding the chief cause of the unemployment of labor and what must be done to reabsorb unemployed labor in industry, if I did not do something more than sign petitions to have these labor bills placed on the calendar.

It is not simply a question whether we like a 30-hour week and a 6-hour day. It is not a question whether we want these shorter workweeks and shorter workdays. The fact may as well be faced that we must have them. They are the major solution of unemployment in industry. The outstanding problem facing our civilization, the greatest challenge to its statesmanship, is to furnish employment so that every man willing to work may find work at a wage which will maintain the American standard of living. The most terrible thing in this country today is the presence of not less than 10,000,000 workers who cannot find work and who must look to charity, public or private, for their daily bread. It is intolerable, and if long continued will not only impair the moral and physical fiber of the individual but will lower the whole American standard of manhood and citizenship. The future of America is bound up in this problem.

I do not agree with those who say that the National Recovery Act has contributed nothing to the solution of this problem. The National Recovery Act as a whole has not only reduced the hours of labor and increased wages and increased employment to the extent of two or three million workers but it furnishes the model of a new system of relationships between industry, labor, and the consuming public. Uncontrolled production, cutthroat competition, low prices to the producer and high prices to the consumer, long hours and short pay, too much food and starvation, must pass out of the picture. The National Recovery Act, the Agricultural Adjustment Act, and practically all the acts of this remarkable and revolutionary Congress show the way. I have confidence that, by whatever means necessary, we shall follow along.

The 30-hour week and the 6-hour day are not to be regarded as were the earlier movements for a reduction in work hours—from a primarily humanitarian standpoint for the worker. The endless-hour day and the endless-day week cried to Heaven for pity on the wage slave. He was the man with the hoe. The picture now is far different than what it was when Victor Berger spoke on the floor of this House about the men who worked 12 hours per day 7 days per week as men who had no time to thank God and nothing to thank Him for.

We are confronted with the problem now of men who have nothing but time in which to thank God and nothing to thank Him for. I am not going to repeat in detail what I have said on former occasions about this problem. I shall repeat only one short sentence: The return of prosperity will not solve unemployment. I might add that with so much unemployment, prosperity cannot return. We must spread the load of society out over the machine, or the whole thing will break down. This generalizes the problem as I see it. We may as well face the issue. Shutting our eyes will not remove it. Putting off the evil day, if that is the way it looks to you, will not avail. I think the statement cannot be challenged that the workers, in the main, have supported the program of the President, including the recovery acts. But these millions of unemployed, living in want, and these other millions who have employment, living in fear, do not feel that the program has gone as far as practicable or necessary.

I know it is disputed that the machine is mainly responsible for the growing, chronic unemployment of labor and it is contended that the resumption of normal activity in all lines of business would reabsorb the great majority of these idle millions. The statistics of railway employment, in my opinion, furnish a reliable index as to which of these views is true.

In 1920 the total number of employees on railways exceeding 100 miles in length, and known as "class I" carriers, was in round numbers 2,000,000. In 1929, which witnessed the greatest volume of traffic in the history of rail transportation, the number of employees on these lines had decreased to 1,660,000. In other words, taking the period of the post-war boom, considered the most prosperous era in the history of any nation, the number of railway employees decreased 340,000, while at the same time the volume of railway business reached its maximum.

It must be conceded that growing competition by water, by truck, and by bus are cutting into the railways, creating a situation which demands the centralized control and regulation of all forms of transportation, to the end that each may make its proper contribution to the transportation business of the country, while preserving all other forms. But water, trucks, and busses had reached a very high stage of competition with railways in 1929, notwithstanding which the railways in that year handled their maximum tonnage and handled it with a decrease of about 18 percent in the working personnel.

The roll of the railway unemployed since 1929 has reached the enormous total of 800,000, and with 400,000 more insufficiently employed to maintain a decent standard of living. Between 1920 and 1932, employment on class I railroads declined from a fraction over 2,000,000 to a fraction

over 1,000,000. The principal cause for this alarming showing is to be found in a sentence stated by Mr. A. F. Whitney, who is the chairman of the Railway Labor Executives' Association; that is, head of the associated railway organizations. Mr. Whitney said:

In the last decade productivity of railroad workers has increased by leaps and bounds, but nothing has been done to overcome its evil effects on the workers. The result is that hundreds of thousands of skilled railroad workers of years' training in the safe and efficient transportation of people and property have been forced into the bread lines. * * * Railroad managements have stated that they can now handle a 20-percent increase in business without any increase in employment.

Heavier motive power, longer trains, labor-saving devices, endless economies, have produced these results, deplorable directly in the case of the workers and indirectly affecting everybody and everything in the country, and what is going on in the railroad world is going on in all other lines of industry, in agriculture, and everything else. Two men are doing a job. Somebody invents a machine which enables one of them to do it, making a tramp of the other. Then the machine has to shut down.

I need not resort to tonnage statistics or the statements of someone else for all my knowledge on this subject. In my younger days I fired a locomotive. An engine and train crew can now haul over that division at least four times the tonnage handled by a crew with the equipment of that earlier day. The railway men of America are a picked class, but there is no future for them, unless by legislation they are given a proper share of the benefits of the improvements which are putting them out of work. I personally know enginemen and trainmen who have been losing ground for 20 years or more. The machine is shoving them back all the time and into the discard.

There are two bills on the calendar which have the combined endorsement of more men and women than any two bills which have already been passed in the Seventy-third Congress. That, I know, is a big statement, but I have no more doubt than that I am standing here that that statement is true of the 30-hour week bill for general industry and the 6-hour day bill for the railways. These great bodies of workers have other important bills pending, notably retirement pensions, unemployment insurance and disputes adjustment, but action upon all of them cannot reasonably be expected at this late hour on the calendar. The immediate problem is employment relief. It is easy to philosophize about this situation. Practically everybody agrees that with the growing use and efficiency of the machine the hours of labor must be shortened. But when it comes to reducing philosophy into action we hesitate. I favor taking the bull by the horns. Nothing can be said against these bills that has not been worn threadbare against all their predecessors. We cannot surrender to such considerations. The only thing that should defeat these bills is that we can solve the problem without them. I might oppose to any such contention the pessimistic statement of Clarence Darrow that the 6-hour day will not solve the problem, that the machine will soon overtake it. My answer is that it matters not how short the workday must be. Civilization cannot be made a tramp by the machine. Society must ride the machine or be crushed by it. I believe society can ride the machine, and these bills are contributions to that end. We ought to pass them. [Applause.]

Mr. MONAGHAN of Montana. Is it not a question of either regulating our machine system or letting the machine destroy us? In other words, let us not be machine breakers, but let us make the machine serve man by enacting the 30-hour week and 6-hour day into law.

Mr. MARTIN of Colorado. The able young Representative from Montana has stated the problem in a sentence.

[Here the gavel fell.]

REVENUE ACT OF 1932

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H.R. 9234) to amend section 601 (c) (2) of the Revenue Act of 1932.

The Clerk read the title of the bill.

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

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman tell us what this bill is about?

Mr. DOUGHTON. This bill provides for an exemption from the existing excise tax of 3 cents a pound on liquid malt, malt sirup, and malt extract when sold to, or for resale to, a baker or for use in baking, or for resale to a manufacturer or producer of malted milk and medicinal products.

This bill has a unanimous report of the Committee on Ways and Means and it was also recommended by the Secretary of the Treasury. Under the present law, unless sold directly, the tax applies. This bill provides for an exemption when it is resold, the same as sold directly. It covers manufacturers, bakers, and so forth. The committee report is complete and is a unanimous report by the committee. I think the bill is meritorious.

Mr. JENKINS of Ohio. Has the gentleman conferred with the gentleman from Massachusetts [Mr. TREADWAY], the senior minority member of the committee, about bringing up this bill?

Mr. DIRKSEN. If the gentleman will yield, I will answer the question.

Mr. DOUGHTON. I yield to the gentleman from Illinois.

Mr. DIRKSEN. I talked to the ranking minority member, and I may say that he had information that it would come up and offered no objection.

Mr. DOUGHTON. My understanding is there was no objection to bringing it up at this time.

Mr. BLANTON. Will the gentleman yield?

Mr. DOUGHTON. I yield to the gentleman from Texas.

Mr. BLANTON. At present the Government receives a tax when these commodities are sold, whether for resale or otherwise?

Mr. DOUGHTON. They are exempt from tax when sold direct.

Mr. BLANTON. Under the present law?

Mr. DOUGHTON. Yes; under the present law. This proposes to put them on the same basis in either case.

Mr. BLANTON. Just what particular industry does this bill propose to help?

Mr. DOUGHTON. The bakers mainly.

Mr. BLANTON. How about the brewers? The malt-extract provision in the bill is particularly designed, also, to help brewers, is it not?

Mr. DIRKSEN. May I say to the gentleman from Texas that it will help the manufacturers and producers of malt everywhere in the country.

Mr. BLANTON. That embraces beer.

Mr. DIRKSEN. Yes; but the malt used in beer is not involved in this bill.

Mr. BLANTON. Then the beer industry is not involved in the bill at all?

Mr. DIRKSEN. No; only indirectly. It does not enter into this bill.

Mr. BLANTON. What particular industry, other than bakers, is this bill designed to help?

Mr. DIRKSEN. All of the malt industries. May I touch on the foundation for the introduction of the bill?

Mr. BLANTON. I will not require the gentleman to do that, since the bill has the approval of our Chairman of the Ways and Means Committee. I withdraw the objection.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 601 (c) (2) of the Revenue Act of 1932, as amended, is amended by striking out "sold to a baker" and inserting in lieu thereof "sold to, or for resale to, a baker", and by striking out "to a manufacturer or producer" and inserting in lieu thereof "to, or for resale to, a manufacturer or producer."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PERMISSION TO ADDRESS THE HOUSE

Mr. BRITTEN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute, with a view to making another unanimous-consent request later.

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

There was no objection.

Mr. BRITTEN. Mr. Speaker, this morning there was made public throughout the land a report from the Board of Review of the N.R.A. It is a quite extensive report and has been made after an investigation involving months of time. I think the report should be either printed as a public document or printed in the RECORD, and I therefore ask unanimous consent, Mr. Speaker, that the report of the Board of Review of the N.R.A. be printed in the CONGRESSIONAL RECORD, in addition to my own remarks attendant thereon.

Mr. O'CONNOR and Mr. BLANTON objected.

Mr. BRITTEN. This is a Democratic board—this is the Roosevelt-Darrow board.

Mr. BLANTON. What are you after it for?

Mr. BRITTEN. I want it preserved as a valuable document for future reading by those interested in political science. It may later prove to be a most valuable directing force toward correcting the outstanding abuses permitted under the N.R.A.

The regular order was demanded.

Mr. BRITTEN. Mr. Speaker, my time is not yet up. The gentleman from Texas [Mr. BLANTON] was extolling the President a while ago and stating what he would do for him. This is the Roosevelt-Darrow report and should be printed.

Mr. BLANTON. I am backing the President.

[Here the gavel fell.]

SENIOR CIRCUIT JUDGES

Mr. SUMNERS of Texas. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 7356) an act to provide, in case of the disability of senior circuit judges, for the exercise of their powers and the performance of their duties by the other circuit judges, and concur in a very unimportant but necessary Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Line 4, after the word "illness", insert "or other cause."

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, may I ask the gentleman if he has consulted the minority members of the committee about bringing the matter up at this time?

Mr. SUMNERS of Texas. I have not.

Mr. MARTIN of Massachusetts. Then I must object, Mr. Speaker.

Mr. SUMNERS of Texas. Will the gentleman withhold his objection a moment or is the gentleman going to object in any event?

Mr. MARTIN of Massachusetts. I think the minority members of the committee should be consulted before making such a unanimous-consent request, and I am going to object until I can consult some of the members of the committee.

Mr. SUMNERS of Texas. I think that is the correct procedure.

Mr. MARTIN of Massachusetts. I object, Mr. Speaker.

EXTENSION OF REMARKS

Mr. CHRISTIANSON. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Minnesota rise?

Mr. CHRISTIANSON. To submit a unanimous consent request. I think the Darrow report should be printed, but I think in all fairness——

Mr. O'CONNOR. Mr. Speaker, I demand the regular order.

Mr. CHRISTIANSON. Mr. Speaker, I want to submit this request.

The SPEAKER. The gentleman will state his request.

Mr. CHRISTIANSON. My request is that the Darrow report, together with the Johnson reply thereto, be printed in parallel columns in the CONGRESSIONAL RECORD.

Mr. O'CONNOR. Mr. Speaker, I object.

The SPEAKER. That is a matter in the control of the Joint Committee on Printing, in any event.

CONSENT CALENDAR

The SPEAKER. The Clerk will call the Consent Calendar.

VALIDITY OF DECLARATIONS OF INTENTION

The Clerk called the first bill on the Consent Calendar, H.R. 8317, to extend the validity of declarations of intention beyond 7 years.

Mr. ZIONCHECK. Mr. Speaker, at the request of the committee, I ask unanimous consent that this bill may be passed over without prejudice.

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

There was no objection.

APPOINTMENT OF POSTMASTERS

The Clerk called the next bill, H.R. 7088, to amend the provisions of laws relating to appointment of postmasters.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

Mr. HOEPPEL. Mr. Speaker, I object.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT, Mr. JENKINS of Ohio, and Mr. MARTIN of Massachusetts objected.

Mr. HOEPPEL. Will the gentleman from Ohio or the gentleman from Michigan withhold their objection for a statement?

Mr. WOLCOTT. I withhold my objection, Mr. Speaker.

Mr. HOEPPEL. Mr. Speaker, on the other side of the Capitol the accusation has been made that former Secretary of War Hurley is using his offices to perpetuate Republicans in office. I do not want to enter into that controversy, but I wish to make the statement that this bill is to save money for the Government——

Mr. TABER. Regular order, Mr. Speaker.

Mr. HOEPPEL. And the objection the Republicans are now making is nothing but a political maneuver to perpetuate their own postmasters in office.

Mr. TABER. Regular order, Mr. Speaker.

Mr. WOLCOTT, Mr. JENKINS of Ohio, and Mr. MARTIN of Massachusetts objected.

NINTH PAN AMERICAN SANITARY CONFERENCE

The Clerk called the next joint resolution, Senate Joint Resolution 59, to provide for the expenses of delegates of the United States to the Ninth Pan American Sanitary Conference.

Mr. BLANTON, Mr. TRUAX, Mr. LAMNECK, and Mr. YOUNG objected.

RESPONSIBILITY OF MAIL CONTRACTORS

The Clerk called the next bill on the Consent Calendar, H.R. 7299, to authorize the Post Office Department to hold contractors responsible in damages for the loss, rifling, damage, wrong delivery, depredation upon, or other mistreatment of mail matter due to fault or negligence of the contractor or an agent or employee thereof.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 3962 of the Revised Statutes, as amended by the act of May 11, 1926 (44 Stat. 499; U.S.C., supp. VII, title 39, sec. 443), is hereby amended to read as follows:

"The Postmaster General may make deductions from the pay of contractors for failure to perform service according to contract and impose fines upon them for other delinquencies, which deductions or fines may be changed or remitted, in his discretion. Contractors shall also be answerable in damages to the United States for the proper care and transportation of the mails, and be accountable to the United States for any loss or damage resulting to any of such mail or any part of it by reason of the failure to exercise due care on the part of any of the contractor's officers, agents, or employees in the custody, handling, or transportation thereof. He may deduct the price of the trip in all cases where the trip is not performed and not exceeding three times the price if the failure be occasioned by the fault of the contractor or carrier."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RESPONSIBILITY OF RAILROAD COMPANIES CARRYING THE MAILS

The Clerk called the next bill on the calendar, H.R. 7392, to authorize the Post Office Department to hold railroad companies responsible in damages for the loss, rifling, damage, wrong delivery, depredation upon, or other mistreatment of mail matter due to fault or negligence of the railroad company or an agent or employee thereof.

The SPEAKER pro tempore (Mr. MONAGHAN of Montana). Is there objection?

Mr. WOLCOTT. Reserving the right to object, I wish some member of the committee would explain why this bill is necessary, now that the bill H.R. 7299 has been passed? I have no particular objection to it, but it appears to me that this is included in the bill that we have just passed, H.R. 7299.

Mr. TAYLOR of South Carolina. This bill has to do with the contractors, and the other one had to do with the common carriers.

Mr. WOLCOTT. Is there any particular reason why they should have two bills?

Mr. TAYLOR of South Carolina. This bill under consideration has to do with the contract carriers.

The SPEAKER pro tempore. Is there objection?

Mr. FADDIS, Mr. LAMNECK, and Mr. KURTZ objected.

TO AMEND THE LONGSHOREMEN'S AND HARBOR WORKERS' COMPENSATION ACT

The Clerk called the next bill on the Consent Calendar, H.R. 8057, to amend the Longshoremen's and Harbor Workers' Compensation Act with respect to rates of compensation, and for other purposes.

The SPEAKER pro tempore. Is there objection?

Mr. ZIONCHECK. Mr. Speaker, I objected to this bill at the last call, because I wanted an opportunity to study it. I understand the gentleman from New York [Mr. O'CONNOR] is familiar with it, and I should like to have him make an explanation.

Mr. O'CONNOR. Mr. Speaker, this bill, introduced by Mr. BOYLAN, of New York, which has been unanimously reported by the Judiciary Committee through Mr. CELLER, of New York, and for which a rule has been granted, has been put on the Consent Calendar. There being no objection to it by anybody whom I know, it is my thought that we might pass it by unanimous consent and save the time which would be taken under the rule.

In 1927 we passed the Longshoremen's and Harbor Workers' Compensation Act. The longshoremen in the different States were not protected by State compensation laws because they were engaged in foreign commerce or in commerce not entirely within the States. So it became necessary to pass a Federal compensation law for longshoremen and harbor workers. I was privileged to take a part in the passage of that act of July 1, 1927.

In administering that law, however, certain defects arose, which this present bill proposes to correct. This bill provides for six amendments to the law, all agreed upon in the first instance by the workers, by the employers, and by the United States Compensation Commission.

FIRST AMENDMENT

Section 1 of H.R. 8057 adds a new sentence to section 7 (a) of the existing act. It authorizes a deputy commissioner to suspend payment of compensation if the injured employee unreasonably refuses to submit to medical and surgical treatment. The United States Employees' Compensation Commission in its Seventeenth Annual Report (June 30, 1933, pp. 18–19) states:

> Deputy commissioners have found it difficult in a number of cases to make awards which properly protect the interest of the employer, due to the failure of the employee to carry out the entirely proper instructions of the physician or surgeon treating his case, and in some cases due to the deliberate acts of the employee in removing bandages or doing other things which clearly increase the period of disability.

The proposed amendment is in line with the recommendations of the Commission.

SECOND AMENDMENT

Section 2 of H.R. 8057 amends subdivision (c) of section 8 of the existing act so as to provide that in case of permanent partial disability—for example, the loss of an arm—compensation shall first be paid during the "healing period" and that such payments shall be in addition to the compensation payable on account of the permanent partial disability as fixed in the schedule, paragraphs (1) to (12) of section 8 (c).

This amendment sets forth clearly the intentions of those who drafted the original act. Subsequent court interpretations have resulted in some confusion and unexpected injustice. (*Texas Employers Ins. Assn.* v. *Sheppeard*, 32 Fed. (2d) 300; *Texas Employers Ins. Assn.* v. *Sheppeard*, Eq. No. 375 in the United States District Court for the Southern District of Texas, Houston Division; *Baltimore & Philadelphia Steamboat Co. et al.* v. *Norton et al.*, 40 Fed. (2d) 530, 48 Fed. (2d) 57, and 284 U.S. 408; *Crescent Wharf & Warehouse Co.* v. *Pillsbury*, 54 Fed. (2d) 1077.) The United States Employees' Compensation Commission describes the result of these decisions in its latest annual report (pp. 16–17) as follows:

> Among other things it may be pointed out that under the interpretation placed upon section 8 (c) (22) an injured employee who suffers a prolonged period of temporary total disability followed by a permanent partial disability consisting of a small percentage of loss of use of a member in many cases could not be awarded as much compensation for his entire disability, both temporary total and permanent, as he would be clearly entitled to have awarded him for his temporary total disability alone if he had had no ensuing permanent partial disability.

The Commission recommends an amendment "to correct this situation and avoid the incongruous and harsh results of such interpretation as well as to assure compensation in all cases for the disability actually suffered." The amendment proposed in section 2 of H.R. 8057 is in line with this recommendation.

THIRD AMENDMENT

The second amendment, above described, would result in a definite increase in compensation cost to the employers under the act were it not for the third amendment, as follows: Section 2 of H.R. 8057 amends section 8 (c) of the act by reducing the number of scheduled weeks of compensation payable for permanent partial disabilities in paragraphs (1) to (12). In each instance the reduction proposed is equal to the number of weeks of compensation specified in the present "healing-period" clause, section 8 (c) (22), which is repealed by this bill. This amendment, taken together with the previous amendment, constitutes a compromise which corrects injustices without increasing the cost to the employer.

FOURTH AMENDMENT

Section 3 of H.R. 8057 substitutes for the existing paragraph (22) of section 8 (c)—which is in effect repealed by the second and third amendments above—a new subdivision which makes it possible, in cases where a worker loses more than one member listed in the schedule—for example, a finger and a thumb—to pay compensation on account of each member lost. Such separate, consecutive awards are not possible under the existing act. This amendment is identical with that recommended by the United States Employees' Compensation Commission in its latest annual report (p. 17).

FIFTH AMENDMENT

Section 4 of H.R. 8057 amends section 14 (j) of the act so as to authorize the deputy commissioner to make partial lump-sum settlements. At present, lump-sum settlements, when made, must be for the entire amount of the compensation due. The Commission in its Seventeenth Annual Report (p. 17) states:

> Deputy commissioners who have had occasion to apply this section have expressed the opinion that in many cases partial lump-sum settlements would be for the best interests of a person entitled to compensation although there is not sufficient justification for commuting the entire amount due into one payment.

This amendment is in accordance with the recommendation of the Commission. However, the Judiciary Committee added two additional safeguards before a partial lump-sum settlement can be made: (1) It can be made only upon the claimant's application and (2) then only with approval of the Commission.

The amendment also provides that in computing the lump sum payable to a widow, the probability of her remarriage

shall be taken into consideration. Computations are to be made upon the basis of the remarriage tables of the Dutch Royal Insurance Institution, as is provided in the New York compensation law and in accordance with practice generally, since these are widely recognized as the authoritative tables for this purpose.

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

Mr. O'CONNOR. Yes.

Mr. BLANTON. Say that a man loses a finger and a thumb. Does the fourth amendment provide that he shall then receive for the loss of the two members as much as he would for the loss of a whole hand?

Mr. O'CONNOR. Oh, no. The present law provides a certain number of weeks for the loss of a finger and a certain number of weeks for the loss of a thumb; but in the interpretation of the law it was held, because the statute was not clear, that where a man suffered both of those injuries, for instance, he was not entitled to compensation for both losses. The amendment takes care of that situation.

Mr. BLANTON. All of the beneficiaries of the United States Compensation Act are employees of the Government.

Mr. O'CONNOR. No. Of course, these are not.

Mr. BLANTON. I am talking about those outside of the longshoremen.

Mr. O'CONNOR. There may be others.

Mr. BLANTON. Are there any others besides the longshoremen?

Mr. O'CONNOR. I do not know.

Mr. BLANTON. I have been wondering how they, with a status not that of a Government employee, got into the United States Compensation Act to begin with.

Mr. O'CONNOR. Because they could not get in under any State act.

Mr. BLANTON. They are not employees of the United States Government.

Mr. O'CONNOR. But the employees and employers contribute, of course, to the fund to provide the compensation.

Mr. BLANTON. They are not employees of the United States Government.

Mr. O'CONNOR. They are not paid by the United States Government. The compensation fund is merely administered by this Employees' Compensation Commission.

Mr. BLANTON. But all of the machinery and overhead is furnished by the United States Government.

Mr. O'CONNOR. I do not know about that; the contributions may cover that overhead, but the employers contribute to the loss. The Government does not.

Mr. BLANTON. I am hopeful that we will watch this matter and not let it be enlarged from time to time, because, the first thing you know, you will have the United States Government looking after everything that the States ought to look after; and whenever anybody takes anything from the United States Government they may as well understand that they are giving away some valuable rights in return. The people everywhere are depending entirely too much upon the United States Government for everything.

Mr. ZIONCHECK. The present law provides that the employees contribute to private insurance companies to provide for paying disabilities.

Mr. BLANTON. I am talking about the overhead and all of the administrative machinery, which is furnished by the United States Government.

Mr. ZIONCHECK. I am particularly interested in the feature that allows those injured a longer period to come back and reopen the thing. That is the real feature of the bill.

Mr. O'CONNOR. That is provided for in the sixth amendment.

Mr. McFARLANE. Are there any limitations on this compensation law as to how much the attorney shall receive for representing parties?

Mr. O'CONNOR. I am quite sure that such a limitation is in the original act of July 1, 1927.

Mr. McFARLANE. That is not covered in this bill?

Mr. O'CONNOR. This bill merely carries certain amendments to the act of 1927.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. O'CONNOR. Mr. Speaker, there is an identical Senate bill, S. 2794, introduced by Senator LA FOLLETTE, on the Speaker's table, which has passed the Senate. I ask unanimous consent to consider the Senate bill in lieu of the House bill.

Mr. WOLCOTT. Mr. Speaker, I reserve the right to object, to ask something about the provisions for a reduction in the number of weeks of pay and the reason for reducing the amount.

Mr. O'CONNOR. That is the third amendment. The number of weeks' compensation is reduced there because of the previous amendment which allows compensation during a preliminary or "healing period", but the total compensation remains the same, without any reduction to the injured employee.

Mr. WOLCOTT. Then there is not any actual reduction in the amount a man will receive?

Mr. O'CONNOR. No.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. ZIONCHECK. Mr. Speaker, I withdraw my reservation of objection for the reason that I have a letter here from the Maritime Employers' Association objecting to the bill. I think it is a good bill because of that objection.

The SPEAKER pro tempore. Is there objection to the consideration of the bill S. 2794?

There was no objection.

The SPEAKER pro tempore. Without objection, the Clerk will report the Senate bill S. 2974.

There was no objection, and the Clerk read the Senate bill, as follows:

Be it enacted, etc., That subdivision (a) of section 7 of the Longshoremen's and Harbor Workers' Compensation Act, as amended, is amended by adding at the end thereof the following new sentence: "If at any time during such period the employee unreasonably refuses to submit to medical or surgical treatment, the deputy commissioner may, by order, suspend the payment of further compensation during such time as such refusal continues, and no compensation shall be paid at any time during the period of such suspension, unless the circumstances justified the refusal."

SEC. 2. So much of subdivision (c) of section 8 of such act, as amended, as precedes paragraph (13) thereof is amended to read as follows:

"(c) Permanent partial disability: In case of disability partial in character but permanent in quality, the compensation shall be 66⅔ percent of the average weekly wages, which shall be in addition to compensation for temporary total disability paid in accordance with subdivision (b) of this section, and shall be paid to the employee, as follows:

"(1) Arm lost, 280 weeks' compensation.
"(2) Leg lost, 248 weeks' compensation.
"(3) Hand lost, 212 weeks' compensation.
"(4) Foot lost, 173 weeks' compensation.
"(5) Eye lost, 140 weeks' compensation.
"(6) Thumb lost, 51 weeks' compensation.
"(7) First finger lost, 28 weeks' compensation.
"(8) Great toe lost, 26 weeks' compensation.
"(9) Second finger lost, 18 weeks' compensation.
"(10) Third finger lost, 17 weeks' compensation.
"(11) Toe other than great toe lost, 8 weeks' compensation.
"(12) Fourth finger lost, 7 weeks' compensation."

SEC. 3. Paragraph (22) of subdivision (c) of section 8 of such act, as amended, is amended to read as follows:

"(22) In any case in which there shall be a loss of, or loss of use of, more than one member or parts of more than one member set forth in paragraphs (1) to (19) of this subdivision, not amounting to permanent total disability, the award of compensation shall be for the loss of, or loss of use of, each such member or part thereof, which awards shall run consecutively."

SEC. 4. Subdivision (j) of section 14 of such act, as amended, is amended to read as follows:

"(j) Whenever the deputy commissioner determines that it is in the interest of justice, the liability of the employer for compensation, or any part thereof as determined by the deputy commissioner with the approval of the Commission, may be discharged by the payment of a lump sum equal to the present value of future compensation payments commuted, computed at 4 percent true discount compounded annually. The probability of the death of the injured employee or other person entitled to compensation before the expiration of the period during which he is entitled to compensation shall be determined in accordance with the American Experience Table of Mortality, and the probability of the remarriage of the surviving wife shall be determined in accordance with the remarriage tables of the Dutch Royal Insurance Institution. The probability of the happening

of any other contingency affecting the amount or duration of the compensation shall be disregarded."

SEC. 5. Section 22 of such act, as amended, is amended to read as follows:

"MODIFICATION OF COMPENSATION CASES

"SEC. 22. Upon his own initiative, or upon the application of any party in interest, on the ground of a change in conditions or because of a mistake in a determination of fact by the deputy commissioner, the deputy commissioner may, at any time prior to 1 year after the date of the last payment of compensation, whether or not a compensation order has been issued, review a compensation case in accordance with the procedure prescribed in respect of claims in section 19, and in accordance with such section issue a new compensation order which may terminate, continue, reinstate, increase, or decrease such compensation. Such new order shall not affect any compensation previously paid, except that an award increasing the compensation rate may be made effective from the date of the injury, and if any part of the compensation due or to become due is unpaid, an award decreasing the compensation rate may be made effective from the date of the injury, and any payment made prior thereto in excess of such decreased rate shall be deducted from any unpaid compensation, in such manner and by such method as may be determined by the deputy commissioner with the approval of the Commission."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

A similar House bill, H.R. 8057, was laid on the table.

CARGOES IN AMERICAN-FLAG VESSELS

The Clerk called the next business, House Joint Resolution 282, requiring 50 percent of the cargo imported and exported under trade agreements between the United States and foreign nations to be carried in vessels of the United States.

Mr. TRUAX. Reserving the right to object——

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

Mr. TRUAX. Mr. Speaker, I object to that request.

The SPEAKER pro tempore. Is there objection to the present consideration of the joint resolution?

Mr. BLANTON. I object to the consideration of the resolution.

PAYMENT OF CONSULAR OFFICERS OR AGENTS AT FOREIGN PORTS

The Clerk called the next bill, H.R. 5266, to amend section 4548 (U.S.C., title 46, sec. 605) of the Revised Statutes of the United States.

Mr. TRUAX. Reserving the right to object, the Treasury Department recommends that this bill be not enacted; that it is unnecessary; that it is simply a reiteration of existing statutes already on the books. Therefore I object.

Mr. BLANTON. Mr. Speaker, I object.

Mr. BLAND. Will the gentleman reserve the objection? The statute requires payment in gold. While the Treasury Department does make that recommendation, it formerly recommended that this bill ought to pass. This simply brings it in line with the present policy of the Government.

Mr. BLANTON. But the present administration, through our Treasury Department, objects to the bill, and I am backing the administration. Therefore I object. There will be two other objections, which are necessary to stop the bill.

Mr. TRUAX. Both the Secretary and the Assistant Secretary objected. I object.

The SPEAKER pro tempore. Three objections are required.

Mr. McFARLANE. Mr. Speaker, I object.

Mr. BLANTON. Mr. Speaker, I object.

Mr. TRUAX. Mr. Speaker, I object.

DISBURSING OFFICERS OF THE ARMY

The Clerk called the next bill, S. 2046, to provide relief for disbursing officers of the Army in certain cases.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

Mr. TRUAX. Mr. Speaker, I object to that request.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BLANTON. Mr. Speaker, I object.

Mr. COCHRAN of Missouri. Reserving the right to object——

Mr. GOSS. Will the gentleman withhold his objection?

Mr. BLANTON. I will withhold the objection.

Mr. COCHRAN of Missouri. I understand that the Committee on Military Affairs has taken notice of the argument I presented against this bill last week, and the committee has unanimously instructed the chairman to request the committee to file a supplemental report with an amendment which will take care of the situation. Pending that, I hope the gentleman from Ohio will let the bill go over without prejudice.

Mr. TRUAX. Mr. Speaker, I object.

Mr. O'BRIEN. I object.

Mr. BLANTON. I object to the consideration of the bill.

TOUR OF DUTY IN THE TROPICS BY OFFICERS AND ENLISTED MEN OF THE ARMY, NAVY, AND MARINE CORPS

The Clerk called the next bill, H.R. 8567, to amend the laws relating to the length of tours of duty in the Tropics and certain foreign stations in the case of officers and enlisted men of the Army, Navy, and Marine Corps, and for other purposes.

Mr. SPENCE. Mr. Speaker, I desire to ask that Senate 3397 be substituted for this bill.

Mr. BLANTON. Is it an identical bill?

Mr. SPENCE. It is an identical bill, except that the Senate bill gives to the Secretary some additional power, except in the discretion of the Secretary of War for definite emergency.

Mr. WOLCOTT. Mr. Speaker, a point of order. I think the gentleman's request that the Senate bill be substituted is subject to a point of order at this time, because consideration of the bill has not been consented to.

The SPEAKER pro tempore. The gentleman is correct. The Chair sustains the point of order.

Is there objection to the present consideration of the House bill?

Mr. WOLCOTT. Reserving the right to object, I want the gentleman to explain the difference between the Senate bill and the House bill. I have no particular objection to the bill providing section 2 is amended to conform to the wishes of the War Department, and I have been informed that the Senate bill does that.

Mr. SPENCE. The Senate bill conforms to the wishes of both the War Department and the Navy Department. They both agreed it would be well for the bill to pass.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objecion.

Mr. SPENCE. Mr. Speaker, I ask unanimous consent that Senate bill 3397 be substituted for the House bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky [Mr. SPENCE]?

There was no objection.

The Clerk read as follows:

Be it enacted, etc., That section 12 (requiring assignments of the Army, Navy, or Marine Corps to permanent duty in the Tropics and at certain foreign stations to be for not less than 3 years) of the Treasury and Post Office Appropriation Act, fiscal year 1934, approved March 3, 1933 (U.S.C., supp. VII, title 10, sec. 17a), is hereby repealed.

SEC. 2. The second and third provisos in the paragraph with the heading "Barracks and Quarters, Philippine Islands" in the act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1916", approved March 4, 1915 (U.S.C., supp. VII, title 10, sec. 17) are hereby amended to read as follows: "No officer or enlisted man of the Army shall, except upon his own request, be required to serve in a single tour of duty for more than 2 years in the Philippine Islands, on the Asiatic station, or in China, Hawaii, Puerto Rico, or the Panama Canal Zone, except in case of insurrection or of actual or threatened hostilities and except in the discretion of the Secretary of War for temporary emergencies: *Provided*, That the foregoing provision shall not apply to the organization known as the 'Philippine Scouts.'"

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

The Clerk read as follows:

Amendment offered by Mr. HOEPPEL to the Senate bill: Page 2, line 16, after the word "Scouts", add a new section, as follows:

"SEC. 2. No recruit with less than 6 months' service shall be assigned to duty outside the United States except in the discretion of the Secretary of War in case of threatened or actual emergency."

Mr. BLANTON. Mr. Speaker, I make a point of order against the amendment. I will reserve the point of order if the gentleman wants to speak on the amendment.

Mr. HOEPPEL. I should like to speak on the amendment.

Mr. BLANTON. I reserve a point of order on the amendment, Mr. Speaker.

Mr. HOEPPEL. Mr. Speaker, the amendment which I have offered is almost exactly in accordance with the thought expressed to me by the honorable Chairman of the Committee on Military Affairs of the House [Mr. McSWAIN].

I was present in the Senate in the closing days of the "lame duck" session in 1932 when the Senate passed the bill forcing our officers and men to remain 3 years in the Tropics. As only bills of an emergency nature were considered in the special session immediately following, there was no opportunity in that session to secure the repeal of the iniquitous 3-year tenure of service law.

On the first day of the first regular session of the present Congress, I introduced a bill repealing the 3-year tenure of service without imposing any restrictions whatever upon the War and Navy Departments. Two months later, the bill under discussion was introduced. My bill was accorded a hearing and was approved by the subcommittee of the Committee on Military Affairs. After the subcommittee had approved my bill, I spoke to the chairman of the committee [Mr. McSWAIN], requesting a hearing by the full committee and he then indicated that he favored an amendment such as I have introduced. At the next meeting of the full committee, I was present but was informed that the meeting would be an executive one and I departed. During my absence, the Spence bill was substituted for my bill without having had any report whatever from the War Department on its provisions. Subsequently, the War Department reported adversely to the second section of the bill under discussion because of the mandatory provisions therein which thus will add to the problem of administration and which also will tend to tie the hands of the War Department.

I am in favor of the bill we are considering, even though I am not its author, since it differs from my bill only in the matter of administration.

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

Mr. HOEPPEL. I yield.

Mr. BLANTON. This bill was reported by the committee. Did the gentleman present this amendment to the committee?

Mr. HOEPPEL. I did not because of the fact that the full committee held a hearing and reported the Spence bill without giving me an opportunity to appear before the committee to advance the provisions of my bill in comparison with the Spence bill.

Mr. BLANTON. Then, Mr. Speaker, I take it the amendment offered by the gentleman has had no consideration whatever by the committee.

Mr. HOEPPEL. The only consideration it can be said to have had is what might be inferred from the expression of the gentleman from North Carolina [Mr. McSWAIN].

Mr. BLANTON. I am opposed to any change of the law relating to the Army, the Navy, or the Marine Corps until the proposed change has been carefully considered and passed upon by the proper legislative committee.

Mr. HOEPPEL. Answering the gentleman, he then must be opposed to this bill we are now discussing because the War Department, while it is in favor of the 2-year tenure of service, is officially on record as opposed to the mandatory provisions as carried in this bill.

Mr. BLANTON. I am talking about the lack of opportunity for the committee to pass upon the gentleman's amendment. The gentleman admits that his amendment has not been considered by the committee.

Mr. HOEPPEL. Yes; that is true, primarily because of the fact that I was not called before the committee, as I should have been, and also because of the fact that the whole committee reported this bill in the absence of the chairman, Mr. McSWAIN.

Mr. BLANTON. Then it ought not to pass until the committee considers it.

Mr. Speaker, I make the point of order against the amendment that it is not germane to the bill.

Mr. MAY. Mr. Speaker, if the gentleman will yield, I would suggest that the gentleman withdraw his amendment.

The SPEAKER pro tempore. Does the gentleman from California desire to be heard upon the point of order?

Mr. HOEPPEL. I do, Mr. Speaker.

Answering the gentleman from Kentucky [Mr. MAY], I wish to state that I am as much interested in this bill as is he or his colleague from Kentucky [Mr. SPENCE]. It is a very meritorious bill. Any Member of Congress who has had military experience in the Tropics or who has visited the Tropics should realize that to vote against this bill would be absolutely inhuman.

In my amendment I wish to prevent the sending of young recruits abroad in the Foreign Service. When they are sent out in the Foreign Service, they are isolated; they are torn, in a sense, from their loved ones and in a foreign atmosphere, they must submit to rigid discipline which breaks them down physically as well as mentally in many instances. On the boat on which I returned from Honolulu last summer were 41 mental cases, 12 of whom were in strait-jackets. We should not permit an act of Congress to force our American youth to serve long periods in alien lands. We should regard the interest of the families of the officers and men and enact this bill and this amendment from the standpoint of humane consideration. It will also be an economic advantage to the Nation inasmuch as the retirements because of physical disability and pensions because of breakdown will be reduced to a minimum.

Mr. LEHLBACH. Mr. Speaker, I make the point of order that the gentleman is not addressing himself to the point of order but is arguing his amendment on its merits.

The SPEAKER pro tempore. The Chair is of the opinion that the gentleman from California is addressing himself to the point of order. The gentleman from California will proceed.

Mr. HOEPPEL. Mr. Speaker, inasmuch as my Republican colleagues have been so very kind and gentle to me this afternoon in opposing a bill of mine which would release Republican postmasters at the expiration of their terms of office, I will not argue the point with the gentleman from New Jersey. As I am so vitally interested and anxious to see this bill enacted into law, I ask unanimous consent to withdraw my amendment so that the bill may be enacted now instead of being sent back to the Senate for reconsideration which might result in its defeat because of the stress of business in the closing days of the session. Even though it carries obnoxious mandatory provisions of which the War Department has disapproved, I accept it nevertheless because it will repeal the law establishing 3-year tenure of service in the Tropics.

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

There was no objection.

Mr. GOSS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. GOSS. Mr. Speaker, I understood when unanimous consent was granted to consider the Senate bill in lieu of the House bill that the two bills were identical.

Mr. SPENCE. They are, except as to one sentence, to which I called attention.

Mr. GOSS. As I understood the reading of the Senate bill by the Clerk, it omitted the reference to the Navy and the Marine Corps included in the House bill.

Mr. SPENCE. Mr. Speaker, I may say to the gentleman from Connecticut that the Senate bill is identical with the House bill with the exception that in the Senate bill, after the word "hostilities" which appears on line 10 of page 2 of the House bill, the Senate has added "and except in the discretion of the Secretary of War for temporary emergency."

Mr. GOSS. The gentleman admits that the Senate bill is not identical with the House bill. As I am pointing out the House bill included enlisted men of the Army, Navy, and Marine Corps, whereas the Senate bill, as I understood its reading by the Clerk, did not refer to the Navy and the Marine Corps.

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

Mr. GOSS. I yield.

Mr. BLANTON. Mr. Speaker, the gentleman from Connecticut misunderstood the situation because the gentleman from Kentucky, in answer to my inquiry, pointed out when he asked to substitute the Senate bill for the House bill, that there was this difference in the two bills.

Mr. GOSS. The matter to which I am referring is the apparent omission of the reference to the Navy and Marine Corps.

Mr. VINSON of Kentucky. They are included in the Senate bill.

Mr. GOSS. Mr. Speaker, I ask unanimous consent that the section of the Senate bill may be again read by the Clerk. I have not the Senate bill before me.

The SPEAKER pro tempore. Without objection, the Clerk will again read the first section of the Senate bill.

The Clerk again read section 1 of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill was laid on the table.

ALCOHOLIC BEVERAGES IN THE CANAL ZONE

The Clerk called the next bill, H.R. 8173, authorizing the President to make rules and regulations in respect to alcoholic beverages in the Canal Zone, and for other purposes.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

Mr. LEA of California. Mr. Speaker, to that I object.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. JENKINS of Ohio and Mr. BLANTON objected.

Mr. BLANTON. Mr. Speaker, upon the strength of a statement just made to me by the gentleman from California, I withdraw my objection.

Mr. TRUAX. Mr. Speaker, I withhold my objection.

Mr. JENKINS of Ohio. Mr. Speaker, I withdraw my objection but reserve the right to object for the purpose of giving the gentleman from California an opportunity to explain the bill.

Mr. LEA of California. Mr. Speaker, there is now no law whatever regulating or controlling the liquor business in the Panama Canal Zone.

The administration desires this bill in order that the President may pass regulations controlling the transportation, possession, and sale of liquor in the Panama Canal Zone. Today it is unregulated and unrestrained, and this is a situation we should be interested in trying to improve.

Mr. BLANTON. On the gentleman's statement, I withdraw my objection.

Mr. JENKINS of Ohio. Mr. Speaker, reserving the right to object, is there any reason why we cannot legislate on this subject?

Mr. BLANTON. Mr. Speaker, I demand the regular order.

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

Mr. JENKINS of Ohio. Mr. Speaker, I object.

Mr. TRUAX. Mr. Speaker, reserving the right to object——

Mr. WOLCOTT. Mr. Speaker, I had previously objected.

Mr. FOCHT. Mr. Speaker, I object.

Mr. BLANTON. Mr. Speaker, I make the point of order that the objection stage has passed. The Speaker had ordered the Clerk to read the bill.

Mr. MARTIN of Massachusetts. Mr. Speaker, I contend the Speaker had no right to proceed in that way.

Mr. BLANTON. There were only two objectors.

Mr. FOCHT. Mr. Speaker, I object to this bill.

Mr. BLANTON. The gentleman from Pennsylvania did not object until the Chair had ordered the Clerk to read the bill.

The SPEAKER pro tempore. The Chair is of the opinion that he had ordered the reading of the bill before all three objections were made.

Mr. MARTIN of Massachusetts. Mr. Speaker, then I make the point of order that a quorum is not present.

The SPEAKER pro tempore. But in view of the fact there are now three objections, the Chair will recognize that fact and the Clerk will report the next bill.

Mr. MARTIN of Massachusetts. Mr. Speaker, in view of the ruling I withdraw the point of no quorum.

PANAMA CANAL TOLLS

The Clerk called the next bill, H.R. 7667, to provide for the measurement of vessels using the Panama Canal, and for other purposes.

Mr. LEHLBACH, Mr. WELCH, and Mr. CARTER objected.

COINAGE OF 50-CENT PIECES

The Clerk called the next bill, H.R. 8513, to authorize the coinage of 50-cent pieces in commemoration of the birthplace and boyhood home of Gen. Thomas J. (Stonewall) Jackson.

Mr. GRISWOLD. Mr. Speaker, reserving the right to object, may I inquire whether this is really intended as a memorial to Stonewall Jackson, or as some kind of a racket out of which people may make money?

Mr. EDMISTON. The proceeds from the sale of these coins will go to the State 4-H camp in West Virginia.

Mr. GRISWOLD. I notice in the bill it is provided that these coins may be purchased only from the Treasury Department by one particular corporation.

Mr. EDMISTON. To be appointed by the Governor of our State.

Mr. GRISWOLD. They can only be purchased from the Treasury Department by one particular corporation at par. No one else has the right to acquire these coins from the Treasury Department except this one corporation and we are authorizing the issuance of $25,000 of these coins.

Mr. TRUAX. Will the gentleman yield?

Mr. EDMISTON. I yield to the gentleman from Ohio.

Mr. TRUAX. What will be the price at which these 50-cent pieces will be purchased?

Mr. EDMISTON. One dollar.

Mr. TRUAX. Who makes the money?

Mr. EDMISTON. The profit goes to the State 4-H camp.

Mr. McFADDEN. Mr. Speaker, I object.

The SPEAKER pro tempore. Three objections are required.

There being no further objections the Clerk read the bill as follows:

Be it enacted, etc., That in commemoration of the birthplace and boyhood home of Gen. Thomas J. (Stonewall) Jackson, there shall be coined in the mints of the United States silver 50-cent pieces to the number of 50,000, such pieces to be of standard troy weight, composition, diameter, and design as shall be fixed by the Director of the Mint and approved by the Secretary of the Treasury, which said 50-cent pieces shall be legal tender in any payment of their face value.

SEC. 2. All laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same, regulating and guarding the process of coinage, providing for the purchase of material, and for the transportation, distribution, and redemption of the coins, for the prevention of debasement or counterfeiting, for security of the coin or for any other purpose, whether said laws are penal or otherwise, shall, so far as applicable, apply to coinage herein authorized.

SEC. 3. The coins authorized by this act shall be issued only to the director of the State 4-H camp at Jacksons Mill, W.Va., upon payment of the face value of such coins.

With the following committee amendments:

On page 1, line 3, strike out the words "birthplace and."

Page 1, line 5, after the word "States", insert the words "fifty thousand."

Page 1, line 6, after the word "pieces" strike out the words "to the number of fifty thousand, such pieces to be."

Page 1, line 7, strike out the word "troy" and insert the word "size."

Page 1, line 7, strike out "diameter" at the end of the line.

Page 1, line 9, strike out the words "and approved by" and insert "with approval of."

Page 1, line 10, after the word "Treasury" strike out the words "which said 50-cent pieces shall be legal tender in any payment of their face value" and insert "but the United States shall not be subject to the expense of making the models for master dies or other preparations for this coinage."

"SEC. 2. The coins herein authorized shall be issued at par and only upon the request of the commission authorized by the Governor of the State of West Virginia."

Page 2 line 7, strike out the figure "2" and insert the figure "3."

Page 2, line 15, strike out the word "authorized" and insert the word "directed."

Page 2, line 16, strike out all of section 3 and amend the title so as to read: "A bill to authorize the coinage of 50-cent pieces in commemoration of the boyhood home of Gen. Thomas J. (Stonewall) Jackson."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NAVAL AIR STATION, PENSACOLA, FLA.

The Clerk called the next bill, S. 1103, to authorize the Secretary of the Navy to proceed with certain public works at the naval air station, Pensacola, Fla.

Mr. TRUAX. Mr. Speaker, reserving the right to object, I want to call the attention of the House to the fact that this bill provides an authorization of $5,363,000 for the purpose of constructing buildings, roads, utilities, and removing, relocating, replacing, remodeling, and extending existing buildings, structures, roads, utilities, and appurtenances at the naval air station at Pensacola, Fla. The amount originally requested was $6,955,000. There is no recommendation here from the Navy Department.

Mr. CARTER of California. Will the gentleman yield?

Mr. TRUAX. I yield.

Mr. CARTER of California. May I inform the gentleman that I am going to request that this bill go over without prejudice.

Mr. TRUAX. I will inform the gentleman that I shall object to his request.

Mr. BLANTON. Oh, no; let it go over without prejudice.

Mr. VINSON of Georgia. I may state to the gentleman from Ohio that this bill was thoroughly considered by the Naval Affairs Committee, and the measure has a unanimous report from the committee. I trust the gentleman will not force the gentleman from California [Mr. CARTER] to object, but will permit the bill to go over without prejudice.

Mr. TRUAX. I am willing to withdraw my objection and let the bill go over without prejudice.

Mr. O'BRIEN. Mr. Speaker, I object.

Mr. VINSON of Georgia. Mr. Speaker, will not the gentleman let the bill go over without prejudice?

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. O'BRIEN. Mr. Speaker, I object.

AQUATIC PRODUCTS

The Clerk called the next bill, H.R. 9233, authorizing associations of producers of aquatic products.

Mr. TRUAX. Mr. Speaker, I object.

Mr. BLAND. Mr. Speaker, will the gentleman reserve his objection?

Mr. TRUAX. I reserve the right to object for a brief statement by the gentleman from Virginia.

Mr. BLAND. The statement I want to make is simply that this bill provides for the same relief for the fishermen that has already been given to the farmers. There is no change in the law except it is made applicable to fishermen. Their desperate condition throughout the country, as well as their desire to organize in order to better themselves, is the basis of this legislation.

Mr. TRUAX. Does this bill apply mainly to deep-sea fishermen or to fresh-water fishermen as well?

Mr. BLAND. It applies to all classes of fishermen.

Mr. TRUAX. And I presume the gentleman is referring to commercial fishing?

Mr. BLAND. Yes; all classes of commercial fishing.

Mr. TRUAX. And the bill provides they may organize cooperative marketing associations?

Mr. BLAND. Just as the farmers may do now.

Mr. TRUAX. If the cooperative associations that the gentleman proposes to form under this bill are no more successful in obtaining higher prices for the industry than the farm cooperatives have been in securing higher prices for farm products, I shall not withdraw my reservation of objection.

Mr. BLAND. We just want an opportunity to try it, that is all.

Mr. TRUAX. Yes; but we have tried this for 15 years and the prices are getting lower day by day.

Still reserving the right to object, Mr. Speaker, I want to ask the gentleman another question. I happen to know something about commercial fishing in the Great Lakes. At one time I was chairman of the Great Lakes Conservation Council of Commercial Fishermen. At no time in my career have I ever received a request for consideration or a request to support a measure of this kind and I should like to ask the gentleman where the bill originated and from what set of commercial fishermen it comes.

Mr. BLAND. It proceeded from a number of bills that were considered for the rehabilitation of the industry. I introduced the bill myself as the basis of the consideration that had been given by gentlemen connected with the fisheries industry, not connected with the N.R.A.

Mr. TRUAX. Who were the gentlemen?

Mr. BLAND. One of them is Mr. Fielder, who is connected with the Bureau of Fisheries and at present is Deputy Administrator of the Fisheries Code.

Mr. TRUAX. Then the bill comes from the Bureau of Fisheries and not from the fishermen themselves?

Mr. BLAND. No; it comes from me individually, as a result of studies by me.

Mr. MALONEY of Connecticut. If the gentleman will permit, I may say to the gentleman from Ohio that the request comes largely from the fishermen themselves. I have had letters from outstanding fishermen along the New England coast, including oyster growers and people engaged in all branches of deep-sea fishing, urging the passage of this bill.

Mr. BLANTON. Mr. Speaker, will the gentleman from Ohio yield to me?

Mr. TRUAX. I yield to my friend from Texas.

Mr. BLANTON. I want to say to my friend from Ohio that down the Potomac River and all along the Chesapeake Bay there are some of the finest men to be found anywhere in the world engaged in fishing. That is their means of earning a living. I know a number of them personally. They are dependent on fishing for their meat and bread, and, certainly, as the gentleman from Virginia [Mr. BLAND] has said, they should have the right to do the same thing that the farmers of Ohio and Texas have been granted the right to do by the Members of Congress. I hope the gentleman will not object.

Mr. TRUAX. The farmers of Ohio have largely discontinued their efforts along this line. They have seen the fallacy of trying to elevate their prices through cooperative associations. It just cannot be done.

Mr. BLANTON. All the farmers of Ohio are not that kind of men. They do not give up. They are like the farmers of Texas, who still carry on and stand pat.

Mr. TRUAX. No; they stand pat and let them soak them, just as they are doing today.

Mr. BLANTON. I hope the gentleman will not object to this request.

Mr. TRUAX. Mr. Speaker, I refuse to yield further, and I want to say to the gentleman from Virginia that, in my judgment, the bill will not accomplish the end for which it is designed; but in order to give it a chance, I want to hear from the fishermen back in Lake Erie and Ohio, and so I withdraw the objection and ask that the bill be passed over without prejudice.

Mr. BLANTON. That would fix it so that one objection can stop it again next time and means the death of the bill.

Mr. GRISWOLD. Mr. Speaker, I object to the bill.

TO AUTHORIZE THE TOWN OF SEWARD, ALASKA, TO ISSUE BONDS

The Clerk called the next bill on the Consent Calendar, H.R. 9468, authorizing the incorporated town of Seward, Alaska, to issue bonds in any sum not exceeding $60,000, for the purpose of constructing and installing a municipal light and power plant in the town of Seward, Alaska.

The SPEAKER pro tempore. Is there objection?

Mr. GOSS. Mr. Speaker, I objected to this bill at the last call, and it was put over to give an opportunity to offer an amendment that would be fair to private companies.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the bill?

Mr. GOSS. I object.

TO ESTABLISH A DEPARTMENT OF PHYSICS AT WEST POINT

The Clerk called the next bill on the Consent Calendar, S. 2042, establishing a department of physics at the United States Military Academy at West Point, N.Y.

There being no objection, the bill was read, as follows:

Be it enacted, etc., That hereafter there is authorized one professor of physics at the United States Military Academy, with the same status, rank, pay, and allowances of other professors at said Military Academy.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONTROL OF FLOODS IN SALMON RIVER, ALASKA

The Clerk called the next bill on the Consent Calendar, H.R. 5665, authorizing the control of floods in the Salmon River, Alaska.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the project of prevention and control of floods in the Salmon River, Alaska, recommended in the report of the Chief of Engineers, United States Army, in House Document No. 228, Seventy-second Congress, is hereby adopted and authorized and shall be prosecuted under the direction of the Secretary of War and the supervision of the Chief of Engineers in accordance with the plan recommended in such report and subject to the conditions set forth therein.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS THE MISSOURI RIVER, GARRISON, N.DAK.

The Clerk read the next bill on the Consent Calendar, H.R. 9320, to further extend the times for commencement and completing the construction of a bridge across the Missouri River at or near Garrison, N.Dak.

The SPEAKER pro tempore. Is there objection?

Mr. CARTER of California. I should like to hear from the author of the bill.

Mr. TRUAX. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

BRIDGE ACROSS THE SUSQUEHANNA RIVER NEAR YORK FURNACE, PA.

The Clerk called the next bill on the calendar, H.R. 9326, granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a toll bridge across the Susquehanna River at or near York Furnace, York County, Pa.

The SPEAKER pro tempore. Is there objection?

Mr. McFARLANE. Reserving the right to object, I should like to hear the bill explained, as this is to be a toll bridge.

Mr. HAINES. This is a bridge to be constructed by the State Highway Department of Pennsylvania. There is a distance of 41 miles between Connowingo and Wrightsville, where there is no bridge, and we should like to have a bridge in that fertile territory.

Mr. McFARLANE. Why does not the State build it without making a toll bridge of it, and let the State take care of it?

Mr. HAINES. The State is not in position to do that at the present time.

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

Mr. McFARLANE. Yes.

Mr. TRUAX. I note in the report upon this bill from the Department of Agriculture, that Mr. R. G. Tugwell, Acting Secretary, says that the bill is without objection, so far as this Department is concerned. Therefore I suggest to the gentleman that he withdraw his objection. I said the other day that in my judgment Dr. Tugwell knew more about bridge than he did about agriculture, but the reporters in some way misheard and it got into the RECORD that he knew more about bridges than about agriculture. In my judgment the good doctor knows more about bridge than he does about the job he is now occupying, and if he recommends this, I think it should go through.

Mr. McFARLANE. I withdraw my objection on that explanation.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Commonwealth of Pennsylvania to construct, maintain, and operate a bridge and approaches thereto across the Susquehanna River, at a point suitable to the interests of navigation, at or near York Furnace, York County, Pa., in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. If tolls are charged for the use of such bridge, the rates of tolls shall be so adjusted as to provide a fund sufficient to pay the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of the bridge and its approaches, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed 20 years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of tolls shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the costs of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested.

SEC. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

The title was amended to read: "A bill granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a toll bridge across the Susquehanna River at or near York Furnace, Pa."

BRIDGE ACROSS THE SUSQUEHANNA RIVER, NEAR MIDDLETOWN, PA.

The Clerk called the next bill, H.R. 9401, granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a toll bridge across the Susquehanna River at or near Middletown, Dauphin County, Pa.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Commonwealth of Pennsylvania, acting through its department of highways, to construct, maintain, and operate a toll bridge and approaches thereto across the Susquehanna River, at a point suitable to the interests of navigation, at or near Middletown, Dauphin County, and between Middletown, Dauphin County, and Goldsboro, York County, in the Commonwealth of Pennsylvania, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. If tolls are charged for the use of such bridge, the rates of toll shall be so adjusted as to provide a fund sufficient to pay the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of the bridge and its approaches, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed 20 years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the costs of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and the daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

BRIDGE ACROSS LAKE CHAMPLAIN

The Clerk called the next bill, S. 3374, to extend the times for commencing and completing the construction of a bridge across Lake Champlain from East Alburg, Vt., to West Swanton, Vt.

The SPEAKER pro tempore. Is there objection?

Mr. ZIONCHECK. Mr. Speaker, I object.

Mr. TRUAX. Mr. Speaker, I object.

Mr. PLUMLEY. Mr. Speaker, will the gentlemen withhold their objection?

Mr. TRUAX. I withhold my objection.

Mr. ZIONCHECK. I reserve mine.

Mr. PLUMLEY. It is quite important and necessary, so far as the State of Vermont is concerned, that if this bill is to be enacted, it become a law prior to the 15th of June. This is one of two bridges necessary to complete a chain of bridges.

Mr. TRUAX. This is a private toll bridge, is it not?

Mr. PLUMLEY. It is not. The State of Vermont is interested in the bill and the Federal Government has recommended it.

Mr. TRUAX. But the Federal Government recommends against it.

Mr. PLUMLEY. Oh, no.

Mr. TRUAX. Oh, yes. I call the gentleman's attention to the report.

Mr. PLUMLEY. It is under a misapprehension then.

Mr. TRUAX. I call the gentleman's attention to the report of Mr. Rexford Tugwell, Acting Secretary of Agriculture. He says:

> Furthermore, this will be a private toll bridge at a point where it is not believed such a bridge should be constructed. The Department, therefore, recommends against favorable action on this bill.

Mr. PLUMLEY. Will the gentleman accept my statement that it is a Federal——

Mr. TRUAX. But I want to follow Mr. Tugwell; and I say that without any disrespect to the gentleman from Vermont.

Mr. PLUMLEY. It is necessary, so far as the State of Vermont is concerned. The State of Vermont has undertaken the purchase of the road.

Mr. ZIONCHECK. Mr. Speaker, I reserve the right to object. I think if the gentleman can get a statement from Mr. Tugwell straightening this matter out there will be no objection.

Mr. FADDIS. Is there a ferry there now?

Mr. PLUMLEY. Yes.

Mr. McFARLANE. Did I understand the gentleman from Ohio to say that he is following Mr. Tugwell on all matters?

Mr. TRUAX. Not on all matters; only on bridge matters.

Mr. FADDIS. What would be the difference between putting in a toll bridge and having a ferry already in existence? Is not a bridge better than a ferry?

Mr. TRUAX. Not a private toll bridge.

The SPEAKER pro tempore. Is there objection?

Mr. TRUAX. I am following the gentleman to whom I referred on bridge matters. I object.

DONATION OF CERTAIN ARMY EQUIPMENT TO AMERICAN LEGION

The Clerk called the next bill, S. 1328, to provide for the donation of certain Army equipment to posts of the American Legion.

The SPEAKER pro tempore. Is there objection?

Mr. ZIONCHECK. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

Mr. ZIONCHECK. Yes.

Mr. MAY. This bill provides for the delivery or surrender by the War Department to the American Legion posts of obsolete guns. The Secretary of War says that it will cost more to recover them than they are worth, and they have no objection.

Mr. ZIONCHECK. The only reason that I ask that this be passed over without prejudice is that I may be allowed further opportunity to look into the matter. I do not see why the Government wants to relinquish its claim on the property and have no control over it whatsoever, particularly where it may be used for bad purposes in some instances.

Mr. MAY. The only purpose the Legion post uses it for is to fire salutes at funerals of dead comrades. The War Department makes a specific report that they have no objection to it.

The cost of recovering them would be more than they are worth.

Mr. ZIONCHECK. Some American Legion posts use these guns to break strikes, do they not?

Mr. MAY. Well, suppose they do?

Mr. ZIONCHECK. Suppose they did—then I would object.

Mr. GRISWOLD. Will the gentleman yield?

Mr. ZIONCHECK. I yield.

Mr. GRISWOLD. I should like to state that these American Legion posts procured, under this law, 12 rifles. They are all obsolete. They placed a bond with the Government for $1,000, for 12 rifles that are worth about 39 cents each. The only place you could procure ammunition for those rifles is from the American Government, and they do not make any ball cartridges any more for those rifles. So it is all blank ammunition.

Mr. BLANTON. Will the gentleman yield?

Mr. ZIONCHECK. I yield.

Mr. BLANTON. Does not the gentleman have sufficient confidence in the American Legion to know that the posts, taking the rank and file of them, are not going to permit anything improper, such as the gentleman has in mind, to happen?

Mr. ZIONCHECK. I know, as a matter of fact, that in my part of the country they do not do those things, but in different parts of the country I know where the American Legion has been used for breaking strikes, and nothing else.

Mr. BLANTON. But the American Legion posts in good standing are all loyal to the flag and to the country.

Mr. ZIONCHECK. As a general thing; yes.

Mr. MAY. Will the gentleman yield?

Mr. ZIONCHECK. I yield.

Mr. MAY. I want to know if the gentleman desires to put himself in the position of objecting to 10,000 Legion posts having these materials which the War Department says are worthless, because somewhere somebody might do something wrong?

Mr. ZIONCHECK. Let me have the gentleman understand that I did not object. I asked that this go over without prejudice so that I might look into it a little further.

Mr. BLANTON. But that means it cannot pass this session.

Mr. ZIONCHECK. But they have the guns already, have they not? The Government has not asked for their return, has it?

Mr. DIRKSEN. Will the gentleman yield?

Mr. ZIONCHECK. I yield.

Mr. DIRKSEN. It is the custom for these posts to carry a bond running to the United States Government, that amounts to more than the rifles are worth. If this bill goes over, every post will have to produce another bond, which will cost 6 or 7 dollars each. Ten thousand posts means 60 or 70 thousand dollars for bonds.

Mr. CARTER of California. Mr. Speaker, regular order.

The SPEAKER pro tempore. Regular order is demanded.

Mr. MARTIN of Oregon. Well, Mr. Speaker, let us have this out right now. I make a point of no quorum.

Mr. ZIONCHECK. The gentleman should not get excited.

Mr. MARTIN of Oregon. I am getting excited at the gentleman's reflection on the American Legion posts. I am excited.

Mr. BLANTON. But the gentleman has not objected. He has withdrawn his objection.

Mr. FADDIS. Does the gentleman want to go on record that the American Legion is nothing but a bunch of strikebreakers?

Mr. MARTIN of Oregon. I resent that insult to the American Legion posts.

Mr. FADDIS. And so do I.

Mr. MARTIN of Oregon. I want to have this out right now. If the gentleman objects, I am going to make a point of no quorum.

Mr. ZIONCHECK. Well, who has objected? I have not.

Mr. BLANTON. The gentleman from Washington has not objected. He withdrew his request.

Mr. MARTIN of Oregon. But, in effect, he is objecting, because his request will prevent consideration of this bill.

Mr. ZIONCHECK. If the gentleman will listen he will find out that I have not objected. He should pay a little attention to what goes on and not jump at conclusions.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. ZIONCHECK. If the gentleman from Oregon would only vote for the veterans instead of making speeches, it would be better.

Mr. MARTIN of Oregon. I vote for the veterans. You are the bird who is against all patriotic societies.

Mr. ZIONCHECK. Am I? What foundation has the warrior from Oregon for such a statement? Just because I do not vote as the gentleman does on most occasions he should not burst forth in childish wrath as now, for I cannot vote as he does.

Mr. KNUTSON. Mr. Speaker, I make the point of order that no Member of this House is a bird. [Laughter.]

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection the Clerk read as follows:

Be it enacted, etc., That the Secretary of War is authorized and directed to give to each post of the American Legion to which obsolete or condemned Army rifles, slings, or cartridge belts have been loaned under authority of the act entitled "An act authorizing the Secretary of War to loan Army rifles to posts of the American Legion", approved February 10, 1920, as amended, any such equipment now held by such post, and to cancel and release all obligations to the United States incurred pursuant to such act in connection with loans of such equipment to posts of the American Legion.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FOREIGN-TRADE ZONES

The Clerk called the next bill, H.R. 9322, to provide for the establishment, operation, and maintenance of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes.

Mr. CULLEN. Mr. Speaker, I ask unanimous consent that this bill may go over without prejudice.

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

There was no objection.

DIKE ACROSS CAMAS SLOUGH ON THE COLUMBIA RIVER

The Clerk called the next bill, H.R. 9434, granting the consent of Congress for the construction of a dike or dam across the head of Camas Slough (Washougal Slough) to Lady Island on the Columbia River in the State of Washington.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Crown Willamette Paper Co., of Portland, Oreg., to construct a dike or dam across Camas Slough (Washougal Slough) at a point near the mouth of Washougal River to Lady Island, State of Washington: *Provided*, That the work of constructing this dike or dam shall not be commenced until the plans therefor have been filed with and approved by the Chief of Engineers and the Secretary of War may deem necessary to protect the present and future interests of the United States: *And provided further*, That this act shall not be construed to authorize the use of such dike or dam to develop water power or generate hydroelectric energy.

SEC. 2. The authority granted by this act shall cease and be null and void unless the actual construction of said dike or dam hereby authorized is commenced within 1 year and completed within 3 years from the date of approval of this act.

SEC. 3. That the right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Page 2, line 3, after the word "War", insert a colon and the following: "*Provided further*, That in approving the plans for said dike or dam such conditions and stipulations may be imposed as the Chief of Engineers and the Secretary of War."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONTAINERS FOR MUSHROOMS

The Clerk called the next bill, H.R. 5522, a bill to amend the Standard Baskets Act of August 31, 1916, to provide for a 1-pound Climax basket for mushrooms.

Mr. TRUAX. Mr. Speaker, reserving the right to object, this bill, as I understand it, is introduced because of an emergency existing in the mushroom industry. Am I right?

Mr. FIESINGER. Mr. Speaker, will the gentleman from Ohio withhold his objection?

Mr. TRUAX. Mr. Speaker, I withhold my objection to permit the gentleman to make an explanation.

Mr. FIESINGER. Mr. Speaker, the Committee on Coinage, Weights, and Measures, of which I am a member, considered this bill. The purpose of this bill is to amend the standard container act which provides that certain kinds of fruits and vegetables shall be sold in certain measures—quarts, 2 quarts, and so forth. Mushrooms are sold by weight, so it is proposed to amend the standard container act to provide a different size container for the sale of mushrooms.

There is an emergency existing, to reply to the gentleman from Ohio, because the people who sell mushrooms have had some trouble in the courts over the matter of containers, and it is necessary that this bill be passed so they can proceed with their business of selling mushrooms by weight rather than by volume. I may add that Professor Tugwell is agreeable to this proposal.

Mr. TRUAX. I do not care always to follow Tugwell.

Mr. FIESINGER. The gentleman has been following Tugwell in some of the measures today.

Mr. TRUAX. Only on bridges, I beg to inform the gentleman.

Mr. FIESINGER. I think he makes a very reasonable explanation in this case.

Mr. TRUAX. Mr. Speaker, I do not yield further. For 6 years I was director of agriculture of the State of Ohio. During that time we had many, many requests to change the shape and dimensions and the structure of various containers for food. One of the most numerous requests that we had was to change the standard milk bottle. Certain dairies made a specialty of selling a glass of milk in a bottle. They would sell it to high-priced and high-toned clubs where they charge 10 cents for a small glass of milk.

Mr. ZIONCHECK. And the hotels.

Mr. TRUAX. Yes; and the large hotels, I am reminded by the gentleman from Washington.

Mr. ZIONCHECK. The Mayflower Hotel?

Mr. TRUAX. No; I am not referring to the Mayflower Hotel, but to hotels back in Ohio. Had we acceded to this request the one or two big fellows would put the little fellows to a great disadvantage because the few big ones who had the fancy trade, the elite trade, could get the same price for a glass of milk that the little dairy farmer gets for a pint of milk. Our law specifies that milk must be sold in half pints, pints, quarts, or multiples thereof.

Mr. FIESINGER. What has that to do with mushrooms?

Mr. TRUAX. It has a lot to do with them. I think we have standard containers now.

Mr. FIESINGER. Mushrooms are sold by weight, not by volume.

Mr. TRUAX. I am well aware of that.

Mr. FIESINGER. Now, a quart basket, as I understand, contains a pound and a third of mushrooms.

Mr. KINZER. Mr. Speaker, if the gentleman will yield, it is just the reverse of that, it takes a pound and a third of mushrooms to fill a quart basket.

Mr. FIESINGER. The point is that the mushroom growers want a basket which will contain a pound of mushrooms.

Mr. TRUAX. Does the gentleman mean to infer that there have been prosecutions with regard to the sale of mushrooms in the usual containers?

Mr. FIESINGER. Absolutely; that is, they are held to be violators; but the custom in the mushroom trade is to sell by weight and not by volume.

Mr. TRUAX. In order that the gentleman from Ohio may fully understand the situation, no violations in the State of Ohio have been reported within my knowledge.

Mr. FIESINGER. There have been cases over in New York.

Mr. ZIONCHECK. The only reason the gentleman from Ohio objects is because mushrooms in Ohio grow so large they cannot be put in a 1-pound basket. Is not that right?

Mr. TRUAX. No.

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

Mr. TRUAX. I yield.

Mr. TABER. The situation as I understand it at the present time is that mushrooms can be sold by the pound in solid cardboard containers, but mushrooms keep better in baskets where the air can get at them more or less, and they can be packed better in baskets. Therefore the mushroom producers prefer to pack their mushrooms in baskets. It is their desire to have a basket that will hold a pound of mushrooms so they can use baskets instead of solid containers.

Mr. TRUAX. Mr. Speaker, will the gentleman yield for a question at that point?

Mr. TABER. Certainly.

Mr. TRUAX. The report says that this act provides for 1 pound Climax basket for mushrooms. Is that a special basket made by some particular manufacturer?

Mr. FIESINGER. I understand not.

Mr. TABER. That is a standard basket made by all basket manufacturers.

Mr. TRUAX. Correct.

Mr. FIESINGER. They can make them out of paper or out of wood.

Mr. TRUAX. Why should they have a name on them?

Mr. BLANTON. That means that we have reached the climax of this argument.

Mr. ZIONCHECK. Mr. Speaker, I ask for the regular order.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. TRUAX. Reserving the right to object—and I do not want to object to the bill—I desire to bring out one more point and then I shall withdraw my reservation of objection. Here is a letter from the Federal Land Bank of Louisville, Ky., dated March 20, 1934, in which they rejected a loan in Loveland, Ohio, on the following grounds, and I ask permission to read a portion of this letter.

Mr. ZIONCHECK. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio may be allowed to extend and revise his remarks in the RECORD.

Mr. TRUAX. No. I want to read this one letter.

Mr. BLANTON. Does it deal with mushrooms?

Mr. TRUAX. It does.

Mr. ENGLEBRIGHT. Mr. Speaker, I ask for the regular order.

Mr. TRUAX. This deals with the subject under discussion.

The SPEAKER pro tempore. The gentleman from Ohio will proceed.

Mr. TRUAX. This letter, as I stated, is from the Federal Land Bank of Louisville, dated March 20, 1934, and is as follows:

THE FEDERAL LAND BANK OF LOUISVILLE,
Louisville, Ky., March 20, 1934.

Re application No. 145737, Madaline Tarkington.

Hon. CHARLES V. TRUAX,
Member of Congress, Washington, D.C.

DEAR MR. TRUAX: This is to acknowledge your letter of March 7, addressed to Mr. Ernest Rice, General Agent of the Farm Credit Administration of Louisville, relative to the above-captioned application.

An investigation of our files reveals that this application was for the purpose of paying the existing indebtedness of the applicant, and also for the purpose of installing a heating plant in her dairy barn in order to produce mushrooms on a commercial basis.

The production of mushrooms seems to be a very highly specialized type of agriculture, and we are inclined to doubt the ability of the applicant to successfully manage such an enterprise. Furthermore, it seems that the average farmer in her community would know nothing of such an enterprise, and if the farm had to be sold at any time, there would probably be no one in the community who would be in a position to buy the farm and continue the production of that agricultural commodity. For this reason we are inclined to doubt the advisability of making the loan to the applicant on a specialized basis.

On any other basis the income which she would derive from the farm would not be sufficient to maintain the rather valuable improvements which seem to be on the farm. Only a relatively small portion of the land is available for cultivation, and the management, on a general agricultural basis, seems to be unsatisfactory.

We have endeavored to explain our position in regard to this matter, and we wish to assure you that this application has received our considerate attention at all times. On the basis of information at our disposal, however, it seems inadvisable to grant financial assistance to this applicant at the present time.

Very truly yours,

S. BEVERLY DAVIS
(C. L. Graybill, by S. Beverly Davis),
THE FEDERAL LAND BANK OF LOUISVILLE.

That is one of the many, many asinine reasons which have been assigned for rejecting farmers' loans in Ohio. I wanted to get that in the RECORD, and now withdraw my objection.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 1 of the act entitled "An act to fix standards for Climax baskets for grapes and other fruits and vegetables, and to fix standards for baskets and other containers for small fruits, berries, and vegetables, and for other purposes", approved August 31, 1916, is amended by adding at the end thereof the following new paragraph:

"The standards for Climax baskets for mushrooms shall be those set forth above, except that a 1-pound Climax basket of the following dimensions shall be standard for mushrooms when plainly stamped or marked on the side of the basket with the words 'for mushrooms only': Length of bottom piece, 7¾ inches; width of bottom piece, 3 3/16 inches; thickness of bottom piece, ⅜ inch; height of basket, 3⅝ inches; top of basket, length, 9⅜ inches; width, 4⅜ inches; all outside measurements. Basket to have a cover 4⅜ by 9⅜ inches when cover is used."

SEC. 2. Section 3 of such act of August 31, 1916, is amended by inserting immediately before the semicolon a comma and the following: "or to use in any such shipment for any commodity other than mushrooms the 1-pound Climax basket provided for in section 1 of this act."

SEC. 3. This act shall take effect — months after the date of its enactment.

With the following committee amendment:

On page 2, line 16, after the word "effect" insert the word "two."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AGRICULTURAL ADJUSTMENT ACT

The Clerk called the next bill, S. 2817, to amend the act relating to contracts and agreements under the Agricultural Adjustment Act, approved January 25, 1934.

Mr. CARTER of California. Mr. Speaker, I object.

AGRICULTURAL ADJUSTMENT ACT

The Clerk called the next bill, S. 3185, to amend the Agricultural Adjustment Act, as amended, with respect to farm prices.

Mr. JENKINS of Ohio. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

PUBLIC LAND LAWS

The Clerk called the next bill, H.R. 9273, to extend the public-land laws of the United States to certain lands in the Red River in Oklahoma.

Mr. JENKINS of Ohio. Mr. Speaker, reserving the right to object, may I ask for an explanation of this bill.

Mr. McCLINTIC. In 1923, when the Supreme Court of the United States handed down a final decision in the Red River controversy deciding that the south bank of the river

was the line between the two States of Oklahoma and Texas, and that the land between the medial line and Texas belonged to the Federal Government, it left a little island down there in the Red River which I think contained some two or three hundred acres. This island was homesteaded some 10 or 12 years ago by a homesteader. Since that time he has died and he left a widow who has been holding down the land for these many years hoping that at some time the Federal Government would allow her to perfect the homestead entry.

This is the only claim that I know anything about, and I dare say there is no person who would object to the Federal Government's extending supervision over this land after the decision which the Supreme Court has rendered.

Mr. McFARLANE. Will the gentleman yield?

Mr. McCLINTIC. I yield to the gentleman from Texas.

Mr. McFARLANE. Does this bill affect any land in the Red River belonging to the Government other than the tract the gentleman has just mentioned?

Mr. McCLINTIC. There may be a few parcels or fractions, but may I say I have not been contacted by any other person except the widow I referred to. At my suggestion the Interior Department drew this bill and sent it to me to be introduced. A unanimous report has been made by the Public Lands Committee, and I am sure no controversy will ever arise over the same.

Mr. McFARLANE. This does not affect the one-fourth interest in the river bed up and down the river?

Mr. McCLINTIC. No.

Mr. McFARLANE. As decided by the Supreme Court?

Mr. McCLINTIC. No.

Mr. JENKINS of Ohio. May I ask the gentleman what the Secretary of the Interior has to say with reference to this matter? I notice somewhere in the report it was brought out that very valuable improvements have been made on this property. Is the Government expected to pay anything to anyone?

Mr. McCLINTIC. Not a penny.

Mr. JENKINS of Ohio. Mr. Speaker, I withdraw my reservation of objection.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the public-land laws of the United States be, and the same are hereby, extended to the public lands in that part of the Red River between the medial line and the south bank of the river, in Oklahoma, between the ninety-eighth meridian and the east boundary of the territory established as Greer County by the act of May 4, 1896 (29 Stat. 113): *Provided*, That the oil and gas deposits in said lands shall be disposed of only in the manner provided for by the act of March 4, 1923 (42 Stat. 1448), entitled "An act to authorize the Secretary of the Interior to issue to certain persons and certain corporations permits to explore, or leases of, certain lands that lie south of the medial line of the main channel of Red River, in Oklahoma, and for other purposes": *Provided further*, That said lands shall be opened to settlement, entry, and other disposal on such dates as may be fixed by the Secretary of the Interior: *Provided further*, That the Secretary of the Interior is authorized to recognize equitable claims to said lands based on settlement made prior to January 1, 1934: *Provided further*, That all homestead entries of said lands, the allowance of which was erroneous because the lands were not subject to entry, are hereby validated if otherwise regular: *And provided further*, That patents on nonmineral entries, selections, or locations of said lands shall contain a reservation to the United States of all minerals therein, together with the right to prospect for, mine, and remove the same under applicable laws relating to such minerals.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MUNICIPAL WATER SUPPLY OF SALT LAKE CITY

The Clerk called the next bill, H.R. 5531, for the protection of the municipal water supply of the city of Salt Lake, State of Utah.

Mr. CARTER of California. Mr. Speaker, reserving the right to object, I should like to ask the author of this bill a question. After the enactment of this measure, who has title to the land, as described in section 3 of the bill?

Mr. ROBINSON. The present owners have the title to the land. This does not affect title to any land whatever.

Mr. CARTER of California. It certainly does something with the title to the land.

Mr. ROBINSON. No; it simply provides that the owners of mining claims shall only have the use of those claims for the purpose of mining and cutting timber under the regulations of the Department of Agriculture.

Mr. CARTER of California. Section 3 refers to lands that have never been homesteaded or located by mineral claims at all.

Mr. ROBINSON. That has to do with land that would hereafter be subjected to such provisions.

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

Mr. CARTER of California. I yield.

Mr. GOSS. It seems to me this would only give them the right to mine on the surface.

Mr. ROBINSON. That is true.

Mr. GOSS. What about the men who have prospected and filed claims and may have the rights below? Does this measure take away such rights?

Mr. ROBINSON. They still have the right to mine below.

Mr. GOSS. They would still have that right?

Mr. ROBINSON. Yes. This bill has been considered by the mining interests that are concerned and by the corporation of Salt Lake City and the mining interests have no objection to the bill as now written. It is a bill that has become almost necessary to take care of the water supply of Salt Lake City on account of drought conditions.

Mr. CARTER of California. I want to call the gentleman's attention to section 3. The land described in this section is reserved from all forms of locations and it is set aside as a municipal water-supply reservoir for the use and benefit of Salt Lake City, and one question I want answered is this: After the enactment of this bill, if it should become law, who owns this land?

Mr. ROBINSON. Salt Lake City.

Mr. CARTER of California. In other words, the Government is giving this land to Salt Lake City?

Mr. ROBINSON. No; Salt Lake City already owns this land.

Mr. GOSS. If the gentleman will permit, may I call attention to page 2 of the report, which says that the title to the surface would remain in the United States, but the mineral claimant would have the right to use so much thereof as may be necessary for carrying on his mining operations.

Mr. DEROUEN. That is a provision for the protection of the miner.

Mr. GOSS. But that has a hearing on the question of the gentleman from California as to the ownership of the land. In other words, the United States Government is giving this land to the city of Salt Lake.

Mr. DEROUEN. No; Salt Lake City already owns it. It gives it only the privilege of using it for the protection of the watershed of the city.

Mr. GOSS. What about the lands they take in hereafter?

Mr. ROBINSON. They are not going to take in any lands.

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

Mr. CARTER of California. I yield.

Mr. ENGLEBRIGHT. The gentleman's contention is that section 3 would prevent the lands described therein from being located for mining or other purposes.

Mr. CARTER of California. Yes.

Mr. ROBINSON. The bill does not do that.

Mr. CARTER of California. The bill says in section 3 that these lands "are hereby reserved from all forms of locations", and if that does not mean what I have just stated, I do not know what it means.

Mr. ROBINSON. It is not the intention of the bill to stop mining?

Mr. CARTER of California. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice, to be returned to, perhaps, during this call of the calendar if we can straighten the matter out.

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

There was no objection.

BRIDGE ACROSS MISSOURI RIVER NEAR GARRISON, N.DAK.

Mr. SINCLAIR. Mr. Speaker, I ask unanimous consent to return to Calendar No. 288, the bill (H.R. 9320) to further extend the times for commencement and completing the construction of a bridge across the Missouri River at or near Garrison, N.Dak.

Mr. O'BRIEN. Mr. Speaker, I object.

HOT SPRINGS NATIONAL PARK, ARK.

The Clerk called the next bill, H.R. 9149, to accept the cession by the State of Arkansas of exclusive jurisdiction over all lands now or hereafter included within the Hot Springs National Park, Ark., and for other purposes.

Mr. JENKINS of Ohio. Mr. Speaker, reserving the right to object, I notice this is a transfer of park lands. Generally, when these transfers are made they are made for some pecuniary advantage and I should like to ask what is the pecuniary advantage involved in this transaction?

Mr. DEROUEN. None whatever. This is additional territory that has been added to the park.

Mr. JENKINS of Ohio. Will this involve any expense to the Government?

Mr. DEROUEN. Not at all. It only permits the Government to accept this land.

Mr. JENKINS of Ohio. Does it carry with it any potential power to raid the Treasury?

Mr. DEROUEN. Not a nickel.

Mr. CARTER of California. Reserving the right to objest, how many acres are there in this?

Mr. DEROUEN. I do not know the exact area, but this simply permits the United States to accept it.

Mr. CARTER of California. There is no expense whatever to the Government, and no opportunity for it to expend a dollar?

Mr. DEROUEN. No. This is usually done in all similar park legislation. We have had similar legislation here.

The SPEAKER pro tempore. Is there objection?

There was no objection, and the Clerk read the bill, as follows:

Be it enacted, etc., That the provisions of the act of the Legislature of the State of Arkansas, approved March 25, 1933, ceding to the United States exclusive jurisdiction over all lands now or hereafter included within the Hot Springs National Park, are hereby accepted, and the provisions of the act approved April 20, 1904, as amended by the acts of March 2, 1907, and March 3, 1911, relating to the Hot Springs Mountain Reservation, Ark., are hereby extended to all lands now or hereafter included within said park.

SEC. 2. That all hunting, or the killing, wounding, or capturing at any time of any wild bird or animal except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of the said park.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS THE MISSOURI RIVER AT GARRISON, N.DAK.

Mr. SINCLAIR. Mr. Speaker, the gentleman who objected to returning to H.R. 9320 is ready to withdraw his objection, so I ask unanimous consent that we return to the bill, H.R. 9320, to further extend the times for commencement and completing the construction of a bridge across the Missouri River at or near Garrison, N.Dak.

The SPEAKER pro tempore. Is there objection?

Mr. CARTER of California. I should like to ask the gentleman if this is a toll bridge?

Mr. SINCLAIR. No. It is simply an extension of time to build a Federal bridge across the Missouri River.

Mr. CARTER of California. A Federal bridge?

Mr. SINCLAIR. A Federal bridge, and also a State bridge. It is on a Federal highway project.

Mr. CARTER of California. I withdraw my objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That, in commemoration of the three hundredth anniversary of the founding of the colony of Connecticut, or near Garrison, N.Dak., authorized to be built by the State of North Dakota, by the acts of Congress approved February 10, 1932, and February 14, 1933, are hereby further extended 1 and 3 years, respectively, from February 14, 1934.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider the vote was laid on the table.

TO AUTHORIZE COINAGE OF 50-CENT PIECES IN COMMEMORATION OF THE THREE HUNDREDTH ANNIVERSARY OF THE FOUNDING OF THE COLONY OF CONNECTICUT

The Clerk read the next bill on the Consent Calendar, H.R. 8833, to authorize the coinage of 50-cent pieces in commemoration of the three hundredth anniversary of the founding of the colony of Connecticut.

The SPEAKER pro tempore. Is there objection?

Mr. McFARLANE. Reserving the right to object, will this cost the Government anything?

Mr. MALONEY of Connecticut. No; not a cent.

Mr. McFARLANE. You are bearing all the expense yourselves?

Mr. MALONEY of Connecticut. Yes.

There being no further objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in commemoration of the three hundredth anniversary of the founding of the colony of Connecticut, there shall be coined by the Director of the Mint ten thousand 50-cent pieces of standard size, weight, and silver fineness and of a special appropriate design to be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury, to be legal tender in all payments at face value.

SEC. 2. That the coins herein authorized shall be issued at par and only upon the request of the chairman or secretary of the Connecticut Tercentenary Commission.

SEC. 3. Such coins may be disposed of at par or at a premium by said commission, and all proceeds shall be used in furtherance of the Connecticut Tercentenary Commission projects.

SEC. 4. That all laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same; regulating and guarding the process of coinage; providing for the purchase of material, and for the transportation, distribution, and redemption of the coins; for the prevention of debasement or counterfeiting; for security of the coin; or for any other purposes, whether said laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein directed.

With the following committee amendments:

Page 1, line 5, strike out "ten" and insert "twenty-five"

Page 1, line 6, after the word "thousand", insert the word "silver."

Page 1, line 7, strike out the word "silver."

Page 1, line 9, strike out the words "to be legal tender in all payments at face value" and insert "but the United States shall not be subject to the expense of making the models for master dies or other preparations for this coinage."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROCEEDINGS AGAINST THE ELECTRO-METALLURGICAL CO., ETC.

The Clerk called the next bill, H.R. 9269, limiting the operation of sections 109 and 113 of the Criminal Code and section 190 of the Revised Statutes of the United States with respect to counsel in certain proceedings against the Electro-Metallurgical Co., New-Kanawha Power Co., and the Carbon & Carbide Co.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. GRISWOLD. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

JASON LEE CENTENNIAL

The Clerk called the next business, House Joint Resolution 312.

There being no objection the Clerk read the House joint resolution, as follows:

Whereas the year 1934 marks the one hundredth anniversary of the overland journey of Jason Lee to Oregon, where he established the first permanent American settlement in the year 1834 and became the first missionary to the American Indians in the territory now comprising the Northwestern States of the United States; and

Whereas this settlement by Lee, and subsequent immigration sponsored by him, made possible the historic meeting at Champoeg 9 years later at which the inhabitants of the Oregon country established the first provincial government west of the Rocky Mountains and invited the United States to assume jurisdiction over it; and

Whereas Jason Lee played a very important part in the work of Lt. William A. Slacum, of the United States Navy, who was sent by John Forsyth, Secretary of State under Jackson's administration, as the first official commissioned by the Federal Government to visit old Oregon, entertaining Lieutenant Slacum in his log home, supplying information about conditions and prospects in Oregon, cooperating with him in bringing the first cattle from California into Oregon and breaking the cattle monopoly of the Hudson's Bay Company, and drafting by Jason Lee himself of the first petition from Oregon to the United States for the setting up of an established government, the same petition being brought back to Washington by Lieutenant Slacum; and

Whereas Lieutenant Slacum wrote in his report to the State Department as follows: "No language of mine can convey an adequate idea of the great benefit these worthy and most excellent men, the Messrs. Jason and Daniel Lee, and Messrs. Shepherd and Edwards, their assistants, have conferred upon this part of the country"; and

Whereas in the year 1838 Jason Lee returned overland to the East, visiting the great centers of population, giving addresses which were widely reported in the press of the country, and holding important meetings at which Lieutenant Slacum and Members of Congress also spoke, thus arousing much interest in the colonization of Oregon; and

Whereas Jason Lee chartered the *Lausanne*, which sailed from New York Harbor on October 10, 1839, en route to Oregon by way of Cape Horn and the Hawaiian Islands, and which carried to Oregon a party of 51 persons, including clergymen, skilled mechanics, farmers, blacksmiths, cabinetmakers, and school teachers, all of whom landed in Oregon June 1, 1840, after a journey of approximately 8 months; and

Whereas Jason Lee is recognized as the "Father of American Oregon", as is indicated by the legend under the imposing painting of Jason Lee which hangs in the State Capitol Building at Salem, Oreg.; and

Whereas the Legislative Assembly of the State of Oregon by resolution has authorized during the year 1934 the celebration at the capital of that State of the one hundredth anniversary of the Jason Lee settlement, and the several States of the Union have been invited to participate therein; and

Whereas in commemoration of this Jason Lee Centennial, a "Jason Lee Special", or covered wagon, is scheduled to leave Boston on April 16, 1934, and, following the trail of Jason Lee, to arrive in Salem, Oreg., on September 8 following: Therefore be it

Resolved, etc., That the Senate and House of Representatives of the United States of America do hereby officially recognize the great contribution made by Jason Lee in the settling and building of American Oregon and do hereby request the President of the United States to issue a proclamation calling upon the people of the United States to observe the year 1934 as a Jason Lee Centennial with such exercises as shall commend themselves to the approval of groups in the various communities concerned.

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

The Clerk read as follows:

Amendment by Mr. LLOYD: Strike out all of the preamble.

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

Mr. JENKINS of Ohio. Mr. Speaker, I rise in opposition to the amendment to make an inquiry. It is the understanding, is it not, that this bill carries no obligation which will involve the Federal Government in any financial expenditure?

Mr. LLOYD. There is no such obligation.

The amendment was agreed to; and the joint resolution as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

DIVISIONS OF JUDICIAL DISTRICT OF NORTH DAKOTA

The Clerk called the next bill, H.R. 3357, to amend section 99 of the Judicial Code (U.S.C., title 28, sec. 180), as amended.

The SPEAKER pro tempore. Is there objection?

Mr. BLANTON. I reserve the right to object. What does the bill do?

Mr. SINCLAIR. All this does is to change the terms of court in the divisions in the State of North Dakota. It will save $3,000 a year in expense.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 99 of the Judicial Code, as amended (U.S.C., title 28, sec. 180), be amended to read as follows:

"SEC. 99. The State of North Dakota shall constitute one judicial district to be known as the district of North Dakota. The territory embraced on the 1st day of January 1933 in the counties of Adams, Billings, Bowman, Burleigh, Dunn, Emmons, Golden Valley, Grant, Hettinger, Kidder, Logan, McIntosh, McLean, Mercer, Morton, Oliver, Sioux, Slope, and Stark shall constitute the southwestern division of said district; and the territory embraced on the date last mentioned in the counties of Barnes, Cass, Dickey, Eddy, Foster, Griggs, La Moure, Ransom, Richland, Sargent, Sheridan, Steele, Stutsman, and Wells shall constitute the southeastern division; and the territory embraced on the date last mentioned in the counties of Benson, Bottineau, Cavalier, Grand Forks, Nelson, McHenry, Pembina, Pierce, Ramsey, Rolette, Traill, Towner, and Walsh shall constitute the northeastern division; and the territory embraced on the date last mentioned in the counties of Burke, Divide, McKenzie, Mountrail, Renville, Ward, and Williams shall constitute the northwestern division. The several Indian reservations and parts thereof within said State shall constitute a part of the several divisions within which they are respectively situated. Terms of the district court for the southwestern division shall be held at Bismarck on the second Tuesday in March; for the southeastern division, at Fargo on the second Tuesday in December and at Jamestown on the second Tuesday in October; for the northeastern division, at Devils Lake on the second Tuesday in May and at Grand Forks on the second Tuesday in November; and for the northwestern division, at Minot on the second Tuesday in April. The clerk of the court shall maintain an office in charge of himself or a deputy at each place at which court is held in his district."

With the following committee amendment:

Line 8, page 1, strike out "1933" and insert "1932."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

TO PROTECT DERIVATIVE CITIZENSHIP STATUS

The Clerk called the next bill, H.R. 9475, to clarify the status of certain citizens who derive naturalization from parent or husband, and for other purposes.

The SPEAKER pro tempore. Is there objection?

Mr. JENKINS of Ohio. Mr. Speaker, this is another bill seeking to lay down the bars. I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

BRIDGE ACROSS RIO GRANDE AT LAREDO, TEX.

The Clerk called the next bill, H.R. 9185, authorizing the International Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Rio Grande at Laredo, Tex.

The SPEAKER pro tempore. Is there objection?

Mr. CARTER of California. Mr. Speaker, I reserve the right to object, in order to get some explanation of whether this is a toll bridge?

Mr. WEST of Texas. Yes; it is a toll bridge.

Mr. CARTER of California. Then I shall have to object.

Mr. WEST of Texas. Mr. Speaker, will the gentleman reserve his objection?

Mr. CARTER of California. I reserve my objection.

Mr. WEST of Texas. There is not a free bridge on the Rio Grande anywhere between the United States and Mexico, especially along the Texas border. There is no provision for it except that the two Governments would get together and bear the expense of putting in a free bridge. All the bridges are toll bridges.

Mr. BLANTON. Mr. Speaker, Laredo is not in my district; it is in the district of my colleague [Mr. WEST], but I happen to know all about the situation there, and I believe this bridge is absolutely necessary. When they have high water in the river it sometimes gets up over the present bridge, stopping travel. Except by our Government officials at these international bridges, we have no other way of checking up on the aliens that come from Mexico.

Mr. CARTER of California. Have we any way?

Mr. BLANTON. We have a pretty good one, because every time you have an international bridge, you have some-

body there representing the United States Government. That is the only way that they can lawfully come into the country.

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

Mr. CARTER of California. Yes.

Mr. HOLMES. The committee gave this matter very serious consideration. At the present time the bridge facilities are adequate to take care of any traffic for many years to come. There is a concrete bridge there 40 feet wide. All of our Federal departments—the Department of Customs, the Department of Internal Revenue, the Customs Department, and the Public Health Department—at the present time have their buildings near to take care of the situation the gentleman from Texas [Mr. BLANTON] just raised. As far as we can find out, there is an average of travel across that bridge, which is 40 feet wide, of anywhere from 1,200 to 1,800 vehicles a day. The roadway is 32 feet wide. This bridge it is proposed to build a little farther up, probably within a half mile or a mile of the location of the present bridge. The committee in the first instance unanimously decided to take no action whatsoever, but in fairness to the gentleman from Texas, who introduced the bill, I must say a lot of statements were made that the gentleman himself has been forced to lay down on account of certain financial interests.

In all fairness to the gentleman from Texas, the subcommittee reported the bill, as well as the full committee.

Mr. BLANTON. The present bridge is not adequate, because high water covers it and stops travel.

Mr. CARTER of California. Mr. Speaker, in view of the statements of the two gentlemen from Texas, and further in view of the fact that this is an international bridge, I desire to withdraw my objection.

Mr. TRUAX. Mr. Speaker, I am not withdrawing my reservation of objection.

Mr. BLANTON. Will the gentleman yield?

Mr. TRUAX. In just a moment. I want to call the attention of the House to this statement:

All existing highway bridges across the Rio Grande are toll structures, and it is the view of this Department, as has likewise been expressed to be the view of highway officials of the Republic of Mexico, that plans should be undertaken to make the bridges across this boundary stream free so as to encourage travel between the two countries. While there is no definite plan in operation for accomplishing that at this time, the question of its ultimate accomplishment is made more difficult each time a new toll bridge is authorized to be constructed between the two countries. The Department, therefore, recommends against favorable action on the bill.

Sincerely yours,

R. G. TUGWELL, *Acting Secretary.*

Mr. BLANTON. Then Dr. Tugwell is, after all, very influential. Will the gentleman yield?

Mr. TRUAX. I yield.

Mr. BLANTON. I hope the gentleman will go down there across that bridge at Laredo this year. This is on the main highway from the United States to Monterey, thence on to Mexico City. Sometimes cars are on that bridge for a very long time before they can clear.

It would well repay the gentleman from Ohio to go down to Monterey. It is one of the most beautiful trips in the world, to Monterey, and thence on to Mexico City. There is a wonderful highway between Laredo and Monterey. It embraces one of the longest stretches of straight boulevard in the country. The mountains around Monterey are simply wonderful. You will find growing profusely oranges, lemons, grapefruit, limes, avocados, and a lot of other good things to eat. There are plenty of deer, wild turkeys, and bear.

On the main plaza two nights each week all the boys and girls congregate, marching around the square, the girls facing one way, the boys the other, until each boy and girl finds the one they are looking for, and then they all march around the same direction together. You will find many tourists from the Eastern States in Monterey and Mexico City during the summer months, and they need bridges to cross the Rio Grande when they want to go to Monterey on business or otherwise.

Mr. TRUAX. What does the gentleman mean by "otherwise"?

Mr. BLANTON. Well, pleasure and business; business and pleasure; that is what takes Americans to Mexico. There are thousands of tourists every summer go to Monterey and Mexico City from the United States. It is one of the most beautiful trips in the world.

Mr. TRUAX. Who and what is the International Bridge Co.?

Mr. BLANTON. My colleague can tell you. I should be glad to see a dozen new bridges built across the Rio Grande between El Paso and Brownsville.

Mr. TRUAX. Not toll bridges. There should be some free bridges.

Mr. BLANTON. It will be many years before there will be a free bridge.

Mr. TRUAX. The Government should go to building some free bridges.

Mr. BLANTON. Would the gentleman have this Government build a free bridge across into a foreign country, and not have the foreign country pay anything toward it?

Mr. TRUAX. No; I would have them pay their part of it.

Mr. BLANTON. But they are not yet ready to do it.

Mr. TRUAX. But the Department says that every time you authorize another toll bridge it makes it that much more difficult to get a free bridge between the two countries.

Mr. BLANTON. All of us hope to see free bridges, and they will come in time, but until we do have free bridges, the toll bridges come in awfully handy.

Mr. JENKINS of Ohio. Will the gentleman yield to me?

Mr. TRUAX. I yield.

Mr. JENKINS of Ohio. The gentleman from Ohio [Mr. TRUAX] has previously on many occasions indicated that he has no great confidence in Dr. Tugwell's capacity as an agriculturalist, with which I agree, and the gentleman has further indicated that he does have some regard for his capacity as a bridge builder. I have no regard for his capacity as a bridge builder. Will not the gentleman go along with me and make it unanimous? He and I agree that this man Tugwell knows nothing about agriculture or bridge building either. Let us build this bridge.

Mr TRUAX. Who and what is the International Bridge Corporation?

Mr. WEST of Texas. It is a private enterprise.

Mr. TRUAX. Is it affiliated with the United States Steel Trust—and I spell that "s-t-e-a-l."

Mr. WEST of Texas. No, sir; it is not.

Mr. TRUAX. Is it a subsidiary of Wall Street or is it composed of local capital?

Mr. WEST of Texas. It is largely local capital.

Mr. CULKIN. Will the Senator from Ohio yield?

Mr. MAY. Will the gentleman yield?

Mr. TRUAX. I yield to the gentleman from Kentucky.

Mr. MAY. The Government is going into all kinds of business. Why not let private capital build a few of these bridges?

Mr. TRUAX. That is what private capital has been doing all the time.

I yield now to the gentleman from New York [Mr. MILLARD].

Mr. MILLARD. Has the gentleman from Texas obtained the consent of the gentleman from Missouri [Mr. COCHRAN], who always objects to these bridges?

Mr. WEST of Texas. No; I did not get the consent of the gentleman from Missouri.

Mr. BLANTON. The gentleman from Missouri does not object to international bridges.

Mr. CULKIN. Does the gentleman yield?

Mr. TRUAX. I yield to the gentleman from Missouri [Mr. LEE].

Mr. LEE of Missouri. I am opposed to all private toll bridges. I think the Government ought to build these bridges.

Mr. BLANTON. For 900 miles from El Paso down to Brownsville, where my friend [Mr. WEST] lives on the Rio

Grande, there is not a single free bridge. All of them are toll bridges. The people are awfully glad to have the toll bridges.

Mr. TRUAX. We cannot make right situations by continually adding wrong ones. In view of the position I have taken on other bridge bills, and in view of the position I am going to take on one or two others on this calendar, I must object to this bill, or at least I will ask unanimous consent that it be passed over until the gentleman can show me what kind of a corporation is building this structure.

Mr. WEST of Texas. I object to passing it over without prejudice, Mr. Speaker.

Mr. TRUAX. Then I object to the consideration of the bill.

Mr. TERRELL of Texas. Will the gentleman yield to me?

Mr. TRUAX. I yield if I have the floor.

Mr. TERRELL of Texas. I am just as much in favor of free bridges as the gentleman from Ohio.

Mr. TRUAX. I want to know whether it is being built by international bankers.

Mr. WEST of Texas. Oh, no.

Mr. TRUAX. Then just who is the International Bridge Co.?

Mr. WEST of Texas. That is a private corporation, the stock of which is owned locally by residents of that section.

Mr. TRUAX. I may say to the gentleman from Texas that in my judgment the Mexicans will not be coming across this bridge to spend their money in the United States, but our citizens will be going across it to spend their money in Mexico.

Mr. TERRELL of Texas. The Mexicans come across the border every day to spend their money in this country.

Mr. TRUAX. Mr. Speaker, again I ask unanimous consent that this bill be passed over without prejudice.

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

Mr. TRUAX. Mr. Speaker, I object to the bill.

BRIDGE ACROSS ST. MARYS RIVER AT SAULT STE. MARIE, MICH.

The Clerk called the next bill, H.R. 9585, authorizing the city of Sault Ste. Marie, Mich., its successors and assigns, to construct, maintain, and operate a bridge across the St. Marys River at or near Sault Ste. Marie, Mich.

Mr. TRUAX. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

Mr. BROWN of Michigan. Mr. Speaker, I object.

Mr. TRUAX. Then, Mr. Speaker, I object to the bill.

Mr. ZIONCHECK. Mr. Speaker, will not the gentleman withhold his objection? I think possibly the gentleman has the wrong bill in mind. In the case of the present bill, Calendar No. 311, the State Department, War Department, and Department of Agriculture are in favor of the bill.

Mr. BROWN of Michigan. This bridge is to be built by the city of Sault Ste. Marie.

Mr. TRUAX. Mr. Speaker, I have not had the time in which to study this bill, but the gentleman from Michigan informs me that the bridge is a public undertaking by the municipality.

Mr. BROWN of Michigan. That is true.

Mr. ZIONCHECK. And the State Department, the War Department, and the Agricultural Department are satisfied with the bill.

Mr. BROWN of Michigan. The city of Sault Ste. Marie will build the bridge.

Mr. TRUAX. Mr. Speaker, I withdraw my objection.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in order to facilitate international commerce, improve the postal service, and provide for military and other purposes, the city of Sault Ste. Marie, Mich., its successors and assigns, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the St. Marys River, so far as the United States has jurisdiction over the waters of such river, at a point suitable to the interests of navigation, at or near the city of Sault Ste. Marie, Mich., and the city of Sault Ste. Marie, Canada, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters", approved March 23, 1906, subject to the conditions and limitations contained in this act, and subject to the approval of the proper authorities in the Dominion of Canada.

SEC. 2. There is hereby conferred upon the city of Sault Ste. Marie, Mich., its successors and assigns, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property in the State of Michigan needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State of Michigan, upon making just compensation therefor to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

SEC. 3. The said city of Sault Ste. Marie, Mich., its successors and assigns, is hereby authorized to fix and charge tolls for transit over such bridge in accordance with any laws of the State of Michigan applicable thereto, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

SEC. 4. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act is hereby granted to the city of Sault Ste. Marie, Mich., its successors and assigns; and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 5. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

VETERAN LEGISLATION

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a radio speech made by my colleague the gentleman from Massachusetts [Mr. CONNERY].

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

There was no objection.

Mr. McCORMACK. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following radio address by my colleague from Massachusetts [Mr. CONNERY]:

Ladies and gentlemen of the radio audience, although I have the privilege of being a member of Post No. 240 of the Veterans of Foreign Wars of the United States in my home city of Lynn, Mass., I speak tonight on the subject of veteran legislation as a Member of the House of Representatives who believes there is a definite distinction between the men who were able to serve their country in time of war and those who, for some reason or other, found it convenient to evade this responsibility of citizenship.

Unfortunately, the public has been greatly misled on the subject of veteran legislation. This situation became worse when antiveteran forces deliberately misconstrued the effects of the independent offices appropriation bill which was passed by Congress on March 28 over a Presidential veto.

I am not here to defend Congress on this issue, because it needs no defense. I am greatly amused, however, by the frequent charge that Members of Congress only vote for veteran benefits because they want to be reelected at the polls. You have been told that Congress refused to accept a White House veto on veteran legislation simply because we were afraid of the veteran vote. The absurdity of this insult is exceeded only by the ignorance of those who voice such opinions. In the face of existing public sentiment, and with respect to my party now in control, any man of ordinary intelligence should know that it is much more popular for a Member of Congress to support the administration at every opportunity. I hardly need tell you that the popular vote is much stronger in any community than the veteran vote. Any observer of public opinion will admit that the masses are following the leadership of the President, and that any Member of Congress who wants to court the favor of the great majority of voters only needs to be a rubber stamp for those in control.

I cite these truths in reply to those who question the sincerity of Congress when we tried to rectify the mistakes that were made with the passage of the National Economy Act on March 20, 1933. I was opposed to the Economy Act from the very beginning. I still believe that it should have been repealed in its entirety. I am sorry that this was not accomplished when we passed the independent offices appropriation bill on March 28. We who opposed the Economy Act did so at a deliberate risk of losing our popularity. If we were merely looking for votes, all we had to do was to stick with the majority and we would still be able to save our faces with the veteran votes by "passing the buck" to the White House.

I want to say at this time to my comrades of the Veterans of Foreign Wars of the United States that you have every reason to be proud of our clean, fearless commander in chief, James Van Zandt, for his vigorous and determined leadership in the campaign that the V.F.W. sponsored during the past year for complete repeal of this legislation and the human misery for which

it was responsible. It was this organization that carried the truth to the people and exposed the injustices of the Economy Act in a way that forced the administration to see the light.

When the Economy Act was passed in March 1933, Government expenditures for veterans were reduced by approximately $440,000,000. During the months that followed, the President himself admitted that some serious mistakes had been made. He ordered changes and regulations which restored a portion of these reductions. On March 27, when the President signed his veto message, he himself had modified the original $440,000,000 reduction to the extent of $117,000,000.

Despite the general opinion that the Economy Act has been completely wrecked, the Government is still saving more than $250,000,000 under the veterans' provisions of the Economy Act. I ask you to remember that there are still 500,000 disabled veterans who are receiving no assistance whatsoever from the Federal Government. There is nothing sensational or nothing to become alarmed about in the benefits that were restored to our disabled veterans when Congress voted to override a Presidential veto. We have restored approximately 175,000 Spanish-American War veterans to the pension rolls. These men will again receive compensation for disabilities the Government itself never questioned until the Economy Act was passed. All these men have reached the average age of 60. Handicapped by age and physical disabilities—in the face of wide-spread unemployment—these veterans of the War with Spain were either forced into the streets, to live as they could, or into institutions of public charity. Moreover, we have given to the disabled veteran who is in need the right to free hospitalization, even though his disability may not be service-connected. But this service can be obtained by such veterans only when beds are available. This means we will only make full use of the facilities that are already available.

Although the bill passed by Congress over White House objections involved an appropriation of approximately $228,000,000, please understand that more than one half of this sum did not go to veterans. About $125,000,000 is to be used to restore pay cuts for Federal employees and for the maintenance of 18 different independent bureaus and commissions. Much less than one half the total sum of $228,000,000 is to be used for all veterans of all wars, their dependents and widows and orphans. Some have the false impression that the bulk of this money is going to World War veterans. You will probably be amazed to learn that less than $45,000,000 of this money will be spent for the care of World War veterans. Of this amount, we are going to spend approximately $10,000,000 during the coming fiscal year for the care of 29,000 World War veterans who are suffering from tuberculosis, those who are blind as a result of injuries or disease, and those who are mentally unfit and are today confined in hospitals or sanitariums with their minds completely blank. This is something I sincerely believe the American people would want to do for any group of unfortunate citizens so afflicted. This particular group of unfortunate men happens to be composed of veterans classified as presumptive cases. There is every reason to presume that their condition today is due to the experiences they underwent while in the service. But even if they were ordinary citizens, with no extraordinary patriotic service to their credit, their care and welfare is an obligation that human sympathy can hardly ignore.

When the Economy Act was passed we were told that no veteran suffering from a disability actually incurred in the service would suffer any curtailment in benefits. Despite these pledges, the regulations provided for a straight 10-percent cut in war-service-connected cases. In addition, a change in the method of rating cases was made, and our war-disabled veterans were cut from 25 to 30 percent on an average, and in some cases as high as 60 percent. Congress has restored these benefits, with the sincere belief that we—as a nation—can find our way out of our economic troubles without taking a few paltry dollars from the men who were crippled and maimed in defense of their country.

Today there are only approximately 32,000 veterans receiving any compensation whatsoever for disabilities they are unable to prove were incurred in actual war service. But these men are totally and permanently disabled. By order of the President himself these men have been allowed to remain on the roll to draw the munificent sum of $30 per month. We paid these men on an average of $1 a day when they were strong and healthy and able to kill and be killed. Today we are only asked to pay them $1 a day for lying flat on their backs in bed wondering how soon the end will come. This $30, I can assure you, is not being used to buy automobiles or luxuries. It is buying medicines to relieve pain and suffering; it is paying the rent for humble rooms and buying food and clothes—not only for the disabled veteran himself but in most cases for his wife and children. Anyone who would term this a wasteful expenditure on the part of the Federal Government must have a heart as hard as the gold he would like to save.

Carefully analyzed, the facts are very simple. Contrary to the propaganda that has been issued by antiveteran forces, Congress only voted to spend approximately $16,000,000 more than President Roosevelt thought should be spent in correcting the evils of the Economy Act. Obviously, the charge that Congress—in voting favorably for this $16,000,000 difference, voted to wreck our economic program—is palpably ridiculous.

The manner in which this action on the part of Congress has been exaggerated has even led many people to believe that Congress has voted to pay the so-called "bonus." Please understand that the bonus was not included in this bill and had nothing to do with its consideration. These are two different and distinct issues. The House voted on March 12 in favor of immediate cash payment of adjusted-service certificates. This bill is still pending in the Senate. I sincerely hope that the Senate will act in support of the House on this issue because I am convinced that payment of this confessed obligation to the veteran will be a distinct aid to the country as a whole. We who believe that the bonus should be paid without further delay are convinced that this is the only method by which we can increase the purchasing power of the masses in a way that will help every individual citizen.

The benefits of this bill are no longer confined to veterans alone. Payment of the so-called "bonus" will help every class or group of our citizens except one, and this group is composed of those who have amassed great wealth in the past through the buying and selling of Government bonds and the collection of interest from Uncle Sam. These are the people who object to the payment of the bonus through the issuance of currency notes, because they are afraid that it will be the beginning of the end for tax-exempt securities in the future. They are afraid that the issuance of Treasury notes for this purpose will show Uncle Sam how to raise the necessary funds in the future without paying exorbitant interest rates to bondholders. This is a far-fetched conclusion, because we know that when Uncle Sam has to raise money through the sale of bonds, there must be some inducement in the form of security and interest before the people will buy these bonds. We claim that currency notes can be issued for this particular purpose without adopting this method as a permanent economic policy.

If the National Economy League is afraid that Congress will continue to swap veteran benefits for votes, it can avoid this alleged danger by merely following the proposals of the Veterans of Foreign Wars. Immediate cash payment of the so-called "bonus" will settle this particular question once and for all and take it out of the hands of Congress. Adoption of a uniform pension system, as advocated by the Veterans of Foreign Wars of the United States, will permanently eliminate future bickerings and arguments over veteran benefits.

Let us decide now on equal veteran benefits for all veterans of all wars suffering from similar disabilities. The V.F.W. proposes the appointment of a nonpartisan commission that will formulate these principles. With the adoption of these principles, there will no longer be any need for discussions of veteran matters on the floor of Congress and Members of the House and Senate will be freed of the accusation that they are voting for veteran benefits in order to keep their jobs.

In conclusion may I say that I have great faith in the common sense and love of fair play of the American people.

I believe that when the people pierce the black smoke screen of antiveteran propaganda of the Economy League and the other dollar patriots that they will rise up and demand that full justice be done to disabled veterans whose only crime is that they gave part and if necessary would have given all their blood for the United States of America.

THE CONSENT CALENDAR

UNITED STATES BOTANIC GARDEN

The Clerk called the next resolution, House Joint Resolution 327, authorizing the appointment of a planning committee in connection with the United States Botanic Garden, and for other purposes.

Mr. BLANTON. Mr. Speaker, I promised the gentleman from Massachusetts [Mr. LUCE] to ask unanimous consent that this joint resolution be passed over without prejudice; and I submit this request at this time.

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

There was no objection.

MEDITERRANEAN FRUIT FLY

The Clerk called the next bill, S. 1800, to provide for an investigation and report of losses resulting from the campaign for the eradication of the Mediterranean fruit fly by the Department of Agriculture.

Mr. JENKINS of Ohio. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

MUNICIPAL WATER SUPPLY OF SALT LAKE CITY, UTAH

Mr. DEROUEN. Mr. Speaker, I ask unanimous consent to return to Calendar No. 303, the bill (H.R. 5531) for the protection of the municipal water supply of the city of Salt Lake, State of Utah. This bill was objected to by the gentleman from California. It is a very important bill, as can be seen from its title. The bill has passed the Senate and is awaiting action in the House.

Mr. TRUAX. Mr. Speaker, I shall be forced to object to returning to any bill until I know how many bills we are to consider this afternoon.

The SPEAKER pro tempore. The Chair will state that the call of the calendar will proceed with as much speed as possible, but the Chair is unable to state how many bills will be considered today.

Mr. TRUAX. Mr. Speaker, I withdraw my objection.

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

There was no objection.

The Clerk read the title of the bill.

Mr. DEROUEN. Mr. Speaker, I ask unanimous consent to substitute Senate bill no. 2442 for the House bill.

Mr. CARTER of California. Mr. Speaker, reserving the right to object, are these bills identical?

Mr. DEROUEN. These bills are identical. I have had them collated. There is not a change from the House bill by so much as a comma.

There being no objection, the Clerk read the Senate bill, as follows:

S. 2442

An act for the protection of the municipal water supply of the city of Salt Lake City, State of Utah

Be it enacted, etc., That hereafter mining locations made under the United States mining laws upon lands within the municipal watershed of the city of Salt Lake City, within the Wasatch National Forest in the State of Utah, specifically described as follows—

South half section 22; all of section 23; and sections 25 to 36, inclusive; township 1 south, range 2 east, Salt Lake meridian.

South half of section 30; and sections 31 to 33, inclusive; township 1 south, range 3 east, Salt Lake meridian.

Southeast quarter northeast quarter and east half southeast quarter section 11; south half and south half north half section 12; north half, southeast quarter, east half southwest quarter and northwest quarter southwest quarter section 13; east half northeast quarter and northeast quarter southeast quarter section 14; east half northwest quarter; and east half section 24; southeast quarter section 25; township 2 south, range 1 east, Salt Lake meridian.

All of township 2 south, range 2 east, Salt Lake meridian.

West half section 3; sections 4 to 9; west half and southeast quarter section 10, south half section 14; sections 15 to 23; west half section 24; west half section 25; sections 26 to 35; and west half section 36; township 2 south, range 3 east, Salt Lake meridian.

East half section 1, township 3 south, range 1 east, Salt Lake meridian.

Sections 1 to 18, inclusive; and sections 20 to 24, inclusive; township 3 south, range 2 east, Salt Lake meridian.

Sections 1 to 9, inclusive; north half section 10; and section 18; township 3 south, range 3 east, Salt Lake meridian.

shall confer on the locator the right to occupy and use so much of the surface of the land covered by the location as may be reasonably necessary to carry on prospecting and mining, including the taking of mineral deposits and timber required by or in the mining operations, and no permit shall be required or charge made for such use or occupancy: *Provided, however*, That the cutting and removal of timber, except where clearing is necessary in connection with mining operations or to provide space for buildings or structures used in connection with mining operations, shall be conducted in accordance with the rules for timber cutting on adjoining national-forest land, and no use of the surface of the claim or the resources therefrom not reasonably required for carrying on mining and prospecting shall be allowed except under the national-forest rules and regulations, nor shall the locator prevent or obstruct other occupancy of the surface or use of surface resources under authority of national-forest regulations, or permits issued thereunder, if such occupancy or use is not in conflict with mineral development.

SEC. 2. That hereafter all patents issued under the United States mining laws affecting the above-mentioned lands within the municipal watershed of the city of Salt Lake City, within the Wasatch National Forest, in the State of Utah, shall convey title to the mineral deposits within the claim, together with the right to cut and remove so much of the mature timber therefrom as may be needed in extracting and removing the mineral deposits, if the timber is cut under sound principles of forest management as defined by the national-forest rules and regulations, but each patent shall reserve to the United States all title in or to the surface of the lands and products thereof, and no use of the surface of the claim or the resources therefrom not reasonably required for carrying on mining or prospecting shall be allowed except under the rules and regulations of the Department of Agriculture.

SEC. 3. That the public lands within the several townships and subdivisions thereof hereinafter enumerated, situate in Big Cottonwood Canyon in the county of Salt Lake, State of Utah, are hereby reserved from all forms of location, entry, or appropriation, whether under the mineral or nonmineral land laws of the United States, and set aside as a municipal water supply reservoir site for the use and benefit of the city of Salt Lake City, a municipal corporation of the State of Utah, as follows, to wit: Lands in sections 13 and 14, township 2 south, range 2 east; and sections 7, 17, and 18, township 2 south, range 3 east, Salt Lake meridian, Utah, as shown on reservoir map approved on January 25, 1924, under section 4 of the act of February 1, 1905 (33 Stat. 628).

SEC. 4. That valid mining claims within the municipal watershed of the city of Salt Lake City, within the Wasatch National Forest in the State of Utah, existing on the date of the enactment of this act, and thereafter maintained in compliance with the law under which they were initiated and the laws of the State of Utah, may be perfected under this act, or under the laws under which they were initiated, as the claimant may desire.

The bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

A similar House bill was laid on the table.

BRIDGES ACROSS THE RED RIVER AT MOORHEAD, MINN.

The Clerk called the next bill, H.R. 9502, authorizing the State Highway Departments of the States of Minnesota and North Dakota to construct, maintain, and operate certain free highway bridges across the Red River from Moorhead, Minn., to Fargo, N.Dak.

There being no objection the Clerk read the bill as follows:

Be it enacted, etc., That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, the State Highway Departments of the States of Minnesota and North Dakota are hereby authorized to construct, maintain, and operate two free highway bridges and approaches thereto across the Red River, at points suitable to the interests of navigation, between Fargo, N.Dak., and Moorhead, Minn., in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters"; approved March 23, 1906.

SEC. 2. There is hereby conferred upon the State Highway Departments of the States of Minnesota and North Dakota all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridges and their approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge puposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

SEC. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS CHESAPEAKE BAY

The Clerk called the next bill, S. 3211, to extend the times for commencing and completing the construction of a bridge across the Chesapeake Bay between Baltimore and Kent Counties, Md.

Mr. CARTER of California. Mr. Speaker, reserving the right to object, is this a toll bridge?

Mr. HOLMES. Mr. Speaker, will the gentleman withhold his objection? I do not believe this is a toll-bridge bill, but I cannot state positively.

Mr. CARTER of California. Mr. Speaker, unless the gentleman can assure me that this is not a toll bridge, I object.

Mr. MILLARD. Mr. Speaker, I demand the regular order.

Mr. CARTER of California. Mr. Speaker, I object.

BRIDGES IN THE STATE OF OREGON

The Clerk called the next bill, S. 3114, to extend the times for commencing the construction of certain bridges in the State of Oregon.

Mr. CARTER of California. Mr. Speaker, reserving the right to object, are these toll bridges?

Mr. HOLMES. This is a bill providing for the construction of bridges by municipalities. The gentleman from Oregon [Mr. MOTT], will explain it, I am sure.

Mr. MOTT. These bridges are already under construction in the State of Oregon.

Mr. CARTER of California. Are they toll bridges?

Mr. MOTT. At least one of them is a toll bridge, but it is a State-owned bridge.

Mr. CARTER of California. Mr. Speaker, I withdraw my objection.

There being no objection the Clerk read the bill as follows:

Be it enacted, etc., That the times for commencing the construction of the following bridges, authorized to be built by the State of Oregon, are hereby extended to October 1, 1934: (1) Across the Umpqua River, at or near Reedsport, Oreg., authorized by act of Congress approved June 13, 1933; (2) across Yaquina Bay, at or near Newport, Oreg., authorized by act of Congress approved June 13, 1933; (3) across Coos Bay, at or near North Bend, Oreg., authorized by act of Congress approved June 13, 1933; (4) across the Siuslaw River, at or near Florence, Oreg., authorized by act of Congress approved June 13, 1933; and (5) across Alsea Bay, at or near Waldport, Oreg., authorized by act of Congress approved June 15, 1933.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

Page 1, line 3, after the word "commencing", insert the words "and completing."

Page 1, line 5, strike out the words "to October 1, 1934."

Page 1, line 6, insert "1 and 3 years, respectively, from the date of approval hereof."

The committee amendments were agreed to; and the bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title of the bill was amended.

QUINAIELT INDIAN RESERVATION, WASH.

The Clerk called the next bill, S. 1882, to authorize the Secretary of the Interior to issue patents for lots to Indians within the Indian village of Taholah, on the Quinaielt Indian Reservation, Wash.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized, upon application by any qualified Indian living within the Indian village of Taholah, on the Quinaielt Indian Reservation in the State of Washington, to issue to such Indian a patent for not to exceed two contiguous lots within said village, one of which lots must be occupied by said applicant: *Provided*, That where pursuant to section 10 of the act of June 25, 1910 (36 Stat.L. 858), one lot within said Indian village has heretofore been patented to any Indian living thereon said Secretary of the Interior is hereby authorized to patent to such Indian, or to his or her heirs in case of death, one additional contiguous lot wherever available. All patents issued hereunder shall be of the legal effect prescribed by said section 10 of the act of June 25, 1910, and all lots so patented to said Indians shall be disposed of as provided for in section 1 of that act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

YAKIMA CONFEDERATED TRIBES OF INDIANS

The Clerk called the next bill, H.R. 5864, to authorize the payment of expenses of delegates of the Yakima Confederated Tribes of Indians while on a mission to represent such tribes before Congress and the executive departments at the seat of government, and for other purposes.

Mr. JENKINS of Ohio. Mr. Speaker, reserving the right to object, I notice this bill carries with it an adverse report from the Secretary of the Interior.

Mr. KNUTE HILL. That was on April 2. Since that time the bill has been revised and has been rewritten by a member of the Indian Service. It was passed by the committee while he was there.

Mr. JENKINS of Ohio. I notice that the amendment which the gentleman refers to provides for an expenditure of money. Is that the Indians' money or the Government's money?

Mr. KNUTE HILL. That is their own money.

Mr. JENKINS of Ohio. I have no objection to the Indians spending their own money. I withdraw my reservation of objection.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated not to exceed $2,500 to be expended by the Secretary of the Interior in paying expenses of delegates of the tribal council of the Yakima Confederated Tribes of Indians while on a mission to the seat of government in the District of Columbia, to present the petitions and claims of such tribes to the Congress and its committees and to the executive departments of the Government with respect to encroachments on the reservation of such tribes, permanent allotments for members of such tribes, sale of timber on tribal lands, reservation schools, grazing returns, consultation with the leaders in affairs involving treaty rights, and such other matters as the tribal council may authorize the delegates to present. Such expenses shall include the cost of preparing and presenting such petitions and claims, travel and subsistence expenses for authorized delegates of such tribal council while in and en route to and from the District of Columbia on such mission, the cost of procuring the attendance of necessary witnesses, and the fees and expenses of necessary legal counsel, and any other expenses necessary in carrying out such mission. Such expenses shall be paid under such rules and regulations as the Secretary of the Interior shall prescribe pursuant to the provisions of this act.

With the following committee amendments:

Page 1, line 3, strike out "That there is hereby authorized to be appropriated not to exceed $2,500 to be expended by the Secretary of the Interior in" and insert "That the Secretary of the Interior be, and he is hereby, authorized to expend not to exceed $2,500."

Page 2, line 14, strike out "fees and."

The committee amendments were agreed to; and the bill was ordered to be engrossed, and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THE NORSEMEN

Mr. HOLMES. Mr. Speaker, I ask unanimous consent to extend my remarks and to include therein an address delivered by my colleague [Mr. KNUTSON] on May 17.

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

There was no objection.

Mr. HOLMES. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following address delivered by Hon. HAROLD KNUTSON at Brooklyn, N.Y., Thursday, May 17, 1934, before the United Norwegian Societies of New York:

Mr. Chairman and friends, this day has a deep significance for those of us who can boast of Norse blood. It is our natal day and marks the anniversary of the adoption of the organic law of old Norway. This evening we have gathered, as have tens of thousands of Americans of Norse ancestry in other places in this country, to commemorate that great occasion. To me this event has especial significance because I received my first impressions of this wonderful land of freedom and opportunity in New York, the gateway to the promised land, nearly a half century ago, amidst the hustle and bustle of old Castle Garden. It may not be amiss to pause for a moment and contemplate what has befallen those of us who left "gamle Norge" to seek their fortunes in the new land of promise, whose radiant light has drawn to its shores millions and millions from other and less-favored lands.

The Norseman did not come here that he might have freedom, because he has never been slave or serf. He was drawn here because of the superior advantages to be found—land, homes, opportunity, equality—these were some of the magnets that drew our fathers to these far-away shores, whose banner of bright stars and stripes has been baptized in the best blood of American patriotism on many a bloody battlefield and which proudly floats over 125,000,000 free Americans of every race, creed, and color.

Some of those who came tarried at the port of entry, and I trust that those who remained here have enjoyed happiness and that measure of success that is the reward of right living, industry, and honesty. However, the vast majority of the newcomers resolutely set their faces toward the land of the wide and open spaces in the Middle West, where they quickly became a part and parcel of their adopted land. Minnesota, Wisconsin, Iowa, Illinois, the Dakotas, Montana, Washington, Oregon, California, and Utah. These are the States that became the cradle of Norwegian culture in America, and may I say with pardonable pride that none of the newer States have contributed more generously and effectively to the upbuilding of our great and common country. In every forward move Americans of Norwegian blood and ancestry have played a prominent and decisive part.

The early Norwegians were a sturdy and dependable race. Sprung from the groin of a race that has for thousands of years braved the hidden dangers of the deep, who, though numerically weak, conquered the greater part of the then known world by reason of their superior bravery and dauntless courage, it was to be expected that the majority of them would take the pathway that offered the greater hardships and adventures. By oxen and covered wagon they followed the star of destiny westward, ever westward, from one State to another State, until many of them had traversed the continent of North America and spread into bordering countries. With many it was the restless urge that had been bred into them by countless generations who had gained their livelihood upon the bosom of the restless deep. They had never been serfs or slaves, and the great spaces of the West appealed to them as the limitless heights appeal to the eagle.

They faced the hardships and dangers of frontier life with all the courage for which their great race has been famed for thousands of years. For them it was much work and little play. There were homes to build, often of sod or logs; there were

schools and churches to establish, for they were an enlightened race that believed in education as well as in the tenets that were laid down by the lowly Nazarene nearly 2,000 years before. Wherever they went they established law and order, for lawlessness and disorder are as foreign to the nature of the Norseman as they are repugnant. He soon became the pillar of his community and in time a great leader. The history of the West would be incomplete were honorable mention of his great contribution to its development omitted.

When the great Civil War broke out, back in the dark days of '61, the sons of Norway and their offspring flocked to the colors of their adopted land by the tens of thousands, and Father Abraham had no more loyal or stalwart support than that given by the hardy race to whom battle in the cause of freedom and righteousness is as the fire gong to the old fire horse.

They acquitted themselves with great credit and the Norwegian regiment commanded by Col. Hans Hegg won for itself a place in the American Hall of Fame; and when the great fratricidal struggle was over, they quietly returned to their homes and resumed their usual vocations.

May I say at this point that the American soldiers and sailors of Norse blood played an equally gallant part in the great World War where they served by the hundreds of thousands.

When I was a boy, the great Northwest was yet open to homestead entry, and I can well recall the thousands of covered wagons that trekked their weary course westward, where were to be found homes and opportunities. Hardship, yes; but to them it was home, as a poet of our own blood, then living in Wisconsin, has so aptly described:

"Aa so grov me et hol bort i bakka
Det var hus, det var heim, det var bu,
Men aat kvelden naar heimat det lakka
Var det heimet dog kjert, kan du tro."

The Lord has been good to us. Today the West is the bread-and-butter basket of the world. It is dotted with cities that are seats of learning, culture, and art and industry; farms with big red barns and comfortable homes. We can show our appreciation for these blessings by being good and loyal Americans.

Your true Norseman is adaptable and he easily and quickly adjusts himself to new environments, hence he readily became imbued with the principles upon which this Government was founded. Norsemen have occupied with credit many positions of public trust. First and foremost Knute Nelson, the first Norwegian born to become Governor of a sovereign American State and a member of the Senate of the United States. Then we have such outstanding characters as Haugen of Iowa, Helgesen of North Dakota, Steenerson, O. J. Kvale, all now deceased; Volstead, Sidney Anderson, Selvig, Andresen of Minnesota, Williamson of South Dakota, Burtness of North Dakota, and Nelson of Wisconsin. Former Senators Reed Smoot of Utah, Asle J. Gronna of North Dakota, and James J. Blaine of Wisconsin.

These are but a few of the illustrious Norsemen of a bygone day. Today HENRIK SHIPSTEAD, of Minnesota, and PETER NORBECK, of South Dakota, are in the Senate, and in the House are EINAR HOIDALE and myself, both born across the sea, and former Governor THEODORE CHRISTIANSON, also PAUL KVALE, of Minnesota, who is here this evening, and KNUTE HILL, of Washington State. Americans of Norwegian extraction have occupied and are occupying high judicial and professional positions, and they have attained conspicuous successes in the arts, the professions, in business, and in agriculture. In fact in all activities that require integrity, industry, intelligence, ability, and steadfastness have they acquitted themselves with credit to the land of their origin as well as to that of their adoption.

My countrymen, the past is a luminous figure on the eastern horizon that we love and revere, but it is to the present and future that I would address myself for a few brief moments, if you will kindly indulge me.

We are now passing through one of the most painful periods of readjustment of which we have record. Fortunes and savings have been wiped out, values have depreciated to a fraction of their former worth, and homes have been lost. But it is not my purpose to analyze here the cause but rather to make an appraisal of the future.

The old order has passed. It was ruthless and cruel. Under its regime property rights were held equal, if not superior, to human rights.

A new order has been inaugurated which marks another milestone in the progress of the American people. Naturally, the program being largely experimental, mistakes will be made, for we have embarked upon uncharted and strange waters. From time to time hidden and treacherous shoals will reveal themselves.

Under such circumstances, it is necessary that the navigation of the Ship of State shall be in the hands of experienced navigators upon whose knowledge and wisdom rests the very future of the Republic.

Great changes lie before us. Heretofore the distribution of wealth has been centered too much, there has been too much want and suffering in the midst of plenty; we have seen great fortunes grow ever larger, whilst the condition of the producer and toiler has not kept pace. For this unhappy and intolerable situation I blame no one in particular. Rather, it is the fruit of a system that we have happily outgrown. After all, life is an evolution, and we must go forward or be pressed backward. We cannot stand still. With our acknowledged capacity we must go forward.

A new day lies before us, and, with its added responsibilities, we are facing a battle between the new and the old that is as inexorable as the laws of the Persians and the Medes. In this struggle will be found in opposition those who would scuttle the ship rather than acknowledge defeat.

It is related that when the great Robert Bruce lay dying he called to his bedside his trusted friend and lieutenant, the Earl of Douglas, and charged him that at his death his heart should be removed from his breast, encased in a golden urn, and conveyed to the Holy Sepulcher for interment. When the great Bruce had breathed his last, the faithful Douglas followed his dead master's instructions, and surrounding himself with a small escort of Scottish chiefs, set out on his holy mission. One day, when the little band had nearly reached their destination, they were set upon by a body of Saracens who threatened to overcome them by reason of superior numbers. When all seemed lost Douglas stood up in his stirrups and taking the golden urn in his hand hurled it into the midst of the enemy, shouting, "Lead on, heart of Bruce, we follow thee, we follow thee." The Scots, never having known defeat when following that great chieftain, took new heart, turned upon the enemy with the fury of the wind and overcame them. So, my friends, when the enemies of the new order would retard or prevent, we will take the great heart of Lief Ericson, encase it in our love and affection and hurl it into the midst of the enemy and shout, "Lead on, great heart of Lief, we follow thee, we follow thee", and we shall take new courage and devotion and overcome those who would subvert and thwart our progress toward a new day and better things.

KING HILL IRRIGATION DISTRICT

The Clerk called the next bill, H.R. 9583, to convey to the King Hill irrigation district, State of Idaho, all the interest of the United States in the King Hill Federal reclamation project, and for other purposes.

Mr. ZIONCHECK. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

Mr. COFFIN. Will the gentleman yield?

Mr. ZIONCHECK. I reserve my objection.

Mr. COFFIN. In view of the fact that that would practically defeat the bill at this session and that this bill merely grants authority to the Interior Department to do what they have wanted to do for years, may I ask the gentleman to withdraw his objection?

This is a project that has been completed for years. There is no possibility of the liens ever being paid by the settlers. This bill needs the action of the Senate, and is of extreme importance to the people of this district.

Mr. ZIONCHECK. As the report embodies certain language to the effect the district has paid no part of the construction costs, I am constrained to object. The Government has spent something over a million dollars upon this particular project.

Mr. COFFIN. That is a fact, but the Government in spending the money acted on a misconception of their engineers, and the ultimate effect of the spending of the money under the circumstances was to mislead the settlers and get them into an utterly impossible position.

Mr. ZIONCHECK. I do not want to be construed as objecting to any bill by asking that it go over without prejudice. May I ask why the bill was not brought up before if it is so important?

Mr. COFFIN. The Interior Department brought the matter to my attention so late in the session that this is the first opportunity I have had to get it on the Consent Calendar. It will be noted that the Interior Department recommends that the bill be passed, and the bill in its present form is as drawn by the Interior Department.

Mr. ZIONCHECK. It is very hard for me to reconcile the Government building a project which cost millions of dollars and then immediately donating it to a private water-and-power company.

Mr. COFFIN. They took over this project some years ago after private parties and the State had endeavored to put it over.

Mr. ZIONCHECK. And they want to turn it over to the power-and-water company now?

Mr. COFFIN. This bill authorizes turning the district over to the settlers. The King Hill irrigation district is composed of the settlers out there. There is no power company involved in the matter.

Mr. ZIONCHECK. I would like to have more opportunity to look into the question.

Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

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

Mr. COFFIN. Mr. Speaker, I object.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. ZIONCHECK. Mr. Speaker, I object to the bill.

SETTLEMENT OF CLAIMS BY THE POSTMASTER GENERAL

The Clerk called the next bill, H.R. 8460, to amend section 392 of title 5 of the United States Code.

Mr. TRUAX. Mr. Speaker, I object.

Mr. DOCKWEILER. Will the gentleman reserve his objection?

Mr. TRUAX. I reserve my objection.

Mr. DOCKWEILER. I wish the genttleman from Ohio would not object to this bill, which permits the Postmaster General to adjust and settle claims caused by the negligence of officers and employees of the Post Office Department; that is, where the claims do not exceed $500.

A bill was passed, as the report shows, some years ago, giving the Postmaster General this authority; but through a construction by the Comptroller General the Postmaster General is not able to settle claims where private parties are involved. Consequently we have to clarify the law and implement the law in order that the Comptroller General's present ruling and precedent will be overcome.

What happens now? At every session of Congress the Postmaster General has to send down to our committee anywhere from 100 to 500 small claims, from a few dollars to $500, in connection with cases where agents of the Post Office Department have through negligence caused injury to private property, such as is occasioned by automobile accidents, and so forth. We have to submit a private bill in every instance and in every case in order to get relief for the private party.

Mr. TRUAX. Will the gentleman yield?

Mr. DOCKWEILER. I yield to the gentleman from Ohio.

Mr. TRUAX. I may say that this Congress has paid dozens of such bills. Whenever anyone is hurt or killed by an employee of the Postal Department, it is assumed that the employee is responsible for the accident. I may say to the gentleman that the law in its present form is exactly the way it ought to be, in my judgment. These claims should be brought down here, and there is no one official that should be delegated authority by this Congress to settle any of the claims that may come under $500.

Mr. DOCKWEILER. This is under $500. The gentleman from Ohio has read the letter addressed by Mr. Douglas to the Postmaster General?

Mr. TRUAX. No; I did not read it.

Mr. DOCKWEILER. This is approved by Mr. Douglas and by the Postmaster General or Mr. Crowley.

Mr. TRUAX. If the gentleman will amend the bill and make it $50 instead of $500, I will withdraw my objection.

Mr. DOCKWEILER. Will the gentleman agree to making it $250?

Mr. TRUAX. No.

Mr. DOCKWEILER. I am speaking for the gentleman from New York [Mr. MEAD], the chairman of the committee, and I do not want to consent to a limit of $50 as against $500.

Mr. JENKINS of Ohio. Mr. Speaker, reserving the right to object, my opposition is not to the amount but to the principle. My notion is that if the Postmaster General should have the right to adjust up to $500, he ought to have the same right up to $1,000 or perhaps $5,000. The gentleman has stated that at the present time there is a law on the statute books which was intended to give the Postmaster General this power, but the Comptroller General has decided that it did not come within some other law.

Mr. DOCKWEILER. Yes.

Mr. JENKINS of Ohio. If that is the case and if the Comptroller has already ruled against it, how will this language correct the situation?

Mr. DOCKWEILER. If the gentleman will turn to page 2 of the report, he will find set out there the original statute of June 16, 1921, which gives the Postmaster General this authority, not to exceed $500, and then there appears in italic, which is the amendment we are considering today—

And this authority shall hereafter be construed as extending to cases caused by the negligence of any officer or employee of the Post Office Department or Postal Service acting within the scope of his employment.

Mr. TRUAX. Mr. Speaker, further reserving the right to object, it is perfectly apparent to everyone here that if this bill were passed the Postmaster General himself would not have the time to sit in these hearings. The authority would have to be delegated to some underling, and it is always easier to obtain money or secure the payment of claims in that way. When they come down here and the claims have to be passed upon by a committee and then brought on the floor of the House and passed by unanimous consent, we are following a much safer plan than the one proposed by this bill, and therefore I object to the bill.

THE COWLITZ RIVER, WASH.

The Clerk called the next bill, H.R. 9430, to provide a preliminary examination of the Cowlitz River and its tributaries, in the State of Washington, with a view to the control of its floods.

Mr. GOSS. Mr. Speaker, reserving the right to object, I want to call attention to the language of the bill—

That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination to be made—

And so forth. Might not this be construed as an appropriation?

Mr. WILSON. No.

Mr. GOSS. How could the Secretary carry out the purpose of the bill without an appropriation?

Mr. WILSON. The law authorizes an appropriation for War Department surveys of rivers and harbors.

Mr. CARTER of California. If the gentleman will permit, the bill provides that the cost shall be paid from the appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

Mr. GOSS. I have read that language, and I want to call attention to a point which I think the Comptroller General should watch out for in this connection. In 1902, in one of the appropriation bills, chapter 1351 of the Fifty-seventh Congress, there was this language:

Hereafter no act of Congress shall be construed to make an appropriation out of the Treasury of the United States unless such act shall, in specific terms, declare an appropriation to be made for the purpose or purposes specified in the act.

Under this permanent law, which was a rider on this old appropriation bill back in 1902, I am wondering whether this could be construed to allow an appropriation or not.

Mr. BLANTON. That provision became permanent law because the word "hereafter" made it permanent.

Mr. GOSS. Of course, and that is what I am pointing out now.

Mr. BLANTON. And it certainly affects this bill.

Mr. GOSS. Yes; and if the Comptroller General will refer to this particular language, I do not see how he can let an appropriation go by in a matter of this kind and in this case you would not get any survey made.

Mr. SMITH of Washington. In addition to the explanation which has been made by the Chairman of the Committee on Flood Control [Mr. WILSON], I wish to say I am the author of this bill and the three which follow it on the calendar, and the language in each one is identical with the language in all similar flood-survey bills that have been passed.

Mr. GOSS. I realize that.

Mr. SMITH of Washington. It seems to me that the final phrase of the bill covers the point which the gentleman has in mind.

Mr. ZIONCHECK. An amendment striking out the words "and directed" would meet the gentleman's point.

Mr. SMITH of Washington. The language to which I refer is "the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors."

In other words, I construe this language to mean that the surveys could not be made or the cost defrayed except out of appropriations that have heretofore, or may hereafter, be made, and this is not a bill which appropriates any sum whatever; the War Department appropriation bill provides funds for the United States Army engineers to make such examinations and surveys as are contemplated by this legislation.

Mr. GOSS. I may say to the gentleman that it has been often construed in such a way that appropriations have been made when the words "and directed" were put in after the word "authorized."

As the gentleman from Washington has just said, if you did strike out "direct" and even dispense with the permanent law, it would not help it.

Mr. SMITH of Washington. I do not think that is necessary; if you strike out that language you take out the language that provides for the survey to be made. That is the only language whereby the Secretary of War and the United States Corps of Engineers would be empowered to make a survey, which are necessary on all these rivers and their tributaries, as shown by the disastrous floods which occurred in December 1933, causing millions of dollars' worth of damage to property and some loss of life. I trust that no objection will be made to their passage.

Mr. BLANTON. They could not do it without coming to Congress and the Appropriations Committee. [Cries of "Regular order."]

Mr. GOSS. If the regular order is to be demanded, I will object to the next four bills, for they are all alike.

Mr. SMITH of Washington. I think the gentleman from Connecticut should be permitted to discuss the bills, and I trust that no Member on this side will insist on the regular order.

Mr. BLANTON. Will the gentleman yield?

Mr. GOSS. I yield.

Mr. BLANTON. Under the statute the gentleman read, that is permanent law. All of these bills under the ruling of the Comptroller General require them to come to the Committee on Appropriations to get the money before they can do anything.

Mr. GOSS. Is the gentleman sure of that?

Mr. BLANTON. I am.

Mr. WALLGREN. I will say that at the present time the district engineer has all the information necessary. There is no other expense to the Government.

Mr. GOSS. I am not objecting to the authorization, but it is the method of doing it. I agree with the gentleman from Texas that the matter should go to the Appropriations Committee.

Mr. CULKIN. Does this apply to navigation in any sense?

Mr. SMITH of Washington. No; it relates to flood control alone, the same as the other bills of a similar character which have been passed in this and past sessions, and will enable the Corps of Army Engineers to conduct the examinations and surveys for flood control out of the moneys already appropriated to the War Department.

Mr. GOSS. Would not the language "authorized and directed" be construed as an appropriation?

Mr. BLANTON. No. An appropriation requires the language "there is hereby appropriated so much money out of the Treasury not otherwise appropriated."

Mr. SINCLAIR. If the gentleman will yield, I had a similar bill to this not long ago, and similar language was used.

Mr. GOSS. I will withdraw my objection.

Mr. SMITH of Washington. I appreciate the cooperation of the gentleman from Connecticut, as these bills are of considerable importance to the citizens of southwest Washington, who will be benefited by proper protective measures against future floods, which we hope will result from these surveys by the Corps of United States Army Engineers having jurisdiction of rivers and harbors.

There being no further objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination to be made of the Cowlitz River and its tributaries in the State of Washington, with a view to the control of its floods, in accordance with the provisions of section 3 of an act entitled "An act to provide for control of floods of the Mississippi River, and of the Sacramento River, Calif., and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

The bill was ordered to be engrossed, and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DIRECT LOANS TO INDUSTRY

Mr. BANKHEAD, from the Committee on Rules, presented the following resolution for printing under the rule:

House Resolution 388 (Rept. No. 1722)

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of S. 3487, a bill relating to direct loans for industrial purposes by Federal Reserve banks and for other purposes, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the 5-minute rule. It shall be in order to consider without the intervention of any point of order, the substitute amendment, and any other amendments recommended by the Committee on Banking and Currency, and such substitute for the purpose of amendment shall be considered under the 5-minute rule as an original bill. At the conclusion of such consideration the committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and the amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. BANKHEAD. Mr. Speaker, this is a rule providing for the consideration of the bill reported this morning from the Committee on Banking and Currency, providing for loans to industry. Under the program it will be taken up tomorrow the first thing after the disposition of matters on the Speaker's desk.

Mr. BLANTON. That is the Senate bill already passed.

Mr. MARTIN of Massachusetts. And it is expected that the bill will be passed some time tomorrow?

Mr. BANKHEAD. It is hoped that it may be. Two hours of general debate are provided, and then an open rule under the 5-minute rule.

CONSENT CALENDAR

EXAMINATION OF CHEHALIS RIVER

The Clerk called the next bill, H.R. 9431, to provide a preliminary examination of Chehalis River and its tributaries in the State of Washington, with a view to the control of its floods.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination to be made of the Chehalis River and its tributaries in the State of Washington, with a view to the control of its floods, in accordance with the provisions of section 3 of an act entitled "An act to provide for control of floods of the Mississippi River, and of the Sacramento River, Calif., and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider laid on the table.

PROCEEDINGS AGAINST ELECTRO-METALLURGICAL CO., ETC.

Mr. SUMNERS of Texas. Mr. Speaker, I ask unanimous consent to recur to Calendar No. 306, H.R. 9269, limiting the operation of sections 109 and 113 of the Criminal Code and

section 190 of the Revised Statutes of the United States with respect to counsel in certain proceedings against the Electro-Metallurgical Co., New-Kanawha Power Co., and the Carbon & Carbide Co., and substitute therefor a similar Senate bill (S. 3436).

The SPEAKER pro tempore. Is there objection?

Mr. ZIONCHECK. Mr. Speaker, has the gentleman seen the gentleman from Indiana?

Mr. SUMNERS of Texas. I have, and he told me he had no objection to it.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. Without objection the Clerk will report the Senate bill, S. 3436.

The Clerk read the Senate bill as follows:

Be it enacted, etc., That nothing in sections 109 and 113 of an act entitled "An act to codify, revise, and amend the penal laws of the United States", approved March 4, 1909, as amended (U.S.C., title 18, secs. 198 and 203), or in section 190 of the Revised Statutes of the United States (U.S.C., title 5, sec. 99), or in any other act of Congress forbidding officers or employees or former officers or employees of the United States from acting as counsel, attorney, or agent for another before any court, department, or branch of the Government or from receiving or agreeing to receive compensation therefor, shall be deemed to apply to attorneys or counselors to be specially employed, retained, or appointed by the Attorney General or under authority of the Department of Justice to assist in the prosecution of any case or cases, civil or criminal, to be brought by the United States against the Electro Metallurgical Co., New-Kanawha Power Co., or the Union Carbide and Carbon Corporation, or all or any of said companies and/or their officers or agents, and/or any litigation involving hydroelectric power, navigation, or water rights or claims upon the New and Kanawha Rivers, or either of them, under the Federal Water Power Act or the River and Harbor Appropriation Act of March 3, 1899, chapter 425, or any other act or acts.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

DISABILITY OF SENIOR CIRCUIT JUDGES

Mr. SUMNERS of Texas. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H.R. 7356, to provide, in case of the disability of senior circuit judges, for the exercise of their powers and the performance of their duties by the other circuit judges, with a Senate amendment thereto, and concur in the Senate amendment.

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

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will report the Senate amendment.

The Clerk read as follows:

Line 4, after "illness", insert "or other cause".

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The question is on agreeing to the Senate amendment.

The Senate amendment was agreed to.

EXAMINATION OF LEWIS RIVER, WASH.

The Clerk called the next bill, H.R. 9432, to provide a preliminary examination of the Lewis River and its tributaries in the State of Washington, with a view to the control of its floods.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination to be made of the Lewis River and its tributaries in the State of Washington, with a view to the control of its floods, in accordance with the provisions of section 3 of an act entitled "An act to provide for control of floods of the Mississippi River, and of the Sacramento River, Calif., and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

The bill was ordered to be engrossed and read a third time, was read the third time, and a motion to reconsider laid on the table.

H.R. 5522—AMENDING THE STANDARD BASKET ACT OF AUGUST 31, 1916, TO PROVIDE FOR A 1-POUND CLIMAX BASKET FOR MUSHROOMS

Mr. KINZER. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill H.R. 5522, passed today.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. KINZER. Mr. Speaker, I have introduced, actively supported, and urge the passage of this bill in the hope and belief that by its passage we will have made a valuable contribution to the development of the mushroom industry.

The Standard Container Act of August 31, 1916, established that standards for Climax baskets for grapes and other fruits and vegetables shall be the 2-quart basket, 4-quart basket, and 12-quart basket, respectively. This standardization was made to meet the requirements then confronting the shippers of grapes, tomatoes, cherries, and other fruits and vegetables; and although at that time mushrooms were grown in the United States, the industry was not then of sufficient commercial value and importance to attract the attention of the framers of the 1916 act.

The mushroom industry has grown and developed in this country to one of imposing and commercial importance. The 4-quart Climax basket in the beginning served as a suitable container for the shipment of mushrooms, and held about 3 pounds. But since mushrooms are sold and retailed in pounds, changes in marketing, economic, and general merchandising conditions, have all necessitated the adoption of a 1-pound consumer package. Therefore the Climax basket containing 1 pound of mushrooms—approximately 1⅓ quarts—was designed. This package was tried commercially and met with encouraging success; it at once facilitated and helped develop a greater mushroom market and brought back to the grower an appreciable price margin. However, the Department of Agriculture claiming this 1-pound package to be a violation of the Standard Container Act of 1916, directed the discontinuance of its use. Since that time mushrooms have sold at less than the cost of production, and their sale has diminished.

If the mushroom industry is to survive, the grower must expand his market and get a better price margin by the adoption and use of a suitable consumer package. Practically every commercial concern in the mushroom belt has tried every type of consumer package, and the 1-pound Climax basket, for which this bill provides, is the most practicable from a merchandising point of view for mushrooms and will greatly aid in widening and extending the market.

The mushroom industry in the United States is a growing and valuable one. It needs and must have encouragement. The mushroom belt, scattered throughout Chester, Lancaster, and Delaware Counties, Pennsylvania, and extending into Maryland and New Jersey, produces annually in excess of 15,000,000 pounds of mushrooms, and this does not include the large tonnage that is canned. This represents almost 65 percent of the entire United States mushroom production. This industry, furnishing as it does employment for hundreds of workers in the plants, in transportation by truck and rail, and in its allied industries.

The necessity for prompt action on this bill is apparent because the shipment of fresh mushrooms will begin in September and continue throughout the coming winter. If the bill is not passed at this session, it means that this 1-pound mushroom package cannot be used for next season.

EXAMINATION OF COLUMBIA RIVER, WASH.

The Clerk called the next bill, H.R. 9433, to provide a preliminary examination of Columbia River and its tributaries in the State of Washington with a view to the control of its flood waters.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination to be made of the Columbia River and its tributaries in the State of Washington, with a view to the control of its floods, in accordance with the provisions of section 3 of an act entitled

"An act to provide for the control of the floods of the Mississippi River, and of the Sacramento River, Calif., and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore and hereafter made for examinations, surveys, and contingencies of rivers and harbors.

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

The Clerk read as follows:

Amendment by Mr. MOTT: Page 1, line 5, after the word "the", strike out the word "State" and insert in lieu thereof the word "States"; in line 6, after word "Washington", insert the words "and Oregon."

The amendments were agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

WHITE SWAN SCHOOL DISTRICT, NO. 88, YAKIMA COUNTY, WASH.

The Clerk called the next bill, H.R. 7361, to provide funds for cooperation with White Swan School District, No. 88, Yakima County, Wash., for extension of public-school buildings to be available for Indian children of the Yakima Reservation.

Mr. TRUAX. I reserve the right to object.

Mr. JENKINS of Ohio. Reserving the right to object, Mr. Speaker, there are 10 bills, the next 10 bills on the calendar, which deal with the same subject, namely, improvement of the school situation among the Indians. I wonder if we cannot consider these and clear them up so that we can proceed more rapidly and save some time? I should like to ask a few questions. First, I should like to ask whether in each of these bills it is not true that the expense for the improvement is paid out of the Indian fund, and do those expenses come from the United States?

Mr. AYERS of Montana. These funds come from the United States Treasury, but these are not in a strict sense appropriation bills—they are authorization bills.

Mr. JENKINS of Ohio. That is the next question I wanted to ask.

Mr. AYERS of Montana. They are authorizations, and they will have to go through the general Appropriations Committee before they can be listed in the Budget and come out of the general fund.

Mr. JENKINS of Ohio. I have not had time to read all of the reports. How many of these are there?

Mr. AYERS of Montana. There are 13 of them.

Mr. JENKINS of Ohio. How are they as to similarity?

Mr. AYERS of Montana. Mr. Speaker, all of these bills are similar. If the House will bear with me I will explain the condition pertaining to all of these bills. They were referred to a subcommittee of which I was chairman, and we have gone into extensive hearings and investigations with reference to each bill. All of these measures are for extension of public-school buildings on and immediately adjacent to Indian reservations. The purpose is to accommodate Indian children where the Indian department has abandoned the Indian schools that heretofore cared for these Indian children.

Please understand that nothing in any of these bills has to do with the help or assistance of white children, except that they are overcrowded by Indian enrollment. All of these bills are important in the matter of providing proper educational facilities for Indian children since the Indian schools were suspended. In all of the instances which these bills are designed to reach, it has been the policy of the Indian Office to suspend their schools and provide for the education of the Indian children in the public schools of the State. This policy has been in progress for some time, and where practiced it has produced very satisfactory results and has been adopted as the general policy of the Indian Office where it can adopt such policy.

I am glad to say to the House that there is no race prejudice existing in the school districts of the public schools affected by these bills. The school boards in every instance have had full and complete cooperation with the white patrons of the schools and no protest is made by the white children or the parents of the white children with reference to Indian children attending the public State schools. That is a remarkable cooperation on the part of the trustees and the white patrons and is an advantage for the Indian children that the proponents of all of these bills are trying to perpetuate. In fact, the various State public schools have displayed a very commendable spirit of cooperation with the Indian Office in putting this policy into general operation.

The Indian Department pays tuition for the Indian children, which is designed to meet the expenses of teachers' salaries and other ministerial overhead expense, but according to facts gathered from some of the schools where the Indian children are permitted to attend, this tuition only pays about 85 percent of such ministerial overhead expense. The school districts are willing to waive that deficit if they can be helped by the Government in furnishing the additional quarters necessary for the increased enrollment caused by shifting the Indian children from the Indian schools to the public schools. That is the purpose of these bills.

Mr. Speaker, I am sure the House will understand that this increased enrollment caused by the Indian children being transferred to the public schools is not taken care of by State apportionments of school moneys and that the lands upon which these Indian children live is not subject to taxation—it, being reservation land, is not subject to State or other taxes. Because of this fact the districts are hard-pressed to provide additional buildings and facilities for the increased Indian attendance.

As a matter of fact, all of the schools involved in these bills are overcrowded to the extent that they are inadequate and unfit to handle the additional enrollment; however, every district in the cases involved have gone their absolute limit in providing and attempting to provide adequate quarters. Some of them have even gone so far that they have jeopardized their own outstanding bonds.

Because of the importance of these bills and the seriousness of the situation, a special subcommittee was appointed to consider them and to endeavor to expedite their approval. This subcommittee has consulted with the Indian Office, and the Commissioner of Indian Affairs has openly, before the entire Indian Affairs Committee of the House, approved of these bills and assured us that they were in accord with the educational policy of the Indian Office. The Secretary of the Interior has approved of the plan. As a matter of fact, it is by reason of the action of these officers in their educational program that these bills become necessary.

The position of the Secretary of the Interior is illustrated by a few excerpts from letters which he wrote to the House Committee on Indian Affairs in response to its request for his views upon these measures. I shall quote only briefly from some of his letters which are typical of others:

It is quite apparent that a good central school building is required for this district and that use of the old log building should be discontinued. As a majority of the pupils will be Indian children, a contribution by the Federal Government of one half the cost of construction appears clearly justified when the condition of the Federal Treasury will permit such an appropriation.

From the foregoing brief summary of the facts it is evident that this public-school district is confronted with a peculiarly Indian problem, inasmuch as about 90 percent of the acreage of the district consists of nontaxable Indian land, whether used by Indian allottees or by white or Japanese lessees, and more than half of the school enrollment and attendance is Indian.

Because of the lack of space at Marysville itself and crowded conditions there, it has been necessary to make over part of the old boarding-school plant and to transport public-school pupils, both white and Indian. This is a very necessary school. The district reports that its bonded indebtedness has reached the limit allowed by State law and that it is unable to finance the necessary construction. It is desired to build an addition to the present plant to provide perhaps six classrooms and thus enable the school better to conduct both its elementary and high-school work. The need of this additional space has been brought to the attention of the Indian Office in reports from field officials who have recommended that Government assistance be thus extended.

Mr. Speaker, the only stumbling block in any of the departments that the subcommittee or the whole committee have found is that the Secretary says that the Director of the Budget stated that the proposed expenditures were not in accord with the financial program of the President.

The subcommittee and the entire Indian Affairs Committee of the House were faced with the situation as illustrated, and both the Subcommittee and the Committee on Indian Affairs reported these unanimously for passage. They felt that the Secretary of the Interior and the Commissioner of Indian Affairs were fully aware of the actualities in the various school districts and more sympathetically alive to the human side of the case and to the educational problems facing the Indian children than was the Bureau of the Budget, and not a dissenting voice was raised against any of these measures.

The SPEAKER pro tempore. The only objection to considering all of these bills en bloc is that there are not similar Senate bills. They cannot therefore be considered en bloc.

Mr. SINCLAIR. They have not all been passed by the Senate, however.

The SPEAKER pro tempore. The Chair would have to be definitely informed as to the similarity of the bills.

Mr. JENKINS of Ohio. Then I understand the bills are not similar?

The SPEAKER pro tempore. The Chair understands that they are, but the Chair has no definite information.

Mr. JENKINS of Ohio. What is the information as to how many of them have passed the Senate?

The SPEAKER pro tempore. The Chair understands that seven bills similar to the ones on the calendar have passed the Senate.

Mr. AYERS of Montana. Eight of these bills have passed the Senate; that is, eight companion bills have passed the Senate, and therefore it would be impossible to omnibus this list of 13 bills and consider them as one. Each bill authorizes a different sum and for different school districts.

Mr. JENKINS of Ohio. It is apparent that we cannot save time at this juncture, and therefore I will withdraw my reservation of objection.

Mr. TRUAX. Mr. Speaker, reserving the right to object, there are 10 of these bills that appropriate the sum of $511,000—more than a half million dollars.

Mr. GOSS. Will the gentleman yield?

Mr. TRUAX. I yield.

Mr. GOSS. Is it not true that it is an authorization and not an appropriation?

Mr. TRUAX. Yes; but that means an appropriation, does it not?

Mr. GOSS. Oh, no.

Mr. TRUAX. Well the point I raise is: What are we going to do for our schools in the rest of the States, where they are in distress right now? In the State of Ohio we are faced with a deficit of some $70,000,000 and no means have been provided for raising the revenue. The legislature is not in session. Are we to authorize an appropriation today of more than a half million dollars for these Indian schools in the northwestern territory and do nothing for the schools back in our States that will soon have to close?

Mr. SINCLAIR. Will the gentleman yield?

Mr. TRUAX. I yield.

Mr. SINCLAIR. The schools in Ohio at least have the abiilty of taxing the lands and property adjacent to the schools.

Mr. TRUAX. No; they have not, because they are taxed to death now.

Mr. SINCLAIR. But they have the power of taxation just the same.

Mr. TRUAX. But that does not raise money.

Mr. SINCLAIR. The lands connected with these schools are held in reserve by the Government for the Indians and are not subject to taxation, yet all the expense of educating these children is borne by the local community.

Mr. TRUAX. We have the power to tax public utilities and wealth, but we do not do it, because the Governor will not do it and the legislature will not do it.

Mr. SINCLAIR. Why do you not do it? You have the right.

Mr. AYERS of Montana. Will the gentleman yield?

Mr. TRUAX. I yield.

Mr. AYERS of Montana. Permit me to say to the gentleman that the situation is as follows: The Department has abandoned and closed the Indian schools in these instances and that has forced the Indian pupil into the State schools. That action has made the condition which we are seeking to relieve by these measures.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. JENKINS of Ohio. Mr. Speaker, I object.

PUBLIC SCHOOL, BROCKTON, MONT.

The Clerk called the next bill, H.R. 7146, to provide funds for the cooperation with the school board at Brockton, Mont., in the extension of the public-school building at that place to be available to Indian children of the Fort Peck Indian Reservation.

Mr. JENKINS of Ohio. Mr. Speaker, I object.

Mr. AYERS of Montana. Mr. Speaker, will the gentleman withhold his objection?

Mr. CARTER of California. Mr. Speaker, I demand the regular order.

Mr. JENKINS of Ohio. Mr. Speaker, I object.

MARYSVILLE SCHOOL DISTRICT, SNOHOMISH COUNTY, WASH.

The Clerk called the next bill, H.R. 7412, to provide funds for cooperation with Marysville School District, No. 325, Snohomish County, Wash., for extension of public-school buildings to be available for Indian children.

Mr. JENKINS of Ohio. Mr. Speaker, reserving the right to object, and I expect to object if we cannot clarify this situation, I think we should adopt some sort of a policy on these bills. There are more than 10 of them, and they are all just alike. They call for an enormous expenditure of money. In passing these bills the Federal Government puts itself on record by spending nearly three quarters of a million dollars for public schools for the Indians without any occasion for it; it is not at all necessary.

I am perfectly willing that all these bills be passed over without prejudice to the next call of the Consent Calendar.

Mr. AYERS of Montana. Mr. Speaker, will the gentleman withhold his objection?

Mr. JENKINS of Ohio. Mr. Speaker, I object.

PUBLIC SCHOOL, WOLF POINT, MONT.

The Clerk called the next bill, H.R. 6469, for expenditure of funds or cooperation with the public-school board at Wolf Point, Mont., in the construction or improvement of a public building to be available to Indian children of the Fort Peck Indian Reservation, Mont.

Mr. JENKINS of Ohio. Mr. Speaker, I object.

PUBLIC SCHOOL, BIG HORN COUNTY, MONT.

The Clerk called the next bill, H.R. 8342, to provide funds for cooperation with school district no. 27, Big Horn County, Mont., for extension of public-school buildings, to be available to Indian children.

Mr. JENKINS of Ohio. Mr. Speaker, I object.

PUBLIC SCHOOL, POPLAR, MONT.

The Clerk called the next bill, H.R. 5946, for expenditure of funds for cooperation with the public-school board at Poplar, Mont., in the construction or improvement of a public building to be available to Indian children of the Fort Peck Indian Reservation, Mont.

Mr. BAKEWELL. Mr. Speaker, I object.

PUBLIC SCHOOL, QUEETS, WASH.

The Clerk called the next bill, H.R. 4864, to provide funds for cooperation with the school board at Queets, Wash., in the construction of a public-school building to be available to Indian children of the village of Queets, Jefferson County, Wash.

Mr. ZIONCHECK. Mr. Speaker, reserving the right to object, I should like to find out from the gentleman from Ohio just what it is he wants. It seems to me there is a general doubt and fog in the minds of everybody as to what the gentleman wants. If there is any clearing up to be done, it seems to be necessary on the other side.

Mr. JENKINS of Ohio. I understand that the Department is not in favor of these bills; these bills do not have the endorsement of the Department. In addition to that several gentlemen alongside of me have indicated they would object on account of the expenditures involved. I think if one of these bills is passed that all of them should be passed.

I have already stated that we are called upon in these bills to make an enormous expenditure of money for the Indian children when every State in the Union is confronted with the situation of not having adequate funds to educate the white children.

The Department objects to these bills on the ground that the plan is too expensive and costly.

Mr. AYERS of Montana. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes on the subject of these bills.

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

There was no objection.

Mr. AYERS of Montana. Mr. Speaker, I desire to say to the Members of the House that the Secretary of the Interior and the Commissioner of Indian Affairs have approved all of these bills. The only qualification is a clause at the end of their letters of approval, saying that this is not in accord with the program of the Bureau of the Budget; that is all.

The Committee on Indian Affairs appointed a special committee to consider these bills. Each one of them has been considered by this committee, and the history of the situation has been obtained in each one of these school districts. We found in each instance that the Secretary of the Interior has said the bill is meritorious. The officers in charge of Indian education in the Indian Bureau have made a report in some of these cases. I shall read you a sample of their recommendation in the case of the public school at Wolf Point. In their report on that school, made as far back as last November, they said:

> There is no question of the obligation of the Government—the attendance of Indian children has greatly increased at Wolf Point in the past 3 or 4 years—$50,000 is not too much with the future in view. I heartily recommend favorable action on the proposal of Superintendent Livingston if at all possible. Immediate action should be taken.

In other cases with which I am personally familiar will say that at Brockton on the Fort Peck Reservation 40 percent of the present enrollment are Indian children; at Poplar on the same reservation more than 60 percent of the present enrollment are Indian children; at Frazer on the same reservation 42 percent of the present enrollment are Indian children, and in this instance the school census, which is taken on children from 1 to 6 years of age and not yet enrolled, shows that next year this school will have a 52-percent Indian enrollment; at the agency on the Crow Reservation one third of the enrollment is Indian; and at Lodge Grass on the same reservation the Indian enrollment is over 36 percent.

In all of these instances the increased Indian enrollment has overcrowded these schools, and now is this Congress going to say to these State schools that they will have to provide educational buildings, without any help from the Government, to educate the wards of the Government, while at the same time each district is foregoing approximately 15 percent of the expense of teachers and other ministerial overhead?

In many instances the school districts absolutely cannot provide building facilities. They are already bonded to the limit, and someone will have to be excluded next year because of lack of housing facilities; and surely, under the circumstances, it will be the Indian children unless we can have the relief asked for by these measures.

Mr. JENKINS of Ohio. But the point is that the Department says it is contrary to the policy inaugurated by the Director of the Budget, and contrary to the financial plan of the President.

Now, if you gentlemen on that side of the aisle want to spend money when the President does not want you to, that is up to you; but as for me, I shall follow the President in this.

Mr. AYERS of Montana. If we cannot get it through the Appropriations Committee, well and good; however, we will take our chance there. These Indian children have to be educated, and we are doing the best we can. For instance, I know by personal observation that both the white and Indian children are being taught, as at Brockton, Mont., in improvised buildings. Now, if Congress does not help in such instances, many will be kept out of school next year, and I am afraid it will be the Indian children who are living upon property not upon the tax rolls; therefore, I hope you will understand that I am speaking for the Indian children in such instance, and I am speaking first-hand, and in such instance I believe I am qualified to speak. These Indian children must be taken care of, and it is they for whom I am pleading today. I feel that if these bills are passed we will be able to have the Bureau of the Budget look at the humane and just side of it and include these improvements in the Budget.

Mr. JENKINS of Ohio. Allow the bills to be passed over without prejudice until the next call of the Consent Calendar and we shall be pleased to make an investigation and go into the matter.

Mr. TRUAX. How many children are involved?

Mr. AYERS of Montana. I do not have it calculated as a total for all but I can give it in each instance, and then it is simply a matter of totaling.

Mr. JENKINS of Ohio. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

Mr. ZIONCHECK. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. LEA] be allowed to proceed for 2 minutes to explain a further phase of this situation.

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

There was no objection.

Mr. LEA of California. Mr. Speaker, I do not care for 5 minutes, or even for 2 minutes. I simply desire to call the attention to the fact that what is proposed here is a substitute school plan to take care of the Indian children. At the present time they are educated largely in boarding schools which are maintained by the Government at great expense. Attendance of the Indian children at these schools necessitates taking them far from their homes.

Under the plan here proposed Indian children would be educated in cooperation with the white schools near their homes, and they would receive better education. This plan would save a great deal of money to the Government that it has been spending on the Indian boarding schools remote from the homes of the Indian children. If the Government's financial participation is properly protected, this plan should produce more for the money than the policy heretofore followed by the Federal Government. I believe it is a humane and intelligent plan for the Government to adopt in taking care of the Indian education problem.

Mr. JENKINS of Ohio. Does the gentleman see any hardship in passing it over until we have time to study the matter further? We will have another call of this calendar.

Mr. LEA of California. Delay for a short time will be no hardship unless it will defeat action at this session of the Congress.

Mr. JENKINS of Ohio. We will have another calendar call.

Mr. MOTT. Will the gentleman yield?

Mr. LEA of California. I yield to the gentleman from Oregon.

Mr. MOTT. Do these bills relate to nonreservation Indian boarding schools?

Mr. LEA of California. Not entirely. They are to take care of the resident Indians in connection with the public schools.

Mr. MOTT. Are they on reservations?

Mr. LEA of California. No; not necessarily. Some will serve reservation Indians.

Mr. MOTT. Are these bills introduced pursuant to the authorization in a bill passed here some time ago, of which the gentleman from Connecticut [Mr. MALONEY] was the author?

Mr. LEA of California. These bills are separate and they stand largely on the recommendation of the Department of the Interior and the Commissioner of Indian Affairs, who have proposed this plan as a better policy for taking care of the Federal Government's problem in connect with the schooling of Indian children.

[Here the gavel fell.]

Mr. ZIONCHECK. Mr. Speaker, I ask unanimous consent that these bills be the first bills to be considered upon Monday, a week from now.

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

Mr. JENKINS of Ohio. Mr. Speaker, reserving the right to object, I rise to make the observation that the gentleman's request will probably conflict with a lot of things the leader might want to bring up, if this matter comes up next Monday week. We will have a call of the Consent Calendar before that time. I should like to have the gentleman modify his request so that it will come up at the next call of the Consent Calendar. We may have a calendar call before next Monday week.

The SPEAKER pro tempore. Consent has already been given for next Monday.

Mr. BLANTON. No. I object, Mr. Speaker; I thought it was a week from next Monday that the gentleman requested. His request was not understood; there was so much confusion.

The SPEAKER pro tempore. The gentleman's objection comes too late unless he asks unanimous consent to return to the prior action of the House.

Mr. BLANTON. Mr. Speaker, I move that we reconsider that action.

Mr. BYRNS. Mr. Speaker, the request of the gentleman from Washington is absolutely doing away with District day. The District legislation is entitled to some consideration and we have promised the District Committee that we will give consideration to District bills next Monday.

Mr. BLANTON. Mr. Speaker, I move to reconsider the request of the gentleman from Washington. This is a matter that ought not to have been concluded without consulting the majority leader. It may interfere with his plans.

The SPEAKER pro tempore. In view of the apparent confusion and misunderstanding as to the possible Monday that was meant, the Chair will return to the request of the gentleman from Washington.

Mr. BLANTON. Mr. Speaker, I object to the request, if it is for a week from today.

Mr. JENKINS of Ohio. Mr. Speaker, I rise to object to the arbitrary action of the Chair in returning, upon his own initiative, to the gentleman's request; and I may say that if the Speaker had been absolutely fair a while ago, we would not be in this dilemma.

Mr. BLANTON. He is one of the fairest young Speakers we have ever had.

The SPEAKER pro tempore. The Chair was merely trying to follow the wishes of the House in making such decision.

Mr. ZIONCHECK. Mr. Speaker, I ask unanimous consent that the bills referred to be the first bills considered on the next Consent Calendar day.

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

Mr. GLOVER. I object.

THE NATIONAL GUARD IN THE AMERICAN MILITARY DEFENSE SYSTEM

Mr. COLLINS of Mississippi. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

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

There was no objection.

Mr. COLLINS of Mississippi. Mr. Speaker, under leave to extend my remarks in the RECORD I include the following speech, delivered by myself at national meeting of National Guard of the United States held in Chicago, Ill., September 1933:

It is, indeed, a very great pleasure and a rare privilege to address this body of citizen soldiers who play such an important role in our military defense. It has been an inspiration to me to observe the progress of the National Guard over the past few years, and it has always been a pleasure to help promote that progress. It has also been a pleasure to sit around the table with your representatives and discuss your requirements with General Leach, your most able chief of bureau.

Last year our committee recommended every dollar the representatives of your association asked for the fiscal year 1934 and allowed $2,200,000 additional for armory drills and for the full conduct of the June camps this year. Much of the money appropriated has been taken away from you because of Executive restrictions and limitations. The fact that you are meeting the situation so courageously is to the everlasting credit of the National Guard.

The reduction in the number of pay drills from 48 to 36 is unfortunate and should be corrected.

I was pleased to see the National Guard bill, in which I was deeply interested and to which I gave considerable study, enacted into law in June. It fixes your status more satisfactorily than you have heretofore enjoyed and preserves the identity of your organization. The guard should have the independence and initiative intended by the Constitution and should not be restricted and curbed by the Regular Army, as was done in the National Defense Act.

I am informed that this summer's camps were the best ever held in the history of the National Guard. Your association urged that these camps should be operated at full capacity, and this advice was followed. Your excellent judgment has been borne out by the results, and I know that this is a source of satisfaction to you.

I do not like the idea of executive departments making appropriations for regular governmental activities, but since this is the order of the day I hope that the National Guard construction program, on the basis of the $5,000,000 on which you have estimated, will be allowed. You have a building program which will practically complete your camp installations. Now, that the War Department has received its allotment of funds, it may be that the National Guard will come in for its modest share.

Last year your chief of bureau came to our committee with a proposition to motorize the light field artillery of the National Guard. Today about half of the light field artillery of the Guard has been motorized. Motorization of the field artillery is the big step forward in the program of military defense since the World War. I always like to dwell on the topic of modernization of armies and its relation to military defense.

It is a truism that every war is different from the one for which the so-called "experts" prepare. The war the generals always get ready for is the previous war. In commenting on this statement a leading authority denies its correctness. The war, he states, that the General Staff prepares for is, unfortunately, not even the last war, but the one before the last.

The truth of this observation is borne out by the conditions previous to the World War. Then preparations based on previous wars were in progress. Certain developments could easily have been foreshadowed, but these were totally ignored. The paralyzing effect of gunfire, the hopelessness of frontal attacks, the consequent development of enormous trench systems, of grenades, and of high-explosive shells; all these developments were ignored in the pre-war preparations.

Obsolete and ill-advised methods of preparation for war, some of us hope to eliminate. We have been making progress at a snaillike pace. In the face of these facts must we be blamed for insisting on innovations? Must we be abused for demanding the discontinuance of useless weapons and meaningless methods? Is it not the sane and safe policy to insist that we profit by our war experience?

The same drill, the same system of marksmanship and musketry based on the rifle, the same divisional organization of the Infantry troops, and the same insistence on mere numbers are still with us. In fact, we are confronted by almost the whole pre-war system in our present-day Army system.

France has an enormous number of men under its conscript system. Germany, in comparison with France, has an army small in numbers. Yet France fears attack from Germany. France argues, and rightly so, that it is not numbers, but the potential power of a nation that counts; that Germany, a scientific nation is potentially stronger than the man-power army of France.

Yet, we in the United States generally use the French system as a basis of comparison. In developing our defensive military power we have neglected our potential strength. We have ignored the fact that we are the greatest scientific and industrial nation in the world. We are not planning for the use of armored fighting vehicles, but rather for the sending into battle of unprotected men fighting on foot or horseback. We have not, and are not now, making use of our scientific and industrial preeminence in equipping our Army.

It is with this idea in mind that I have urged the motorization and mechanization of our military forces. I have insisted that as we are the greatest scientific and industrial Nation our military defensive should feel the influence of this scientific and industrial leadership. Military conservatism has too long been allowed to retain masses of slow-moving, slow-shooting, expensively

massed troops. These antiques must yield to motorized and mechanized forces.

The substitution of motor-propelled vehicles for animal-drawn ones in the supply echelons of all branches of the Army; the substitution of automotive transport for foot movements; and the application of mechanics directly to the combat soldier on the battlefield must be our immediate objective.

It is obvious that motorization and mechanization have revolutionized warfare. The purpose of the mechanized force is to provide a powerful, fast-moving weapon, capable of wide maneuverability, which combines fire-power, speed, and shock to a much greater degree than now exists in the older arms. It is ideally organized for mobility and surprise. It is simply the substitution of the 2½-mile-per-hour infantry masses and the 6-mile-per-hour cavalry by a fast-moving armored force capable of striking suddenly and quickly, and by means of its extreme mobility repeating its blow from another direction.

Obviously, as mechanization develops, the whole Army reorganization will have to be considered, since the old-fashioned foot soldier is helpless against tanks working in cooperation with an air squadron. But, I regret to state that, in spite of these modern developments, the necessary changes are not being made. Our Army is limited, properly and necessarily, by the amount of money authorized for it by Congress. But, of the sum available, comparatively little goes for modern equipment. The military authorities determine how the sum available to them can best be spent to insure national safety. Yet, when we realize that the large percentage of the money appropriated is for personnel to almost the total neglect of mechanized equipment, and when we see money used on the transient training of high-school boys and drill-ground maneuvers and single-shot rifles, we are somewhat shaken in the belief in the good judgment of our General Staff.

In all this the National Guard has a valuable contribution to make to the national defense of this country. Obviously, the professional soldier has difficulty adjusting himself to the changing conditions and the new methods even within his own field. The mind is not easily adjusted. It seems to me that the citizen-soldier could make up for this defect of the professional soldier. It should be the task of the members of the National Guard to acquaint themselves with modern methods of defense and your organization act as a clearing house for information on all matters pertaining to defense and reorganization.

More than that, the National Guard itself should act as a group for experimentation. Experiments applied by the National Guard in the light of the latest available information on problems of warfare would obviate the necessity of making costly experiments on the field of battle.

Another factor should be taken into consideration in connection with this problem of modernization. The military policy of this Nation has as its basis the National Defense Act. This act was written at a time before the lessons of the World War could be learned. It is based on the idea of mere numbers and has not been influenced by the modern developments in warfare. The military policy of this country should be written into another defense act so that the policy of this Nation may be based, not on personnel, but on a proper balance between personnel and matériel. If the military leaders were alive to our lack of matériel as are those of the other highly scientific and industrial countries of the world, we would cast aside the National Defense Acts of 1916 and 1920 with their emphasis on personnel, and write a new defense act in keeping with recent developments in military science.

I am convinced that motorization and mechanization are essential to our national defense. Consequently, General Leach had little difficulty in convincing me that the National Guard should be motorized.

I cannot let this occasion pass without paying tribute to your chief. In this respect I desire to quote from a statement I made in Congress during the heat of debate when the Army appropriation bill was under consideration:

"General Leach is a Republican, appointed by a Republican President. I will say this to his everlasting credit: That he is a gentleman and a high-class soldier. He is trying to administer the National Guard in an economical manner, and is actually doing it. Notwithstanding the fact that he is a Republican, I should like to see the Democratic President-elect, Franklin D. Roosevelt, reappoint him to the position he now holds, because he is the best Chief of the Militia Bureau that I have ever known."

Gentlemen, I congratulate you on having in your organization so many forward-looking officers. It has been my privilege to know many of them. Such outstanding men as compose the membership of your legislative committee and many others I would name I constantly seek out for advice and help on military matters. It has been my pleasure to work with these men during the past years, and I have no hesitancy in stating that sincerity, straightforwardness, and open-mindedness of these and many other of your officers has made my work a real pleasure. I trust you realize how fortunate you are in having an organization officered by such able men.

I congratulate you on having a chief of bureau of the caliber of General Leach. And, finally, I congratulate you on your success in building this organization along correct lines and I wish you all the satisfaction that comes from the consciousness of successful achievement.

PUBLIC HIGH SCHOOL AT FRAZER, MONT.

The Clerk called the next bill, H.R. 5747, to authorize appropriations for the completion of the public high school at Frazer, Mont.

Mr. JENKINS of Ohio. Mr. Speaker, I object.

PUBLIC SCHOOL, BIG HORN, MONT.

The Clerk called the next bill, H.R. 8346, to provide funds for cooperation with school district no. 17-H, Big Horn County, Mont., for extension of public-school buildings to be available to Indian children.

Mr. CARTER of California. Mr. Speaker, I object.

PUBLIC SCHOOL, COVELO, CALIF.

The Clerk called the next bill, H.R. 8906, to provide funds for cooperation with the public-school board at Covelo, Calif., in the construction of public-school buildings to be available to Indian children of the Round Valley Reservation, Calif.

Mr. JENKINS of Ohio. Mr. Speaker, reserving the right to object, may I say that my objection to this bill will be the same as to the others. I hope that when we call the calendar again we may be able to work out something to the advantage of the Indian school children. Mr. Speaker, I object.

COMPENSATION OF LETTER CARRIERS

The Clerk called the next bill, H.R. 9595, to increase the compensation of letter carriers in the village delivery service.

Mr. TRUAX. Mr. Speaker, reserving the right to object, may I ask if this bill has been approved by the Postmaster General?

Mr. TERRELL of Texas. The original bill with higher salaries was not approved by the Department, but this bill reduces the salaries, and I have heard no objection to it.

Mr. TRUAX. Meets whose approval?

Mr. TERRELL of Texas. It meets with the approval of the Post Office Department, I presume, as no objections have been registered against it, since it was amended.

Mr. TRUAX. I asked the gentleman whether it had been approved by the Postmaster General.

Mr. TERRELL of Texas. It was not approved by the Post Office Department in its original form, but no objection has been raised since it was amended.

Mr. TRUAX. It has not been approved by the Postmaster General?

Mr. TERRELL of Texas. His employees were sent before the committee and the subcommittee unanimously agreed to this report, and no objection was urged against it at that time.

Mr. Speaker, this bill merely increases the salaries of the village mail carriers, adding $250 to each salary.

The salaries now are $1,150, $1,250, and $1,350. They are increased by adding $250 to each salary, making the salaries $1,400, $1,500, and $1,600. This is a very small salary for these men who are doing practicaly the same work as the city carriers. The city carriers receive salaries ranging from $1,700 to $2,100.

This is a fair bill and these men ought to have these salaries.

Mr. TRUAX. What is the gentleman's definition of a village—how much population?

Mr. TERRELL of Texas. I do not know whether the statutes mention the population or not, but I believe a village has a population under 2,500.

Mr. TRUAX. I am not objecting to the bill and withdraw my reservation of objection.

Mr. MARTIN of Massachusetts. Regular order, Mr. Speaker.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 10 of the act entitled "An act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes", approved February 28, 1925 (U.S.C., title 39, sec. 106), is amended to read as follows:

"SEC. 10. Carriers in the village delivery service shall be graded with salaries for each grade, as follows: First grade, $1,400; second grade, $1,500; third grade, $1,600. That in the readjustment of salaries of letter carriers in the village delivery service to conform to the grades herein provided, village carriers who have served as such for 2 years or more shall be placed in grade 3; village carriers who have served for 1 but less than 2 years shall be placed in grade 2; and village carriers when they receive their regular appointments shall be placed in grade 1. In determining the aggregate period of service upon which promotions are to be based, all time served as letter carrier in the village delivery service is to be included: *Provided*, That hereafter substitute carriers in the village delivery service when appointed regular carriers shall have credit for actual time served on a basis of 1 year for each 306 days of 8 hours served as substitute, and appointed to the grade to which such carrier would have progressed had his original appointment as substitute been to grade 1: *Provided further*, That letter carriers in the village delivery service shall be promoted successively after 1 year's satisfactory service in each grade to the next higher grade until they reach the third grade. All promotions shall be made at the beginning of the quarter following 1 year's satisfactory service in the grade. The pay of substitute letter carriers in the village delivery service shall be at the rate of 65 cents per hour."

SEC. 2. This act shall take effect on July 1, 1934.

With the following committee amendment:

Page 2, line 24, strike out "65" and insert in lieu thereof "55."

The amendment was agreed to; and the bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT OF THE SAN CARLOS ACT

The Clerk called the next bill, H.R. 8938, to amend the act of Congress approved June 7, 1924, commonly called the "San Carlos Act" and acts supplementary thereto.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act of Congress approved June 7, 1924 (43 Stat.L. 475, 476), commonly called the "San Carlos Act", and acts supplementary thereto, including the act of Congress approved March 7, 1928 (45 Stat.L. 210–212), and acts supplementary thereto, be, and the same are hereby, amended so as to provide that the construction cost of the San Carlos project, including the cost of the power development at the Coolidge Dam and the transmission line or lines shall be repaid without interest, and that part thereof to be paid on account of the lands in public or private ownership shall be repaid in 40 equal annual installments beginning on December 1, 1935, the date fixed by the public notice heretofore issued by the Secretary of the Interior. The Secretary of the Interior, with the consent of the San Carlos irrigation and drainage district, is hereby authorized to modify the existing repayment contract in accordance herewith.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NAVAJO INDIAN RESERVATION

The Clerk called the next bill, H.R. 8927, to define the exterior boundaries of the Navajo Indian Reservation in Arizona, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the exterior boundaries of the Navajo Indian Reservation, in Arizona, be, and they are hereby, defined as follows: Beginning at a point common to the States of Arizona, New Mexico, Colorado, and Utah, thence west along the boundary line between the States of Arizona and Utah to a point where said boundary line intersects the Colorado River; thence down the south bank of that stream to its confluence with the Little Colorado River; thence following the north bank of the Little Colorado River to a point opposite the east boundary of the Grand Canyon National Park; thence south along said east boundary to the southeast corner of section 5, township 30 north, range 6 east, Gila and Salt River base and meridian, Arizona; thence east to the southeast corner of section 4; thence south to the southwest corner of section 10; thence east to the southeast corner of section 10; thence south to the southwest corner of section 14; thence east to the northwest corner of the northeast quarter section 23; thence south 2 miles to the southeast corner of the southwest quarter section 26; thence west one half mile to the southeast corner of section 27, township 30 north, range 6 east, Gila and Salt River base and meridian, Arizona; thence south 7 miles to the southwest corner of section 35, township 29 north, range 6 east; thence east 1 mile; thence south 1½ miles to the southwest corner of the northwest quarter section 12, township 28 north, range 6 east; thence east through the center of section 12 to the range line between ranges 6 and 7 east; thence south along said range line 5½ miles to the southeast corner of section 1, township 27 north, range 6 east; thence west 3 miles to the southwest corner of section 3, township 27 north, range 6 east; thence south 5 miles to the southeast corner of section 33, township 27 north, range 6 east; thence east along township line between townships 26 and 27, 6½ miles, to the northeast corner of the northwest quarter section 3, township 26 north, range 7 east; thence south 2 miles to the southeast corner of the southwest quarter section 10, township 26 north, range 7 east; thence east 4½ miles to the southeast corner of section 8, township 26 north, range 8 east; thence north 4 miles to the northwest corner of section 28, township 27, north, range 8 east, Gila and Salt River base and meridian; thence east 1 mile to the southeast corner of section 21; hence north 4 miles to the northeast corner of section 4, township 27 north, range 8 east, thence east along township line between townships 27 and 28 north to its intersection with the Little Colorado River; thence up the middle of that stream to the intersection of the present west boundary of the Leupp Extension Reservation created by Executive order of November 14, 1901; thence south along the present western boundary of said extension to where it intersects the fifth standard parallel north; thence east along said standard parallel to the southwest corner of township 21 north, range 26 east, Gila and Salt River base and meridian; thence north six miles to the northwest corner of township 21 north, range 26 east; thence east 12 miles to the northeast corner of township 21 north, range 27 east; thence south 2 miles; thence east 12 miles; thence south 4 miles; thence east along the township line between townships 20 and 21 north to the boundary line between the States of New Mexico and Arizona; thence north along said boundary line to the point of beginning. All vacant, unreserved, and unappropriated public lands, including all temporary withdrawals of public lands in Arizona heretofore made for Indian purposes by Executive order or otherwise within the boundaries defined by this act, are hereby permanently withdrawn from all forms of entry or disposal for the benefit of the Navajo and such other Indians as may already be located thereon; however, nothing herein contained shall affect the existing status of the Moqui (Hopi) Indian Reservation created by Executive order of December 16, 1882. There are hereby excluded from the reservation as above defined all lands heretofore designated by the Secretary of the Interior pursuant to section 28 of the Arizona Enabling Act of June 20, 1910 (36 Stat.L. 575), as being valuable for water-power purposes and all lands withdrawn or classified as power-site lands, saving to the Indians, nevertheless, the exclusive right to occupy and use such designated and classified lands until they shall be required for power purposes or other uses under the authority of the United States: *Provided*, That nothing in this act contained shall be construed as authorizing the payment of proceeds or royalties to the Navajo Indians from water power developed within or adjacent to the boundaries defined by this act; and the Federal Water Power Act of June 10, 1920 (41 Stat.L. 1063), and amendments thereto, shall operate for the benefit of the State of Arizona as if such lands were vacant, unreserved, and unappropriated public lands. All valid rights and claims initiated under the public land laws prior to approval hereof involving any lands within the areas so defined, shall not be affected by this act.

SEC. 2. The Secretary of the Interior is hereby authorized in his discretion, under rules and regulations to be prescribed by him, to accept relinquishments and reconveyances to the United States of such privately owned lands, as in his opinion are desirable for and should be reserved for the use and benefit of the Navajo Tribe of Indians, including patented and nonpatented Indian allotments and selections, within the counties of Apache, Navajo, and Coconino, Ariz.; and any Indian so relinquishing his or her right shall be entitled to make lieu selections within the areas consolidated for Indian purposes by this act. Upon conveyance to the United States of a good and sufficient title to any such privately owned land, except Indian allotments and selections, the owners thereof, or their assigns, are hereby authorized, under regulations of the Secretary of the Interior, to select from the unappropriated, unreserved, and nonmineral public lands of the United States within said counties in the State of Arizona lands approximately equal in value to the lands thus conveyed, and where surrendered lands contain springs or living waters, selection of other lands taken in lieu thereof may be of like character or quality, such values to be determined by the Secretary of the Interior, who is hereby authorized to issue patents for the lieu lands so selected. In all selections of lieu lands under section 2 of this act notice to any interested party shall be by publication. Any privately owned lands relinquished to the United States under section 2 of this act shall be held in trust for the Navajo Tribe of Indians; and relinquishments in Navajo County, Ariz., excluding Indian allotments and selections, shall not extend south of the township line between townships 20 and 21 north, Gila and Salt River base and meridian. The State of Arizona may relinquish such tracts of school land within the boundary of the Navajo Reservation, as defined by section 1 of this act, as it may see fit in favor of said Indians, and shall have the right to select other unreserved and nonmineral public lands contiguous or noncontiguous, located within the three counties involved equal in value to that relinquished, said lieu selections to be made in the same manner as is provided for in the Arizona Enabling Act of June 20, 1910 (36 Stat.L. 558), except as to the payment of fees or commissions which are hereby waived.

Pending the completion of exchanges and consolidations authorized by section 2 of this act, no further allotments of public lands to Navajo Indians shall be made in the counties of Apache, Navajo, and Coconino, Ariz., nor shall further Indian homesteads be initiated or allowed in said counties to Navajo Indians under the act of July 4, 1884 (23 Stat.L. 96); and thereafter should allotments to Navajo Indians be made within the above-named counties, they shall be confined to land within the boundaries defined by section 1 of this act.

SEC. 3. Upon the completion of exchanges and consolidations authorized by section 2 of this act, the State of Arizona may, under rules and regulations to be prescribed by the Secretary of the Interior, relinquish to the United States such of its remaining school lands in Coconino, Navajo, and Apache Counties as it may see fit; and shall have the right to select from the vacant, unreserved, and nonmineral public lands in said counties lieu lands equal in value to those relinquished without the payment of fees or commissions.

SEC. 4. For the purpose of purchasing privately owned lands, together with the improvements thereon, within the boundaries above defined, there is hereby authorized to be appropriated, from any funds in the Treasury not otherwise appropriated, the sum of $481,879.38, which sum shall remain available until expended: *Provided*, That title to the land so purchased may, in the discretion of the Secretary of the Interior, be taken for the surface only: *Provided further*, That said funds may be used in purchasing improvements on any land within said boundaries or on leased State school land within the boundaries above defined, provided the State of Arizona agrees to the assignment of said leases to the Navajo Tribe of Indians on a renewable and preferential basis, and provided the legislature of said State enacts such laws as may be necessary to avail itself of the exchange provisions contained in section 2 of this act, and disclaim any right, title, or interest in and to any improvements on said lands.

With the following committee amendments:

Page 3, line 11, strike out the word "hence" and insert in lieu thereof the word "thence."

Page 5, lines 1 and 2, strike out "or adjacent to the boundaries defined by this act" and insert in lieu thereof "the areas added to the Navajo Reservation pursuant to section 1 of this act."

Page 8, after the word "sum", in line 2, insert "shall be reimbursable from funds accruing to the Navajo tribal funds as and when such funds accrue and."

The committee amendments were agreed to.

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

A motion to reconsider was laid on the table.

BRIDGE ACROSS PUGET SOUND, WASH.

The Clerk called the next bill, H.R. 9530, granting the consent of Congress to the county of Pierce, a legal subdivision of the State of Washington, to construct, maintain, and operate a toll bridge across Puget Sound, State of Washington, at or near a point commonly known as "The Narrows."

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the county of Pierce, a legal subdivision of the State of Washington, to construct, maintain, and operate a bridge and approaches thereto across Puget Sound, State of Washington, at or near a point commonly known as "The Narrows", at a point suitable to the interests of navigation, in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. If tolls are charged for the use of such bridge, the rates of toll shall be so adjusted as to provide a fund sufficient to pay the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of the bridge and its approaches, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed 20 years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the costs of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested.

SEC. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. LEA of California. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LEA of California: Page 2, line 12, after the word "exceed", strike out "20" and insert in lieu thereof "30."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LIGHTHOUSE RESERVATION AND BUILDINGS, ERIE, PA.

The Clerk called the next bill, H.R. 5312, to provide for the conveyance of the abandoned lighthouse reservation and buildings, including detached tower, situate within the city limits of Erie, Pa., to the city for public-park purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Commerce is hereby authorized to transfer and convey to the city of Erie, Pa., all that certain piece and parcel of land belonging to the United States of America situate in the city of Erie, in the county of Erie and State of Pennsylvania, known as the old lighthouse property and being the lands and premises described in a certain deed made by Myron Sanford and Susan M. Sanford, his wife, dated November 22, 1884, recorded in recorder's office for Erie County, Pa., in deed book no. 80, page 606, bounded and described as follows: Beginning 58 perches down Lake Erie from the corner post of John Kelso's survey, thence south 27° east, 20 perches to a post; thence north 63° east, 16 perches to a post; thence north 27° west, 20 perches to a post on the bank of the lake; and thence up the lake to the place of beginning, containing 2 acres of land, being the same piece of land conveyed to the United States for lighthouse purposes by John Kelso on April 1, 1812, purchased at public auction from the United States by said Myron Sanford March 1, 1881, and conveyed to said Myron Sanford by Charles J. Folger, Secretary of the Treasury, by deed dated May 8, 1883, which deed is recorded in the registry of deeds of Erie County, Pa., in deed book no. 76, page 525; the same to be held and made available permanently by said city for public-park purposes: *Provided*, That should the city of Erie fail to keep and hold the described parcel of land and buildings for public-park purposes or devote same to any use inconsistent with said purpose, then title to said land shall revert to and be reinvested in the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INTERNATIONAL CELEBRATION AT FORT NIAGARA, N.Y.

The Clerk called the next bill on the Consent Calendar, H.J.Res. 341, authorizing an appropriation for the participation of the United States in the international celebration at Fort Niagara, N.Y.

The SPEAKER pro tempore. Is there objection?

Mr. TRUAX. I object.

TO HARMONIZE THE TREATIES AND STATUTES OF THE UNITED STATES WITH REFERENCE TO AMERICAN SAMOA

The Clerk called the next resolution on the Consent Calendar, House Joint Resolution 340, to harmonize the treaties and statutes of the United States with reference to American Samoa.

There being no objection, the Clerk read the resolution, as follows:

House Joint Resolution 340

Whereas the convention relating to the Samoan Islands, signed by the United States, Great Britain, and Germany on December 2, 1899, was proclaimed by the President of the United States on February 16, 1900, and continues to be in force; and

Whereas article 3 of the said convention is word for word as follows:

"It is understood and agreed that each of the three signatory powers shall continue to enjoy, in respect to their commerce and commercial vessels, in all the islands of the Samoan group privileges and conditions equal to those enjoyed by the sovereign power, in all ports which may be open to the commerce of either of them": Therefore be it

Resolved, etc., That the provisions of law of the United States restricting to vessels of the United States the transportation of passengers and merchandise directly or indirectly from any port of the United States to another port of the United States shall not be applicable to commerce between the islands of American Samoa or between those islands and other ports under the jurisdiction of the United States.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

OCMULGEE NATIONAL PARK, GA.

The Clerk called the next bill on the Consent Calendar, H.R. 7653, to establish the Ocmulgee National Park in Bibb County, Ga.

The SPEAKER pro tempore. Is there objection?

Mr. O'BRIEN. I object.

FEDERAL AID TO CERTAIN SCHOOL DISTRICTS, NORTH DAKOTA

The Clerk read the next bill on the Consent Calendar, H.R. 85, to extend Federal aid to certain school districts in the State of North Dakota upon condition that the public-school buildings benefited shall be available to Indian children of Fort Berthold Indian Reservation.

The SPEAKER pro tempore. Is there objection?

Mr. JENKINS of Ohio. Mr. Speaker, I ask that this bill go over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

WINNEBAGO INDIANS, STATE OF NEBRASKA

The Clerk read the next bill on the Consent Calendar, H.R. 7255, for the relief of the Winnebago Indians residing in school district no. 17, Thurston County, State of Nebraska.

Mr. TRUAX. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

OMAHA INDIANS, THURSTON COUNTY, NEBR.

The Clerk read the next bill on the Consent Calendar, H.R. 7256, for the relief of the Omaha Indians residing in school district no. 16, Thurston County, State of Nebraska.

Mr. TRUAX. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

BRIDGE ACROSS THE OHIO RIVER AT SISTERSVILLE, W.VA.

The Clerk called the next bill, H.R. 9618, authorizing the Sistersville Bridge Board of Trustees to finance, construct, maintain, and operate a toll bridge across the Ohio River at Sistersville, Tyler County, W.Va.

Mr. TRUAX. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will suspend the calling of the Consent Calendar.

GEORGE W. HESS

Mr. BLANTON. Mr. Speaker, at the request of the gentleman from Illinois [Mr. KELLER], who is absent, Chairman of the Committee on the Library, I move to suspend the rules and pass Senate Joint Resolution 94, to retire George W. Hess as Director Emeritus of the Botanic Garden.

The SPEAKER. The Clerk will report the resolution.

The Clerk read the resolution, as follows:

Resolution, etc., That George W. Hess, Director of the United States Botanic Garden, is hereby retired from active service in such position, and shall hereafter be carried on the rolls of the legislative branch of the Government with the title of Director Emeritus and Consultant of the United States Botanic Garden, and shall receive a salary at the rate of $3,000 per annum, payable monthly out of funds appropriated for expenses of the Botanic Garden.

The SPEAKER. Is a second demanded?

Mr. TABER. Mr. Speaker, I demand a second.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from Texas asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Texas is entitled to 20 minutes and the gentleman from New York to 20 minutes.

Mr. BLANTON. Mr. Speaker, the gentleman from Illinois [Mr. KELLER], Chairman of the Committee on the Library, was called away, and he asked me, on behalf of himself and his committee, to call up this Senate resolution under suspension. The Speaker had already agreed to recognize him. This Senate resolution has been passed by the Senate, and I understand it has the unanimous report of the Committee on the Library.

Mr. MILLARD. Mr. Speaker, did I understand the gentleman to say that the gentleman from Massachusetts [Mr. LUCE] had asked him to do this?

Mr. BLANTON. No; Mr. KELLER, the chairman of the committee. Mr. LUCE is the ranking minority member and the former Chairman of the Library Committee, and the bill was reported out favorably by that committee.

Mr. JENKINS of Ohio. Is not this the bill that was on the Consent Calendar this afternoon?

Mr. BLANTON. No; that is a different bill. The bill that was on the Consent Calendar this afternoon was one that provided for a commission to investigate the advisability of transferring the Botanic Garden to the Agricultural Department. At the request of Mr. LUCE, I asked to have that bill passed over without prejudice.

This is a Senate resolution, passed unanimously by the Senate. I do not believe there has ever been any employee of the Government since I have been in Washington who has devoted more of his time and his attention and his very soul to the work that he had to perform than has this Director of the Botanic Garden, Mr. George W. Hess. It is the custom in all large cities having gardens of this kind to provide just such measures as this after a man has spent his lifetime in the service as Director.

While I am for strict economy and I believe in safeguarding every dollar in the people's Treasury, yet I believe in rewarding faithful service of this kind in the small way proposed in this Senate joint resolution. Director Hess is to be retired July 1. He has been in charge of this Botanic Garden for the past 28 years. If this Senate resolution is not passed, he will receive only $80 per month after July 1. I sincerely believe that with his years of knowledge and experience the value of keeping this expert on as a consultant after July 1 will be worth to the Government far more than the pay provided for in this Senate resolution.

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

Mr. BLANTON. Yes.

Mr. DOWELL. Mr. Speaker, this Mr. Hess will be retired the same as any other civil-service employee if this bill is not passed.

Mr. BLANTON. But on a pay so small that he could not possibly exist on it.

Mr. DOWELL. It is about $1,200 a year.

Mr. BLANTON. No; I am informed he will receive only $80 per month, with his house taken away, and he will have to live entirely on his small retired pay. If he could stay on 2 years longer he would receive $1,200 per year.

Mr. DOWELL. That is the amount paid every employee in the Government who retires. The gentleman is one of those who is always trying to save every penny for the Government that he can.

Mr. BLANTON. I am.

Mr. DOWELL. The gentleman has done great service in that respect.

Mr. BLANTON. The distinguished gentleman from Illinois [Mr. KELLER], chairman of the committee, assured me that this Senate resolution is a meritorious measure, that this man had given his life to the service and he is now in extremely poor health, and there is no extravagance whatever in the proposal, as all other directors of like public gardens of similar size are similarly retired and made expert consultants.

Mr. DOWELL. But we have not done this for anyone else.

Mr. BLANTON. This director is an employee in a particular class, all to himself. Every other big city in the United States does this for its public garden director. That is the answer that was given me by the chairman of the committee. When a bill of this kind passes the Senate unanimously, and is unanimously approved by a House committee that has upon it such friends of ours as the gentleman from Illinois [Mr. KELLER] and the gentleman

from Massachusetts [Mr. LUCE], and others, I feel there must be merit in it, and I am convinced there is no extravagance in it. As to the gentleman from Massachusetts [Mr. LUCE], former chairman of this committee, I want to say that he is a partisan Republican, and is a spokesman for the Republican Party in this House, but I believe he is one of the most honorable men, one of the most courageous and valuable men who has ever sat in this Congress. [Applause.] I have watched him many times. I have watched him make some partisan fights for you Republicans when I thought he was as mean as the devil, representing his party on this floor, but I have nevertheless admired him and am his friend.

He is an astute parliamentarian, and whenever you gentlemen across the aisle get into a tight box and start to milling around, you call upon him to help you out, and when such men as Mr. LUCE on the Republican side, who was chairman of this committee, and Mr. KELLER, the present chairman, and our other friends on the Library Committee report a bill of this kind out unanimously, I feel that it cannot be very unsound.

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

Mr. BLANTON. Certainly.

Mr. DOWELL. I noted the other day when we were trying to get a small pension for those who are unable to take care of themselves, the gentleman was the principal objector to that character of legislation.

Mr. BLANTON. Do you know why?

Mr. DOWELL. Now the gentleman is here asking for a pension of $3,000 a year for one man.

Mr. BLANTON. No; not a pension, but annual pay for an expert consultant, who will earn it all. The gentleman does not know what that pension bill he mentioned would have cost the 48 States, without any benefit to them. In the first place, it was a District of Columbia measure, applicable only to the people who live here in Washington. It was not for Iowa or Texas. The Commissioners of the District of Columbia were against it. They sent up a statement here that their financial budget would not stand it. They did not want it. Suppose the Congress had passed it and had placed on the people of the District, who are helpless and without a voice in this Congress, a financial burden of this kind which their Commissioners said their budget would not stand financially, then they would be coming here asking the Congress to furnish the money. And the people of Iowa and Texas would have been taxed for it, without receiving any benefit at all. Now, as far as an old-age pension is concerned, I am for it whenever the time comes that we can pass it nationally. Whenever the country is able to stand it, and the President and the Director of the Budget say we can stand it, I am ready to pass it; but to take care of the kind of beneficiaries who would be recipients under that bill in Washington, many of them already drawing retired pay, I do not think would have been right, and I wanted to hold it off until we had a proper survey of it, a bill properly framed before us, and the country ready for it.

Yet I saw in the paper the other day a criticism from a man who calls himself Dr. J. E. Pope—a man whose record in the penitentiary and in Federal courts answering prosecutions of this country ought to cause him to keep his mouth shut. He is a man who has no right to open his mouth publicly. Just the other day the Post Office Department stopped him from sending his stuff through the United States mails.

Mr. HASTINGS. Will the gentleman yield?

Mr. BLANTON. I yield to my friend.

Mr. HASTINGS. The gentleman has spoken beautifully and learnedly and intelligently for 10 or 15 minutes and has complimented the gentleman from Illinois and the gentleman from Massachusetts, and he has talked about everything else. It so happens that I do not have a copy of the bill before me, and I should like to have the gentleman tell me what is in the bill.

Mr. BLANTON. It provides that when Director George W. Hess retires on July 1 he will become an expert consultant and draw retirement pay that is accorded by every big city to its garden director, which is $3,000 a year. If ever a man earned that kind of pay it is Director George W. Hess, who has put his soul into this work for the last 28 years, and whose great knowledge and matchless experience as an expert consultant will be well worth such pay to the Government.

Mr. WEIDEMAN. Will the gentleman yield?

Mr. BLANTON. I yield.

Mr. WEIDEMAN. Is not any man who works for the Government supposed to put his soul into his work? We have had too many chiselers who do not put their soul into their work.

Mr. BLANTON. Yes; every employee should put his soul into his work. But nevertheless the Government is afflicted with thousands of disinterested clock watchers. The gentleman from Michigan puts his soul into his work and I put mine into it, and when I see another man like Director George W. Hess doing it I am willing to accord him some little recognition, when he has done it for 28 years, and his continued service will be worth the money we pay him.

Mr. WEIDEMAN. I do not want to saddle $3,000 a year onto the Government when I quit. I will provide for it myself.

Mr. BYRNS. Will the gentleman yield?

Mr. BLANTON. I yield.

Mr. BYRNS. Will the gentleman guarantee that nobody else who has been drawing a salary for 25 or 30 years from the Government will come here next session and make the same request to be excepted from our general retirement law? I have nothing against Mr. Hess, but I do believe that we will make a mistake if we undertake to make an exception in favor of one employee against hundreds of others who are possibly equally entitled to it. [Applause.] I know one man who has served for 35 years as faithfully as any employee this Government has ever had, and he told me last week that if this bill went through he felt he was entitled to consideration, just as you are undertaking to give to this gentleman, and that he was going to ask some of his friends to introduce a bill for that purpose.

If the Congress wants to set that sort of precedent, all right; but I do not think we can afford to set aside our retirement laws in favor of any one single individual. The gentleman from Texas is a real economist, and I am very fond of him personally, but I cannot go along with him in his support of this bill, much as I should like to do so, and much as I should like to favor my friend Mr. Hess. I regard it as a discrimination against others who are equally deserving.

Mr. BLANTON. Mr. Speaker, I endorse everything the gentleman from Tennessee has said regarding the wisdom of not establishing a bad precedent and of showing no discrimination. As I said in the beginning, this is not my bill. It is a Senate resolution that passed the Senate unanimously. It was favorably reported unanimously by the Committee on the Library. I am not a member of that committee. The gentleman from Illinois [Mr. KELLER] is chairman of that committee. He could not be here today, on account of some very important matters, and he asked me as his friend to call up the measure for him. This I have done. It is before you gentlemen. It has my approval simply because I believe his years of experience and the expert knowledge possessed by Director George W. Hess gained from having put his very soul into this Botanic Garden for 28 long years, will be worth several times to the Government the pay that this measure proposes to give him as an expert consultant. I do not believe there is another such expert in this Capital available to the Government. It will be a great loss to lose him as a consultant.

Every man on this floor who knows him is a friend of George W. Hess. The opposition to this Senate resolution developed here is not against Hess, but is against what is deemed a discrimination in his favor, against the other

80,000 Government employees in Washington. There is apprehension that they will be made dissatisfied; that they will ask like favors; that this will become a bad precedent. I can see the force of such argument and apprehension. But I do not believe that it sets a precedent for others, or that it constitutes discrimination, for Director George W. Hess is in a class to himself. There is but one Director of the Botanic Garden in the United States. And he has been one of the most faithful public servants I have ever seen.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. BLANTON. Mr. Speaker, I yield myself 1 additional minute.

I am with our majority leader on not setting bad precedents, and I will vote against extending the Retirement Act, but this is not an extension of it, and that is the reason I agreed with Chairman KELLER to call up his measure for him and to support the bill. I found that every other big city puts its garden director in a class by himself and accords this treatment and gives this pay as an expert consultant.

Mr. WEIDEMAN. We do not do it in our city, and we are the fourth largest city in the country. They do not do it any more than all the rest of the rank and file.

Mr. BLANTON. Has the gentleman investigated about his great city of Detroit?

Mr. WEIDEMAN. I know all about my great city. I am interested in it.

Mr. BLANTON. Does the gentleman know that they do not make their retiring director an expert consultant at a larger salary than the ordinary retired pay?

Mr. WEIDEMAN. Indeed they do not. We would not allow them to. They are all in one class. We would not let them for a minute distinguish between classes, because they are all citizens and all entitled to their pension, whatever it is.

Mr. BLANTON. The gentleman will find that the larger the salary drawn, the larger the retirement pay will be.

Mr. WEIDEMAN. It is probably like our schools, and our schools are worth more.

Mr. BLANTON. The committee tells me that this is no larger than the pay given by other large cities to their retiring director, retaining his services as an expert consultant.

Mr. TABER. Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey [Mr. LEHLBACH].

Mr. LEHLBACH. Mr. Speaker, I have known Mr. Hess ever since I have been a Member of Congress, for 20 years, and I know his service and his value to the Government. But I know that in 1920 we passed a bill establishing a civil-service retirement system. It was amended in 1926 and again in 1930. We have now what I believe to be as good a retirement system as any governing body in the world. For these 10 years we and the Committee on the Civil Service have protected this retirement system by refusing to report one single bill to make an exception of anybody. If you start to do it now, not only will you rip down and destroy your retirement system but you will also be legislating as a matter of favoritism and not in accordance with the broad policies that have been worked out and established in matters of this kind.

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

Mr. LEHLBACH. I yield.

Mr. BANKHEAD. Is this gentleman, Mr. Hess, eligible for the benefits of the Civil Service Retirement Act?

Mr. LEHLBACH. He is if he has had the requisite service and has reached the requisite age. If he should be disabled, he would be eligible without reaching the age limit.

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

Mr. LEHLBACH. I yield.

Mr. BLANTON. The gentleman from New Jersey knows, if he has kept up with Mr. Hess, that instead of giving 7 hours a day as other civil-service employees do, Mr. Hess has many and many a time given 14 and 16 hours a day of work to the Government.

Mr. LEHLBACH. Why, he has given 24 hours a day, because he lives there.

Mr. BLANTON. He has been devoted to it, and, as a result, we have one of the finest botanic gardens in the world.

Mr. LEHLBACH. Certainly; that is his job.

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

Mr. TABER. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan [Mr. WEIDEMAN].

Mr. WEIDEMAN. I presume most of the Members of the House have no more knowledge of this bill than I had a few minutes ago when I got a copy of Senate Joint Resolution 194. What it proposes to do is to retire George Hess from active service and put him on the Government rolls with the title of Director Emeritus and Consultant, United States Botanic Garden, and pay him a salary of $3,000 a year. Three thousand dollars a year is just three times as much as postal employees receive for working all the time; and it is proposed to pay him this amount as retirement pay.

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

Mr. WEIDEMAN. I yield.

Mr. BLANTON. The gentleman notices that Mr. Hess is still to be a consultant; and not a dollar of his retirement pay comes out of the retirement fund; it comes out of the appropriations for the Botanic Garden, which is made every year. This money does not come out of the retirement fund.

Mr. WEIDEMAN. I cannot yield further; I am sorry.

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

Mr. WEIDEMAN. Yes; I yield to the gentleman from New Jersey.

Mr. LEHLBACH. In the event this does not come out of the retirement fund and Mr. Hess is retired, he can draw down every cent he has contributed to the retirement fund.

Mr. WEIDEMAN. That is true. I am not in favor of this bill. I am not in favor of putting this man into a special class so he can chisel from the Government appropriations. He lives surrounded by flowers. He lives amongst the things he loves, and the Government has furnished him free living quarters. Who would not love to live in the Botanic Gardens and draw retirement pay of $3,000 a year?

It has been said that he works long hours. In some seasons of the year he may work 12 or 14 hours at one stretch, but who is there here who does not work 12 and 14 hours every day in the week? And there is not one of us who is going to be put on a Government pension roll.

I cannot see any reason on earth why we should put this man in a special class because he is the official flower and bouquet man. He has done a great deal to ingratiate himself into the hearts of many of the Members. He has sent flowers to their wives for parties. This is very beautiful, but it is a little practice in which I have not indulged at the expense of the taxpayers. It is probable that I have not been here long enough to learn how to chisel officially and I hope I never do, but still it is the little things that chisel into the Government that bring the costs up. They should be eliminated. Here is an opportunity to save the Government $3,000 a year.

I am not questioning the statements that Mr. Hess has done a wonderful work; but he has lived amongst his flowers and has not had a chance to spend his money. He ought to have enough now with which to take care of himself. When he accepted his position he entered into a contract with the Government of the United States to do his work at a stated salary. Having made that contract we should not now go beyond the scope of the contract and say to Mr. Hess: "We are going to give you $3,000 a year in addition because you have been a good fellow and sent us Government flowers free."

Mr. Speaker, I am against chiselers, whether they be big or little; I am for justice in these things.

Mr. ZIONCHECK. That is right.

[Here the gavel fell.]

Mr. TABER. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, we have a Director of the Botanic Garden who has been getting a good salary. On top of that we have given him a beautiful house in which to live.

I do not get any bouquets. I do not want any. I do not know whether he has been sending bouquets to the other fellow or not. When I want one I stop along the streets and buy one like this.

Mr. Speaker, I hate to take the floor against my friend on a bill like this.

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

Mr. TABER. I yield.

Mr. BLANTON. Mr. Speaker, if there is going to be opposition to the bill I would not want to see it voted upon in the absence of the gentleman from Illinois [Mr. KELLER], who is Chairman of the Committee on the Library, and reported this Senate bill.

I therefore ask unanimous consent to withdraw the bill from present consideration, and to withdraw my motion.

Mr. MILLARD. Mr. Speaker, we have spent 15 minutes in the consideration of this bill; I object.

Mr. TABER. Mr. Speaker, this is a special-privilege proposition, where we are trying to hand something out of the ordinary to somebody.

I do not believe we can without completely destroying our retirement system put one man in a different class from all the rest. If we are going to preserve this retirement system, we will have to maintain its integrity. We have provided an annuity, and Congress appropriates a lot of money every year for this purpose, so that our civilian employees may be properly retired and taken care of in their old age.

Why should we make an exception here? The minute we make an exception and hand a man $3,000 a year and all the contributions he has made to the retirement fund, with 4 percent, or whatever the rate is, immediately we get to the point where we will have to do it for everybody else. I do not think that this country and this Congress ought to get to that point. The thing that bothers me about taking this position is that the mover of the motion is the gentleman from Texas [Mr. BLANTON], who has performed great service in this House for many years in saving money for the people, and I hate to see him sponsor a bill of this character.

I think we should beat this bill so that it is beaten and stays beaten and is off the floor for good and all. I think we ought not to allow such bills as this to come in here. No committee should be so derelict in its duty to the House and to its responsibilities as to bring up such a bill on the floor of this House.

We ought to send it back to that committee by beating the suspension in such a way and by such a majority that we never will have brought to us again a bill of this character, one that would destroy one of the main cogs in our Federal employment system. I hope that when the House comes to vote on this proposition, it will not only beat this bill but that the majority of the Members of this House will show their interest in protecting the Federal Treasury to such an extent that it will not be necessary to argue this question again.

[Here the gavel fell.]

Mr. BLANTON. Mr. Speaker, I yield 4 minutes to the gentleman from Ohio [Mr. SECREST].

Mr. SECREST. Mr. Speaker, first of all I want to express on behalf of the Library Committee our sincere appreciation of the very fine tribute just paid to us by the gentleman from New York. I happen to be the youngest member of the committee, and I am the only member who happens to be present at this time. Whether that is intentional or not, I shall not say, but nevertheless it falls upon me to speak as nearly as I am able on behalf of the committee in reference to such things as may have motivated the committee in its action in reporting out this bill.

There has been, and there still is being heaped upon the Botanic Garden of the United States much criticism, not only by people within our own country, but by people interested in this work abroad. It was the hope of the Library Committee that a Botanic Garden might be developed that would be equal to the Library of Congress which has been developed through the years under the leadership and under the direction of the Library Committee.

We of that committee wondered in what manner we might be able to best proceed to this end. There was a resolution introduced taking the Botanic Garden from the Library Committee and placing it under the jurisdiction of the Department of Agriculture. A majority of the Congress, I believe, have alined themselves against this on previous occasions. In July the Botanic Garden will change hands and a new director will be appointed.

We have there at the present time a man who has given 25 or 30 years of his service toward the building up of a Botanic Garden on the one hand, while on the other the Congress of the United States has limited the appropriations until all that could be afforded were a few people who acted as common gardeners and the Botanic Garden here was no better than one that could be developed by a private individual with a small fortune at his command. A new Director of the Botanic Garden will be appointed. We gave considerable thought to the question of how we could retain the knowledge and the benefits of a man who had given all his time to such a garden as this, and the only alternative, it seemed to us, was to make him a consultant to the new Director of the Botanic Garden. He will not have authority to administer the Garden and will not be responsible for decisions which may be made, but he will be available at any time there is a need for his service by the new Director, and I know not at this time who the new Director may be.

Mr. McGUGIN. Will the gentleman yield?

Mr. SECREST. I yield to the gentleman from Kansas

Mr. McGUGIN. Why must a new Director be appointed?

Mr. SECREST. He has reached the age that makes it necessary to retire him.

Mr. O'CONNOR. The gentleman will retire and receive some retirement pay?

Mr. SECREST. The gentleman would retire at $80 a month, and I believe that any Member of Congress or anyone else is aware of the fact that no one can live on that income in Washington and still be a consultant.

Mr. LEHLBACH. Where did the gentleman get the information that his retirement would be $960 a year?

Mr. SECREST. Eighty dollars a month was the figure submitted to the committee.

Mr. LEHLBACH. I do not think the gentleman's source of information is correct. Even a letter carrier gets $1,200.

[Here the gavel fell.]

Mr. BLANTON. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. SECREST. The figure given to the Library Committee was $80 a month.

There is this difference between the Director of the Botanic Garden and other Government employees in the same salaried class. The others are heads of divisions and employees of the Government who go home in the evening and their work is completed. Their salary can be used for living expenses. This man, time and again, has entertained people from all over the United States who came to visit him, not as an individual, but as the Director of the Botanic Garden. This gentleman entertained people not only from this Nation but from abroad, and I daresay from my knowledge of public life, that of the salary paid to him little, if any, remains upon which he might retire.

By retiring this man as a consultant, the benefit of all he may have learned in the past years remains with the Government. When he dies his salary stops. He does not receive the pension that would otherwise be provided, and I am sure there is no similar case, perhaps, in any department of the Government.

There is one more thing I may mention in this connection. Every botanic garden in the United States of major importance and every botanic garden in the world, including that of Great Britain, as well as many other countries, insofar as our committee investigation led, follows this method of retiring their directors when they are of such an age that they are not permitted by law to continue as director of the garden.

Mr. LEHLBACH. Will the gentleman yield once more?

Mr. SECREST. I yield.

Mr. LEHLBACH. Lest there be any mistake about his retirement pay, the minimum that any employee can get after 30 years of service, no matter how small his wages were, is $1,200 a year.

Mr. SECREST. I simply quoted what was submitted to our committee.

I think I have given in brief outline the thought of the committee when this measure was reported out.

Insofar as breaking down the retirement act is concerned, this measure appoints him as a consultant, and the only way you could similarly break down the retirement act for the benefit of a Government clerk or a mail carrier or any other individual would be to retain him as a consultant, which would be ridiculous.

[Here the gavel fell.]

Mr. BLANTON. Mr. Speaker, I have kept faith with my friend the gentleman from Illinois [Mr. KELLER], chairman of the committee having this Senate resolution in charge. I have called it up and placed it before you. I knew that it would meet with opposition from the civil-service organizations. It is a case of the many against the one. Director George W. Hess is in a class of one all to himself. He is the only Director of Botanic Garden in the United States. The Government of the United States has no other such employee. But the Government does have about 80,000 other employees in Washington who are all in another class together. They are afraid that this measure is unjust to them. They are apprehensive that it discriminates against them. They believe that to pay Director Hess any pay as an expert consultant after his retirement that is larger than their regular retirement pay is unjust and discriminatory.

I do not fall out with my colleagues who from this floor have taken the position outlined above. I admire them for being watchful to keep back bad precedents. They have the right to their opinions. And I can see that such sentiment is going to defeat this measure at this time. And that is the reason I asked unanimous consent to withdraw it from your consideration.

I do hope that President Roosevelt will exercise his privilege of suspending retirement of Director Hess for another year. That can be done. I hope all of you who appreciate George Hess will ask the President to do it. We cannot afford to lose his service on July 1. And after July 1, after serving us 28 years, he cannot support his family on only $80 per month, which will be all that he will receive after that date, and he will have to move out of the house in the Botanic Gardens.

Mr. LEHLBACH. Why does the gentleman make that assertion when he knows better?

Mr. BLANTON. What assertion?

Mr. LEHLBACH. That he will only get $80 a month.

Mr. BLANTON. That is exactly what the committee told me, and I believe the committee. I believe Mr. LUCE, and I believe Mr. KELLER, and I believe Mr. SECREST, and they say he will receive $80 a month.

Mr. LEHLBACH. Not a one of them has made that statement on his own responsibility.

Mr. BLANTON. I will ask the gentleman from Ohio, a member of the committee, if that is not correct—that he will receive only $80 per month after July 1?

Mr. SECREST. That is what was presented to the committee.

Mr. LEHLBACH. What is his present salary?

Mr. BLANTON. I cannot yield further, Mr. Speaker.

This man will get $960 retirement pay, which, divided by 12, means $80 a month. He is now a poor man, enfeebled in health, and will have to move out of his present quarters and rent a house in Washington for his family and buy all the necessities of life with $80 a month. And he has put his very heart and soul into this plant for 28 years, until he has built up the finest botanic garden in the United States. The above is what appealed to my heart and conscience. As an economist, I felt this was as little as we could do if we expected to use this valuable expert as a consultant for the rest of his life. Other large cities are doing the same thing, and in this way we would get the benefit of his valuable services for the rest of his life.

I have before me now the authentic data from Director Hess himself. After July 1 he will receive only $81 per month, which is just $1 more than the $80 I mentioned when the gentleman from New Jersey [Mr. LEHLBACH] asserted he would get much more. He gets $81 because he served only 28 years. If he had served 30 years, he would have gotten the $1,200 per year, or $100 per month, as asserted by the gentleman from New Jersey.

The Bible says that "the laborer is worthy of his hire", and this one has been loyal, diligent, and faithful. The taxpayers at home are willing to do justice to this laborer. [Applause.]

The SPEAKER. The question is on the motion of the gentleman from Texas to suspend the rules and pass the bill.

The question was taken; and on a division (demanded by Mr. TABER) there were—ayes 13, noes 65.

So (two thirds not having voted in favor thereof) the motion to suspend the rules and pass the bill was rejected.

OCMULGEE NATIONAL PARK, GA.

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent to return to Calendar No. 342, H.R. 7653, to authorize the establishment of the Ocmulgee National Monument in Bibb County, Ga. The gentleman who objected has withdrawn his objection.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to acquire, on behalf of the United States, the area of land comprising approximately 2,000 acres situated in and around the city of Macon, in the county of Bibb, State of Georgia, and commonly known as "Old Ocmulgee Fields", upon which land certain Indian mounds of great historical importance are located; and such area of land shall be set apart as a public park for the benefit and enjoyment of the people of the United States and shall be known as the "Ocmulgee National Park." Such acquisition shall be by purchase at a cost of not to exceed $25 an acre, and there is hereby authorized to be appropriated such amount as may be necessary for the purpose of making such acquisition.

SEC. 2. The administration, protection, and development of the Ocmulgee National Park shall be under the supervision of the Secretary of the Interior subject to the provisions of the act entitled "An act to establish a National Park Service, and for other purposes", approved August 25, 1916, as amended.

With the following committee amendment:

Strike out all after the enacting clause and insert: "That when title to lands commonly known as the 'Old Ocmulgee Fields', upon which certain Indian mounds of great historical importance are located, comprising approximately 2,000 acres, in and around the city of Macon, county of Bibb, State of Georgia, as shall be designated by the Secretary of the Interior in the exercise of his judgment and discretion as necessary for national-monument purposes, shall have been vested in the United States, said area shall be set aside as a national monument by proclamation of the President, and shall be known as the 'Ocmulgee National Monument': *Provided*, That the United States shall not purchase by appropriation of public moneys any lands within the aforesaid area, but such lands shall be secured by the United States only by public or private donation.

"SEC. 2. The Secretary of the Interior is hereby authorized to accept donations of land, interests in land, buildings, structures, and other property within the boundaries of said national monument as determined and fixed hereunder, and donations of funds for the purchase and/or maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided*, That he may acquire on behalf of the United States under any donated funds by purchase when purchasable at prices deemed by him reasonable, otherwise by condemnation under the provisions of the act of August 1, 1888, such tracts of land within the said national monument as may be necessary for the completion thereof.

"SEC. 3. The administration, protection, and development of the Ocmulgee National Monument shall be under the supervision of the Secretary of the Interior subject to the provisions of the act entitled 'An act to establish a National Park Service, and for other purposes', approved August 25, 1916, as amended."

The committee amendment was agreed to.

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

A motion to reconsider was laid on the table.

BRIDGE ACROSS THE RIO GRANDE AT LAREDO, TEX.

Mr. WEST of Texas. Mr. Speaker, I ask unanimous consent to return to Calendar No. 310, the bill 9185, authorizing the International Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Rio Grande, at Laredo, Tex.

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

Mr. HOLMES. I object.

INTERNATIONAL CELEBRATION AT FORT NIAGARA, N.Y.

Mr. ANDREWS of New York. Mr. Speaker, I move to suspend the rules and pass H.J.Res. 341, authorizing an appropriation for the participation of the United States in the international celebration at Fort Niagara, N.Y.

The Clerk read the resolution as follows:

Whereas the Federal Government, through the War Department, desires to cooperate with the representatives of the Canadian, British, and French Governments, and the State of New York, in the International Celebration to commemorate the fourth centenary of Jacques Cartier, the ratification of the Rush-Bagot Treaty in 1818, and the completion of the restoration of Old Fort Niagara, Niagara County, N.Y., as a historic and patriotic shrine symbolizing the history of the common interest of these nations in the evolution of the early American struggle and strife to a lasting peace of vast international significance: Therefore be it

Resolved, etc., That there is hereby authorized to be appropriated the sum of $6,000, or so much thereof as may be necessary, to pay the expenses of the participation of certain units of the Army of the United States in the events and ceremonies incident to the International Celebration at Fort Niagara, N.Y., under such regulations as the Secretary of War may prescribe.

The SPEAKER. The question is on the motion of the gentleman from New York to suspend the rules and pass the resolution.

The question was taken; and on a division there were—59 ayes and 18 noes.

So, two thirds having voted in favor thereof, the rules were suspended, and the resolution was passed, and a motion to reconsider was laid on the table.

JOE G. M'INERNEY

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

To the House of Representatives:

I return herewith without my approval H.R. 5542, entitled "An act for the relief of Joe G. McInerney."

The bill authorizes that in the administration of any laws conferring rights, privileges, or benefits upon persons honorably discharged from the United States Coast Guard, their widows, children, and dependent relatives, Joe G. McInerney shall be held and considered to have been discharged under honorable conditions as a coal heaver from the cutter *Forward* on December 13, 1902, and provides that no back pay, pension, or allowance shall be held to have accrued prior to the date of the enactment of this act.

The records of the Treasury Department show that by order of the commanding officer of the revenue cutter *Forward*, Third Oiler Joseph G. McInerney was confined in the brig and disrated from third oiler to coal heaver as of December 10, 1902, for insolent and mutinous language to his superior officers and that in accordance with the approved findings and recommendations of a board of investigation convened by the commanding officer, he was released from confinement and discharged from the service December 13, 1902, by reason of insubordination and language tending toward the destruction of good order and military discipline.

The bill is objectionable as it would tend to break down the morale of the Service and be prejudicial to proper discipline to place the name of a man who had been dishonorably discharged for cause by proper authority, upon the list of honorably discharged members of the Coast Guard on the same plane with those who have rendered faithful service.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *May 21, 1934.*

Mr. BYRNS. Mr. Speaker, I move that the message be referred to the Committee on Naval Affairs and ordered printed.

The motion was agreed to.

A. W. HOLLAND

Mr. BLACK. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill S. 551, and agree to the conference asked for by the Senate.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER appointed as conferees on the part of the House, Mr. BLACK, Mr. RAMSPECK, and Mr. GUYER.

Mr. AYERS of Montana. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, Mr. BULWINKLE was given leave of absence for an indefinite period, on account of important business.

SENATE BILLS REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 3285. An act to provide for the regulation of interstate and foreign communications by wire or radio, and for other purposes; to the Committee on Interstate and Foreign Commerce.

S. 3586. An act for the relief of George A. Fox; to the Committee on Naval Affairs.

S.J.Res. 123. Joint resolution empowering certain agents authorized by the Secretary of Agriculture to administer oaths to applicants for tax-exemption certificates under the Cotton Act of 1934; to the Committee on Agriculture.

SENATE ENROLLED BILL SIGNED

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

S. 2845. To extend the provisions of the National Motor Vehicle Theft Act to other stolen property.

BILLS PRESENTED TO THE PRESIDENT

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee did on May 17, 1934, present to the President, for his approval, bills of the House of the following titles:

H.R. 211. An act for the relief of John A. Rapelye;

H.R. 276. An act to authorize the placing of a bronze tablet bearing a replica of the Congressional Medal of Honor upon the grave of the late Brigadier General Robert H. Dunlap, United States Marine Corps, in the Arlington National Cemetery, Va.;

H.R. 328. An act for the relief of E. W. Gillespie;

H.R. 473. An act for the relief of Irene Brand Alper;

H.R. 916. An act for the relief of C. A. Dickson;

H.R. 1197. An act for the relief of Glenna F. Kelley;

H.R. 1211. An act for the relief of R. Gilbertsen;

H.R. 1212. An act for the relief of Marie Toenberg;

H.R. 4516. An act for the relief of B. Edward Westwood;

H.R. 4533. An act for the relief of the widow of D. W. Tanner for expense of purchasing an artificial limb;

H.R. 4973. An act for the relief of G. C. Vandover;

H.R. 5284. An act for the relief of the Playa de Flor Land & Improvement Co.;

H.R. 5405. An act for the relief of Nicola Valerio; and

H.R. 5950. An act to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and acts amendatory thereof and supplementary thereto.

Mr. TRUAX. Mr. Speaker, I make the point that no quorum is present.

The SPEAKER. Evidently there is no quorum present.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 5 o'clock p.m.) the House adjourned until tomorrow, Tuesday, May 22, 1934, at 12 o'clock noon.

COMMITTEE HEARING

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

(Tuesday, May 22, 10 a.m.)

Hearings on the amendments to the Railway Labor Act as contemplated in S. 3266.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

475. A communication from the President of the United States, transmitting supplemental estimate of appropriation for the legislative establishment, House of Representatives, for the fiscal year 1934 in the sum of $32,000 (H.Doc. No. 374); to the Committee on Appropriations and ordered to be printed.

476. A letter from the Secretary of War, transmitting draft of a joint resolution to authorize the acceptance on behalf of the United States of the bequest of the late Charlotte Taylor, of the city of St. Petersburg, State of Florida, for the benefit of Walter Reed General Hospital; to the Committee on Military Affairs.

477. A letter from the Secretary of Commerce, transmitting draft of a proposed bill to relieve A. Cyril Crilley, assistant trade commissioner, and a special disbursing officer of the Bureau of Foreign and Domestic Commerce, in the matter of a certain expenditure; to the Committee on Claims.

478. A letter from the Chairman of the Reconstruction Finance Corporation, transmitting report of its activities and expenditures for March 1934, together with a statement of loans authorized during that month, showing the name, amount, and rate of interest in each case (H.Doc. No. 375); to the Committee on Banking and Currency and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. COFFIN: Committee on Military Affairs. H.R. 7517. A bill providing for the establishment of the Gen. John J. Pershing National Military Park, near Laclede, in Linn County, Mo.; with amendment (Rept. No. 1709). Referred to the Committee of the Whole House on the state of the Union.

Mr. JONES: Committee on Agriculture. H.R. 9528. A bill to amend section 32 of the Emergency Farm Mortgage Act of 1933; without amendment (Rept. No. 1712). Referred to the Committee of the Whole House on the state of the Union.

Mr. HOLMES: Committee on Interstate and Foreign Commerce. H.R. 9571. A bill granting the consent of Congress to the county commissioners of Essex County, in the State of Massachusetts, to construct, maintain, and operate a free highway bridge across the Merrimack River, in the city of Lawrence, Mass.; without amendment (Rept. No. 1713). Referred to the House Calendar.

Mr. HOLMES: Committee on Interstate and Foreign Commerce. H.R. 9584. A bill to extend the times for commencing and completing the construction of a bridge across the St. Lawrence River at or near Ogdensburg, N.Y.; without amendment (Rept. No. 1714). Referred to the House Calendar.

Mr. MALONEY of Connecticut: Committee on Interstate and Foreign Commerce. H.R. 9594. A bill granting the consent of Congress to the Tensas Basin Levee Board of the State of Louisiana to construct, maintain, and operate a free highway bridge across Bayou Bartholomew at or near its mouth in Morehouse Parish, La.; without amendment (Rept. No. 1715). Referred to the House Calendar.

Mr. MILLIGAN: Committee on Interstate and Foreign Commerce. H.R. 9645. A bill to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Washington, Mo.; without amendment (Rept. No. 1716). Referred to the House Calendar

Mr. McDUFFIE: Committee on Indian Affairs. House Joint Resolution 344. Joint resolution to amend the joint resolution entitled "Joint resolution for the relief of Porto Rico", approved December 21, 1928, to permit an adjudication with respect to liens of the United States arising by virtue of loans under such joint resolution; without amendment (Rept. No. 1717). Referred to the Committee of the Whole House on the state of the Union.

Mr. PRALL: Committee on Banking and Currency. S. 3487. An act relating to direct loans for industrial purposes by Federal Reserve banks, and for other purposes; with amendment (Rept. No. 1719). Referred to the Committee of the Whole House on the state of the Union.

Mr. VINSON of Kentucky: Committee on Ways and Means. H.R. 4798. A bill to amend section 24 of the Trading with the Enemy Act, as amended; with amendment (Rept. No. 1720). Referred to the Committee of the Whole House on the state of the Union.

Mr. AYERS of Montana: Committee on Indian Affairs. S. 2506. An act to provide funds for cooperation with White Swan School District, No. 88, Yakima County, Wash., for extension of public-school buildings to be available for Indian children of the Yakima Reservation; without amendment (Rept. No. 1721). Referred to the Committee of the Whole House on the state of the Union.

Mr. BANKHEAD: Committee on Rules. House Resolution 388. Resolution for the consideration of S. 3487, a bill relating to direct loans for industrial purposes by Federal Reserve banks, and for other purposes; without amendment (Rept. No. 1722). Referred to the House Calendar.

Mr. McDUFFIE: Committee on Insular Affairs. H.R. 9459. A bill relating to Philippine currency reserves on deposit in the United States; with amendment (Rept. No. 1723). Referred to the Committee of the Whole House on the state of the Union.

Mr. STEAGALL: Committee on Banking and Currency. S. 3025. An act to amend section 12B of the Federal Reserve Act so as to extend for 1 year the temporary plan for deposit insurance, and for other purposes; with amendment (Rept. No. 1724). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. THOM: Committee on Claims. S. 86. An act for the relief of A. L. Ostrander; with amendment (Rept. No. 1688). Referred to the Committee of the Whole House.

Mr. BLACK: Committee on Claims. S. 488. An act for the relief of Norman Beier; with amendment (Rept. No. 1689). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. S. 740. An act for the relief of William G. Fulton; with amendment (Rept. No. 1690). Referred to the Committee of the Whole House.

Mrs. CLARKE of New York: Committee on Claims. S. 1527. An act for the relief of Charles A. Lewis; without amendment (Rept. No. 1691). Referred to the Committee of the Whole House.

Mr. BLACK: Committee on Claims. S. 1629. An act for the relief of the Southern Products Co.; with amendment (Rept. No. 1692). Referred to the Committee of the Whole House.

Mr. BLACK: Committee on Claims. S. 1666. An act to carry out the findings of the Court of Claims in the case of the Wales Island Packing Co.; with amendment (Rept. No. 1693). Referred to the Committee of the Whole House.

Mr. BLANCHARD: Committee on Claims. S. 1818. An act for the relief of W. P. Fuller & Co.; without amendment (Rept. No. 1694). Referred to the Committee of the Whole House.

Mr. BLANCHARD: Committee on Claims. S. 1822. An act for the relief of Harold Sorenson; without amendment

(Rept. No. 1695). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. S. 1972. An act for the relief of James W. Walters; without amendment (Rept. No. 1696). Referred to the Committee of the Whole House.

Mr. BROWN of Kentucky: Committee on Claims. S. 2322. An act for the relief of A. J. Hanlon; without amendment (Rept. No. 1697). Referred to the Committee of the Whole House.

Mrs. CLARKE of New York: Committee on Claims. S. 2584. An act for the relief of Elmer Kettering; without amendment (Rept. No. 1698). Referred to the Committee of the Whole House.

Mr. BROWN of Kentucky: Committee on Claims. S. 2720. An act for the relief of George M. Wright; with amendment (Rept. No. 1699). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. S. 2816. An act to extend the time for the refunding of certain taxes erroneously collected from certain building-and-loan associations; without amendment (Rept. No. 1700). Referred to the Committee of the Whole House.

Mr. OWEN: Committee on Claims. S. 2871. An act giving jurisdiction to the Court of Claims to hear and determine the claim of the Cherokee Fuel Co.; without amendment (Rept. 1701). Referred to the Committee of the Whole House.

Mr. ELLZEY of Mississippi: Committee on Claims. S. 2872. An act for the relief of Marie Louise Belanger; without amendment (Rept. No. 1702)). Referred to the Committee of the Whole House.

Mr. ELLZEY of Mississippi: Committee on Claims. S. 2873. An act for the relief of Stella D. Wickersham; without amendment (Rept. No. 1703). Referred to the Committee of the Whole House.

Mr. OWEN: Committee on Claims. S. 3047. An act to carry out the findings of the Court of Claims in the case of George Lawley & Son Corporation, of Boston, Mass.; with amendment (Rept. No. 1704). Referred to the Committee of the Whole House.

Mr. THOM: Committee on Claims. S. 3156. An act for the relief of Mary Angela Moert; with amendment (Rept. No. 1705). Referred to the Committee of the Whole House.

Mr. BLACK: Committee on Claims. S. 3192. An act for the relief of Arthur Hansel; without amendment (Rept. No. 1706). Referred to the Committee of the Whole House.

Mr. BLACK: Committee on Claims. S. 3264. An act for the relief of Muriel Crichton; without amendment (Rept. No. 1707). Referred to the Committee of the Whole House.

Mr. BLACK: Committee on Claims. S. 3322. An act to carry out the findings of the Court of Claims in the case of the Union Iron Works; with amendment (Rept. No. 1708). Referred to the Committee of the Whole House.

Mr. MONTET: Committee on Military Affairs. H.R. 7061. A bill for the relief of Clifford N. Raymond; without amendment (Rept. No. 1710). Referred to the Committee of the Whole House.

Mr. MONTET: Committee on Military Affairs. H.R. 8256. A bill restoring citizenship to Harry A. Prudome; without amendment (Rept. No. 1711). Referred to the Committee of the Whole House.

Mr. BURNHAM: Committee on Naval Affairs. H.R. 4142. A bill for the relief of John M. McNulty; without amendment (Rept. No. 1718). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H.R. 1945) for the relief of Thomas J. Bennett; Committee on Invalid Pensions discharged, and referred to the Committee on Claims.

A bill (H.R. 1947) for the relief of Thomas Berchel Burke; Committee on Invalid Pensions discharged, and referred to the Committee on Claims.

A bill (H.R. 1946) for the relief of William H. Hildebrand; Committee on Invalid Pensions discharged, and referred to the Committee on Claims.

A bill (H.R. 7562) for the relief of Waldo L. Robichaux; Committee on Invalid Pensions discharged, and referred to the Committee on Claims.

A bill (H.R. 2435) for the relief of Claribel Moore; Committee on Invalid Pensions discharged and referred to the Committee on War Claims.

A bill (H.R. 7681) for the relief of Thomas J. Moran; Committee on Invalid Pensions discharged and referred to the Committee on Claims.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. RAYBURN: A bill (H.R. 9689) to amend the Railway Labor Act approved May 20, 1926, and to provide for the prompt disposition of disputes between carriers and their employees; to the Committee on Interstate and Foreign Commerce.

By Mr. KERR: A bill (H.R. 9690) to place the tobacco-growing industry on a sound financial and economic basis, to prevent unfair competition and practices in the production and marketing of tobacco entering into the channels of interstate and foreign commerce, and for other purposes; to the Committee on Agriculture.

By Mr. SINCLAIR: A bill (H.R. 9691) referring the claims of the Turtle Mountain Band or Bands of Chippewa Indians of North Dakota to the Court of Claims for adjudication and settlement; to the Committee on Indian Affairs.

By Mr. IGLESIAS: A bill (H.R. 9692) to authorize and direct the United States Commissioner of Fisheries to undertake fish-cultural and related activities in Puerto Rico, making appropriations therefor, and for other purposes; to the Committee on Merchant Marine, Radio, and Fisheries.

By Mr. DIRKSEN: A bill (H.R. 9693) to provide for the reduction of certain taxes on distilled spirits, to encourage the exportation of American grain, and for other purposes; to the Committee on Ways and Means.

By Mr. RAYBURN: A bill (H.R. 9694) to amend the Emergency Railroad Transportation Act, 1933, approved June 16, 1933; to the Committee on Interstate and Foreign Commerce.

By Mr. SISSON: A bill (H.R. 9695) to provide for the establishment of a national monument on the site of Fort Stanwix, in the State of New York; to the Committee on the Public Lands.

By Mr. CROWE: A bill (H.R. 9696) to provide for additional appropriations for public works, to amend the National Industrial Recovery Act, and for other purposes; to the Committee on Ways and Means.

By Mr. BLACK: A bill (H.R. 9697) providing for the abolishment of interference practices in the United States Patent Office; to the Committee on Patents.

By Mr. BURKE of Nebraska: A bill (H.R. 9698) authorizing the Florence Bridge Board of Trustees to construct, maintain, and operate a toll bridge across the Missouri River at or near Florence, Douglas County, Nebr.; to the Committee on Interstate and Foreign Commerce.

By Mr. HILL of Alabama: A bill (H.R. 9699) to amend the Home Owners' Loan Act of 1933; to the Committee on Banking and Currency.

By Mr. CELLER: A bill (H.R. 9700) to provide for the naturalization of certain veterans of the World War; to the Committee on Immigration and Naturalization.

By Mr. McREYNOLDS: A bill (H.R. 9701) to provide additional funds for buildings for the use of the diplomatic and consular establishments of the United States; to the Committee on Foreign Affairs.

By Mr. BUCK: A bill (H.R. 9702) authorizing the adjustment of existing contracts for the sale of timber on the

national forests, and for other purposes; to the Committee on Agriculture.

By Mr. HARTLEY: A bill (H.R. 9703) to authorize the Secretary of War to lease the Port Newark Army Base, N.J., to the city of Newark, N.J.; to the Committee on Military Affairs.

By Mrs. KAHN: A bill (H.R. 9704) authorizing the coinage of a 3-cent nickel piece; to the Committee on Coinage, Weights, and Measures.

By Mr. GASQUE: A bill (H.R. 9705) to amend section 30, title III (veterans' provisions), of Public Law No. 141, Seventy-third Congress, to give the benefits thereof to veterans who enlisted in the United States forces after August 12, 1898, and wh oserved outside the continental limits of the United States; to the Committee on Pensions.

By Mr. MOTT: A bill (H.R. 9706) authorizing the Oregon-Washington Bridge Board of Trustees to construct, maintain, and operate a toll bridge across the Columbia River at Astoria, Clatsop County, Oreg.; to the Committee on Interstate and Foreign Commerce.

By Mr. BANKHEAD: Resolution (H.Res. 388) for the consideration of S. 3487, a bill relating to direct loans for industrial purposes by Federal Reserve banks, and for other purposes; to the Committee on Rules.

By Mr. LUNDEEN: Resolution (H.Res. 389) to provide for the expenses of the investigation by the Labor Committee or any subcommittee thereof, pursuant to House Resolution 385; to the Committee on Accounts.

By Mr. McREYNOLDS: Joint resolution (H.J.Res. 347) to prohibit the sale of arms or munitions of war in the United States under certain conditions; to the Committee on Foreign Affairs.

By Mr. MITCHELL: Joint resolution (H.J.Res. 348) to establish an investigating committee, define its duties, and for other purposes; to the Committee on Rules.

Also, a joint resolution (H.J.Res. 349) designating or naming a certain mountain in the State of Tennessee "Mount Roosevelt", and for other purposes; to the Committee on the Public Lands.

By Mr. CHAPMAN: Joint resolution (H.J.Res. 350) to provide for the erection of a tablet in the Arlington Memorial Amphitheater; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. ARENS: A bill (H.R. 9707) for the relief of E. F. Bandas; to the Committee on Claims.

By Mr. AYRES of Kansas: A bill (H.R. 9708) granting a pension to Mary E. Carroll; to the Committee on Invalid Pensions.

By Mr. BLOOM: A bill (H.R. 9709) for the relief of F. A. Brady, Inc.; to the Committee on War Claims.

By Mr. DOWELL: A bill (H.R. 9710) granting an increase of pension to Josephine Knight; to the Committee on Invalid Pensions.

By Mr. GAMBRILL: A bill (H.R. 9711) to extend the benefits of the United States Employees' Compensation Act of September 7, 1916, to Washington Parker, a former employee of the United States Naval Academy dairy farm, Gambrills, Md.; to the Committee on Claims.

By Mr. GLOVER: A bill (H.R. 9712) for the relief of Clarence Mitchell, C. T. Wilson, W. M. Garner, Jim Thereldkeld, R. R. Crain, J. B. Tolson, J. C. Rogers, S. K. Broach, W. T. Daniel, Ed West, J. L. Rogers, Albert Easterling, J. L. Rivers, L. R. Rogers, F. C. Wilson, J. E. Seymour, S. W. Lisenby, E. S. Word, H. L. Rivers, J. C. Russell, E. C. Finley, W. W. Mitchell, J. G. Carey, Carl Graves, Jerome Dupree, J. R. Mitchell, Henry Raney, Roxie Anderson, Bud Mitchell, and R. C. McCoy; to the Committee on Claims.

By Mr. JENKINS of Ohio: A bill (H.R. 9713) granting a pension to Paul Chick; to the Committee on Invalid Pensions.

Also, a bill (H.R. 9714) for the relief of the Mohawk Coal Co.; to the Committee on Claims.

By Mr. JOHNSON of West Virginia: A bill (H.R. 9715) for the relief of Herbert E. Guthrie; to the Committee on Military Affairs.

By Mr. MILLARD: A bill (H.R. 9716) to authorize the presentation of the Distinguished Service Cross to William A. Sullivan; to the Committee on Military Affairs.

By Mr. McCORMACK: A bill (H.R. 9717) conferring jurisdiction in the Court of Claims to hear and determine the claim of George B. Gates; to the Committee on Claims.

By Mr. RANKIN: A bill (H.R. 9718) for the relief of Robert N. Stockton; to the Committee on Claims.

By Mrs. ROGERS of Massachusetts: A bill (H.R. 9719) for the relief of Dean Scott; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1, of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4684. By Mr. BEITER: Petition of the Greater East Side Democratic Association, Inc., Buffalo, N.Y., endorsing the Wagner labor disputes bill (S. 2926); to the Committee on Labor.

4685. By Mr. BRUNNER: Petition of the De Soto Council No. 327, Knights of Columbus, New York City, N.Y., supporting the amendment to section 301 of Senate bill 2910, providing for the insurance of equity of opportunity for educational, religious, agricultural, labor, cooperative, and similar non-profit-making associations seeking licenses for radio broadcastings by incorporating into the statute a provision for the allotment to said non-profit-making associations of at least 25 percent of all radio facilities not employed in public use; to the Committee on Merchant Marine, Radio, and Fisheries.

4686. By Mr. CONNERY: Petition of the City Council, City of Revere, Mass., endorsing the Connery old-age pension bill; to the Committee on Labor.

4687. By Mr. FITZPATRICK: Petition signed by Charles Vitale, of 168 Palisade Avenue, and 27 other residents of Yonkers, N.Y., urging the adoption of the McLeod banking bill; to the Committee on Banking and Currency.

4688. By Mr. JOHNSON of Texas: Memorial of James A. Dacus, president F.C.A. Credit Union, of Houston, Tex., favoring Senate bill 1639; to the Committee on Banking and Currency.

4689. By Mr. LINDSAY: Telegram from the American Steamship Owners Association, R. J. Baker, president, New York City, opposing House bill 7667; to the Committee on Interstate and Foreign Commerce.

4690. Also, petition of the National Retail Lumber Dealers Association, Washington, D.C., concerning proposed legislation to rehabilitate the home-building industry; to the Committee on Banking and Currency.

4691. Also, petition of Dr. Samuel N. Spring, dean New York State College of Forestry, Syracuse, N.Y., protesting against proposed transfer of the Forest Service of the Department of Agriculture to the Department of the Interior; to the Committee on the Public Lands.

4692. Also, petition of the Marine Engineers Beneficial Association, No. 2, Cleveland, Ohio, favoring the enactment of House bill 7979; to the Committee on Merchant Marine, Radio, and Fisheries.

4693. Also, petition of the New York State League of Savings and Loan Associations, favoring a program to modernize, rehabilitate, and repair American homes; to the Committee on Banking and Currency.

4694. By Mr. LUDLOW: Petition of citizens of Indianapolis, Ind., endorsing House bill 7598, the workers' unemployment and social insurance bill; to the Committee on Labor.

4695. By Mr. MILLARD: Petition signed by members of the Catholic Women's Club of Eastchester, Inc., urging the passage of Senate bill 2910, with the amendment to section 301; to the Committee on Interstate and Foreign Commerce.

4696. Also, petition signed by residents of Croton, Westchester County, N.Y., urging the passage of the Wheeler-Howard bill; to the Committee on Indian Affairs.

4697. By Mr. RUDD: Petition of the New York State League of Savings and Loan Associations, New York City,

favoring a comprehensive program to modernize, rehabilitate, and repair American homes at this time, thus contributing to the restoration of the building industry; to the Committee on Banking and Currency.

4698. Also, petition of the New York State College of Forestry at Syracuse University, Syracuse, N.Y., opposing the Ashurst amendment to the Taylor bill (H.R. 6462) transferring the Forest Service of the United States Department of Agriculture to the Department of the Interior; to the Committee on the Public Lands.

4699. Also, petition of the Woodhaven Republican Association, Woodhaven, Long Island, N.Y., favoring the Kenney bill, making it mandatory for teachers to take an oath pledging allegiance to the Constitution of the United States; to the Committee on Education.

4700. Also, petition of the National Retail Lumber Dealers Association, favoring proposed legislation to rehabilitate the home-building industry; to the Committee on Banking and Currency.

4701. By Mr. SADOWSKI: Petition of the Detroit section, American Society of Civil Engineers; to the Committee on Ways and Means.

4702. By Mr. STUDLEY: Petition of G. A. Bloodgood, legislative chairman, Albany Lodge, No. 861, and other residents of Albany, N.Y., petitioning the Congress of the United States to amend the Railway Labor Act; to the Committee on Labor.

4703. Also, petition of Arthur B. McLaughlin, of 215 East Burnside Avenue, Bronx County, N.Y., president of the Fur-Fin Feather Club, and other citizens, urging Congress to enact the Everglades National Park bill; to the Committee on the Public Lands.

4704. Also, petition of Lincoln Council, No. 312, Knights of Columbus, urging Senators and Representatives in Congress to support amendment to section 301 of Senate bill 2910 offered on behalf of Radio Station WLWL; to the Committee on Merchant Marine, Radio, and Fisheries.

4705. By Mr. WHITTINGTON: Petition of J. Spats and others, endorsing an amendment to section 301 of Senate bill 2910, for equity of opportunity for non-profit-making associations conducting radio stations; to the Committee on Merchant Marine, Radio, and Fisheries.

4706. Also, petition of Louise De Stefano and others, endorsing an amendment to section 301 of Senate bill 2910, for equity of opportunity for non-profit-making associations conducting radio stations; to the Committee on Merchant Marine, Radio, and Fisheries.

4707. Also, petition of Mrs. G. I. Lee and others, endorsing an amendment to section 301 of Senate bill 2910, for equity of opportunity for non-profit-working associations conducting radio stations; to the Committee on Merchant Marine, Radio, and Fisheries.

4708. By The SPEAKER: Petition of the Baltimore Rieger Club of St. Wenceslaus parish, urging adoption of the amendment to section 301 of Senate bill 2910; to the Committee on Merchant Marine, Radio, and Fisheries.

4709. Also, petition of St. Catherine's rectory, Milwaukee, Wis., urging adoption of the amendment to section 301 of Senate bill 2910; to the Committee on Merchant Marine, Radio, and Fisheries.

4710. Also, petition of the Boston College Club of Greater Lynn, urging adoption of the amendment to section 301 of Senate bill 2910; to the Committee on Merchant Marine, Radio, and Fisheries.

4711. Also, petition of St. Lawrence Church, Paulist Fathers, Minneapolis, Minn., urging adoption of the amendment to section 301 of Senate bill 2910; to the Committee on Merchant Marine, Radio, and Fisheries.

4712. Also, petition of Queen of the Most Holy Rosary Holy Name Society, Roosevelt, N.Y., urging adoption of the amendment to section 301 of Senate bill 2910; to the Committee on Merchant Marine, Radio, and Fisheries.

4713. Also, petition of De Soto Council, No. 327, Knights of Columbus, urging adoption of the amendment to section 301 of Senate bill 2910; to the Committee on Merchant Marine, Radio, and Fisheries.

4714. Also, petition of the Catholic Women's Club of Eastchester, Inc., New York, urging adoption of the amendment to section 301 of Senate bill 2910; to the Committee on Merchant Marine, Radio, and Fisheries.

4715. Also, petition of the District Tuberculosis Association; to the Committee on the District of Columbia.

4716. Also, petition of the National Association for the Advancement of Colored People, supporting the Costigan antilynching bill; to the Committee on the Judiciary.

4717. Also, petition of H. E. Party, and others, supporting House bill 9596; to the Committee on Interstate and Foreign Commerce.

4718. Also, petition of depositors and stockholders of the Mount Airy National Bank, supporting the McLeod bank bill; to the Committee on Banking and Currency.

4719. Also, petition of the Citizens' Association of Takoma, D.C., opposing Senate bill 3289 and House bill 8986; to the Committee on the District of Columbia.

4720. Also, petition of T. L. Sheffer and others, supporting House bill 9596; to the Committee on Interstate and Foreign Commerce.

4721. Also, petition of the Transportation Brotherhood, supporting Senate bill 3231 and House bill 9596; to the Committee on Interstate and Foreign Commerce.

4722. Also, petition of Baguie, Mount Province, P.I.; to the Committee on Ways and Means.

4723. Also, petition of the Board of Supervisors of Lake, Wis., supporting House bill 7598; to the Committee on Labor.

4724. Also, petition of the Minneapolis & St. Louis Railroad Co., supporting House bills 9596 and 9597; to the Committee on Interstate and Foreign Commerce.

4725. Also, petition of the Continuation School, Boston, Mass.; to the Committee on Interstate and Foreign Commerce.

4726. Also, petition of members of the Aurora Postal Employees Credit Union, urging support of Senate bill 1639; to the Committee on Banking and Currency.

4727. Also, petition of the Board of Supervisors of the County of Maui, Territory of Hawaii; to the Committee on the Territories.

4728. Also, petition of the city of Toledo, Ohio, supporting the Wagner-Lewis Unemployment Insurance Act; to the Committee on Labor.

SENATE

TUESDAY, MAY 22, 1934

(Legislative day of Thursday, May 10, 1934)

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

THE JOURNAL

On motion of Mr. ROBINSON of Arkansas, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day, Monday, May 21, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. ROBINSON of Arkansas. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

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

Adams	Connally	Glass	McKellar
Ashurst	Coolidge	Goldsborough	McNary
Austin	Copeland	Gore	Metcalf
Bachman	Costigan	Hale	Neely
Bailey	Couzens	Harrison	Norbeck
Bankhead	Cutting	Hastings	Norris
Barbour	Davis	Hatch	Nye
Barkley	Dickinson	Hatfield	O'Mahoney
Black	Dieterich	Hayden	Overton
Bone	Dill	Johnson	Patterson
Borah	Duffy	Keyes	Pittman
Brown	Erickson	King	Pope
Bulkley	Fess	Logan	Reynolds
Bulow	Fletcher	Lonergan	Robinson, Ark.
Byrd	Frazier	Long	Robinson, Ind.
Byrnes	George	McCarran	Russell
Carey	Gibson	McGill	Schall