and revision of charts covering the harbors, bays, sounds, and connection waterways of the American seaboard in the interest of safeguarding navigation, etc.; to the Committee on Rivers and Harbors.

9377. Also, petition of the National Restaurant Association, relative to Government competition with private enterprise in the operation of restaurants, etc.; to the Committee on Expenditures in the Executive Departments.

9378. By Mr. LAMNECK: Petition of J. Harry Cotton, minister, and 1,743 members of the Broad Street Presbyterian Church, Columbus, Ohio, urging the Government to take active measures to prevent the shipment of war munitions, war supplies, and war materials, and especially oil and the products of oil, to either of the belligerents in the unjustifiable war of Italy upon Ethiopia; to the Committee on Foreign Affairs.

9379. Also, petition of the Presbytery of Columbus, Ohio, representing 15,234 members, 54 churches, and 72 ministers, urging the Government to take active measures to prevent the shipment of war munitions, war supplies, and war materials, and especially oil and products of oil, to either of the belligerents in the unjustifiable war of Italy upon Abyssinia; to the Committee on Foreign Affairs.

9380. By Mr. MERRITT of New York: Resolutions adopted November 8, 1935, by St. Anne's Council, No. 2429, Knights of Columbus, Far Rockaway, Queens County, N. Y., and by Maris Stella Council, No. 378, Knights of Columbus, on November 12, 1935; to the Committee on Interstate and Foreign Commerce.

9381. By Mr. SHANLEY: Petition of the Workmen's Circle of New Haven, Conn.; to the Committee on Foreign Affairs.

9382. Also, petition of Dr. Simeon Cohen, president Associated Jewish Organizations of Meriden, Conn.; to the Committee on Foreign Affairs.

9383. By the SPEAKER: Petition of the city of Toledo, Ohio; to the Committee on Ways and Means.

9384. Also, petition of the Tenth Annual Convention of the North American Gasoline Tax Conference; to the Committee on Ways and Means.

9385. Also, petition of the Anti-Taxation League, 1165 Broadway, New York City; to the Committee on Ways and Means.

9386. Also, petition of the municipal government of Balingasag, P. I.; to the Committee on Insular Affairs.

9387. Also, petition of Price County, Wis.; to the Committee on Appropriations.

9388. Also, petition of the municipal government of Salay, P. I.; to the Committee on Insular Affairs.

9389. Also, petition of the Rantoul Chamber of Commerce, Rantoul, Ill.; to the Committee on Military Affairs.

9390. Also, petition of the Sons of Union Veterans of the Civil War; to the Committee on Immigration and Naturalization.

9391. Also, petition of the Los Angeles Bar Association; to the Committee on the Library.

9392. Also, petition of the South Carolina Federation of Textile Workers; to the Committee on Labor.

9393. Also, petition of the county of Manitowoc, Wis.; to the Committee on Appropriations.

9394. Also, petition of the National Stationers Association; to the Committee on Expenditures in the Executive Departments.

9395. Also, petition of the United Spanish War Veterans, Camp No. 4, Department of Alabama; to the Committee on Expenditures in the Executive Departments.

9396. Also, petition of the flowage-rights committee, Fort Adams, Miss.; to the Committee on Flood Control.

9397. Also, petition of the National Restaurant Association; to the Committee on Expenditures in the Executive Departments.

9398. Also, petition of the Young Democrat Clubs of America; to the Committee on Foreign Affairs.

9399. Also, petition of the American Prison Association; to the Committee on the District of Columbia.

9400. Also, petition of the Louisiana Bar Association; to the Committee on the Library.

9401. By Mr. CROWTHER: Petition of Loggia Gabriele D'Annunzio Oltre l'Oceano, No. 321, protesting against American participation in League of Nations sanctions activities against Italy, against cooperation with British Government as to sanctions of embargoes indicated by statement made by members of the present national administration, etc.; to the Committee on Foreign Affairs.

9402. Also, petition of Elizabeth A. Simps and others for the enactment of the Guyer bill (H. R. 8739), restoring prohibition to the District of Columbia; to the Committee on the District of Columbia.

9403. Also, petition of Mrs. Lillian Northrup and others for the enactment of the Guyer bill (H. R. 8739), restoring prohibition to the District of Columbia; to the Committee on the District of Columbia.

SENATE

MONDAY, JANUARY 6, 1936

The Senate met at 12 m.

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

O Thou Christ of God, who in the olden time wast revealed to wise men by the guiding of a star: Son of God, made man that we, the sons of men might be the sons of God: Beam on us now with that Light whose smile kindles the universe, with that Beauty in which all things work and move, and with that sustaining love which consumes each cloud of cold mortality.

Grant that we may follow duty's call without one backward look, yielding ourselves, our life, our all, to the service of our country.

Help us to live in deeds, not years; to measure time by thoughts and heartthrobs, that life's eternal splendor may be revealed in us as we become interpreters of God to men. All of which we ask in Thy dear name and for Thy sake. Amen.

WARREN R. AUSTIN, a Senator from the State of Vermont; FRED H. BROWN, a Senator from the State of New Hampshire; TOM CONNALLY, a Senator from the State of Texas; PETER G. GERRY, a Senator from the State of Rhode Island; FREDERICK HALE, a Senator from the State of Maine; DANIEL O. HASTINGS, a Senator from the State of Delaware; and A. HARRY MOORE, a Senator from the State of New Jersey, appeared in their seats today.

THE JOURNAL

The Chief Clerk proceeded to read the Journal of the proceedings of Friday, January 3, 1936, when, on request of Mr. ROBINSON, and by unanimous consent, the further reading was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

CALL OF THE ROLL

Mr. ROBINSON. 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	Carey	Harrison	Norbeck
Ashurst	Chavez	Hastings	Norris
Austin	Clark	Hatch	O'Mahoney
Bachman	Connally	Hayden	Overton
Bailey	Coolidge	Holt	Pittman
Bankhead	Copeland	Johnson	Pope
Barbour	Costigan	Keyes	Radcliffe
Barkley	Couzens	King	Robinson
Benson	Davis	Lewis	Russell
Bilbo	Dieterich	Logan	Schwellenbach
Black	Donahey	Lonergan	Sheppard
Borah	Duffy	McAdoo	Steiwer
Brown	Fletcher	McGill	Thomas, Okla.
Bulkley	Frazier	McKellar	Thomas, Utah
Bulow	George	McNary	Townsend
Burke	Gerry	Maloney	Trammell
Byrd	Gibson	Minton	Truman
Byrnes	Glass	Moore	Vandenberg
Capper	Gore	Murray	Van Nuys
Caraway	Hale	Neely	White

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Mr. SCHWELLENBACH. I announce that my colleague the senior Senator from Washington [Mr. BONE] is necessarily detained from the Senate. I ask that the announcement stand for the day.

Mr. LEWIS. I rise to announce that the Senator from Pennsylvania [Mr. GUFFEY], the Senator from Iowa [Mr. MURPHY], the Senator from Nevada [Mr. MCCARRAN], the Senator from Montana [Mr. WHEELER], the Senator from North Carolina [Mr. REYNOLDS], the Senator from South Carolina [Mr. SMITH], the Senator from Maryland [Mr. TYDINGS], the Senator from Massachusetts [Mr. WALSH], and the Senator from Washington [Mr. BONE] are necessarily detained from the Senate, and that the Senator from New York [Mr. WAGNER] is also absent, having suddenly been called home to New York.

Mr. AUSTIN. I announce that the Senator from Minnesota [Mr. SHIPSTEAD], the Senator from Iowa [Mr. DICKINSON], the Senator from Wisconsin [Mr. LA FOLLETTE], and the Senator from Rhode Island [Mr. METCALF] are necessarily detained from the Senate.

Mr. FRAZIER. I announce that my colleague the junior Senator from North Dakota [Mr. NYE] is necessarily absent.

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

SUPPLEMENTAL DEFICIENCY APPROPRIATIONS

Mr. ROBINSON. Mr. President, when the Congress adjourned sine die there was pending a motion by myself to reconsider the vote by which the third deficiency appropriation bill was passed. I ask now that that motion be agreed to, with a view to having action taken with regard to the bill. I refer to the bill (H. R. 9215) making appropriations to provide urgent supplemental appropriations for the fiscal year ending June 30, 1936, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1935, and for prior fiscal years, and for other purposes.

The VICE PRESIDENT. Is there objection to the request of the Senator from Arkansas?

Mr. MCNARY. Mr. President, I assume that the bill will then take its orderly place on the calendar?

Mr. ROBINSON. No. It is my expectation that the Senator from Virginia [Mr. GLASS], the chairman of the Committee on Appropriations, will move to recommit the bill to the Committee on Appropriations.

Mr. MCNARY. Very well; but the Senator from Arkansas is not now asking for final action on the bill?

Mr. ROBINSON. I am asking for no other action than that I have indicated.

The VICE PRESIDENT. Is there objection to the request of the Senator from Arkansas? The Chair hears none, and the motion to reconsider is agreed to.

Mr. GLASS. Mr. President, I move that House bill 9215, the so-called third deficiency appropriation bill, be recommitted to the Committee on Appropriations. That is not only desirable but it is practically imperative, as the Budget estimates have been changed in numerous instances.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Virginia.

The motion was agreed to.

COMMITTEE SERVICE

Mr. ROBINSON. On behalf of the majority, I submit an order relative to certain committee assignments.

On motion of Mr. ROBINSON, and by unanimous consent, it was

Ordered, That the Senator from Nevada [Mr. PITTMAN], the Senator from Texas [Mr. CONNALLY], and the Senator from Wyoming [Mr. O'MAHONEY] be assigned to service on the Committee on the Judiciary; and the Senator from Minnesota [Mr. BENSON] be assigned to service on the following committees: Claims, Interstate Commerce, Mines and Mining, and Public Lands and Surveys.

BIRTHDAY OF SENATOR DUNCAN U. FLETCHER

Mr. ROBINSON. Mr. President, the senior Senator from Florida [Mr. FLETCHER], who has honored the country and his constituency with a prolonged service in this body, has attained today the age of 77 years. Notwithstanding that advanced age, he has borne and is carrying a weighty load of responsibility. He enjoys the respect and admiration of his colleagues. I am happy to have the privilege of congratulating him and the country on his service.

Mr. COPELAND. Mr. President, as a part-time resident of the State of Florida, I regard the senior Senator from that State as one of my Senators. He has in this body the affection and respect of every Member. It may be appropriate for me to make known how deeply beloved he is in the State of Florida. No man in that fair State, which, after New York and Michigan—my birthplace—is the best State in the Union, holds more deeply and strongly the affections of its citizens than does the senior Senator from Florida. I desire to add my felicitations to those which have been offered by our leader.

Mr. LEWIS. Mr. President, I find great pleasure in joining in these felicitations to the eminent Senator from Florida. One of the great bards gave utterance to the complete aphorism that "the very acme of all there is in life has been reached when one may have the joy to perceive the fruits of his efforts in a long life, a ripe age, and troops of friends." It is evident from these tributes that the distinguished Senator from Florida enjoys that distinction.

I should particularly like the young men of the country to note the commendation of a man reaching such age, with long public service, for the character and fidelity of his citizenship and service, in order that such demonstration may give to those entering upon public life stimulus and encouragement to emulate his example. We join with Dentatus, the Roman, in the prayer that the gods of war may prolong the life of such a man for future service to mankind, to the blessing of his country.

Mr. NORRIS. Mr. President, since the older Members of the Senate have spoken so well of the great senior Senator from Florida, it behooves me, as representing the younger Members of this body, to add our congratulations and to express our esteem and love for him.

Mr. BARKLEY. Mr. President, as one of the humble members of the Committee on Banking and Currency, over which the senior Senator from Florida presides as chairman, I wish merely to add my personal felicitations on this happy occasion of the anniversary of the birth of the Senator from Florida, and also belatedly to felicitate the Senator from Virginia [Mr. GLASS], his colleague on the committee, whose birthday preceded by 2 days that of the Senator from Florida.

I dare say no man in this body, or out of it, who is not a member of that committee and who has not worked with the Senator from Florida during the last 3 or 4 years can appreciate the tremendous amount of work which he has done and the very great sacrifice which he has made of his own personal comfort in the service of his country.

No Senator in the last 4 years has worked harder, more assiduously and continuously, and more unselfishly than has the Senator from Florida in his capacity as Chairman of the Committee on Banking and Currency. I am happy not only to felicitate him on this occasion but to wish him many more returns of the day.

Mr. TRAMMELL. Mr. President, as the colleague of the senior Senator from Florida I am very happy to congratulate him upon his youth instead of his age. Well known to every Member of the Senate, as well as to the citizens of Florida and the Nation, are his energy, his splendid ability, and his devotion to public duty. I congratulate him and also I congratulate Florida and the Nation. My State and the Nation are very proud of my distinguished colleague.

Mr. GLASS. Mr. President, the Senator from Kentucky [Mr. BARKLEY] has made my speech for me. I concur in everything he said about the distinguished senior Senator from Florida as to his patriotism and measurably as to his judgment.

I believe I am the only Member of the Senate to exceed the Senator from Florida not in point of service but in point of age, and I tell the Senate that because the Senate would not know it without being told. [Laughter.]

Mr. MCNARY. Mr. President, on behalf of the older and younger Members of the Senate, and of all the Republican

Members, I wish to join the Democratic Members in extending congratulations and felicitations to my good friend the senior Senator from Florida.

I have served with him a number of years on the Committee on Commerce. I have always found him fair, courageous, and courteous; and I can assure him that all the Members of the Republican Party share with the Democrats the high esteem in which he is held.

THE LATE SENATOR HUEY P. LONG

The VICE PRESIDENT laid before the Senate resolutions adopted by the Board of Commissioners of the Caddo Levee District and the Police Jury of Caddo Parish, of Shreveport, La., expressing condolences on the death of Hon. Huey P. Long, late a Senator from the State of Louisiana.

NOBEL PEACE PRIZE

The VICE PRESIDENT laid before the Senate a letter from the Secretary of State, transmitting copy of a circular issued by the Nobel Committee of the Norwegian Parliament, furnishing information regarding the proposals of candidates for the Nobel peace prize for the year 1936, which, with the accompanying paper, was referred to the Committee on Foreign Relations.

REPORT OF THE SECRETARY OF THE TREASURY

The VICE PRESIDENT laid before the Senate the annual report of the Secretary of the Treasury on the state of the finances for the fiscal year ended June 30, 1935, which was referred to the Committee on Finance.

REPORT OF THE SURGEON GENERAL OF PUBLIC HEALTH SERVICE

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Treasury, transmitting, pursuant to law, the report of the Surgeon General of the Public Health Service for the fiscal year ended June 30, 1935, which, with the accompanying report, was referred to the Committee on Finance.

REPORT OF FEDERAL BUREAU OF NARCOTICS

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Treasury transmitting, pursuant to law, the annual report of the Federal Bureau of Narcotics for the calendar year ended December 31, 1934, which, with the accompanying report, was referred to the Committee on Finance.

REPORT OF NATIONAL BOARD FOR PROMOTION OF RIFLE PRACTICE

The VICE PRESIDENT laid before the Senate a letter from the Secretary of War, transmitting, pursuant to law, the annual report of the activities of the National Board for the Promotion of Rifle Practice for the fiscal year ended June 30, 1935, which, with the accompanying report, was referred to the Committee on Military Affairs.

REPORT OF NATIONAL FOREST RESERVATION COMMISSION (S. DOC. NO. 144)

The VICE PRESIDENT laid before the Senate a letter from the Secretary of War, as president ex officio of the National Forest Reservation Commission, transmitting, pursuant to law, the annual report of the Commission for the fiscal year ended June 30, 1935, which, with the accompanying report, was referred to the Committee on Agriculture and Forestry and ordered to be printed with the accompanying illustration.

REPORT OF THE ATTORNEY GENERAL

The VICE PRESIDENT laid before the Senate a letter from the Attorney General, transmitting, pursuant to law, his annual report of the operations of the Department of Justice for the fiscal year ended June 30, 1935, which, with the accompanying report, was referred to the Committee on the Judiciary.

SUITS ARISING UNDER PUBLIC VESSEL ACT

The VICE PRESIDENT laid before the Senate a letter from the Attorney General, transmitting, pursuant to law, a list of suits arising under the Public Vessel Act of March 3, 1925, in which final decrees were entered, exclusive of cases on appeal, which was referred to the Committee on the Judiciary.

SUITS IN ADMIRALTY AGAINST THE UNITED STATES

The VICE PRESIDENT laid before the Senate a letter from the Attorney General, transmitting, pursuant to law, a list of suits arising under the act of March 9, 1920, authorizing suits against the United States in admiralty involving merchant vessels, in which final decrees were entered against the United States, exclusive of cases on appeal, which was referred to the Committee on the Judiciary.

SPECIAL ASSISTANT ATTORNEYS, DEPARTMENT OF JUSTICE

The VICE PRESIDENT laid before the Senate a letter from the Attorney General, transmitting, pursuant to law, a report showing the special assistants employed under the appropriation "Pay of special assistant attorneys, United States courts" for the period July 1 to December 31, 1935, with the rates of compensation or fees paid, the amounts paid, and a description of duties, which, with the accompanying report, was referred to the Committee on the Judiciary.

EXPENDITURES OF COURT OF CUSTOMS AND PATENT APPEALS

The VICE PRESIDENT laid before the Senate a letter from the Attorney General, transmitting, pursuant to law, a report for the fiscal year ended June 30, 1935, of expenditures under appropriations for the United States Court of Customs and Patent Appeals, which, with the accompanying statement, was referred to the Committee on the Judiciary.

AIRCRAFT PURCHASES FOR NAVY (S. DOC. NO. 146)

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Navy, transmitting, pursuant to law, a report of designs, aircraft, aircraft parts, and aeronautical accessories purchased by the Navy Department during the fiscal year ended June 30, 1935, the prices paid therefor, and the reason for the award in each case, which, with the accompanying report, was referred to the Committee on Naval Affairs.

REPORT OF WAR MINERALS RELIEF COMMISSION

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Interior, transmitting, pursuant to law, a report of the War Minerals Relief Commission for the year ended November 30, 1935, which, with the accompanying report, was referred to the Committee on Mines and Mining.

INDIAN IRRIGATION PROJECTS

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Interior, transmitting, pursuant to law, a report showing the cost, cancelations, and other data with respect to Indian irrigation projects as compiled to the end of the fiscal year ended June 30, 1935, which, with the accompanying report, was referred to the Committee on Indian Affairs.

SESSION LAWS OF HAWAII, 1935

The VICE PRESIDENT laid before the Senate a letter from the Governor of Hawaii, transmitting, through the Department of the Interior, copy of the laws passed by the Legislature of the Territory of Hawaii, regular session of 1935, which, with the accompanying document, was referred to the Committee on Territories and Insular Affairs.

FEDERAL-AID ROAD WORK AND FOREST ROADS AND TRAILS

The VICE PRESIDENT laid before the Senate a letter from the Secretary of Agriculture, transmitting, pursuant to law, the following reports, which, with the accompanying papers, was referred to the Committee on Post Offices and Post Roads:

A report on Federal-aid road work for the fiscal year ended June 30, 1935; and

A report concerning appropriations for national forest roads and trails for the fiscal year ended June 30, 1935.

REPORT OF THE SECRETARY OF COMMERCE

The VICE PRESIDENT laid before the Senate a letter from the Secretary of Commerce, transmitting, pursuant to law, his annual report for the fiscal year ended June 30, 1935, which, with the accompanying report, was referred to the Committee on Commerce.

SETTLEMENT OF SHIPPING BOARD CLAIMS

The VICE PRESIDENT laid before the Senate a letter from the Secretary of Commerce, transmitting, pursuant to law, a report of claims arbitrated or settled by agreement from October 16, 1934, to October 15, 1935, by the United States Shipping Board Bureau and United States Shipping Board Merchant Fleet Corporation, which, with the accompanying report, was referred to the Committee on Commerce.

REPORT OF THE ARCHITECT OF THE CAPITOL (S. DOC. NO. 142)

The VICE PRESIDENT laid before the Senate a letter from the Architect of the Capitol, transmitting, pursuant to law, the annual report of his office for the fiscal year ended June 30, 1935, which, with the accompanying report, was referred to the Committee on Public Buildings and Grounds and ordered to be printed.

INDEX AND DIGEST OF BILLS PENDING IN CONGRESS

The VICE PRESIDENT laid before the Senate a letter from the Librarian of Congress, suggesting an appropriation for the Legislative Reference Service of the Library of Congress for the printing of the indexes and digests of bills pending in Congress prepared by it, which was referred to the Committee on Appropriations.

REPORT OF THE ARCHIVIST

The VICE PRESIDENT laid before the Senate a letter from the Archivist, transmitting, pursuant to law, his first annual report, covering the fiscal year ended June 30, 1935, which, with the accompanying report, was referred to the Committee on the Library.

DISPOSITION OF USELESS PAPERS

The VICE PRESIDENT laid before the Senate a letter from the Archivist, transmitting, pursuant to law, a list of papers in the War Department, the Federal Communications Commission, and the Smithsonian Institution which have no permanent value or historical interest, and requesting action looking to their disposition, which, with the accompanying papers, was referred to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. BARKLEY and Mr. NORBECK members of the committee on the part of the Senate.

REPORT OF FEDERAL TRADE COMMISSION

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Federal Trade Commission, transmitting, pursuant to law, the annual report of the Commission for the fiscal year ended June 30, 1935, which, with the accompanying report, was referred to the Committee on Interstate Commerce.

AGRICULTURAL INCOME (H. DOC. NO. 380)

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Federal Trade Commission, transmitting, pursuant to law, an interim report with respect to agricultural income and the financial and economic condition of agricultural producers, which, with the accompanying report, was referred to the Committee on Agriculture and Forestry and ordered to be printed.

INVESTIGATION OF DAIRY INDUSTRY

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Federal Trade Commission, transmitting, in further response to House Concurrent Resolution 32 (73d Cong.), an additional report with respect to certain problems in connection with the sale and distribution of milk and milk products in the Connecticut and Philadelphia milksheds, which, with the accompanying report, was referred to the Committee on Agriculture and Forestry.

REPORT OF THE UNITED STATES TARIFF COMMISSION

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the United States Tariff Commission, transmitting, pursuant to law, the nineteenth annual report of the Commission for the fiscal year ended June 30, 1935, which, with the accompanying report, was referred to the Committee on Finance.

SYNTHETIC CAMPHOR

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the United States Tariff Commission, transmitting, for the information of the Senate, a copy of the third and final report of its investigation of the relation of domestic production of synthetic camphor to domestic consumption during the 6 months' period ended June 17, 1935, conducted in accordance with a special provision in paragraph 51 of the Tariff Act of 1930, which, with the accompanying document, was referred to the Committee on Finance.

TUNA-FISH INDUSTRY

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the United States Tariff Commission, transmitting, in further response to Senate Resolution 159 (73d Cong.), a report of an investigation with respect to the importation of fresh and frozen tuna fish and its effect on the production of tuna fish by United States fishing vessels, which, with the accompanying report, was referred to the Committee on Finance.

TRADING IN UNLISTED SECURITIES UPON EXCHANGES

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Securities and Exchange Commission, transmitting, pursuant to law, a report of the Commission's investigation of trading in unlisted securities upon exchanges, together with its recommendations, which, with the accompanying report, was referred to the Committee on Banking and Currency.

PROTECTIVE AND REORGANIZATION COMMITTEE

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Securities and Exchange Commission, transmitting, pursuant to law, a preliminary report of the Commission with reference to the work, activities, personnel, and functions of protective and reorganization committees in connection with the reorganization, readjustment, rehabilitation, liquidation, and consolidation of persons and properties, which, with the accompanying report, was referred to the Committee on Banking and Currency.

SEGREGATION OF FUNCTIONS OF DEALER AND BROKER

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Securities and Exchange Commission, stating that the Commission has in course of preparation the report required by law to be submitted of its study and recommendations of the feasibility and advisability of the complete segregation of the functions of dealer and broker, and that the report will be transmitted to Congress as soon as possible, which was referred to the Committee on Banking and Currency.

REPORT OF NATIONAL MEDIATION BOARD

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the National Mediation Board, transmitting, pursuant to law, the first annual report of the Board, including the report of the National Railroad Adjustment Board, for the fiscal year ended June 30, 1935, which, with the accompanying report, was referred to the Committee on Interstate Commerce.

JUDGMENTS OF COURT OF CLAIMS (S. DOC. NO. 145)

The VICE PRESIDENT laid before the Senate a letter from the Chief Clerk of the Court of Claims transmitting, pursuant to law, a statement of judgments rendered by the Court of Claims for the year ended November 30, 1935, the amount thereof, the parties in whose favor rendered, and a brief synopsis of the nature of the claims, which, with the accompanying statement, was referred to the Committee on Appropriations and ordered to be printed.

CLAIM OF H. R. HEINICKE, INC.

The VICE PRESIDENT laid before the Senate a letter from the Comptroller General of the United States transmitting, pursuant to law, his report and recommendation concerning the claim of H. R. Heinicke, Inc., against the United States, which, with the accompanying paper, was referred to the Committee on Claims.

CLAIM OF TEXAS PACIFIC-MISSOURI PACIFIC TERMINAL RAILROAD OF NEW ORLEANS

The VICE PRESIDENT laid before the Senate a letter from the Comptroller General of the United States transmitting, pursuant to law, his report and recommendation concerning the claim of the Texas Pacific-Missouri Pacific Terminal Railroad of New Orleans against the United States; which, with the accompanying paper, was referred to the Committee on Claims.

DELINQUENT ACCOUNTS OF FEDERAL OFFICERS

The VICE PRESIDENT laid before the Senate a letter from the Comptroller General of the United States, transmitting, pursuant to law, a report showing officers and administrative offices of the Government delinquent in rendering or transmitting their accounts to the proper offices in Washington during the fiscal year ended June 30, 1935, and whether the delinquency was waived, together with a list of officers who, upon final settlement of their accounts, were found to be indebted to the Government and had failed to pay the indebtedness into the Treasury, which, with the accompanying report, was referred to the Committee on Claims.

REPORT OF TENNESSEE VALLEY AUTHORITY

The VICE PRESIDENT laid before the Senate a letter from the board of directors of the Tennessee Valley Authority, transmitting, pursuant to law, a report of the activities of the Authority for the fiscal year ended June 30, 1935, which, with the accompanying report, was referred to the Committee on Agriculture and Forestry.

REPORT OF ADMINISTRATOR OF VETERANS' AFFAIRS

The VICE PRESIDENT laid before the Senate a letter from the Administrator of Veterans' Affairs, transmitting, pursuant to law, a report of the activities of the Veterans' Administration for the fiscal year ended June 30, 1935, which, with the accompanying report, was referred to the Committee on Finance.

REPORT OF TEXTILE FOUNDATION

The VICE PRESIDENT laid before the Senate a letter from the chairman of the Textile Foundation, transmitting, pursuant to law, a report of the board of directors of the Foundation, with a statement of receipts and expenditures, for the year ended December 31, 1934, which, with the accompanying report, was referred to the Committee on Commerce.

HEALING ARTS PRACTICE IN THE DISTRICT

The VICE PRESIDENT laid before the Senate a letter from the president of the Commission on Licensure, Healing Arts Practice Act, District of Columbia, transmitting, pursuant to law, a report of the activities of the Commission for the fiscal year ended June 30, 1935, which, with the accompanying report, was referred to the Committee on the District of Columbia.

REPORT OF DISTRICT PUBLIC UTILITIES COMMISSION

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Public Utilities Commission of the District of Columbia, transmitting, pursuant to law, a report of the official proceedings of the Commission for the year ended December 31, 1934, with other information relating to the regulation and operation of public utilities in the District coming under the jurisdiction of the Commission, which, with the accompanying report, was referred to the Committee on the District of Columbia.

REPORT OF FEDERAL ALCOHOL ADMINISTRATION

The VICE PRESIDENT laid before the Senate a letter from the Administrator of the Federal Alcohol Administration, transmitting, pursuant to law, the first report of the Administration, which, with the accompanying report, was referred to the Committee on Finance.

NATIONAL SOCIETY OF THE DAUGHTERS OF THE AMERICAN REVOLUTION

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Smithsonian Institution, transmitting, pursuant to law, the annual report of the National Society of the Daughters of the American Revolution for the year ended April 1, 1935, which, with the accompanying report, was referred to the Committee on Printing.

REPORT OF GORGAS MEMORIAL INSTITUTE

The VICE PRESIDENT laid before the Senate a joint letter from the president and chairman of the board of directors of the Gorgas Memorial Institute of Tropical and Preventive Medicine, transmitting, pursuant to law, a report of the Institute for the year ended October 31, 1935, which, with the accompanying report, was referred to the Committee on Interoceanic Canals.

REPORT OF THE AMERICAN NATIONAL THEATER AND ACADEMY

The VICE PRESIDENT laid before the Senate a report of the proceedings of the American National Theater and Academy, transmitted, pursuant to law, for the period October 2 to December 31, 1935, which was referred to the Committee on Education and Labor.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate the following joint resolution of the Legislature of the State of Wisconsin, which was referred to the Committee on Agriculture and Forestry:

Joint resolution memorializing the Congress to continue appropriations for eradication of Bang's disease

Whereas the Federal and State program relating to the eradication of Bang's disease has rendered a valuable service to the dairy industry of Wisconsin; and

Whereas it is the sense of this legislature that said program should be continued until the complete elimination of said disease has been accomplished: Now, therefore, be it

Resolved by the assembly (the senate concurring), That the Wisconsin Legislature respectfully urges the Congress of the United States to continue its appropriations for money for the purpose of the elimination of Bang's disease; and be it further

Resolved, That properly attested copies of this resolution be sent to the President of the United States, to both Houses of Congress, and to each Wisconsin Member thereof.

The VICE PRESIDENT also laid before the Senate the following joint resolution of the Legislature of the State of Illinois, which was referred to the Committee on Public Buildings and Grounds:

House Joint Resolution 6

Whereas there is pending in the Congress of the United States a resolution introduced by Congressman FRANK L. KLOEB, of Ohio, providing for the appropriation of $250,000 for the erection of a memorial at Greenville, Ohio, commemorating the signing of the famous Treaty of Greenville and perpetuating the memory of Gen. Anthony Wayne; and

Whereas the signing of this treaty with the Indians on August 3, 1795, through negotiation by Gen. Anthony Wayne, marked the welding of the Northwest Territory and the Thirteen Original Colonies into a continental empire; and

Whereas out of the territory so acquired arose the great State of Illinois; and

Whereas the Treaty of Greenville and the magnificent leadership of General Wayne are highlights in American history which should be preserved in a fitting memorial; and

Whereas the State of Illinois will be invited to prepare such tablets and other mementos as it may desire, for placement the said memorial structure: Therefore be it

Resolved by the House of Representatives of the Fifty-ninth General Assembly of the State of Illinois at the first special session thereof (the senate concurring herein), That Congress and the President of the United States be memorialized to pass and approve the resolution now pending before the Congress of the United States introduced by Congressman FRANK L. KLOEB, of Ohio, providing for the erection of a memorial at Greenville, Ohio; and be it further

Resolved, That copies of this resolution be sent to the President and Vice President of the United States, the Speaker of the House of Representatives of the United States, and to each of the Senators and Congressmen from the State of Illinois.

The VICE PRESIDENT also laid before the Senate the following joint resolution of the Legislature of the State of Ohio, which was referred to the Committee on Public Buildings and Grounds:

Joint resolution relating to the Treaty of Greenville memorial

Whereas Greenville, Ohio, is the site of Fort Greene, where on August 3, 1795, was negotiated the famous treaty between Gen. "Mad Anthony" Wayne and the Indians, signed by President George Washington and William Henry Harrison, aide-de-camp to General Wayne and later President of the United States; and

Whereas that treaty made good the dismaying defeat of General St. Clair at Fort Recovery, and was the fruit of General Wayne's victory at Fallen Timbers, the most complete and the most important victory ever won over the Northwest Indians; and

Whereas the treaty caused the British to retire from Detroit, Michilimackinac, and other lake points, thus putting into final effect the Treaty of Paris, 1783, ending the last throes of the Revolutionary War and welding the Northwest Territory with the Thirteen Colonies into a continental empire, secure from the French, British, and Indian attacks; and

Whereas the treaty saved the national administration from further danger, anxiety, and vituperation and fully justified President Washington's personally conceived and directed plans concerning the conquest of the Northwest; and

Whereas by the treaty the Stars and Stripes automatically changed from a flag of Thirteen Colonies to the flag of the United States, the coming world power; and

Whereas the pledge of security given by the treaty stimulated emigration in the entire territory north of the Ohio River and east of the Mississippi River, making possible the founding of such outstanding cities as Cincinnati, Cleveland, Fort Wayne, Indianapolis, Detroit, Chicago, Milwaukee, Minneapolis, and many other great cities; and

Whereas the five States, Ohio, Indiana, Illinois, Michigan, Wisconsin, and also a part of Minnesota, grew out of the conquered Northwest Territory and are therefore equally indebted to and interested in the signing of the treaty, done long before State boundaries were fixed; and

Whereas the hero of the treaty, Gen. Anthony Wayne, has been nowhere in the United States honored as fittingly as he deserves, Greenville being the only logical place for such a purpose; and

Whereas there is now pending in the Congress of the United States House Joint Resolution No. 387, introduced by the Honorable FRANK L. KLOEB, Congressman, Fourth District of Ohio, for the appropriation of $250,000 for the erection of a suitable memorial at Greenville, Ohio, to commemorate the signing of the famous Treaty of Greeneville and to perpetuate the memory of the great Revolutionary general, "Mad Anthony" Wayne, which ended the conquest of the Indian nations and the establishment of peace in the territory now comprised of the States of Ohio, Indiana, Illinois, Michigan, Wisconsin, and part of Minnesota, the Northwest Territory; and

Whereas the hundreds of mementos and trophies of the most critical period of American life and hundreds of relics of the Revolutionary War period picked from the battlefields of the St. Clair, Wayne, and other campaigns, along the famous Revolutionary trail from Fort Washington (Cincinnati) to Detroit, now inadequately housed in the public-library museum at Greenville, and many private Revolutionary War collections should be preserved for this and future generations and exhibited at the center of Wayne's greatest triumph at Greenville, Ohio, in a suitable memorial building: Now, therefore, be it

Resolved by the Senate and House of Representatives of the State of Ohio in session assembled, That we hereby memorialize and petition the Congress of the United States to pass, and the President of the United States to approve, if passed, the Treaty of Greenville memorial resolution herein referred to; and

Be it further resolved, That the Governor of Ohio be requested to communicate with the Governors of the States of Indiana, Illinois, Michigan, Wisconsin, and Minnesota and ask that the legislatures of these several States cooperate with the State of Ohio and respectfully ask their legislatures to pass similar memorial resolutions asking their United States Senators and Representatives in Congress to support the Kloeb resolution, and to invite the said States comprising the Northwest Territory, together with the States of Pennsylvania, Virginia, and Kentucky, which States furnished the most soldiers in the campaign of 1794, to prepare such tablets and other mementos to be placed in such memorial structure as they may desire; and

Be it further resolved, That certified copies of this resolution, properly authenticated, be sent forthwith to the President of the United States, the Vice President of the United States, the Speaker of the House of Representatives of the United States, and each of the United States Senators and Representatives from Ohio.

The VICE PRESIDENT also laid before the Senate the following concurrent resolution of the Legislature of the State of Texas, which was referred to the Committee on Banking and Currency:

Senate Concurrent Resolution 17

Whereas the Forty-third Legislature of the State of Texas in regular session adopted Senate Concurrent Resolution 73, giving the consent of the State that the Federal Government purchase lands in Texas for reforestation and other purposes; and

Whereas pursuant to such consent on the part of the State the United States has purchased and is purchasing large tracts of land, particularly for watershed protection and forest preservation purposes; and

Whereas in the eastern part of the State the tracts have been purchased in such large contiguous areas that in several counties more than 50 percent of the area of said counties is being purchased, thus removing said lands from taxation for State, county, district, and municipal purposes; and

Whereas in some of said counties more than 25 percent of the assessed valuation of property is being thus removed from the tax rolls; and

Whereas in many instances the entire area of school districts and the entire area of road districts is being removed from taxation; and

Whereas the State of Texas has already granted its consent to such program because of the beneficial results which will accrue to the section of the State involved and which will accrue to the State generally; and

Whereas the State likewise is affected by the removal of such large areas from taxation in the following particulars:

(a) In the future the State will not receive from said lands the taxes it has been receiving in the past for State ad valorem, State pension, and State available school purposes;

(b) The State owns in its permanent school funds and in other funds bonds of counties, cities, road districts, and school districts situated within the affected area which cannot be paid according to their tenor and effect because of the removal from taxation of a substantial part of the property originally securing said indebtedness;

(c) The State is interested in the condition of the citizens of said communities upon whom the burden of paying taxes will rest after said lands have been released from taxation, which burdens in the instance of bonds which are supported by unlimited taxing power must be materially increased, and in instances wherein said bonds are supported by limited taxing power must be increased to the maximum; and

Whereas the counties most seriously affected by said condition have heretofore employed counsel to seek some relief at the hands of the Congress of the United States; and

Whereas the State board of education, the Governor, and the attorney general have been cooperating with the counties and their counsel in such undertaking; and

Whereas at the recent session of the Seventy-fourth Congress Senator MORRIS SHEPPARD, of Texas, introduced and supported an amendment to a pending bill (H. R. 6776) which if enacted into law would have permitted the Reconstruction Finance Corporation to make refinancing loans to the various governmental agencies in the affected area on a basis which would have prevented a default in the payment of said obligations without increasing the burden of taxation on the taxpayers in said affected area, at the same time assuring to the Reconstruction Finance Corporation the payment of said obligations made to it; and

Whereas said refinancing plan was based on the theory that the Reconstruction Finance Corporation should make such loans available at interest rates sufficiently low that funds could be furnished for refinancing in amounts which would prevent losses to the creditors, and at the same time would not increase the tax burdens, even though a substantial part of the property in the respective communities were removed from taxation; and

Whereas the Sheppard amendment received favorable consideration and support by the board of directors of the Reconstruction Finance Corporation, including the approval of the Honorable Jesse H. Jones, of the Reconstruction Finance Corporation; and

Whereas the amendment introduced by Senator SHEPPARD was unanimously approved after hearing by the Banking and Currency Committee of the United States Senate; and

Whereas said bill (H. R. 6776) was thereafter passed finally with said amendment by unanimous vote of the Senate and of the House of Representatives of Congress; and

Whereas said bill was thereafter vetoed by the President of the United States for reasons assigned by him as follows:

"The second provision of this bill extends Government lending into a new field which might be construed to commit the Federal Government to a policy entirely too far reaching—that of lending to counties, districts, or municipalities to enable them to take care of already existing bonded indebtedness."

Whereas the legislature is hopeful that after a reconsideration, the President will conclude that the extension of the lending powers of the Reconstruction Finance Corporation for the proposed purpose will not be unwarranted, taking into consideration the benefits which have accrued from the use of the powers heretofore granted to the Reconstruction Finance Corporation, under which loans have been made and are now being made to drainage, levee, and irrigation districts for refinancing their existing indebtedness, and having due consideration for the benefits which likely will accrue to the people from the use of the power granted by the Seventy-fourth Congress to the Reconstruction Finance Corporation to make loans to distressed school districts, whereby the existing indebtedness of such districts can now be refinanced through loans made by the Corporation; and

Whereas it is the belief of the legislature that the additional lending power proposed for the Reconstruction Finance Corporation might be justified on the theory that it can be used only in instances wherein the borrowing county or district has been seriously affected by the removal of lands from taxation purchased by the United States; and

Whereas the legislature is hopeful that the President will conclude that if such additional power to be granted to the Reconstruction Finance Corporation constitutes an extension of the policy of the Government lending, taking into consideration the power it is already exercising in reference to drainage, levee, and irrigation districts, and in reference to school districts, in which borrowing agencies the Government has made no purchases of land, that such extension of powers will be considered justified by reason of the fact that the condition necessitating the refinancing operation would not have arisen if the Government had not purchased the lands underlying the indebtedness of such counties and districts; and

Whereas the State of Texas appreciates the cooperation of the Government and the benefits which will accrue from the reforestation program but desires the further cooperation of the Government in relieving the attendant hardships insofar as consistent,

and insofar as the act of relieving said hardships will not cause a financial loss to the United States: Be it

Resolved by the senate (and the house of representatives concurring): (1) That the action of the counties seriously affected and the actions of the State board of education, the Governor, and the attorney general in seeking legislation by Congress to relieve said condition are approved;

(2) That the cooperation heretofore rendered by the Senators and by the Congressmen from the State of Texas in reference to said matter is appreciated and is approved;

(3) That the efforts in this behalf made by the Congressmen whose districts are seriously affected, viz, Congressmen NAT. H. PATTON and MARTIN DIES are appreciated and approved;

(4) That the special efforts made in behalf of said legislation by the Honorable MORRIS SHEPPARD, United States Senator from Texas, and by the Honorable Jesse H. Jones, Chairman, Reconstruction Finance Corporation, are appreciated and approved;

(5) That the Senators and Members of the House from the State of Texas in the National Congress are requested to renew and continue their efforts in behalf of said legislation or some other legislation which will accomplish the purpose;

(6) That the Congress of the United States be, and it is hereby, requested to repass the legisilation herein described or some similar legislation which will accomplish its purpose;

(7) That the President of the United States be, and he is hereby, requested to give careful reconsideration to said subject to the end that, if he can consistently do so, he may cooperate in and approve such legislation;

(8) That the secretary of the senate be, and he is hereby, directed to forward a copy of this resolution to each of the following: The President of the United States, the Secretary of the Senate of the United States, the Chief Clerk of the House of Representatives of the United States, and to each United States Senator and each Congressman from the State of Texas.

The VICE PRESIDENT also laid before the Senate the following resolution of the House of Representatives of the State of Nebraska, which was referred to the Committee on Foreign Relations:

Resolution memorializing the Congress of the United States, the President, the Secretary of State, and all other Federal agencies and instrumentalities concerned vigilantly to enforce and righteously to adhere to the present neutrality policy of the United States of America as set forth in Public Resolution No. 67, Seventy-fourth Congress of the United States

Whereas on August 31, 1935, a public resolution entitled "Joint resolution providing for the prohibition of the export of arms, ammunition, and implements of war to belligerent countries; the prohibition of the transportation of arms, ammunition, and implements of war by vessels of the United States for the use of belligerent states; for the registration and licensing of persons engaged in the business of manufacturing, exporting, or importing arms, ammunition, or implements of war; and restricting travel by American citizens on belligerent ships during war" was adopted and promulgated as a national policy with respect to neutrality toward belligerent countries; and

Whereas it is the sense of this house that the United States of America should not now or at any time become involved in any war which primarily concerns the destiny or the interest of any European country, unless the territory of the United States shall be threatened with invasion: Now, therefore, be it

Resolved by the house of representatives in fifty-first (special) session assembled—

1. That this house hereby respectfully commends the President of the United States, the Congress of the United States, and the Secretary of State of the United States for the policy of neutrality adopted, and memorializes them to continue that policy to the end that the United States may not become involved in another world war and to enforce and righteously to adhere to the commitments contained in Public Resolution No. 67, Seventy-fourth Congress of the United States of America.

2. That the chief clerk of this house be hereby ordered and directed forthwith to forward a copy of this resolution, properly authenticated and suitably engrossed to the President of the United States, to the Vice President of the United States, as presiding officer of the United States Senate, to the Speaker of the House of Representatives of the United States, to the Secretary of State of the United States, and to the United States Senators and Congressmen representing the State of Nebraska in Congress, to the end that public officials in Washington and representatives of the State of Nebraska in Washington may know the position of this house on the question of national neutrality.

The VICE PRESIDENT also laid before the Senate the petition of Percy H. O'Brien, Esq., of Los Angeles, Calif., praying for the repeal of the National Bank and Federal Reserve Acts and the enactment of legislation providing for a central bank, which was referred to the Committee on Banking and Currency.

He also laid before the Senate a resolution adopted by Sons of Italy, Lodge No. 267, of Willimantic, Conn., favoring the application in equal degree of the neutrality policy of the United States toward both Italy and Ethiopia in their present conflict, which was referred to the Committee on Foreign Relations.

He also laid before the Senate a resolution adopted at Milwaukee, Wis., at the second national convention of Young Democratic Clubs of America, commending the action of Congress in forbidding the sale of contraband material to warring nations and favoring the enactment of legislation making permanent the prohibition of loans to such nations, which was referred to the Committee on Foreign Relations.

He also laid before the Senate a pledge of support by Ben Benoutz, of Bronx, N. Y., in any action to end war and promote peace among the nations, which was referred to the Committee on Foreign Relations.

He also laid before the Senate the petition of Gordon Gleave, of St. Louis, Mo., praying for the enactment of legislation providing for the inauguration of a 30-hour workweek in industry, which was referred to the Committee on Education and Labor.

He also laid before the Senate a resolution adopted at Kansas City, Mo., by the National Stationers' Association in convention assembled, favoring the adoption of a policy of decentralization of buying and more spread of business into the various sections of the country so as to expand employment, which was referred to the Committee on Education and Labor.

He also laid before the Senate the petition of Mrs. Betty Norris, of Los Angeles, Calif., praying for the enactment of legislation providing for a suggested system of taxation of incomes and empowering the President to direct all monetary and financial systems, which was referred to the Committee on Finance.

He also laid before the Senate a resolution adopted by the Workmen's Sick and Death Benefit Fund of the United States of America, of Brooklyn, N. Y., favoring the enactment of House bill 2827, providing unemployment and social insurance and old-age pensions, which was referred to the Committee on Finance.

He also laid before the Senate a resolution adopted by the tenth annual convention of the North American Gasoline Tax Conference protesting against the continuation of the Federal gasoline tax, which was referred to the Committee on Finance.

He also laid before the Senate a resolution adopted by the Board of Supervisors of the County of Los Angeles, Calif., favoring the restitution of all deductions of established compensation heretofore made in the case of disabled war veterans, which was referred to the Committee on Finance.

He also laid before the Senate a resolution adopted by the Council of Toledo, Ohio, favoring the immediate payment of the so-called "soldiers' bonus", which was referred to the Committee on Finance.

He also laid before the Senate a letter from Mrs. Olivia M. Cutting stating that she does not wish an appropriation of $10,000 to be made to her as the mother of the late Senator Bronson Cutting, which was referred to the Committee on Appropriations.

He also laid before the Senate a resolution adopted by the Racine (Wis.) County Board favoring the continuation of the Works Progress Administration after March 31, 1936, to keep employable men off the relief rolls, and to amend the regulations governing such Administration so as to permit employment in so-called border-line cases, which was referred to the Committee on Appropriations.

He also laid before the Senate a resolution adopted by the Common Council of Racine, Wis., favoring the amendment of regulations governing the Works Progress Administration so as to permit employment in so-called border-line cases, which was referred to the Committee on Appropriations.

He also laid before the Senate a resolution adopted by the American Prison Association at Atlanta, Ga., favoring the enactment of legislation providing for the trial and disposition of juvenile offenders in courts of special jurisdiction, which was referred to the Committee on the Judiciary.

He also laid before the Senate resolutions adopted by the Rock River Conference of the Methodist Episcopal Church,

of Elgin, Ill., and the Holston Conference of the Methodist Episcopal Church, of Maryville, Tenn., favoring the adoption of an amendment to the Constitution prohibiting sectarian appropriations, which were referred to the Committee on the Judiciary.

He also laid before the Senate a resolution adopted by the International Union of Mine, Mill, and Smelter Workers, of Salt Lake City, Utah, favoring the making of an appropriation for the erection of a monument in the form of a home for aged and indigent miners in memory of the pioneer miners of Nevada, which was referred to the Committee on the Library.

He also laid before the Senate resolutions adopted by the executive committee of the Louisiana State Bar Association, New Orleans, La.; the Washoe County Bar Association, of Reno, Nev., and the Los Angeles Bar Association, Los Angeles, Calif., favoring the enactment of legislation providing for the establishment of a trust fund to be known as the Oliver Wendell Holmes Memorial Fund, which were referred to the Committee on the Library.

He also laid before the Senate the petition of the Rantoul Chamber of Commerce, of Rantoul, Ill., praying for the retention of the Air Corps Technical School at Chanute Field, Rantoul, Ill., which was referred to the Committee on Military Affairs.

He also laid before the Senate the memorial of B. N. Kahalepuna, of Honolulu, Hawaii, remonstrating against the granting of statehood to Hawaii, which was referred to the Committee on Territories and Insular Affairs.

He also laid before the Senate petitions of citizens of the United States praying for an investigation of charges filed by the Women's Committee of Louisiana relative to the qualifications of the Senator from Louisiana [Mr. OVERTON], which were referred to the Committee on Privileges and Elections.

He also laid before the Senate a resolution adopted by the Willamette Democratic Society of Oregon, of Willamette, Oreg., favoring the enactment of legislation to prevent corruption in political campaigns and prescribing certain penalties, which was referred to the Committee on Privileges and Elections.

He also laid before the Senate resolutions adopted by the board of directors of the Associated Printing Industries, of Oakland, Calif., and the Association of Printing Manufacturers, of Topeka, Kans., protesting against printing in the Government Printing Office of all Government forms and publications and favoring participation in such printing by private industry, which were referred to the Committee on Printing.

He also laid before the Senate a resolution adopted by the Sons of Union Veterans of the Civil War, at Grand Rapids, Mich., favoring the registration of aliens, the deportation of undesirable aliens, and also the enactment of legislation prohibiting the use of all public buildings and tax-supported schools by any group who advocate the overthrow of government by force or violence, which was referred to the Committee on Immigration.

He also laid before the Senate a telegram from Fred L. Teuton, of Port Arthur, Tex., protesting against the confirmation of Stuart Martin as postmaster at Port Arthur, Tex., which was ordered to lie on the table.

Mr. CAPPER presented a petition numerously signed by sundry citizens of Oberlin, Kans., praying for the enactment of legislation embodying the so-called Townsend old-age-pension plan, which was referred to the Committee on Finance.

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nomination of George E. Starr to be postmaster at Seattle, Wash., in place of C. M. Perkins, transferred, which was ordered to be placed on the Executive Calendar.

BILLS AND JOINT RESOLUTIONS INTRODUCED

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

By Mr. FRAZIER:

A bill (S. 3475) to provide for the establishment of a Nation-wide system of social insurance; to the Committee on Education and Labor.

By Mr. BLACK:

A bill (S. 3476) to provide for the establishment of a Coast Guard station on the coast of Alabama, at or near Dauphin Island, Ala.; to the Committee on Commerce.

A bill (S. 3477) relating to the jurisdiction of the judge for the northern and middle districts of Alabama; to the Committee on the Judiciary.

Mr. CLARK. Mr. President, on behalf of the Senator from North Dakota [Mr. NYE] and myself, I introduce a bill for reference to the Committee on Foreign Relations.

The VICE PRESIDENT. The bill will be received and referred as requested by the Senator from Missouri.

By Mr. CLARK and Mr. NYE:

A bill (S. 3478) to preserve and maintain peace between the United States and foreign nations, and for other purposes; to the Committee on Foreign Relations.

By Mr. ASHURST:

A bill (S. 3479) to provide additional compensation for employees killed or injured in law-enforcement work, and for other purposes;

A bill (S. 3480) to authorize the appointment of an additional United States district judge for the northern district of Georgia (with an accompanying paper);

A bill (S. 3481) to authorize the appointment of one additional United States district judge for the eastern and western districts of Louisiana (with an accompanying paper); and

A bill (S. 3482) to authorize the appointment of an additional United States district judge for the western district of Missouri (with an accompanying paper); to the Committee on the Judiciary.

By Mr. NORRIS:

A bill (S. 3483) to provide for rural electrification, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. HATCH:

A bill (S. 3484) for the relief of Edward Y. Garcia and Aurelia Garcia; and

A bill (S. 3485) for the relief of George W. Hanna and Bertha M. Hanna; to the Committee on Claims.

By Mr. ADAMS:

A bill (S. 3486) to repeal the act entitled "An act relating to Philippine currency reserves on deposit in the United States"; to the Committee on Banking and Currency.

By Mr. McKELLAR:

A bill (S. 3487) for the relief of the Crescent Cotton Oil Co.; to the Committee on Claims.

By Mr. HATCH and Mr. CHAVEZ:

A bill (S. 3488) to provide for an examination and survey to determine the best utilization of the surplus waters of the San Juan River and to determine the feasibility and cost of storing such waters and of diverting them to the Rio Chama; to the Committee on Irrigation and Reclamation.

By Mr. BORAH:

A bill (S. 3489) to reduce the rate of interest on obligations of home owners to the Home Owners' Loan Corporation; to the Committee on Banking and Currency.

A bill (S. 3490) to carry out the findings of the Court of Claims in the case of Daniel Butland, brother of Francis Butland, deceased; to the Committee on Claims.

A bill (S. 3491) to further extend the operation of the act entitled "An act to further extend the operation of the act entitled 'An act to further extend the operation of the act entitled "An act for the temporary relief of water users on irrigation projects constructed and operated under the reclamation law", approved April 1, 1932', approved March 27, 1934", approved June 13, 1935; to the Committee on Irrigation and Reclamation.

A bill (S. 3492) for the relief of C. W. Pearce; to the Committee on Mines and Mining.

A bill (S. 3493) to add certain lands to the Minidoka National Forest Cassia Division West; and

A bill (S. 3494) to add public lands to the Salmon National Forest in the State of Idaho; to the Committee on Public Lands and Surveys.

By Mr. MOORE:

A bill (S. 3495) for the relief of the city of Perth Amboy, N. J.; to the Committee on Claims.

By Mr. McNARY:

A bill (S. 3496) for the relief of Lincoln County, Oreg.; and

A bill (S. 3497) for the relief of Joseph A. Ganong; to the Committee on Claims.

A bill (S. 3498) authorizing an appropriation for the development of a naval air base at Tongue Point, Oreg.; to the Committee on Naval Affairs.

A bill (S. 3499) granting pensions to certain surgeons who served the United States during the War with Spain, including the Philippine Insurrection and the Boxer Rebellion; to the Committee on Pensions.

By Mr. COPELAND:

A bill (S. 3500) to develop a strong American merchant marine, to promote the commerce of the United States, to aid national defense, and for other purposes; and

A bill (S. 3501) to amend certain laws relating to shipping, and for other purposes; to the Committee on Commerce.

A bill (S. 3502) to authorize the coinage of 50-cent pieces in commemoration of the two hundred and fiftieth anniversary of the founding of New Rochelle, N. Y.; to the Committee on Banking and Currency.

A bill (S. 3503) for the relief of the heirs of Adam and Noah Brown; to the Committee on Claims.

A bill (S. 3504) to repeal section 148 (d) of the Revenue Act of 1934; to the Committee on Finance.

By Mr. BARBOUR and Mr. MOORE:

A bill (S. 3505) for the improvement and protection of the beaches along the shores of the United States; to the Committee on Commerce.

By Mr. JOHNSON:

A bill (S. 3506) for the relief of Mrs. Edith Lewis White; to the Committee on Claims.

By Mr. COUZENS:

A bill (S. 3507) to provide for the establishment of a Coast Guard station on the coast of Michigan, at or near Menominee, Mich.; to the Committee on Commerce.

By Mr. VANDENBERG:

A bill (S. 3508) to provide for the establishment of a Coast Guard station on the Michigan shore of Lake Michigan, at or near Menominee, Mich. (with accompanying papers); to the Committee on Commerce.

By Mr. McGILL:

A bill (S. 3509) granting an increase of pension to Emma A. Wright (with accompanying papers); and

A bill (S. 3510) granting an increase of pension to Phoebe Hoss (with accompanying papers); to the Committee on Pensions.

By Mr. O'MAHONEY:

A bill (S. 3511) relating to certain applications for stock-raising and enlarged homesteads; to the Committee on Public Lands and Surveys.

By Mr. KING:

A bill (S. 3512) to repeal Title I of the National Industrial Recovery Act, as amended and extended; to the Committee on Finance.

A bill (S. 3513) to amend an act entitled "An act to regulate the practice of pharmacy, and the sale of poisons, and for other purposes", approved May 7, 1906, as amended;

A bill (S. 3514) to regulate the manufacturing, dispensing, selling, and possession of narcotic drugs in the District of Columbia; and

A bill (S. 3515) amending the act entitled "An act to regulate the business of loaning money on security of any kind by persons, firms, corporations other than national banks, licensed brokers, trust companies, savings banks, building-and-loan associations, and real-estate brokers in the District of Columbia", approved February 4, 1913, as amended; to the Committee on the District of Columbia.

By Mr. RADCLIFFE (for Mr. TYDINGS):

A bill (S. 3516) for the relief of Alice D. Hollis; to the Committee on Foreign Relations.

A bill (S. 3517) granting restoration of pension to Guy Briggs Pendleton; to the Committee on Pensions.

A bill (S. 3518) to amend the act entitled "An act to protect trade and commerce against unlawful restraints and monopolies", approved July 2, 1890; to the Committee on the Judiciary.

By Mr. COPELAND:

A joint resolution (S. J. Res. 179) to authorize the issuance to Tonio Mori Moto of a permit to reenter the United States; to the Committee on Immigration.

By Mr. McNARY:

A joint resolution (S. J. Res. 180) authorizing the erection of a memorial building to commemorate the winning of the Oregon country for the United States; to the Committee on the Library.

AMENDMENTS TO RIVER AND HARBOR BILL

Mr. CAPPER submitted four amendments intended to be proposed by him to the bill (H. R. 8455) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes, which were referred to the Committee on Commerce and ordered to be printed.

ATLANTIC-GULF SHIP CANAL, FLA.

Mr. VANDENBERG submitted the following resolution (S. Res. 210), which was referred to the Committee on Commerce:

Resolved, That the Senate Commerce Committee, or any duly authorized subcommittee thereof, is instructed to investigate and report to the Senate as promptly as possible respecting the so-called Atlantic-Gulf waterway, otherwise known as the Florida Ship Canal, with a view to determining the following facts:

1. The nature and extent of expenditures to be made from emergency relief funds and subsequent expenditures for construction and maintenance to be made from regular funds.

2. The sufficiency of plans and information to determine whether the canal should be a sea-level or a lock canal and whether it should be 30 or 35 feet in depth.

3. The sufficiency of authentic information to determine whether the canal will contaminate the ground-water supply of adjacent areas.

4. The nature and extent of available traffic to warrant the ultimate expenditure of between $140,000,000 and $200,000,000 upon the project; be it further

Resolved, That in pursuit of this inquiry, the Senate Commerce Committee is instructed to study and report its conclusions upon the advisability of continuing this project, or starting any other projects, for the establishment of waterways without an enabling act of Congress.

For the purpose of this resolution the committee, or any duly authorized subcommittee thereof, 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-fourth and succeeding Congresses, 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 service to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed $2,500, shall be paid from the contingent fund of the Senate, upon vouchers approved by the chairman.

INVESTIGATION OF LYNCHINGS

Mr. VAN NUYS submitted the following resolution (S. Res. 211), which was referred to the Committee on the Judiciary:

Whereas during the debate on the motion to consider S. 24, Seventy-fourth Congress, first session (Costigan-Wagner bill), which debate continued from April 26, 1935, to May 1, 1935, without any decision of the merits of that motion or of said bill; and

Whereas statements by various Members of the Senate were made on the Senate floor to the effect that Federal legislation against lynching is unnecessary, as the several States can and will prevent lynchings and punish lynchers, and that local and State officials should not in fact be reasonably deemed responsible, personally or officially, for any mob violation of constitutional guaranties for American citizens; and

Whereas since May 1, 1935, it is credibly recorded that there have been at least 14 lynchings in the United States of both white and Negro citizens in at least seven States, East, West, North, and South: Therefore be it

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized and directed to investigate (1) the facts and circumstances surrounding the

lynchings which have occurred in the United States since May 1, 1935; (2) the relation of such lynchings to other crimes and to the maintenance of law and order; and (3) the action, if any, taken by the responsible public authorities to prevent such lynchings and to punish the persons guilty of committing such crimes. The committee shall report to the Senate as soon as practicable but not later than March 1, 1936, the results of its investigations, together with its recommendations.

For the purposes of this resolution, the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings; to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate in the Seventy-fourth and succeeding Congresses; 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 $———, shall be paid from the contingent fund of the Senate, upon vouchers approved by the chairman.

FUNERAL EXPENSES OF THE LATE SENATOR LONG

Mr. OVERTON submitted the following resolution (S. Res. 212), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate the actual and necessary expenses incurred by the committee appointed by the Vice President in arranging for and attending the funeral of Hon. Huey P. Long, late a Senator from the State of Louisiana, upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

FUNERAL EXPENSES OF THE LATE SENATOR SCHALL

Mr. McNARY (for Mr. SHIPSTEAD) submitted the following resolution (S. Res. 213), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate the actual and necessary expenses incurred by the committee appointed by the Vice President in arranging for and attending the funeral of Hon. Thomas D. Schall, late a Senator from the State of Minnesota, upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

REPRESENTATION OF COMMERCE COMMITTEE ON THE COMMITTEE ON APPROPRIATIONS

Mr. COPELAND submitted the following resolution (S. Res. 214), which was referred to the Committee on Rules:

Resolved, That three members of the Committee on Commerce, to be selected by said committee, shall be ex-officio members of the Committee on Appropriations, to serve on said committee when the bill making appropriations for the Departments of State, Justice, Commerce, and Labor is being considered by the Committee on Appropriations, and at least one member of the Committee on Commerce shall be a member of the conference committee appointed to confer with the House upon said appropriation bill.

ATLANTIC-GULF SHIP CANAL, FLA. (S. DOC. NO. 147)

On motion by Mr. FLETCHER, the interim report of the special board of geologists and engineers appointed by the district engineer at Ocala, Fla., to make a study of the effect of the sea-level canal on the underground resources of the State was ordered to be printed, with illustrations, and referred to the Committee on Commerce.

ORDER OF BUSINESS

The VICE PRESIDENT. Resolutions coming over from a previous day are in order.

The Chief Clerk proceeded to read the resolution (S. Res. 141) submitted by Mr. TYDINGS on May 21, 1935, favoring conferences with foreign governments on war debts and certain other international matters.

Mr. ROBINSON. Mr. President, I ask unanimous consent that the resolution go over and that the call of the calendar be dispensed with for the day.

The VICE PRESIDENT. Without objection, it is so ordered. Morning business is closed.

LEGISLATIVE PROGRAM OF NATIONAL FARMERS UNION

Mr. CAPPER. Mr. President, the National Farmers Union for many years has been one of the outstanding farm organizations. Its work for agriculture has been aggressive, effective, and in line with the needs and ambitions of a large proportion of our farm population. What the Farmers Union has to say as to the condition of agriculture, and of the needs of agriculture, and the legislative program for agriculture, in my judgment, is entitled to the best thought and consideration of the Congress and the country.

For this reason I am about to ask unanimous consent to have printed in the RECORD the legislative program of the National Farmers Union as approved at its recent annual convention November 19 and 20, 1935, at Kankakee, Ill. Especially I desire to call to the attention of my colleagues and to give my hearty endorsement to several points in that program. This Congress, in line with the recommendations of the Farmers Union, should enact the Frazier-Lemke farm refinancing bill. The farmer is entitled to the lower interest rates and the long-time mortgage loans provided in that bill.

Also I heartily concur in the Farmers Union position that gambling in farm products should be prohibited, and in opposition to war and war-breeding policies, including huge appropriations for war purposes.

I send to the desk a copy of the Farmers Union legislative program and ask unanimous consent that it be printed as part of my remarks at this point in the RECORD.

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

NATIONAL FARMERS UNION LEGISLATIVE PROGRAM; ADOPTED UNANIMOUSLY IN ANNUAL CONVENTION HELD IN KANKAKEE, ILL., NOVEMBER 19 AND 20, 1935

The Farmers Union has had a very definite national legislative program for many years. Very little of it has been adopted by the National Congress. There has been legislation passed involving the principles laid down in the Farmers Union program. Such legislation can only be described as a step in the right direction.

We have fought the manufacturers' general sales tax successfully.

We have seen our program on net income and inheritance tax receive consideration in the last 2 years to the extent of doubling the rates on the higher brackets.

The Agricultural Adjustment Act established as a principle of law that it is the duty of this Government to see that farmers are financed; that it is the duty of this Government to regulate the marketing of farm commodities; that the President should have the power to monetize silver and issue non-interest-bearing full legal-tender currency instead of interest-bearing bonds.

While these are steps in the right direction, the steps are so short that they get us nowhere. Time proves that what has been done is inadequate for the relief and recovery of our country.

All this means that we should be firmer than ever in our convictions that the Farmers Union program provides the real remedy.

In that belief we hereby reiterate the national legislative program adopted in many previous annual conventions of the National Farmers Union.

OUR PROGRAM

1. We unequivocally reendorse the Frazier-Lemke refinance bill, which bill provides for the refinancing of existing farm indebtedness at 1½-percent interest and 1½ percent on the principal of the indebtedness—not by the issuance of bonds but by a direct issuance of currency.

2. We endorse and demand the program of the nationalization of our money and credit through a central bank, owned and operated and controlled exclusively by the Government, establishing an honest measure of value with which to meet our obligations and measure the wealth of the Nation.

3. We further endorse the House joint resolution introduced by Congressman WILLIAM LEMKE, proposing an amendment to the Constitution of the United States providing for the initiation of legislative measures by electors.

4. We demand the passage of the Thomas-Massingale cost-of-production bill granting an average cost of production as minimum prices for farm products and an adequate annual wage for labor as a sound basis for economic recovery and as a permanent policy for the development of a stabilized national economy.

5. The Wheeler bill, which provides for the remonetization of silver.

6. The Thomas bill, which provides for the Government issuing full legal-tender non-interest-bearing currency to pay the debts of the Nation instead of issuing more interest-bearing bonds.

7. We believe all taxation should be based on ability to pay. We further believe there is just one test of ability to pay, and that is net income at the end of the year. We therefore support such rates on net incomes as will pay the running expenses of government.

We realize that the concentration of wealth in the hands of a few, to the extent that, today in the United States, less than 5 percent of the people own 90 percent of the wealth of the Nation, is a menace to the life of the Nation. History teaches from Babylon to Russia that where such conditions exist one of two things happens, either there is redistribution of wealth or revolution and overthrow of the government.

To prevent the latter, the Farmers Union proposes such amendments to the inheritance- and gift-tax laws as will limit the amount any one individual can take from an estate to one-half million dollars.

8. We are opposed to the large appropriations being made in preparation for war.

For 40 years this Nation has preached peace—while at the same time spending more money every year on wars, past, present, and future, than any other country in the world. It is our position that such a policy is hypocritical and inconsistent.

We are also unalterably opposed to compulsory military training in any form and, especially, in tax-supported institutions of learning.

9. Farmers are the largest purchasers of gasoline of any group, hence the largest payers of gasoline taxes. We are opposed to the Federal taxes on gasoline and to the diversion of tax funds, raised by the various States, from road building and maintenance purposes.

10. We believe Congress should pass such legislation as would absolutely prohibit gambling in farm products by boards of trade, cotton exchanges, and other speculators.

11. It is our position that so long as industry is protected by tariffs, agriculture is entitled to the same protection.

12. We favor further and more effective legislation against the use of oriental oils in the manufacture of oleomargarine. Such legislation is needed to protect the dairy farmers of the Nation.

13. The eighteenth amendment has been repealed. We favor such legislation as will place the manufacture and distribution of all intoxicating liquors in the Government. This would remove "profit" which is the biggest element of evil in the liquor traffic.

14. We commend America's stand (enunciated by Congress and the President) against war.

In the event of war we demand the conscription of wealth the same as human lives.

15. Whereas the Oklahoma Farmers Union is blazing the trail for return of individual farmer and home ownership in America through legislation embodying such far-reaching measures as a graduated land tax and a homestead exemption, whereas their efforts along this line to date have been attended with notable success; and

Whereas a vast majority of our farmers throughout the Nation have been evicted, foreclosed, and dispossessed: Therefore be it

Resolved, That we highly commend Oklahoma for their initiative, and that we emulate their policy in restoring individual farm and home ownership by securing the enactment of State laws, exempting homesteads from part or all of ad-valorem taxes, also applying the principle of the graduated land tax.

16. We endorse the Frazier-Lemke conservation bill providing for the conservation of water from the eastern slope of the Rockies.

17. Whereas we have a Union of States, united on a national program, but many of the rank and file have been divided on policy; and

Whereas past experience has taught the farmers it is more important and effective to sell our legislative and cooperative program on its own merits rather than on the alleged demerits of some other program.

Therefore we commend a policy of disseminating and revealing statistical information and facts affecting our program and allowing membership to form conclusions of their own.

CHARLES A. LINDBERGH

Mr. ASHURST. Mr. President, Charles A. Lindbergh, who captured mankind's imagination when he crossed the Atlantic by riding alone the pathway of the stars, has lately been the subject of much discussion because, forsooth, as a discerning gentleman, after performing the duties cast upon him by a tragic occasion, he properly withdrew himself and his family from the house of his woe and sorrow until the conclusion of the case which affects himself and his family so poignantly.

Of course, no one except Colonel Lindbergh and his family knows the precise reason for his sojourn in England; but, in view of his well-known habit of observing the proprieties and amenities of life, it would not be a rash guess to say that he and Mrs. Lindbergh quite naturally preferred to be absent during the climax of the case.

It may be, indeed, that the Lindberghs are temporary refugees from the tyranny of curiosity. He and his family have been the victims of ruthless, reckless, and relentless espionage. If they wished to go shopping, attend a theater, a picture show, or go to a restaurant, they must needs disguise themselves or be pestered, annoyed, insulted, jostled, intimidated, and manhandled by cranks, potential gangsters, gaping sensation mongers, and other unrecorded, unidentified, and unauthorized individuals.

To some persons one of the truest joys that can come is to live serenely in obscurity the life of a private citizen; but, unfortunately, such a vast number of persons with a prurient, itching curiosity have been so constantly invading Colonel Lindbergh's right to privacy that he and his family for some months have been required practically to reside within a fortress.

This deplorable status of affairs may not be cured by any law or by any action that the Department of Justice may take. It can and will be remedied only and when those citizens who represent the good repute of our Nation, and who live courageously, shall themselves set an example of a refusal to violate the privacy of another citizen and an example of indignant resentment of any intrusion upon their own privacy.

Human beings differ in temperament, habits, and inclinations. A mode or plan of life agreeable to one person may be unpleasant to another. One man desires to be surrounded by gayety, laughter, and song; another prefers to keep company with invisible and inaudible things.

That a man should prefer his own silent and deploying thoughts, to bubbling comrades does not indicate that he lacks urbanity or warm-heartedness; it simply indicates that he has chosen companions agreeable to himself.

Some years ago I read an article, published I believe in the New York Sun, commenting on the trans-Atlantic flight made by Lindbergh. The article, as I remember it, was about as follows:

ALONE

He was not alone. He had imperial companions, but they were of the kind that did not weigh down his ship; and as his airplane winged her unwearied course he held communion with his companions who by their magic power always inspire and give strength to arm, resource to mind, and contentment to soul.

On his right hand sat Courage; on his left hand sat Self-Confidence; behind was Determination; over him was Ambition; and before him was Emprise reading the dials.

In conclusion I say, Americans who love sportsmanship and fair play should be content to allow the Lone Eagle to select his companions.

THE TOWNSEND PLAN—STATEMENT BY DR. HENRY S. PRITCHETT

Mr. BARBOUR. Mr. President, I ask unanimous consent to have printed in full in the RECORD and appropriately referred a statement on the Townsend old-age-pension plan, written by Dr. Henry S. Pritchett, president emeritus of the Carnegie Foundation for the Advancement of Teaching.

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

THE TOWNSEND RELIGION

There was something appealing in the gathering of some thousands of adherents of the Townsend plan in Chicago a few weeks ago. It was a company of believers—sincere, earnest, wistful. The assembly resembled those gatherings of Adventists that were common in the Middle West 50 years ago, when bands of sincere believers gathered at dawn on an appointed day to greet the resurrection morn that never came.

For the Townsend plan is not a plan. It is a religion. It rests on a simple faith in the prophecies of the good Dr. Townsend, who, like many other prophets, brushes aside the plain facts that stand in the way of the realization of his faith. These facts can be simply stated, and they do not require a trained economist to understand them. What we once called "horse sense" is all that is needed.

Under the Townsend plan every 60-year-old man or woman will automatically go on the pension list and receive $200 a month, or $2,400 a year, from the Government of the United States. As there are about ten and a half million 60-year-old persons, these pensions will cost $25,000,000,000 a year, increasing as population rises. This tidy sum has to be paid out of the income of all the people, the payments to be effected by a sales-transaction tax that will reach everybody. Every time a housewife buys a loaf of bread or a pound of bacon or a calico dress she will pay a sales tax to carry the Townsend pensions. Every man, woman, and child must contribute to the Townsend pensions in proportion to his annual expenditures.

Now, the total income of everybody in the United States last year, according to a Government report recently issued, was $49,000,000,000. This income is, in the main, in the hands of persons of moderate or small means, living on day wages or monthly salaries. Laboring men will be called on to pay the bulk of the Townsend pensions, because they receive and spend the bulk of the national income. It certainly looks a bit doubtful when the average man is asked to lay down half his income, collected by a sales tax, in order to pay the Townsend pensions.

No notice seems to have been taken of the fact that Townsend pensioners would be affected by the Townsend sales tax in quite the same way as any other purchaser of bread, meat, and clothing.

It is at this point that the prophet of the Townsend religion introduces his chief article of faith. Under the terms of the plan every 60-year-old must spend the entire $200 by the end of the month in which he receives it. For example, the $200 received January 1 must all be spent by February 1. Not a dollar must be left in his hands at the end of the month. This provision furnishes the greatest appeal to selfishness to which our human weaknesses have ever been exposed. The swapping of payments between pensioners will be a temptation which few will resist. It will require an army of inspectors to make sure that the endowed brethren are not merely swapping payments. The Townsend plan would become in practice the greatest corrupter of American life ever devised.

The chief article of faith in the Townsend credo lies in the assumption that the spending of this money—about two billions a month—will, in the language of the official pamphlet, "create purchasing power so that there may be Nation-wide prosperity."

There is something to be said for the proposition that the free spending of money helps trade and hence works for general prosperity. Most health resorts live, to a considerable extent, on the money spent by outsiders who frequent the resort and who bring their money with them. It would not stimulate business at a German spa, for example, if the money spent by the visitors had been obtained by collecting it first from the people of the town through a sales tax or by any other form of taxation.

And herein lies the fatal defect in the Townsend plan. It takes away from all the people (including the Townsend pensioners) over half their income, and thus makes it impossible for the 92 percent of the people not in the Townsend plan to spend any money. If good Dr. Townsend, the apostle of this faith, could get the twenty-five billions (plus expenses) from some outside source—perhaps the planet Mars—and hand it out to the ten and a half million 60-year-old persons to spend, his faith would be justified by his works. But there is no way to get the twenty-five billions except to take it away from the incomes arising from wages, salaries, and interest on investments. Mainly it would come from those living on wages and salaries—laborers, clerks, college professors, school teachers, and all who earn their livelihood by service in one form or another. The Townsend religion is based on a profound fallacy—the assumption that by taking billions away from all the people and giving it to a small minority to spend we can bring in prosperity. Townsendism is a sincere religion on the part of those who practice it. But sincerity is only one quality which a religion must have. It must not only feel; it must think straight. Neither religion nor economics can endure on a false foundation. The politicians who are flirting with the Townsend plan are playing with fire.

HENRY SMITH PRITCHETT.

THE BUDGET

The VICE PRESIDENT laid before the Senate a message from the President of the United States, which was read and referred to the Committee on Appropriations, as follows:

To the Congress of the United States:

Pursuant to provisions of law I transmit herewith the Budget of the United States Government for the fiscal year ending June 30, 1937, together with this message, which is definitely a part thereof. The estimates have been developed after careful analysis of the revenues, obligations, and reasonable needs of the Government, and I recommend appropriations for the purposes specifically detailed in the tables which follow.

PART I

No mortal is permitted unfailingly to predict the future. This is particularly true of estimates which relate to the money values of property and services in a world of nations torn by dissension, by violent price fluctuations, and by forebodings of the future.

It is, therefore, a cause for congratulation within our own Nation to realize that a consistent, broad national policy, adopted nearly 3 years ago by the Congress and the President, has thus far moved steadily, effectively, and successfully toward its objective.

In March 1933, in spite of substantial increases in tax rates during the preceding administration, Federal tax receipts had fallen to such a low level that even normal expenses of Government could not be carried on without creating a mounting deficit. In addition to normal expenses, the problem of millions of starving unemployed called for a relief program which obviously would greatly increase that deficit.

The national policy which we then adopted sought to stop the downward economic spiral by taking simultaneous action along a dozen fronts. The chief objectives were: To make bank deposits secure, to save farms and homes from foreclosure, to start public works on a large scale, to encourage home building, to increase farm crop values, to give useful work instead of a dole to the needy unemployed, to reduce all interest rates, to increase foreign trade in both exports and imports, to extend Government credit to railroads and other privately owned activities, to reduce unsound and generally disastrous speculation, to eliminate starvation wages, to seek a higher level of values, and then to maintain those values.

On the part of the Federal Government the many legislative acts creating the machinery for recovery were all predicated on two interdependent beliefs. First, the measures would immediately cause a great increase in the annual expenditures of the Government—many of these expenditures, however, in the form of loans which would ultimately return to the Treasury. Second, as a result of the simultaneous attack on the many fronts I have indicated, the receipts of the Government would rise definitely and sharply during the following few years, while greatly increased expenditure for the purposes stated, coupled with rising values and the stopping of losses would, over a period of years, diminish the need for work relief and thereby reduce Federal expenditures. The increase in revenues would ultimately meet and pass the declining cost of relief.

This policy adopted in the spring of 1933 has been confirmed in actual practice by the Treasury figures of 1934, of 1935, and by the estimates for the fiscal years of 1936 and 1937.

There is today no doubt of the fundamental soundness of the policy of 1933. If we proceed along the path we have followed and with the results attained up to the present time we shall continue our successful progress during the coming years.

Stated even more concisely, we can look forward today to a continued reduction of deficits, to increased tax receipts, and to declining expenditures for the needy unemployed. Let it be remembered that the major part of the increase in tax receipts anticipated in 1937 over 1936 from comparable sources is coming from old tax schedules. The only changes made last year in the tax schedule were, first, the elimination of the tax on checks and, secondly, slight increases in taxes on large incomes, on large estates, and on large corporations and in capital stock and excess-profits taxes. By the elimination of the tax on checks we lost $40,000,000 in revenue and the slight increases on estates and on personal and corporate incomes will add only about $222,000,000 to Government receipts this coming year. I emphasize that the great bulk of increased Government income referred to above results from increased earning power and profits throughout the Nation and not from the new taxes imposed by the Revenue Act of 1935.

Final success will depend, of course, on the strength of the efforts put forth by the employers of the United States greatly to increase the number of persons employed by them. The finances of the Government are in better condition than at any time in the past 7 years. I say this because starting with the autumn of 1929 tax receipts began a steady and alarming decline, while, at the same time, Government expenditures began a steady rise; today tax receipts are continuing a steady climb which commenced in the summer of 1933, whereas Budget estimates for the next fiscal year will show a decreased need for appropriations.

The credit of the Government is at its highest. The average of the businessmen of the Nation stand ready to do their share. It is to be hoped that motives and attacks which spring only from the desire for political or financial power on the part of a few will not retard the steady progress we are making.

Our policy is succeeding. The figures prove it. Secure in the knowledge that steadily decreasing deficits will turn in time into steadily increasing surpluses and that it is the deficit of today which is making possible the surplus of tomorrow, let us pursue the course that we have mapped.

In my Budget message of January 1935 I said:

I am, however, submitting to the Congress a Budget for the fiscal year 1936 which balances except for expenditures to give work to the unemployed. If this Budget receives approval of the Congress, the country will henceforth have the assurance that with the single exception of this item every current expenditure of whatever nature

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will be fully covered by our estimates of current receipts. Such deficit as occurs will be due solely to this cause, and it may be expected to decline as rapidly as private industry is able to reemploy those who now are without work.

In looking at the revised estimates for the fiscal year 1936 I am more than pleased to find that we have not only accomplished what I said we would in my Budget message of a year ago but that the results with respect to both expenditures and receipts have surpassed expectations.

1. My Budget message of January 1935 forecast that the expenditures for the fiscal year 1936 would be $8,520,000,000. Our most recent estimate shows that our expenditures will be $7,645,000,000, or $875,000,000 less than originally forecast.

2. Receipts were estimated in January 1935 at $3,992,000,000. At the present time it appears that they will be $4,411,000,000, or an increase of $419,000,000.

3. The message of January 1935 forecast a gross deficit of $4,528,000,000, and the most recent figures show that the deficit will be $3,234,000,000, or a decrease of $1,294,000,000

This great improvement of the fiscal outlook during this present year has been brought about through policies which the Congress and the President initiated in 1933 and which we have since maintained.

Now let us look at the Budget for the fiscal year 1937:

To run all the regular activities of the Government I will need a total of $5,069,000,000. These regular activities include interest on the public debt, major public works, operations of the Civilian Conservation Corps, and agricultural benefit payments, but do not include strictly work-relief items. I expect to pay for these regular activities with estimated receipts of $5,654,000,000, leaving an excess of receipts of $585,000,000. Out of this $585,000,000 I will need $580,000,000 for debt retirement, which will still leave $5,000,000 of excess receipts over expenditures after having paid for all of the regular expenditures of the Government plus debt retirement.

The item for relief remains. Without that item the Budget is in balance. To make today a formal Budget estimate of the amount necessary for work relief would be of necessity a difficult task. We have too recently reached our goal of putting three and one-half million people at work; and the beneficial effects from this program and from increasing expenditures on public works cannot be foretold as accurately today as it can 2 months from now. Furthermore, employment by private industry continues to show substantial gains over the figures of a year ago. It is reasonably certain that the total appropriations for work relief during the fiscal year 1937 will be far less than during the current fiscal year. It is estimated in this Budget that expenditures for recovery and relief out of unexpended balances of previous emergency appropriations will amount to $1,103,000,000. Including these expenditures the gross deficit for 1937, without an estimate for additional work relief, is less than the gross deficit for 1936 by $2,136,000,000. I do not anticipate that the need for additional relief funds will be as great as that sum.

To state the case even more precisely, the gross deficit of the Government in 1934 was $3,989,000,000; in 1935, $3,575,000,000; in 1936 (estimate), $3,234,000,000; and in 1937 (estimated but not including any new appropriations for work relief), $1,098,000,000. Therefore, it is clear: First, that since June 30, 1934, the gross deficit of the Government shows a steady decrease during the fiscal years 1935 and 1936. Second, that if work relief appropriations by this session of the Congress were made up to a total of $2,136,000,000, the total gross deficit for the fiscal year 1937 would not exceed that of 1936, which was the lowest gross deficit of the past 3 years. Therefore, it follows that by whatever amount the appropriation for work relief at this session is less than $2,136,000,000, the gross deficit for 1937 will be less than the deficit for 1936 by the same amount.

With this limitation and this excellent prospect clearly in mind, I am not including in this Budget estimates for additional relief appropriations. I shall transmit such estimates with far greater knowledge and, therefore, with greater accuracy in sufficient time before the adjournment of this session to give the Congress full opportunity to examine into the subject and to make the necessary appropriations.

The credit of the Government is in sound condition. On October 15, 1933, wartime issues of first and fourth Liberty bonds were outstanding in the aggregate amount of $8,200,000,000, bearing interest at an average rate of about 4⅛ percent. Today this entire amount has been refunded, of which about $5,000,000,000 was exchanged for long-term bonds bearing interest at rates ranging from 2¾ to 3¼ percent per annum; $1,900,000,000 was exchanged for Treasury notes bearing interest from 1½ to 2½ percent per annum, and the balance was paid in cash. The average rate on the securities issued to refund the Liberty bonds is less than 2¾ percent per annum, a saving of approximately 1⅜ percent a year, or an annual reduction in interest payments of more than $100,000,000 on these particular securities.

The average rate on the interest-bearing debt was on June 30, 1934, approximately 3.18 percent, whereas on November 30, 1935, it had been reduced to 2.575 percent.

If the Congress enacts legislation at the coming session which will impose additional charges upon the Treasury for which provision is not already made in this Budget, I strongly urge that additional taxes be provided to cover such charges. It is important as we emerge from the depression that no new activities be added to the Government unless provision is made for additional revenue to meet their cost.

PART II

RECOMMENDATIONS

The following recommendations are offered:

Appropriation transfer provisions.—The text accompanying a number of the estimates of appropriations has been drafted to include provision for transfer between appropriations within the same department. This provision will add a measure of administrative flexibility and will tend to promote economical execution of the program as a whole, and approval thereof by the Congress is recommended.

Repeal amendment to Agricultural Adjustment Act.—During the first session of the Seventy-fourth Congress the Agricultural Adjustment Act was amended so as to appropriate a sum equal to 30 percent of customs receipts to the Secretary of Agriculture to encourage exportation and domestic consumption of agricultural commodities. No estimate of expenditure for account of this legislation is included herein; and repeal of the amendment is recommended for the following reasons:

By appropriating directly instead of authorizing an appropriation the amendment denies to the President the opportunity to consider the need and include appropriate estimates in the Budget; and it denies to the Congress the opportunity to review such estimates in their relation to the whole program of the Government. The amendment violates the principles of the Permanent Appropriation Repeal Act of 1934, and of the Budget and Accounting Act of June 10, 1921. It is in conflict with sound administration in that it provides in advance for large annual expenditures without any attempt to coordinate income and expense. The amendment was passed in the last days of the session as a result of conference agreement and without the debate and consideration by the Congress which the import of the measure clearly justifies.

Apportionments of appropriations.—Within the last few months control of the administrative expense of 20 emergency agencies has been vested in the Bureau of the Budget, which after a general survey of all of them has effected substantial reductions in proposed expenditures for administrative purposes. Allowances for administrative expenses are subject to such adjustment as the status of the agency warrants.

The 20 agencies brought under the Budget are the Agricultural Adjustment Administration; Commodity Credit Corporation; Electric Home and Farm Authority; Export-Import Banks (2); Farm Credit Administration; Federal Coordinator of Transportation; Federal Deposit Insurance Corporation; Federal Emergency Administration of Public Works; Federal Emergency Relief Administration; Federal Farm Mortgage

Corporation; Federal Home Loan Bank Board; Federal Housing Administration; Federal Savings and Loan System; Federal Savings and Loan Insurance Corporation; Federal Surplus Relief Corporation; Home Owners' Loan Corporation; National Recovery Administration; Reconstruction Finance Corporation and Tennessee Valley Authority.

It is recommended that section 3679 of the Revised Statutes be amended so as to bring all agencies of the Government, including Government-owned and Government-controlled corporations, within the authority of the Director of the Budget with respect to apportionments of appropriations and of other funds available to them.

PART III

REVIEW OF FISCAL YEARS 1935 AND 1936 AND THE FISCAL PROGRAM OF 1937

This review concerns itself with cash actually received and paid out by the Treasury in the fiscal year 1935 and with the estimates of receipts, appropriations, and expenditures for the fiscal years 1936 and 1937. As elsewhere stated herein the program of regular activities for 1937 includes activities under the Agricultural Adjustment Act and the Civilian Conservation Corps (Emergency Conservation Work), heretofore classed as emergency. Therefore the figures used herein for 1934, 1935, and 1936 have been adjusted to a comparable basis.

FISCAL YEAR 1935

Receipts.—Treasury receipts for the year ended June 30, 1935, were in excess of estimates prepared a year ago. Considering all sources except postal revenues, total receipts amounted to $3,800,467,202, or $89,000,000 above the estimate. Internal revenue, including processing taxes on farm products, produced $3,277,690,028, exceeding the estimate by $80,000,000. Customs receipts amounted to $343,353,033, an increase over the estimate of $56,000,000. Miscellaneous receipts, including realization upon assets, estimated at $227,184,181, fell short of the estimate by $48,000,000; the amount actually received under this item was $179,424,140.

Expenditures.—While actual receipts for the year were greater than anticipated, actual expenditures were less than the amount estimated by $1,205,000,000. The aggregate of all expenditures was $7,375,825,166, against an estimate of $8,581,069,026. Approximately a billion dollars of this difference related to recovery and relief, and the regular agencies accounted for the remainder.

The total spent for recovery and relief was $3,068,803,053, whereas the 1936 Budget estimate was $4,068,541,852, exclusive of expenditures made under the Agricultural Adjustment Act and made by the Civilian Conservation Corps. This difference is partly due to this fact:

When the Budget for 1936 was prepared it seemed probable that the Reconstruction Finance Corporation, in all accounts except relief, would close the year with an excess of loans over repayments; and the amount of the net expenditures was estimated at $556,000,000. However, because of improved business conditions, the demands for Corporation assistance were so much less than estimated and the repayments of loans so much greater, that the Corporation actually closed the year with net receipts of $107,000,000. Therefore, the net difference between the estimated expenditure and the actual result amounted to $663,000,000. Other agencies spent for recovery and relief $337,000,000 less than estimated.

For the operation and maintenance of regular departments and establishments of the Government, including the Agricultural Adjustment Act and the Civilian Conservation Corps, actual expenditures were $2,912,537,509, against the estimate of $3,104,961,174.

For statutory debt retirements there was expended $573,558,250, and for interest on the public debt $820,926,353, whereas the amounts budgeted for these items were, respectively, $572,566,000 and $835,000,000.

Deficit and public debt.—The year closed with a gross deficit of $3,575,357,964, instead of the estimate of $4,869,418,338. After deducting the amount paid out for statutory debt retirement, the net deficit was $3,001,799,714. The increase in the total outstanding gross public debt was $1,647,751,210, which figure is properly obtained by subtracting from the net deficit the decrease in the general-fund balance, the excess of receipts from trust funds, increment on gold, etc., over expenditures from the same accounts, and the amount of retirement of national-bank notes from the gold increment. As of June 30, 1935, the total outstanding gross public debt was $28,700,892,624, while on June 30, 1934, it was $27,053,141,414.

FISCAL YEAR 1936

Drawing upon the experience of the first 6 months of the current year it is possible to forecast with a fair degree of accuracy the results of financial operations for the whole 1936 fiscal period.

Receipts.—The same sources of income (excluding postal revenues) which a year ago were expected to produce receipts aggregating $3,991,904,639 are now expected to produce a total of $4,410,793,946.

Of the items comprising the whole, income taxes will develop $1,434,112,000, or $246,000,000 more than the 1936 Budget estimate.

Miscellaneous internal revenue, exclusive of processing taxes, is now estimated at $1,873,091,000, an increase of $187,000,000. Receipts from customs are expected to reach a total of $353,191,000, exceeding the original estimate by $55,000,000. Other changes, some upward and some downward, result in the new estimate of total receipts at a figure of $419,000,000 higher than shown in the Budget for 1936, which was presented a year ago.

The present estimate for processing taxes in 1936, included in above total, is in round figures $529,000,000, as against the original estimate of $570,000,000. Actual receipts for the 5 months ended November 30, 1935, totaled $56,000,000, while up to that date approximately $148,000,000 of due payments had been impounded as the result of preliminary court action.

It is pertinent to repeat here a statement appearing in the Summation of the 1936 Budget:

> Estimates of receipts contemplate continued collection of processing taxes. If the attack which has been made upon this act is sustained, we will have to face the problem of financing existing contracts for benefit payments out of some form of new taxes.

Two new taxes, namely, the bituminous-coal tax and the taxes upon carriers and their employees, both representing recent legislation, will contribute $39,000,000 not included in the original estimate of receipts for 1936. New taxes imposed by the Social Security Act and the Revenue Act of 1935 will not produce any income until the fiscal year 1937.

Expenditures.—Indications are that expenditures, including debt retirement during the present fiscal year, will not reach the amount budgeted by approximately $875,000,000; the total now foreseen is $7,645,301,338, against the original estimate of $8,520,413,609. Exclusive of debt retirement, the total of expenditures is now estimated at $7,093,276,338, while the original comparable figure was $7,883,979,609. For recovery and relief the revised estimate of expenditures for the fiscal year 1936 is less than the original Budget estimate by $738,000,000, and expenditures for all regular purposes, including Agricultural Adjustment Act and Civilian Conservation Corps, will be less by $137,000,000. Debt retirement will require $84,000,000 less than was budgeted and interest payments will be $133,000,000 less. All regular exenditures, excluding service on the public debt, will be greater than the original Budget estimate by about $80,000,000.

The reduction in interest payments from the amount budgeted, as referred to above, was due largely to the refunding of first and fourth Liberty Loan bonds aggregating $8,200,000,000 at substantially lower rates of interest.

Deficit and public debt.—The revised estimates as set out herein show a gross deficit for the current fiscal year of approximately $3,234,000,000 instead of the original Budget forecast of $4,529,000,000. After deducting the amount of statutory debt retirement the net deficit will be, in round figures $2,682,000,000. The gross public debt as at June 30, 1936, should not be greater than $31,000,000,000. This estimate assumes that the working balance in the Treasury on June 30, 1936, will be approximately the same as it was on

June 30, 1935, namely, $1,001,142,951. Obviously, if the working balance is less, the gross debt will be less; and if it is greater, the gross debt will be greater.

The foregoing figures are set out in the following table for ready comparison between Budget estimates of a year ago and what are now considered probable.

Comparison of original and revised estimates, fiscal year 1936, adjusted to classification of expenditures in 1937 Budget

	Budget estimate, January 1935	Revised estimate
1. Receipts (excluding postal):		
Income tax	$1,188,000,000	$1,434,112,000
Miscellaneous internal revenue	1,685,900,000	1,873,091,000
Processing taxes on farm products	570,000,000	529,042,000
Customs	298,000,000	353,191,000
All other	250,004,639	221,357,946
Total receipts	3,991,904,639	4,410,793,946
2. Expenditures:		
Regular, including A. A. A. and C. C. C.	3,402,351,134	3,482,208,151
Interest on the public debt	875,000,000	742,000,000
Recovery and relief	3,606,628,475	2,869,068,187
Total expenditures	7,883,979,609	7,093,276,338
3. Net deficit	3,892,074,970	2,682,482,392
Statutory debt retirements	636,434,000	552,025,000
Gross deficit	4,528,508,970	3,234,507,392
4. Gross public debt	34,238,823,656	30,933,375,017

Postal revenues for the fiscal year 1936 are now estimated at $670,000,000, which is $25,000,000 over the original estimate.

THE FISCAL PROGRAM OF 1937

There is presented here a brief factual résumé of the principal features of the Budget for the fiscal year 1937, the details of which appear in subsequent text and tables. A few high points stand out and justify emphasis.

Without impairing the ability of the Government to carry on its normal functions and to prosecute those activities essential to continued recovery, the Budget reflects a substantial decrease in the spread between income and outgo. This is consistent with the prediction made in the Budget message a year ago and is possible because of progressive improvement in the economic status of the people. The state of national recovery is such that receipts from prevailing tax sources on the basis of present rates appear adequate for financing the ordinary operations of the Government in 1937, including service on the public debt; and no new or additional taxes are proposed.

Legislation enacted by the first session of the Seventy-fourth Congress makes it necessary to provide in the 1937 estimates new appropriation items aggregating $667,000,000. This total will become approximately $767,000,000 should the Congress reject the recommendation, hereinbefore offered, for repeal of that part of the Agricultural Adjustment Act which appropriates a sum equal to 30 percent of customs receipts to the Secretary of Agriculture.

Legislation enacted by the first session also permits including in these estimates a total of $769,000,000 of additional receipts, of which about 70 percent will accrue under the Bituminous Coal Conservation Act, the act levying taxes upon carriers and their employees, and the Social Security Act. It is worthy of note that but slightly less than 30 percent of this increase will be derived under the Revenue Act of 1935. This act, it will be recalled, slightly increased taxes on individuals whose net incomes exceed $50,000 per year; slightly increased estate taxes on larger fortunes with a corresponding increase in gift taxes; and in respect of corporations, decreased taxes on net earnings of small corporations while increasing in relative ratio the taxes on net income of larger corporations. The act also provided for an increase in taxes on capital stock and on excess profits of corporations. The effect of the excess-profits tax was to increase taxes on corporations which earned in excess of certain percentages of their adjusted declared value of capital stock.

The total revenue expected to be produced by these taxes in the fiscal year 1937 will be only $222,000,000, or 11 percent, over the income, estate, gift, capital-stock, and excess-profits taxes under the old law. Since collections in the fiscal year 1937 from income taxes and the estate tax only partially reflect the Revenue Act of 1935, the above amount will be somewhat larger on a full-year basis.

A Federal public-works program of $405,000,000 is recommended to meet in part the development and improvement requirements of the Government, and as a proper Federal contribution to work opportunity. While this program represents an increase of about $187,000,000 over the amount for similar purposes for which the Congress made specific appropriations for the current fiscal year, it is $333,000,000 less than the total amount made available for Federal public works in 1936, considering allotments made from emergency funds.

The success attending the operations of the Civilian Conservation Corps and the Agricultural Adjustment Administration under emergency status justifies taking them into the Budget and program for 1937 as regular activities, and the estimates of appropriations and expenditures have been prepared accordingly. The appropriation recommended for Civilian Conservation Corps is for the period March 31, 1936, to March 31, 1937, and amounts to $246,000,000, while the appropriation for the Agricultural Adjustment Administration is for the full year and amounts to $499,054,985.

The following table gives a clear picture of the main figures proposed in this Budget and shows how they compare with similar figures for previous years.

[In millions of dollars]

	Actual		Estimated	
	1934	1935	1936	1937
I. Receipts:				
Income taxes	818	1,099	1,434	1,943
Miscellaneous internal revenue	1,470	1,657	1,873	2,103
Processing taxes	353	521	529	547
Customs	313	343	353	354
Miscellaneous	162	180	183	160
Taxes under the Social Security Act, the act levying taxes upon carriers and their employees, and the Bituminous Coal Conservation Act	--------	--------	39	547
Total receipts	3,116	3,800	4,411	5,654
II. Expenditures:				
1. Regular:				
Operation and maintenance of regular departments and establishments	1,086	1,083	1,568	2,586
Veterans' pensions and benefits	556	605	718	790
Interest on national debt	757	821	742	805
Tax refunds (exclusive of processing taxes)	63	45	47	49
Agricultural Adjustment Act	290	743	621	619
Civilian Conservation Corps	332	436	528	220
Statutory debt retirements	360	573	552	580
Total regular	3,444	4,306	4,776	5,649
Excess of receipts over regular expenditures	--------	--------	--------	5
Excess of regular expenditures over receipts	328	506	365	--------
2. Recovery and relief	3,661	3,069	2,869	[1] 1,103
Gross deficit	3,989	3,575	3,234	1,098
Gross public debt	27,053	28,701	30,933	31,351

[1] Represents estimated expenditures from unexpended balances of previous emergency appropriations.

Directing attention to a comparison between fiscal operations proposed for 1937 and now estimated for 1936, as set forth in the table, the following comment is pertinent:

Receipts.—Receipts in 1937 (exclusive of postal revenues and processing taxes and also, for purposes of comparison, exclusive of taxes imposed under the Social Security Act, the Bitmuinous Coal Conservation Act, and the act levying taxes upon carriers and their employees) are expected to reach a total of $4,559,817,650, an increase of $716,665,704 over similar receipts for 1936 now estimated at $3,843,151,946, and $1,280,730,319 over 1935. It should be pointed out

here that this increase is due largely to increased collections anticipated under the old schedules. As has been stated, only about $222,000,000 will be collected in 1937 as a result of new schedules in the Revenue Act of 1935.

From processing taxes the sum anticipated is $547,300,000, against the estimate of $529,042,000 for the current year, an increase of $18,258,000. Other taxes recently authorized by the Congress under the Social Security Act, the Bituminous Coal Conservation Act, and the act levying taxes upon carriers and their employees will produce $547,100,000 in 1937 and $38,600,000 this year, an increase of $508,500,000.

Thus 1937 receipts from all sources, except postal revenues, are estimated at $5,654,217,650, against the revised estimate of $4,410,793,946 for the current fiscal year. The increase in total receipts from stated sources is, therefore, $1,243,423,704.

Postal receipts for the coming year are estimated at $705,000,000, an increase of $35,000,000 over $670,000,000 anticipated in 1936. This is further evidence of the upward trend in economic conditions.

An examination of the detailed estimates of receipts for 1937 indicates a gain over 1936 in income tax of $508,488,000, the figures for the 2 years being respectively $1,942,600,000 and $1,434,112,000. Similarly, estimated receipts from miscellaneous internal revenue, exclusive of processing taxes, are up from $1,873,091,000 to $2,103,114,000, a gain of $230,023,000. Customs receipts are forecast at $354,000,000, substantially the same as anticipated for 1936. The reduction of $22,654,296 in probable miscellaneous receipts, from $182,757,946 to $160,103,650, brings the net increase in the estimates of these four classes of receipts to $716,665,704, as stated.

The provisions of the Social Security Act, the Bituminous Coal Conservation Act, and the act levying taxes upon carriers and their employees are such that receipts during the fiscal year 1936 will be compartively small while revenues from these sources in the next fiscal year will show substantial increases. The amounts estimated for 1937 from such new taxes in the order named are $433,200,000, $12,300,000, and $101,600,000.

Expenditures.—The expenditures for 1937 contemplated under this Budget will total $6,752,606,370, or approximately $893,000,000 less than is now estimated for 1936.

Of the two major categories of expenditure, namely, regular and recovery and relief, allowances for regular activities, including the Agricultural Adjustment Act and Civilian Conservation Corps, amount to $5,649,781,738 as compared with $4,776,233,151 for 1936, an increase of $873,548,587. For recovery and relief, expenditures listed herein are those which will be made from unexpended balances, practically all of which will have been obligated prior to June 30, 1936, and practically all of which have been allotted. The total of such expenditures in 1937 is estimated at $1,102,824,632, which is a decrease of $1,766,243,555 from the figure of $2,869,068,187 for 1936.

In regular expenditures there is included $805,000,000 for interest on the public debt, an increase of $63,000,000 over the same item for the current year; and $580,125,000 for statutory debt retirements, an increase of $28,100,000. The cost of service on the public debt in 1937, therefore, will exceed that for 1936 by $91,100,000.

Excepting debt retirement and interest, the net increase in expenditures for regular activities is $782,448,587 as compared with 1936. The major part of this increase is accounted for as follows: (a) For financing activities under the Social Security Act, the act levying taxes upon carriers and their employees, and the Bituminous Coal Conservation Act, $485,000,000; (b) for other new legislation, $125,000,000; (c) for increased public works, transferred from emergency appropriations, $228,000,000; (d) for the veterans' adjusted-service certificate fund in order to bring the annual contribution of the Government nearer its actual liability under existing law, $60,000,000; and (e) for national defense, to meet the policy of the Congress and the Executive in making up for the delay by the United States in bringing the Navy up to the strength contemplated by the naval treaties of 1922 and 1930, and to provide replacement and improved equipment and additional personnel for the Army, $193,000,000.

In the War Department Appropriation Act for the fiscal year 1935 the Congress adopted a policy of increasing the average enlisted strength of the Army from 118,750 to 165,000 men and toward accomplishing such purpose appropriated an additional $20,000,000 for expenditure during that year. These funds are sufficient to maintain an average enlisted strength during 1936 of approximately 147,000 men. The estimates of expenditure included in this Budget are sufficient in amount to maintain this average during the fiscal year 1937, with the purpose in view of providing in the 1938 Budget the funds necessary to recruit the Army to such strength by the close of that year as will produce an average enlisted strength of 165,000 throughout the fiscal year 1939, the maximum indicated by the Congress. It is felt that this is as fast as the Government should proceed in this matter in the light of the present forecast of fiscal affairs.

The contemplated expenditures for the Civilian Conservation Corps show a decrease of $308,383,000 as against estimated comparable expenditures for 1936.

Deficit and public debt.—The gross deficit for the fiscal year 1937 is estimated at $1,098,388,720, including $580,125,000 for statutory debt retirement, or a net deficit of $518,263,720. It is estimated that the gross public debt on June 30, 1937, will amount to $31,351,638,737, as compared with an estimated debt on June 30, 1936, of $30,933,375,017. The figure for 1937 does not include such amounts for work relief during the coming year as may be determined upon by the Congress.

Appropriations.—Appropriations recommended in this Budget aggregate $6,400,000,000, including probable supplemental items estimated at $600,000,000, while the appropriations already made and prospective supplemental items for the fiscal year 1936, exclusive of the appropriation of $4,000,000,000 for recovery and relief, amount to $5,146,000,000, an increase of $1,254,000,000 required for the fiscal year 1937 over the fiscal year 1936.

This increase is due to (1) additional appropriations amounting to approximately $610,000,000, including supplementals to be submitted later, required to finance new legislation enacted at the last session of Congress; (2) an appropriation of $246,000,000 to continue the operations of the Civilian Conservation Corps from March 31, 1936, to March 31, 1937; (3) an increase in specific appropriations of $187,000,000 on account of general public works; and (4) increases in the general departmental requirements aggregating approximately $211,000,000, due largely to the increases in the Army, Navy, and the Department of Agriculture.

Existing authorizations for the Federal-aid highway system provide for appropriations of $125,000,000 for each of the fiscal years 1936 and 1937. Under these authorizations $40,000,000 has previously been appropriated for the fiscal year 1936. Toward the balance of $85,000,000 authorized for that year there is provided under the item "General public-works program" an estimate of $60,000,000, which it is believed will be sufficient to meet commitments maturing during 1937. As to the authorization of $125,000,000 for the fiscal year 1937, language is included in this Budget having for its purpose the cancelation of this authorization for 1937 and making it applicable to the fiscal year 1938. This course appears fully justified in view of the fact that during the fiscal years 1933 to 1936, inclusive, there has been made available from emergency funds a total of approximately $1,192,000,000 for the construction of highways and the elimination of grade crossings, and that from these funds there will be available for expenditure during the fiscal year 1937 a total of more than $250,000,000 in addition to the $60,000,000 provided for in the general public-works program, previously referred to. Moreover, roads of secondary classification and farm-to-market roads are being constructed under allotments of emergency funds in amounts approximating $115,000,000.

The following table shows the approximate estimate of appropriations required to administer new legislation enacted

during the last session of Congress, and also shows the amount of receipts anticipated in 1937 from new general tax provisions.

	Estimated appropriations, 1937
Social Security Act	$479,689,840
Railroad Retirement Act	47,645,000
Bituminous Coal Conservation Act	1,155,000
Amendments, pension laws	45,581,132
Postal 40-hour week	27,326,420
Elimination, diseased cattle	17,500,000
Soil conservation	27,500,000
Agricultural research and extension	11,000,000
Reduction interest rate, Federal land banks	10,065,075
Total	667,462,467
Estimated receipts from taxes under the Social Security Act, the act levying taxes upon carriers and their employees, and the Bituminous Coal Conservation Act	547,100,000

Because there has not been sufficient time to plan the organization and methods required, no detailed estimates are included in the Budget for expense to be incurred by the Social Security Board and by the Bureau of Internal Revenue for collecting taxes authorized by the three new acts heretofore referred to. However, the probable expense has been approximated and is included in the total lump sum of $600,000,000 estimated to cover 1937 supplementals. The necessary estimates covering the remainder of the current year will be transmitted during the early days of the session, together with complete details for 1937. Likewise, no estimate for administering the Potato Act has been prepared, since it is believed this act should be amended along lines to be recommended by the Secretary of Agriculture, and a supplemental estimate can then be transmitted.

FRANKLIN D. ROOSEVELT.

JANUARY 3, 1936.

THE MAINTENANCE OF PEACE

Mr. PITTMAN. Mr. President, it had been my intention to discuss today the violation of peace treaties and the alternative, for the maintenance of the peace of our citizens. I realize that Senators desire to adjourn as there are other matters to which their attention must be given, so I shall postpone that discussion until a later time.

However, I have had occasion to discuss this subject outside of the Senate. My views were not accurately expressed in the press at that time, and I was subjected to considerable criticism. I desire that those who are particularly interested in the question shall know my views with regard to it. I have not the time now to discuss it, but shall do so later.

Last Saturday, over a national and international radio hook-up, there was conducted a symposium in which speakers all over the world participated, several of whom touched on this very subject. I shall ask to place their speeches in the RECORD as soon as they can be obtained. One speaker from Tokyo seemed to hold the same views that I hold with regard to this matter. Also there was quite a similarity in the expression of views from Russia and from London. On that occasion I participated in the symposium, my remarks being in the form of an interview. The interview was conducted by Mr. William K. Hutchinson, of the International News Service. Pending the time when I shall discuss the matter fully on the floor of the Senate I ask permission to insert that interview in the RECORD as a part of my present remarks.

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

RADIO INTERVIEW OF SENATOR KEY PITTMAN BY WILLIAM K. HUTCHINSON

Q. Senator PITTMAN, you have traveled around the world and many times in Europe and the Orient. As a member of the Foreign Relations Committee of the Senate for 20 years you have studied foreign questions. I should like, therefore, to have your opinion as to how we can maintain honorable peace for our citizens.

A. In the first place, let me assert that everybody favors peace except a few warlike people. There are only two ways for us to maintain such peace. One is through treaties; the other is by maintaining a sufficient military force to command respect for our Government and protection for our citizens. Treaties that propose to protect the lives and property of nationals through arbitration or other juridical methods, and otherwise eliminate the dangers of war, would be the more humane and enlightened method. But such treaties are of no force and effect unless they are respected and obeyed by all the signatory powers. On the contrary, they become a delusion and a snare and the means by which unscrupulous governments take advantage of other governments who do recognize the sanctity of treaties. I have always supported such treaties, but I must admit that the evidence so far is conclusive, to my mind, that peace treaties have failed on every vital occasion to accomplish the high purpose for which they were intended. I hope that respect for them will be restored, but until that time arrives we will be forced to resort to the alternative—that is, to command respect for our Government and insure the safety and rights of our citizens through the maintenance of adequate naval and air forces. I say "naval and air forces" because we are fortunately situated in the United States. Our neighbors are friendly and we are protected by vast oceans on our shores. These forms of military forces are, fortunately, most economical, and in war endanger the lives of but few of our citizens. It is claimed that there is another alternative, and that is that our citizens and our ships remain within the continental borders of the United States. That is exactly what China did 1,800 years ago. China built a great wall around her country; but see what has happened to China under such extreme, pacific policy. Let our Navy fall into obsolescence, and even this latter alternative could not prevent our coast from being raided, our cities bombed, and the lives of our people taken.

Q. Do you regard the violation of any of these treaties as a threat to the United States?

A. I do.

Q. By what country?

A. By Japan.

Q. Do you regard the course being pursued by Japan and the evident aspiration of its present military government as threatening our interests and influence in the Pacific?

A. I do.

Q. Why, Senator?

A. Japan was a member of the League of Nations as well as China, and while a member of the League of Nations Japan invaded Manchuria, a part of China, with armed forces. She took possession of China's territory and ousted China's sovereignty and administration. The question was submitted to the League of Nations by China and Japan. The League decided that Japan was the aggressor and had been and was violating the covenants of the League of Nations. Japan treated that verdict with contempt, walked out of the conference, and proceeded more actively with the conquest of Manchuria, winding up the invasion by the establishment of the Japanese puppet government of Manchukuo. Now, Japan had subscribed, not only to the covenants of the League of Nations but also to the Kellogg-Briand Pact outlawing war and to the Nine Power Pact in which each government solemnly on its word of honor promised "to respect the sovereignty, the independence, and the territorial and administrative integrity of China." Japan, by reason of her action in Manchuria, in my opinion, violated the solemn covenants of all of these treaties. Now, apparently, she is again violating these treaties by attempting to take more territory away from China through the establishment of another Japanese puppet government in north China. All of China may be absorbed in this subtle way. Yes; Japan might even establish puppet governments in the islands of the Pacific. Japan may believe that such policy and such expansion are essential to her welfare, prosperity, and power. Nevertheless, such reasons have ever been given for conquest, and certainly such policy is inconsistent with the policy established in all recent peace treaties.

Q. Do you regard the consummation of that policy as a threat against the rights and peace of our citizens?

A. Undoubtedly. It has already practically destroyed our trade in Manchuria; and conditions are such in that territory that our missionaries and educational and business institutions may find it necessary to leave. The establishment of a new puppet government in north China, in my opinion, will have the same injurious effect. The evidence leads me to believe that the aspirations of the present military government of Japan envisions conquest of all eastern Asia and possibly all of the islands of the western Pacific.

Q. Does that mean eventual war between Japan and the United States?

A. The United States has not now, and never has had, any intention of attacking Japan. Its naval and air forces would be inferior to such forces of the Japanese Government in Japanese waters. Our Government has at all times admitted this, and the Japanese Government knows it. But, if the evident aspirations of the present military government of Japan are carried to their full consummation, not only will our commerce and influence in China be destroyed but it is not beyond the realm of possibility that our citizens and others dependent upon the United States for protection may be so imposed upon that it will be the moral duty of the United States to take action.

Q. Thank you, Senator PITTMAN.

ORDER FOR ADJOURNMENT TO THURSDAY

Mr. ROBINSON. Mr. President, I ask unanimous consent that when the Senate concludes its labors today it adjourn until Thursday next at 12 o'clock noon.

The PRESIDING OFFICER (Mr. McGILL in the chair). Is there objection?

Mr. COSTIGAN. Mr. President, reserving the right to object, may I ask the able Senator from Arkansas whether an adjournment will, in his opinion, disturb the priority on Thursday of the special order which is printed on the Senate calendar of business of today and which reads as follows:

SPECIAL ORDER

Ordered, by unanimous consent, That S. 3398, a bill to establish the Air Corps Technical School and to acquire certain land in the State of Colorado for use as a site for said Air Corps Technical School and as an aerial gunnery and bombing range for the Army Air Corps, be made a special order for the third day of the second session of the Seventy-fourth Congress. (Aug. 23, 1935.)

Mr. ROBINSON. I have stated to the Senator that it does not, and I now state to the Senate that it does not.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Arkansas? The Chair hears none, and the order is entered.

REFERENCE OF NOMINATIONS OR TREATIES

Mr. ROBINSON. Mr. President, I ask the entry of the order which I send to the desk. I may state to the Senate that it is in identical form with orders entered at the last session and preceding sessions of the Senate and is for the convenience of the Senate.

There being no objection, the order was read and agreed to, as follows:

Ordered, That on calendar days of the present session of the Congress, when no executive session is held, nominations or treaties received from the President of the United States may, where no objection is interposed, be referred as in executive session to the appropriate committees by the Presiding Officer of the Senate.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. McGILL in the chair), as in executive session, laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

THE UNITED STATES SUPREME COURT—ARTICLE BY SENATOR BORAH

Mr. VANDENBERG. Mr. President, the distinguished senior Senator from Idaho [Mr. BORAH] contributes to a current magazine a powerful, persuasive, and timely discussion of the Supreme Court of the United States and its place in American history, tradition, jurisprudence, and philosophy of government. The subject never has been more sturdily assessed than in this splendid article from the pen and brain and experience of this great constitutional spokesman. It deserves wider distribution for the sake of American institutions. I ask unanimous consent that it be printed in the RECORD.

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

I am asked by Redbook Magazine certain questions about the Supreme Court. The Supreme Court is again the subject of intense controversial discussion. Questions about it are debated throughout the land.

The first question propounded is:

By what authority does the Supreme Court exert the power to void an act of Congress on the ground that it is unconstitutional?

The assertion is made that no such power was conferred upon the Court in the beginning, and that it exerts it through usurpation. The question therefore really is:

Are we living under a usurped judicial power?

My answer is, "No." We are not living under a usurped judicial power. The power of the Court to void an act of Congress on the ground that it is unconstitutional is plainly and unmistakably conferred by the terms of the Constitution.

I understand perfectly that whenever the Court renders a decision of great moment, holding that a statute is in conflict with the Constitution and therefore void, John Marshall is again summoned to the bar of public opinion and denounced as a usurper. That has been going on for over a hundred years. No greater myth was ever paraded before an intelligent people.

It is an indisputable historic fact that, at the time John Marshall wrote the opinion in Madison against Marbury, announcing the doctrine that a statute in conflict with the Constitution must be held void, this doctrine was well established, and had been for years, in our system of jurisprudence. Years before John Marshall was born it was a settled doctrine in the Colonies that any legislative act of a colonial legislature must be held void if in conflict with the charter or fundamental law of the Colony. It was a doctrine which grew up with our constitutional history. It was a doctrine which grew up with American law. Over 500 acts of colonial legislatures were held void under this principle.

In the convention which framed the Constitution of the United States it was repeatedly declared that the courts would be bound to hold a statute void when found to be in conflict with the Constitution. In the articles written by Madison and Hamilton, known as the Federalist, urging the adoption of the Constitution and published throughout the States, this power of the courts was explicitly announced. In the conventions in the respective States which ratified the Constitution, particularly in the Virginia convention, this principle was admitted and accepted by both those who opposed ratification and those who supported it. Patrick Henry, opposing ratification, declared the doctrine; and John Marshall, favoring ratification, did likewise; and the contrary view was expressed by no one.

Prior to the time the opinion in Madison against Marbury was rendered, the supreme courts in 9 of the 13 States had declared the doctrine that a statute in contravention to the State constitution must be held void—that is, his was the logic of a written constitution. A number of statutes were held void on this basis by the State courts. Some of these decisions, by reason of the subject matter involved, were noted decisions and generally discussed throughout the States.

Two of these opinions were rendered at the very time the convention which framed the Federal Constitution was in session in Philadelphia. I have searched with some care to find whether any lawyer in any of these cases ever contended that the court did not have such power. I find no instance in which this contention was made. It was universally conceded that where an act of the legislature was found to be in conflict with the supreme law, the act must fall; upon no other theory could written constitutions be maintained.

Prior to the opinion in the Madison against Marbury case, Justices Iredell and Patterson, of the Supreme Court of the United States, sitting at circuit, had declared the right and power of the courts to determine the constitutionality of acts of Congress. Chief Justice Jay, in charging a grand jury, had also declared the doctrine. Associate Justice Wilson, one of the truly great jurists of his day, in a law lecture, had announced the principle. Thomas Jefferson, as early as 1785, had declared: "The Judges would consider any law as void which was contrary to the Constitution."

The truth is that the only thing original, or new, in the opinion of Madison against Marbury was the remorseless logic and consummate genius with which Marshall stated the doctrine.

I must not burden this article with long quotations, but may I say Marshall was a Federalist and Chief Justice Taney was a Jacksonian Democrat; but they were in absolute accord on this question. Taney's place in history has suffered by reason of the Dred Scott decision. Nevertheless, in power of intellect, in moral courage, in legal erudition, he must be placed next to Chief Justice Marshall. Fifty years after Marshall's opinion, without any reference to Marshall's opinion or to any precedents, but relying on the terms of the Constitution, and in one of the great opinions of the Court, he said:

"By the very terms of the grant, the Constitution is under their (the Court's) view when any act of Congress is brought before them, and it is their duty to declare it void and refuse to execute it if it is not pursuant to the legislative powers conferred upon Congress."

But, aside from the precedents preceding the opinion of Chief Justice Marshall, had the Court refused or rejected the power to hold a statute in contradiction to the Constitution void, that would have been in direct violation of the plain terms of the Constitution making the Constitution the supreme law of the land, and that would have been the end of a government under a written constitution. If an act of Congress is equal in force and dignity to the Constitution, then the Constitution is not supreme, whereas, if it is supreme, then it is the simple duty of the Court so to declare when a citizen calls upon the Court to determine whether the Constitution or the statute is to prevail.

But the real point is not whether Marshall usurped this power; but did anyone usurp this power? Does the Constitution give power to the Court to declare a law void when in contravention to the Constitution?

This does not seem to me to require any learned argument. The Court cannot of its own initiative declare a law unconstitutional. The Court is powerless to act until the citizen approaches it and says:

"By reason of certain laws passed by Congress, I have been injured, I have been imprisoned, I have had my property taken from me, I have been denied the right to assemble with my neighbors and discuss public questions. Laws passed by Congress deprive me of rights guaranteed to me by the Constitution. I ask the Court to protect my rights under the Constitution. These statutes so gravely affecting my interests seem to me to violate the plain terms of the Constitution. What I want to know is: Am I bound by the statutes or am I protected by the Constitution? I find, according to the Constitution, that this Constitution and the laws of the United States made in pursuance thereof, shall be the supreme law of the land. I contend that these statutes of which I complain were not made in pursuance of the Constitution. I find also that the judicial power extends to all cases in law and equity arising under the Constitution. I am asking for relief, and I invoke the judicial power granted under the Constitution. I want to know why I am made to suffer by an act of Congress

which is in violation of the supreme law. This is a legal question which I am presenting to you."

Under the circumstances, what must the Court do? If it refuses to act, it violates its supreme duty. If it does act, it has no choice but to uphold the law that is the supreme law.

If the most unlearned and unskilled person in the land should appear before the Court with such an issue and the most skillful lawyer in the country should appear on the other side, the Court would put aside, as it has often done, the learned arguments and declare that it was bound by the simple terms of the Constitution. I venture to think there is not a person in the United States, Socialist, Communist, anarchist, or what not, but would, if he were denied any constitutional right under some law passed by a State legislature or by the Congress, at once appeal to the courts to declare such law void.

It may be well to remember that this denial of the power of the Court to declare a statute unconstitutional was born of partisan politics. It has never been seriously urged except in heated party conflicts in which the Court refused to bend its opinions to conform to partisian demands. Let us place this doctrine of impotency upon the part of the Court where it belongs, and that is, with blind partisanship. When you destroy the Court's power, you pull down the pillars of the temple.

I do not mean to say the decisions of the Court are above criticism or that the people should not be entirely free to express their views touching the decisions of the Court. But I do mean to say that without the power of the Court to declare acts of Congress in contravention to the Constitution void, the Constitution as the supreme law of the land disappears, and we pass from a constitutional government to a parliamentary government or a dictatorial government, and every right, every privilege, every guaranty of personal liberty which the people have written into the Constitution becomes the plaything of politics and the Court the cowed slaves of partisan dictation.

The Supreme Court is not a divine institution, and its members are not always wholly exempt from the influence of politics. But in my opinion it is the most nearly perfect human institution yet devised by the wit of man for the dispensation of justice and for the preservation of liberty as defined by the people themselves in the charter under which they have declared their desire to live.

So much for the question regarding alleged usurpation by the Court. I am then asked if it is not true that the Court's decisions tend to perpetuate the old local rights of the States unduly, and to the disadvantage of the Nation. The recent decision of the Court in the matter of the National Recovery Act is cited in this connection. The critics of the Court allege that it was blind to modern economic developments. They allege that the decision was a blow to the centralization of governmental authority, which they regard as necessary to the solution of modern national economic problems. They contend accordingly that the Court is "reactionary."

I answer that the Court is in fact not blind to economic developments. But it is bound, in passing upon legal questions, by the terms of the Constitution. It would be an awful situation if this were not true.

I suspect if anyone would propose to create a Supreme Court giving nine men the power to render final decisions on economic problems he would be regarded as more or less a lunatic. If there is found in the Constitution authority which justifies Congress in adopting the scheme, such as the National Recovery Act, the Court upholds the act, however unwise it may be economically. On the other hand, if there is no authority for the enactment of such a law, the Court rejects the law, however wise the proposition might be regarded economically.

If the power is wanting, in other words, and the people favor giving such power to Congress, the people may do so, but not the Court. We amended the Constitution giving power to Congress to levy an income tax after the Court had held that no such power had been granted. In this way the power is always retained by the people. And the Court is bound by the decision of the people as embodied in the Constitution.

Let us never forget that those who talk about the Constitution being antiquated and out of date overlook the fact that the people, if they choose, may bring it down to date, and no one else may do so under our form of government. The contest is really over whether the people shall amend the Constitution, or whether it shall be amended by the Court or by the Congress. The fact is that those who complain that the Court is blind to economic problems seem greatly to hesitate about taking their cause direct to those and those alone who may change the Constitution. They seem to prefer to amend the Constitution by strained and unnatural constructions.

It is true the decisions of the Court have more than once been a blow to so-called centralized government. They have more than once protected State rights. But that is because the Constitution does not provide for centralized government to the extent some desire, and because the Constitution provides for the protection of State rights. Here again, I say, if greater authority is desirable or necessary to the solution of modern economic problems, or if State rights are to be eliminated, ask the people for the power, not the courts. The Constitution should be changed back home, and not in Washington.

Those who complain that the Constitution is inadequate to our modern national needs but who refuse to submit the question to the people in the way of proposed amendments, either discredit their own sincerity or pay high tribute to the intelligence and judgment of the people.

Passing from this immediate topic of State rights, I am asked to express myself further on constitutional amendments in general. I am asked to remember that I myself was associated with the adoption of the amendment which clothed the Federal Government with the power to levy income taxes. I am asked to state my view of the amendment process.

I think that the question of amendments and the method of adopting amendments are always important, but particularly so just now. There seem to be those who would have no amendment or amendments. And there seem to be those would would amend the Constitution more or less as you would amend an appropriation bill, and with about the same object in view.

I feel we ought not to be afraid to consider amendments, but we ought to be exceedingly considerate and deliberate in adopting amendments. Changes may be necessary. The framers of the Constitution understood that perfectly. But to change the character of the charter of government is the most vital exertion of political power in which a people can engage, and that fact we ought never to overlook. I think we should follow the rule which Puck once announced as the rule of President Cleveland: "Be sure you are right; then stop a little."

The amendment process is said to be a slow process. But, in my judgment, it is not too slow. There can hardly be too much debate and deliberation and reflection on the matter of amendments to the Constitution. The fourteenth amendment has some provisions in it which are wise enough, and some which ought never to have been placed in the Constitution. The manner in which it was forced through few men would want to see repeated under any circumstances. The test in considering amendments is to secure consideration under the most favorable circumstances and, insofar as practicable, free from partisan domination.

We sometime still hear it said that those who wrote the Constitution did not trust the people. But no greater trust could be reposed in the people than to give them the power peacefully to change their form of government. It was an expression of confidence in the judgment, patriotism, and statesmanship of the average man and woman. At the time the Constitution was written the world at large regarded such bestowal of power upon the people as incredible demagoguery. The fact that the framers of the Constitution threw safeguards about the power to amend, so as to insure deliberation and general approval, detracts not at all from the almost sublime confidence which the makers of the Constitution reposed in the people. At that time governments were neither made nor changed by the people.

It is nevertheless asserted that the makers of the Constitution designed it to be in its central essence a mere bulwark of property. It is asserted that the central function of the Court is the maintenance of undue and excessive outworn property rights. It is asserted that the Court sustains those so-called property rights against so-called human rights. I am asked what I think about that charge.

Well, I have never been able to understand it.

I am quite aware that some writers have dilated on the theory that our Constitution was framed and adopted with the view of protecting property rights at the expense of human rights. But neither the document, nor the decisions of the Court, nor the historic facts surrounding the adoption of the Constitution seem to me to support this charge.

Tell me, if you will, where you will find a document of government so right in human rights as the Constitution of the United States? It is true that technically the Bill of Rights was not a part of the Constitution when it was formally submitted. But it is also true that, in the contemplation of all, the Bill of Rights was a part of the Constitution at the beginning.

Think of adopting a charter of government in 1789 which guaranteed religious liberty, free speech, a free press, and all those rights and privileges guaranteed and protected in the Constitution. No such rights upon the part of the people existed to any extent at that time in the entire world. It seemed like madness to other governments, and they made no concealment of their derision. The human rights specified and preserved in the Constitution are the fundamental human rights; and, these rights being guaranteed, all human rights are made secure.

Look at the world today and reflect upon what a small portion of the globe now sees the people enjoying free speech, free press, religious liberty, the right of trial by jury, personal liberty. No! No! It is not true that human rights are submerged by the Constitution. If we live up to our Constitution in letter and in spirit, human rights will always be supreme.

And what are these property rights which are guaranteed and made safe by the Constitution? What an inseparable part are they of human rights!

Is not the right to acquire, own, and enjoy property a part of human rights? Is there any such thing as personal liberty without it? There is a very large portion of the human family at this time who will tell you that liberty, family happiness, and contentment were all lost in the selfsame hour that they lost the right to acquire property and to be secure in its enjoyment. The framers were wise enough to know and brave enough to declare that when you have made property rights secure you have contributed incalculably to human rights and to human liberty.

But it is asked: "How has the Supreme Court protected these rights? Has it turned its back upon personal liberty, free speech, free press, religious liberty, jury trial, and so forth?" I can pick out decisions, and doubtless others can, which seem to justify criticism. But an institution has a right to be judged by its record as a whole. And taken as a whole, there is no finer record in

protecting human rights than that recorded in the decisions of the Supreme Court of the United States.

There have been occasions when the political side of the Government felt justified in invading some of these human rights. The Supreme Court has invariably struck down the laws which took away or compromised these rights. It has protected the right of trial by jury. It has protected religious liberty. It has protected personal liberty. And it has done so in some instances under the most trying and adverse circumstances.

You will recall that, in the midst of the excitement of the so-called Burr conspiracy men were seized without warrant, transported hundreds of miles, and thrown into prison and denied trial. The Court protected them in their rights when they were able to reach the Court.

When President Lincoln suspended the writ of habeas corpus Chief Justice Taney unhesitatingly declared that act was in violation of the Constitution and imperiled the liberty of all citizens. No finer exhibition of judicial courage is to be found in the history of jurisprudence than that of the venerable Chief Justice bending under the furious assault of war passion, but courageously upholding what he believed to be the plain provisions of the Constitution. And now that the passion of the hour has subsided, few men will be found to question the soundness or the importance of Taney's views.

When Congress, under a plea of emergency, subjected the citizen to trial by court martial, the Court struck down the law. Without great detail and without mentioning a multitude of decisions, I know of no instance wherein the liberty of the citizens imperiled by legislation or the act of the Executive in times of stress or in times of passion has not been upheld and protected by the Supreme Court.

All through our history there have been efforts from time to time to make it appear that the Supreme Court of the United States is far removed from the people; but history, speaking the truth, relates a different story. Whether it has been an ignorant and condemned Negro charged with the most heinous of crimes, or the combined prestige of Congress and the Executive exerting powers beyond the terms of the Constitution, the Court has been the tribunal to which the citizen in the last appeal has gone for that protection given him by the terms of the Constitution. And rarely indeed can anyone say that his constitutional rights have been denied him. While no one would claim for any human tribunal exemption from human error, does not the record disclose, and does not candor compel us to say, that with remarkable fidelity, wisdom, and justice human rights have been at all times safeguarded and preserved as those rights are to be found in the law of the land?

It is now suggested, and from a most respectable source, that the Supreme Court be made an advisory body on constitutional questions. It is suggested that the Court advise Congress during the process of legislation. The idea is that some plan should be provided whereby the Court may pass upon the constitutionality of proposed measures of legislation.

I think that a little reflection will convince anyone that this would destroy entirely the highest virtue of the Court. That virtue is that there should be a tribunal unbiased and uncommitted to which the citizen may repair when he feels his constitutional rights have been invaded.

Let us suppose that a law has been passed, and that during the process of legislation the Court had declared the law to be constitutional. After it becomes a law a private citizen believes it to be unconstitutional and alleges that it has deprived him of his constitutional right. Where is the unbiased, uncommitted tribunal to which he can take his cause and present his argument?

If he takes it to a court which has already passed upon the law, his case is prejudged before he has ever been heard. He would be placed in the position of calling upon the court to reverse its opinion. Anything or any scheme which embarrasses the court in giving a free, full, unbiased, uncommitted consideration to the claim of the private citizen strikes at the very foundation of the court's dignity and worth.

I am now finally asked how I view the Court in the light of the world-wide struggle between democracy and dictatorship. I am reminded that some of the most earnest advocates of democracy in this country are equally earnest, apparently, in demanding an abridgment or even an abrogation of the power of the Court. I am asked my attitude toward this conflict of opinion. I can state it perfectly explicitly:

It is my feeling that, when the framers of the Constitution lodged the power to amend the Constitution in the people, and conferred upon the Supreme Court the power to annul acts found to be in violation of the Constitution, they made this a government of law rather than a government of men. And only by preserving both the Constitution and the power of the Court can we be certain that it will remain a government of law.

When Septimus Severus was dying he said to his successor, "Pay the soldiers, and don't worry about anything else." His idea apparently was that so long as the soldiers were not disaffected the government would stand. One might almost say, "So far as communism or fascism are concerned, preserve the Constitution with its free speech, free press, right of assemblage, and the other guaranties, and don't worry about anything else."

As I see it, the combat between communism and fascism on the one hand, and democracy on the other, in the last analysis, comes down to the simple question: What, if any, place shall be given to the average man and woman in government? What voice shall they have? Both communism and fascism would rob them of every right, every privilege, every guaranty given them in our Constitution—personal liberty, and all the attributes of liberty. The first line of defense therefore against a dictatorial government is the Constitution of the United States.

People do not voluntarily surrender their liberty, once they have enjoyed it. Thomas Jefferson said, you will recall:

"Where every man is a sharer in the direction of his ward republic or some of the higher ones, and feels that he is a participator in the government of affairs, not merely at an election one day in the year but every day, he will let the heart be torn out of his body sooner than his power wrested from him by a Caesar or a Bonaparte."

Men may be cheated out of it, misled and deceived into surrendering their liberty, or they may be subjugated by force. But they do not surrender these things voluntarily. If the guaranties of the Constitution of the United States remain intact, if the Court remains intact, there is little chance indeed for arbitrary government for any considerable length of time, especially.

To put it another way, the only sure cure for communism or fascism is Americanism. I use that term, not as we use it on the Fourth of July or on state occasions, but as an expression of the doctrine of individual liberty.

It does not seem to me that there is nearly so much danger to our institutions in the out-and-out advocates of communism or fascism as there is in our tendency to praise the principles of democracy but employ the methods of fascism. In the way of illustration, I read in a current magazine the words of an important official, which are as follows:

"Certain conclusions appear clear. In the first place it seems clear that in these difficult times we need centralization of leadership. Decentralization of leadership may be a good thing for local matters, but what can it avail in our national affairs? If such leadership is an important requirement, from what source can it be obtained? Can it come from 435 Congressmen and the 96 Senators? Can it come from nine Justices of the Supreme Court? It would appear that the Chief Executive is the only source from which national leadership may be sought with any hope of effective results."

Mussolini never stated the doctrine of fascism with greater boldness or greater clarity than it is here stated. "Centralization of leadership." We have a practical and impressive illustration of that now. Mussolini, having silenced the voice of the people, having reduced to pitiable impotency the representatives of the people, having disregarded the Constitution, and having made subservient the judges so that no citizen can appeal to the courts for justice, according to the Constitution, leads his people according to the discretion and judgment of "centralization of leadership." There you have speedy action, quick decision, undivided responsibility, with no power of appeal to the courts or to the Constitution, and no right of discussion.

Here in this official's statement is an unmistakable contention that courts and constitutions and Members of the Congress elected by the people are an impediment. Then follows, although it is not mentioned, what must inevitably follow, that free speech and a free press and the right of assemblage, would be an impediment to "centralized leadership."

Individual leadership has its place, but there is a higher leadership to which all individual leadership must be subordinated, and that is the leadership which comes from the combined heart and brain and from the conscience and the soul of millions of intelligent and patriotic people. That is a leadership less amenable to the call of ambition, less likely to suffer from the corroding effect of power, and more likely to take into consideration the welfare of all.

When you remove the restraints of popular judgment you not only have taken the first step but you have taken the last step toward absolute dictatorial power; I do not care what you call it.

We hear constantly about these "difficult times" as an argument in favor of wiping out all the rights and guaranties given the people under the Constitution. It was in difficult times, very difficult times, times which tried men's souls, that the Constitution was written, and "centralization of leadership" was for all times rejected. It was in difficult times, when economic and financial chaos reigned, that Washington calmly rejected the proffered centralization of leadership. It was in difficult times, very difficult times, a time when we were torn with civil strife, that the Great Martyr declared that the Government of the people must not perish.

They had faith in our form of government, and difficult as the times were, they did not indulge in the defeatist policy of surrendering the vital principles upon which a free government rests. A little patience, a little courage, a little faith, will stimulate tremendously one's confidence in the efficiency and the permanency of constitutional government.

THE AMERICAN CONSTITUTIONAL METHOD—ADDRESS BY ATTORNEY GENERAL CUMMINGS

Mr. NORRIS. Mr. President, on December 18 last the Attorney General of the United States delivered a very able address before the Association of the Bar of the City of New York on "The American Constitutional Method." I ask unanimous consent that the address be printed in the RECORD.

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

In the 147 years which have elapsed since its adoption the Constitution of the United States has probably been the subject of more controversy than any other great document in human history.

The framers of the Virginia-Kentucky resolutions of 1798 took one view of its meaning, the Federalists another. The friends of the Bank of the United States thought that the Constitution conferred powers on the Federal Government which the opponents of the bank, with equal earnestness, denied. The South Carolina nullifiers of 1833 believed that a protective tariff was unconstitutional, while Judge Story and Daniel Webster were firm in the opposite belief. After the close of the Civil War the so-called radicals thought that the new amendments conferred on the Congress power to protect civil rights within the several States, while their opponents gave to the amendments a narrower construction, which was afterward confirmed by the Supreme Court.

And yet, in the face of this series of examples, which might be multiplied almost indefinitely, there is nothing more characteristic of constitutional controversy than the recurrent assumption on the part of the disputants that their own construction alone has a sole and exclusive title to correctness, and that whoever challenges that construction, or argues against it, is guilty of no lighter offense than that of laying impious hands on the Ark of the Covenant. This attitude is, perhaps, a natural consequence of man's insatiable desire for certainty, which he seeks to satisfy by convincing himself that he already has certainty in his grasp. This tends to increase the heat, as well as the scope, of the debate. Men are apt to become irritated when they find their own certainties disputed, and to that extent shaken, by the existence of other and inconsistent certainties on the part of other men. But, as Mr. Justice Holmes admonishes us, "Certainly, generally, is an illusion and repose is not the destiny of man"; and it was George Meredith who, referring to this human frailty, exclaimed:

"Ah, what a dusty answer gets the soul
When hot for certainties in this our life."

The Constitution is a fundamental document, expressed for the most part in general principles, and couching its precepts in language designed to make possible the attainment of the great ends of government.

Mr. Justice Story, in delivering the opinion of the Court in *Martin* v. *Hunter* (1 Wheat. 326), said:

"The Constitution unavoidably deals in general language. It did not suit the purposes of the people, in framing this great charter of our liberties, to provide for minute specifications of its powers, or to declare the means by which those powers should be carried into execution. It was foreseen that this would be perilous and difficult, if not an impracticable task. The instrument was not intended to provide merely for the exigencies of a few years but was to endure through a long lapse of ages, the events of which were locked up in the inscrutable purposes of Providence. It could not be foreseen what new changes and modifications of power might be indispensable to effectuate the general objects of the charter; and restrictions and specifications, which, at the present, might seem salutary, might, in the end, prove the overthrow of the system itself. Hence, its powers are expressed in general terms, leaving to the legislature, from time to time, to adopt its own means to effectuate legitimate objects, and to mold and model the exercise of its powers, as its own wisdom, and the public interests should require."

A similar thought was expressed by Chief Justice Marshall in *McCulloch* v. *Maryland* (4 Wheat. 407).

The result of the process of constitutional construction depends on the relative weight given to this or that factor in a chain of inference. One mind will be impressed by the need of centralized power, another by the value of local self-government; one by immediate governmental necessities, another by the danger of governmental abuses; one by the rights of property, another by the claims of human sympathy; one by the sanctity of contracts, another by the requirements of essential justice. The interplay of these conflicting concepts, and the predominance of one or another at different periods of national development, are illustrated throughout the long history of judicial decisions and should serve to convince us that within the great house of the Constitution are many mansions, and that the questions which are left open within its four corners are frequently susceptible of more than one solution based upon reason.

The Supreme Court does not operate in a legalistic vacuum of abstract propositions. On the contrary, it is part and parcel of an organic process of government which comprises the constitution-making process, the legislative process, and all the other processes through which, in a government resting on popular sovereignty, public opinion is enabled to register itself in governmental acts. Moreover, the cases which come before the Supreme Court are, for the most part, presented by the exigencies of litigation, not cases selected to round out the symmetry of a theory. Such cases are created by the accidents, or the pressures, or the changing ideals, of national life. In this welter of fact and circumstance there is a place for logic and the Court has applied it; but there is a place, too, for that "inarticulate premise" to which Mr. Justice Holmes referred when he deprecated "a system of delusive exactness."

Shifting national needs and maturing national ideals have at times resulted in reversals of previous decisions. At the outset the Supreme Court held that the admiralty powers of the Constitution extended only to navigable waters within the ebb and flow of the tide. This ruling excluded, of course, the Great Lakes; and it was reversed in 1852 in the leading case of *The Propeller Genessee Chief* (12 How. 443). Referring to the earlier decisions, Chief Justice Taney said:

"The conviction that this definition of admiralty powers was narrower than the Constitution contemplated has been growing stronger every day with the growing commerce on the Lakes and navigable rivers of the Western States."

It was, perhaps, natural for the courts of the United States, in an early period, to adopt the limited definition; for until the invention of the steamboat there could be nothing like extended navigation upon waters with an unchanging current resisting the upward passage; but the Chief Justice went on to point out that at the time of such decisions "the commerce on the rivers of the West and on the Lakes was in its infancy and of little importance, and but little regarded, compared with the present day."

Another instance in which the Court, during the same period of its history, reversed its previous holding has to do with the question of whether foreign corporations have a right of access to the Federal courts under the diversity of citizenship provision of the judiciary article of the Constitution. The original rule laid down by Marshall in *Bank of United States* v. *Devereaux* (5 Cr. 61) was that a foreign corporation had no such right unless all its stockholders were citizens of a State other than that of the opposing party in the suit. This decision was reversed in 1844 in *Louisville, etc., R. R.* v. *Letson* (2 How. 497), which held that, for the purpose of a suit in a Federal court, a corporation must be presumed to be a citizen of the State in which it was incorporated. The Court said, in its opinion, that the old cases "had never been satisfactory to the bar" nor "entirely satisfactory to the Court that made them." The vast growth and extension of the corporate method of doing business had obviously produced its effect on the judicial mind.

Instances in quite recent years of definite reversals by the Court of important decisions in the field of taxation come readily to mind, notably *Blackstone* v. *Miller* (188 U. S. 189), overruled in *Farmers Loan Co.* v. *Minnesota* (280 U. S. 204–209), and *Long* v. *Rockwood* (277 U. S. 142), overruled in *Fox Film Corporation* v. *Doyal* (286 U. S. 123).

The history of the Court is not free from examples of reversals or substantial modifications of its position in cases involving issues of far wider public interest and more general controversy than those which I have mentioned. An outstanding illustration was the important modification of the doctrine of the Dartmouth College case, after a change in the personnel of the Court, by the Charles River Bridge case. The Dartmouth College case had held that a corporate charter was an inviolable grant which could not constitutionally be impaired by subsequent legislation. The question raised in the Charles River Bridge case was whether the constitutional guarantee extended beyond the express terms of the grant to the implications of exclusiveness to which it owed, in large measure at least, its financial value. When the case was first argued in 1831, while Marshall was still Chief Justice, the Court apparently had no doubt that the guaranty did cover such implications. When the case was finally decided 6 years later, however, the ruling was to the opposite effect, over a strong dissent from Judge Story. It was in this case that Chief Justice Taney voiced the memorable sentiment:

"While the rights of private property are sacredly guarded, we must not forget that the community also have rights and that the happiness and well-being of every citizen depends on their faithful preservation" (*Charles River Bridge* v. *Warren Bridge*, 11 Pet. 420 at 548).

It was this decision which called forth from Judge Story the gloomy remark that "the old constitutional doctrines are fast fading away and a change has come over the public mind from which I augur little good" (Warren's History of the Supreme Court, vol. 2, p. 302). In his dissenting opinion he said that the very raising of the contentions which had received the support of the majority of the Court was "sufficient to alarm every stockholder in every public enterprise of this sort throughout the whole country." Daniel Webster complained that "the decision has completely overturned a clear provision of the Constitution" and reported that "Judge Story thinks the Supreme Court is gone, and I think so, too, and almost everything else is gone, or seems rapidly going." Chancellor Kent wrote that he had reperused the Charles River Bridge decision with increased disgust, and that "It abandons or overthrows a great principle of constitutional morality. * * * It injures the moral sense of the community and destroys the sanctity of contracts."

Yet, within 15 years a later judge, who was himself no ineffective defender of property rights, speaking of this decision, was able to say: "No opinion of the Court has more fully satisfied the legal judgment of the country, and consequently none has exercised more influence upon its legislation" (Campbell, J., in *State* v. *Knopp*, 16 How. 409).

A more recent instance in which the Supreme Court, on an issue of great public importance, originally took a position from which it was later to recede is afforded by the famous E. C. Knight case (156 U. S. 1 (1895)), the first to come before that tribunal under the Sherman Antitrust Act. It was held that a monopolistic combination of manufacturers could not be constitutionally reached by the antitrust laws, since manufacture was not commerce, and therefore was exempt from control by the Congress. The decision, while it stood, effectively paralyzed the operation of the antitrust laws for a number of years and drew sharp criticism from many commentators. One of them, writing in the American Law Review in the year when the decision was handed down, said that "the Sugar Trust decision and the income-tax decision"—rendered the same year—"counterbalance all the good the Court has done in 70 years and inflict a wound on the rights of the American people." Within a few years, however, the Court reconsidered its position and held that while the Sherman Act might affect local conditions it could

nevertheless be constitutionally applied even to transactions local in character if they operated to effect a restraint on interstate commerce (*Northern Securities Co.* v. *United States*, 193 U. S. 197 (1904)). This decision revitalized the antitrust laws and rendered them once more serviceable.

The outstanding instance in which the Supreme Court has reversed itself was when, in the *Legal Tender Cases* (12 Wall. 457 (1871)), it overruled its prior decision in *Hepburn* v. *Griswold* (8 Wall. 603 (1870)). The Hepburn case, which was decided by a vote of 4 to 3, represented a recognition, in the minds of a majority of the Court, of a body of economic doctrines resulting from the contact of certain economists with the bullion question as it had presented itself in England at the close of the Napoleonic wars. The economic soundness or unsoundness of these doctrines was, no doubt, a question of importance for legislative consideration. To read them, however, into constitutional requirements, as the majority of the Court did, imposed an unwarranted limitation upon an essential power of sovereignty. The decision met with some favor on economic grounds, but even its supporters referred to "the impropriety of taking from Congress and committing to a court of justice a task so plainly legislative in its nature."

The New York Times stated that "the effect of the decision if allowed to stand strips the Nation of one of its means of warfare and defense."

The doctrines of the *Legal Tender cases* were reaffirmed, in the broadest terms, 12 years later in *Julliard* v. *Greenman* (110 U. S. 421) with but one dissent, and in the recent Gold Clause cases they have been extended still further. In numerous instances, without overruling particular decisions, the Court has shifted its emphasis from one class of guiding considerations to another. The trends which lawyers attempt to deduce therefrom are, of course, of the utmost importance in determining the law for future cases and in advising clients in pending matters.

Nevertheless, the history of the decisions indicates that few such trends have been sufficiently continuous to supply a basis of certainty as to their indefinite projection into the future. On the contrary, there has been, naturally and properly, an ebb and flow, with a conspicuous lack of basis for assurance as to when the ebb will cease and the flow set in.

Outstanding examples are to be found in the construction of the commerce clause from *Gibbons* v. *Ogden* (9 Wheat. 1) to *Leisy* v. *Hardin* (135 U. S. 100), and the course of decisions in cases of legislative price fixing from *Munn* v. *Illinois* (94 U. S. 113) to *Nebbia* v. *New York* (291 U. S. 502). In *Gibbons* v. *Ogden* the Court had plainly indicated its view that the Federal power to regulate interstate commerce is exclusive, with the result that all regulation of such commerce by the States is invalid. In the *License Cases* (5 How. 504), however, the Court upheld a State regulation of liquor imported from other States. A satisfactory line of demarcation between State and Federal police regulations seemed ultimately established by *Cooley* v. *The Port Wardens* (12 How. 299), but this line was again unsettled by *Leisy* v. *Hardin*, supra, which once more cast doubt on the validity of State regulations affecting articles moving in interstate commerce.

The relations of legislative price fixing to the due-process clause seemed settled on the basis of public interest from the time of the Munn case in 1876 to *German Alliance Ins. Co.* v. *Kansas* (233 U.S. 389) in 1914, but there followed in the 1920's a series of cases like the Employment Agency case (*Ribnick* v. *McBride*, 277 U. S. 350) and the Theater Ticket case (*Tyson* v. *Banton*, 273 U. S. 418), which seemed to stand for some narrower doctrine until the authority of the earlier decisions was reestablished and extended 2 years ago in the Nebbia case.

Shifts in the trend of the Supreme Court's opinions have been noted by the great commentator on American institutions, James (afterward Lord) Bryce. He says:

"The Supreme Court has changed its color, i. e., its temper and tendencies, from time to time according to the political proclivities of the men who composed it. * * * Their action flowed naturally from the habits of thought they had formed before their accession to the bench and from the sympathy they could not but feel for the doctrines on whose behalf they had contended." (American Commonwealth, 3d ed., vol. 1, pp. 274–275.)

And again:

"The Supreme Court feels the touch of public opinion. Opinion is stronger in America than anywhere else in the world, and judges are only men. To yield a little may be prudent, for the tree that cannot bend to the blast may be broken. There is, moreover, this ground at least for presuming public opinion to be right, that through it the progressive judgment of the world is expressed." (Ibid., p. 273.)

In view of the close and inevitable connection which thus exists between the questions which the Court has to decide and the great issues which agitate public opinion, it is not unnatural that the decisions and doctrines of the Court should be the subject of widespread public interest. The Constitution is supreme simply because it expresses the ultimate will of the people. The people are, accordingly, the masters of the Constitution, and their mastery is expressed in the power of amendment, which, it must not be forgotten, is as much a part of the Constitution as any other provision. This power has been exerted three times in our history for the deliberate purpose of overriding a previous decision of the Supreme Court.

The first instance occurred at the very commencement of our Government, when the eleventh amendment, prohibiting suits by private parties against a State, was adopted to undo the effect of the decision of the Supreme Court in *Chisholm* v. *Georgia* (2 Dallas 419). The latest instance was the adoption of the sixteenth amendment to make a Federal income tax possible over the decision of the Supreme Court in *Pollock* v. *Farmers Loan & Trust Co.* (158 U. S. 601). The other instance was the adoption of the thirteenth amendment to undo the effect of the Dred Scott decision (19 How. 393).

In discussions of our constitutional system there is no occasion to hurry over the Dred Scott decision with averted gaze. It holds a lesson for us. Newspapers of the time spoke of the decision as "exerting the most powerful and salutary influence throughout the United States", as "a closing and clinching confirmation of the settlement of the [slavery] issue", and as exerting "a mighty influence in diffusing sound opinions and restoring harmony and fraternal concord throughout the country." In connection with no other opinion was there ever a greater effort on the part of those who agreed with it to misrepresent all public expressions of disagreement as blows aimed at the judiciary. And yet, as we look back upon that controversy, we cannot doubt that the discussion was salutary, nor can we help feeling that the sound American attitude was that expressed by Abraham Lincoln when he said:

"But we think the Dred Scott decision is erroneous. We know the court that made it has often overruled its own decisions, and we shall do what we can to have it overrule this." (Speech at Springfield, Ill., June 26, 1857.)

And, again, in his first inaugural:

"The candid citizen must confess that if the policy of the Government upon vital questions affecting the whole people is to be irrevocably fixed by decisions of the Supreme Court, the instant they are made in ordinary litigation between parties in personal actions, the people would have ceased to be their own ruler, having to that extent practically resigned their Government into the hands of that eminent tribunal."

In a time of constitutional discussion like the present, when once again, as in so many preceding periods, clashing interests and conflicting ideals are pressing for expression in governmental action, and seeking to clothe themselves with the mantle of constitutional sanction while fixing the stigma of unconstitutionality on their opponents, it is well for us, as lawyers, to resort to the steadying influence of the historic view. Such consideration should shield us from ill-considered conclusions on at least two questions which, for the moment, seem to be creating much confusion of thought in both professional and lay minds.

The first of these has to do with the propriety of public criticism of the decisions of the courts on constitutional questions.

It seems clear, from the fragments of history to which I have adverted, that such discussion has gone on from the beginning of our Government, and has repeatedly affected the character of judicial decisions or has expressed itself in the form of constitutional amendments. Of course, the fact that such criticism has occurred and has produced results is of itself no justification of its propriety. If the Constitution imposes in all instances a clear and specific mandate upon the judges, leaving them no discretion and no room within which reasonable men may differ, then obviously any criticism of decisions so compelled would be grossly misdirected. What I have said should sufficiently indicate, however, that on many great constitutional issues decisions are not thus inexorably required by the Constitution. They proceed rather from a chain of inference and intermediate reasoning, the result of which depends upon the relative weight which one mind or another may give to a variety of competing considerations. If, as Bryce has pointed out in the passage I have read, these considerations are in part drawn, not from the mere private preferences of the Judges as individuals, but rather from the impressions produced on their minds by the general public sense of what is just and what is necessary in the public interest, then such public discussion, so far from being unfair to the Judges and a hindrance to the performance of their duties, is, on the contrary, an important and valid aid in acquainting them with some of the weighty factors which properly enter into the process of decision.

The second question is whether the legislative branch of the Government and the Executive, in view of their oath to support the Constitution, may rightfully take any action or join in the enactment of any law the constitutionality of which is doubtful. It has been argued that should the Executive or a Member of the Congress have serious doubt whether a proposed enactment is constitutional, he would violate his oath of office by assenting to it or voting for it.

This argument rests on a misunderstanding as to the form and nature of the Constitution and as to the function of the Supreme Court with reference thereto. If we are aware, as all students of the Constitution must be, of the sweeping language in which its provisions are couched, and of the variety of considerations to which the Supreme Court must give weight, it seems clear that practically no new legislation of a controversial character can ever be said to be free from constitutional question. Indeed, the only legislation as to which no doubt can exist is an enactment substantially identical with some previous statute already approved by the Supreme Court, and even here there is the possibility of error in view of the fact that the Court has frequently reversed itself. The theory that any Member of Congress violates his oath who votes in favor of legislation not free from constitutional doubt would entirely exclude the possibility of legislation in new fields or of novel character.

As heretofore indicated, constitutional objections have been raised as to nearly every important piece of legislation enacted since the beginning of the Government. The constitutionality of

a protective tariff was questioned when the first tariff act was proposed and was bitterly debated for many years; the constitutionality of national banks was contested; the constitutionality of Federal expenditures for internal improvements, roads, canals, and railways was vigorously assailed; the constitutionality of the Interstate Commerce Act was the subject of long discussion; and the constitutionality of the acts establishing the Department of the Interior and the Department of Agriculture was vehemently denied. Speaking of the bill to establish the Interior Department, John C. Calhoun said:

"This monstrous bill will turn over the whole interior affairs of the Government to this Department and it is one of the greatest steps ever made to absorb all the remaining powers of the State."

Certainly no one, however, who is familiar with our history, and assuredly no lawyer, would undertake to argue that, because the Court ultimately determined that a particular enactment was constitutional, there was no reasonable ground for doubt at the outset. President Taft, for example, vetoed the Webb-Kenyon Act on the ground that his oath of office did not permit him to give his assent to an act of doubtful constitutionality. In fact, he went rather far in admonishing the Congress as to its duty in the premises. The act, however, was passed over his veto, and in due course the Supreme Court pronounced it constitutional (*Clark Distilling Co.* v. *Western Maryland Ry.*, 242 U. S. 311).

The doctrine expressed by President Taft would, if applied, require that doubts be resolved by the Congress adversely to constitutionality, thereby bringing many essential processes of the Government to a standstill. If no act of the Congress of doubtful constitutionality were ever passed, the Supreme Court would have little or no occasion to exercise any function in the matter of constitutional interpretation.

The correct course would seem to be that the Executive and the members of the legislative branch, when not clearly convinced of the unconstitutionality of a measure otherwise desirable, should not necessarily regard themselves as thereby deterred from enacting it, but should consider the advisability of leaving the doubt to be determined where it can be determined authoritatively, namely, by the Supreme Court. This was the position of Senator Fessenden, of Maine, in the debate on the Legal Tender Acts when he said:

"I have not touched the constitutional question. * * * We may well leave that question to be settled by the courts and not attempt to settle it ourselves" (57 Cong. Globe, 767).

It was, also, the position of Madison during the first Congress when called upon to vote on the bill for the encouragement of the cod fisheries. Madison felt that the bill was unconstitutional in certain respects, and favored an amendment to eliminate such provisions. The amendment failed, and it is interesting to note that notwithstanding his conscientious view that the bill was in the main probably unconstitutional, he nevertheless voted for it on its final passage. As has been heretofore noted, Lincoln was not prepared, in certain instances at least, to let such a question rest, even after the Supreme Court had spoken.

Of late, however, we have been confronted with the further assumption that a correct understanding of the meaning of the Constitution is revealed not merely to the Supreme Court but to certain individuals who, from time to time, deplore the course of events and express an exaggerated anxiety as to the safety of our institutions. The precise meaning of the Constitution becomes, therefore, the particular meaning which they, as an esoteric group of specially endowed individuals, have elicited by their own efforts and their own processes of inference from the previous decisions of the courts. This would seem to present a somewhat novel phenomenon in the matter of constitutional interpretation. It may well be asked, however, what intellectual, professional, or political right has any individual, or any group of individuals, thus to proclaim in advance, and as if from on high, a constitutional interpretation which can be authoritatively supplied only by the Supreme Court itself, which has so frequently confounded by its decisions, the forecasts and opinions of Congresses and Presidents, as well as of private critics and commentators?

The absolute theory of one and only one rational construction of the Constitution renders impossible any proper understanding of the nature of our American constitutional method and of the functions of our Supreme Court.

With us the people have established a Constitution which is supreme over all the acts of government—legislative, executive, and judicial alike—because it is the highest expression of the popular will. Of necessity, it employs broad language which leaves a wide area for legitimate differences of opinion. Within this arena of debate all voices must be heard. The courts may give, and as a rule do give, less weight to what they feel to be temporary currents of opinion, casual pressures for reform, evanescent aspirations, or momentary ideals, as contrasted with what they may properly regard as the confirmed and enlightened sense of justice developed by the changing life of a vital and growing nation.

If the courts prove mistaken in their reading of this ultimate will, or if the Constitution itself in some clearly expressed provision no longer conforms thereto, then, by its very terms the people are guaranteed the right to make their desires effective through the solemn process of amendment.

Our Government is not a documentary, a political, or a judicial absolutism. The American constitutional method is a process of adaptation and growth, as well as a means whereby wrongs may be corrected and governmental measures may be attuned to the essentials of justice, through the orderly ways of discussion and education, as opposed to the violent changes and intolerable tyrannies by which absolute governments are inevitably characterized. Were this not true the Constitution would be a dam against which the waters of life would beat in vain, rather than a directing channel through which the stream of national existence may safely pass.

WILL ROGERS

Mr. GORE. Mr. President, I ask unanimous consent to insert in the CONGRESSIONAL RECORD a tribute to Will Rogers by Gene Buck, who was his first employer and who represents the opinion of 125,000,000 people in the United States.

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

WILL ROGERS—HUMAN BEING

By Gene Buck

Someone has said, "When we lose a friend we die a little." That is a simple, powerful truth.

When we lost Will Rogers we all lost a friend, and this Nation "died a little."

You can search this land of ours from the prairies to the skyscrapers, from the crossroads to the White House, from the strawberry festivals to the mightiest radio hook-up, from the little red schoolhouse to the greatest university, from the country editor to the outstanding newspaper syndicate, and you cannot find a single soul to replace him.

There was only one Will Rogers and he contributed to this Nation something that is needed most that we cannot develop, manufacture, or imitate—genuine humor—that rare gift to make us smile and laugh and temporarily forget what we ought to forget.

He possessed the genius to write and to say out loud what most of us thought, but didn't dare say, about people, affairs, and conditions. With his grand sense of humor he possessed a great mind with an uncanny knowledge of human beings and their motives. He was wise to the pomp and the didos, the bunk and the real, and had overwhelming understanding of the common people because he was one of them himself and he never forgot it even when fame smeared him with its brush.

I have dined with him, at his side, with stage hands, scrubwomen, and dressers on the stage of an empty theater after the show, to a state dinner to the President, the Vice President, the Cabinet, and their wives. He was always the same—his manners, his mood, his clothes, and his precious gift of humor and observation.

He enjoyed a position never before attained by anyone I ever heard of. He could go any place, see anything, talk or write about it afterward, and in such a way that the humble and the great accepted it and loved him for it.

It was my privilege to be close to him for over 20 years. I saw him in all kinds of spots—from the sanctity of his home which was always simple, wholesome, modest, and plain, to the glittering, glamorous applause and laughter of thousands. I have ridden alongside of him in his model T Ford with his overalls and cowboy boots, and have sat with him in a modern transcontinental airplane. He was always the same.

Will really loved to fly, and he loved Wiley Post as a flyer and as a friend. He thought Wiley was the greatest pilot in the world, and most aviators that he knew—and Bill knew most of them—agreed with him.

I personally believe that if Bill had the choice of his "exit", as we say in the theater, in "heading for the last round-up", he would have chosen the one that took him from us all.

In speaking and thinking of Bill, now, my thoughts naturally drift to Betty, his devoted, self-effacing, lovely wife. This whole world will never know what she meant to him and his extraordinary career. I happen to know. I have never known of a more beautiful or happier mating in my lifetime.

I realize, while giving expression to these thoughts, that in writing my style lacks the force of Hemingway and the clarity of Hearst. Possibly I have used too many adjectives. If I have, Bill deserved them all. These lines are from the heart.

Mere words are unable to adequately estimate what the Oklahoma cowpuncher-philosopher meant to this Nation.

No human being, in our time, is more deserving of a memorial, and his countless friends and admirers consider it a privilege to perpetuate what he stood for and contributed to make this Nation a better place to live in—humor, common sense, and charity.

So long, Bill! God rest your great and kindly soul!

DEATH OF REPRESENTATIVE HENRY M. KIMBALL

The PRESIDING OFFICER. The Chair lays before the Senate resolutions from the House of Representatives, which will be read.

The resolutions (H. Res. 379) were read, as follows:

IN THE HOUSE OF REPRESENTATIVES, UNITED STATES,
January 3, 1936.

Resolved, That the House has heard with profound sorrow of the death of Hon. HENRY M. KIMBALL, a Representative from the State of Michigan.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Mr. VANDENBERG. Mr. President, I offer the resolutions which I send to the desk and ask for their present consideration.

The resolutions (S. Res. 215) were read, considered by unanimous consent, and unanimously agreed to as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. HENRY M. KIMBALL, late a Representative from the State of Michigan.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Mr. VANDENBERG. As a further mark of respect to the deceased Representative, I move that the Senate do now adjourn.

The motion was unanimously agreed to; and (at 1 o'clock and 20 minutes p. m.) the Senate adjourned, the adjournment being, under the order previously entered, until Thursday, January 9, 1936, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate January 6, 1936

ASSISTANT ATTORNEYS GENERAL

James W. Morris, of Florida, to be Assistant Attorney General. (Mr. Morris is now serving under a recess appointment.)

Brien McMahon, of Connecticut, to be an Assistant Attorney General, vice Joseph B. Keenan, nominated to be Assistant to the Attorney General.

ASSISTANT TO THE ATTORNEY GENERAL

Joseph B. Keenan, of Ohio, to be Assistant to the Attorney General, vice Harold M. Stephens, appointed an Associate Justice of the United States Court of Appeals for the District of Columbia.

ASSISTANT SOLICITOR GENERAL

Golden W. Bell, of California, to be Assistant Solicitor General. (Mr. Bell is now serving under a recess appointment.)

ASSISTANT SPECIAL COUNSEL

Annette Abbott Adams, of California, to be Assistant Special Counsel, employed to prosecute proceedings to assert and establish the title of the United States to sections 16 and 36, township 30 south, range 23 east, Mount Diablo meridian, within the exterior limits of naval reserve no. 1 in the State of California, and to prosecute any suit or suits ancillary thereto or necessary or desirable, under the provisions of Public Resolution No. 6, approved February 21, 1924. (Mrs. Adams is now serving under a recess appointment.)

UNITED STATES CIRCUIT JUDGE

Seth Thomas, of Iowa, to be United States circuit judge, eighth circuit. (Mr. Thomas is now serving under a recess appointment.)

UNITED STATES DISTRICT JUDGE

David J. Davis, of Alabama, to be United States district judge, Northern District of Alabama. (He is now serving under a recess appointment.)

UNITED STATES ATTORNEYS

Robert P. Butler, of Connecticut, to be United States attorney, district of Connecticut. (Mr. Butler is now serving under appointment by court.)

John J. Quinn, of New Jersey, to be United States attorney, district of New Jersey. (Mr. Quinn is now serving under a recess appointment.)

UNITED STATES MARSHALS

Roulhac Gewin, of Alabama, to be United States marshal, southern district of Alabama, vice James A. Stafford, whose term expires January 21, 1936.

Bernard Fitch, of Connecticut, to be United States marshal for the district of Connecticut. (He is now serving under a recess appointment.)

E. Marvin Sessoms, of Florida, to be United States marshal for the northern district of Florida. (He is now serving under a recess appointment.)

Henry Clayton Walthour, of Georgia, to be United States marshal for the southern district of Georgia. (Mr. Walthour is now serving under an appointment by court.)

John J. Kelly, of New York, to be United States marshal for the southern district of New York. (He is now serving under a recess appointment.)

RECORDER OF THE GENERAL LAND OFFICE

Miss Evelyn S. Adams, of California, to be recorder of the General Land Office.

REGISTERS OF THE LAND OFFICE

George Finley, of Oregon, to be register of the land office at Roseburg, Oreg.

Mrs. Gladys Nuyck, of Nevada, to be register of the land office at Carson City, Nev.

INTERSTATE COMMERCE COMMISSION

The following-named persons to be Interstate Commerce Commissioners for the terms expiring December 31, 1942 (reappointments):

Clyde B. Aitchison, of Oregon.

Claude R. Porter, of Iowa.

BOARD OF TAX APPEALS

John A. Tyson, of Mississippi, to be a member of the Board of Tax Appeals for the unexpired portion of a term of 12 years from June 2, 1926, vice John J. Marquette, deceased.

UNITED STATES TARIFF COMMISSION

Edward Dana Durand, of Minnesota, to be a member of the United States Tariff Commission for the term expiring June 16, 1940.

ACTING EXECUTIVE DIRECTOR, NATIONAL EMERGENCY COUNCIL

Lyle T. Alverson, of New York, to be Acting Executive Director of the National Emergency Council, vice Frank C. Walker, resigned.

NATIONAL BITUMINOUS COAL COMMISSION

George E. Acret, of California, to be a member of the National Bituminous Coal Commission for a term of 4 years from September 21, 1935.

Walter H. Maloney, of Missouri, to be a member of the National Bituminous Coal Commission for a term of 4 years from September 21, 1935.

Charles F. Hosford, Jr., of Pennsylvania, to be a member of the National Bituminous Coal Commission for a term of 4 years from September 21, 1935.

C. E. Smith, of West Virginia, to be a member of the National Bituminous Coal Commission for a term of 4 years from September 21, 1935.

Percy Tetlow, of Ohio, to be a member of the National Bituminous Coal Commission for a term of 4 years from September 21, 1935.

Thomas M. Woodward, of Pennsylvania, to be Consumers' Counsel of the National Bituminous Coal Commission.

BITUMINOUS COAL LABOR BOARD

John M. Paris, of Indiana, impartial person, to be a member of the Bituminous Coal Labor Board for a term of 4 years from September 21, 1935.

John J. O'Leary, of Pennsylvania, representative of the organized employees, to be a member of the Bituminous Coal Labor Board for a term of 4 years from September 21, 1935.

Lee C. Gunter, of Tennessee, representative of the producers, to be a member of the Bituminous Coal Labor Board for a term of 4 years from September 21, 1935.

RAILROAD RETIREMENT BOARD

Murray W. Latimer, of New York, to be a member of the Railroad Retirement Board for a term of 2 years from August 29, 1935.

James A. Dailey, of New York, to be a member of the Railroad Retirement Board for a term of 3 years from August 29, 1935.

Lee M. Eddy, of Missouri, to be a member of the Railroad Retirement Board for a term of 4 years from August 29, 1935.

NATIONAL MEDIATION BOARD

Otto Beyer, of Virginia, to be a member of the National Mediation Board for the remainder of the term expiring February 1, 1938, vice John Carmody, resigned.

PRISON INDUSTRIES REORGANIZATION BOARD

The following-named persons to be members of the Prison Industries Reorganization Board, created by Executive order of September 26, 1935, establishing the Prison Industries Reorganization Administration:

Gustav Peck, of New York.
James P. Davis, of New York.

FEDERAL HOUSING ADMINISTRATOR

Stewart McDonald, of Missouri, to be Federal Housing Administrator for the unexpired portion of a term of 4 years from June 30, 1934, to which office he was appointed during the last recess of the Senate, vice James A. Moffett, resigned.

COOPERATIVE BANK COMMISSIONER, FARM CREDIT ADMINISTRATION

Samuel D. Sanders, of Washington, to be Cooperative Bank Commissioner in the Farm Credit Administration, to which office he was appointed during the last recess of the Senate, vice Francis Winfred Peck, resigned.

DIRECTORS, PUBLIC WORKS ADMINISTRATION

Andrew H. Peterson to be a director of the Public Works Administration for Massachusetts.

Julian Montgomery to be a director of the Public Works Administration for Texas.

RESETTLEMENT ADMINISTRATION

Cal A. Ward, of Kansas, to be a regional director of the Resettlement Administration.

COLLECTOR OF CUSTOMS

Leo A. Ivory, of Wilkinsburg, Pa., to be collector of customs for customs collection district no. 12, with headquarters at Pittsburgh, Pa., in place of James Houlahen, resigned. Now serving under temporary commission issued during the recess of the Senate.

COMPTROLLER OF CUSTOMS

Thomas F. Mulcahy, of San Francisco, Calif., to be comptroller of customs in customs collection district no. 28, with headquarters at San Francisco, Calif., in place of David M. Barnwell, deceased. Now serving under temporary commission issued during the recess of the Senate.

ASSISTANT TO THE COMMISSIONER OF INTERNAL REVENUE

Milton E. Carter, of Kansas City, Mo., to be assistant to the Commissioner of Internal Revenue in place of Wright Matthews, resigned. Mr. Carter is now serving under temporary commission issued during the recess of the Senate.

PUBLIC WORKS ADMINISTRATION

Leslie D. Gates, of Iowa, to be State engineer inspector for the Public Works Administration in Iowa.

Denis J. O'Mahoney, of New Jersey, to be State engineer inspector for the Public Works Administration in New Jersey.

Martin E. Kelly, of Montana, to be State engineer inspector for the Public Works Administration in Idaho and Montana.

Robert M. Van Petten, of North Dakota, to be State engineer inspector for the Public Works Administration in North Dakota and South Dakota.

WORKS PROGRESS ADMINISTRATION

Victor F. Ridder, of New York, to be administrator in the Works Progress Administration for the city of New York.

DIPLOMATIC AND FOREIGN SERVICE

The following-named Foreign Service officers, lately consuls, to be consuls general of the United States of America, to which office they were appointed during the last recess of the Senate:

Ralph C. Busser, of Pennsylvania.
Walter A. Leonard, of Illinois.

The following-named persons, now Foreign Service officers and consuls, to be also secretaries in the Diplomatic Service of the United States of America, to which office they were appointed during the last recess of the Senate:

William L. Peck, of Connecticut.
Julian L. Pinkerton, of Kentucky.
Frederic C. Fornes, Jr., of New York.
Archibald E. Gray, of Pennsylvania.

The following-named persons for promotion in the Foreign Service of the United States, effective as of October 1, 1935, to the offices to which they were appointed during the last recess of the Senate, as follows:

From Foreign Service officer of class 2 to Foreign Service officer of class 1:

Thomas D. Bowman, of Missouri.
Coert du Bois, of California.
Arthur C. Frost, of Massachusetts.
J. Klahr Huddle, of Ohio.
Frank P. Lockhart, of Texas.
Jay Pierrepont Moffat, of New Hampshire.
R. Henry Norweb, of Ohio.
Robert M. Scotten, of Michigan.
James B. Stewart, of New Mexico.
Edwin C. Wilson, of Florida.

From Foreign Service officer of class 3 to Foreign Service officer of class 2:

Walter A. Adams, of South Carolina.
Joseph W. Ballantine, of Massachusetts.
Pierre de L. Boal, of Pennsylvania.
Charles R. Cameron, of New York.
H. Merle Cochran, of Arizona.
Monnett B. Davis, of Colorado.
Erle R. Dickover, of California.
Eugene H. Dooman, of New York.
Prentiss B. Gilbert, of New York.
Joseph E. Jacobs, of South Carolina.
Herschel V. Johnson, of North Carolina.
Paul Knabenshue, of Ohio.
Frank C. Lee, of Colorado.
Leland B. Morris, of Pennsylvania.
Lowell C. Pinkerton, of Missouri.
Edward L. Reed, of Pennsylvania.
John Farr Simmons, of New York.
S. Pinkney Tuck, of New York.
George Wadsworth, of New York.

From Foreign Service officer of class 4 to Foreign Service officer of class 3:

Maynard B. Barnes, of Iowa.
William C. Burdett, of Tennessee.
Raymond E. Cox, of New York.
Nathaniel P. Davis, of New Jersey.
John G. Erhardt, of New York.
Carol H. Foster, of Maryland.
Charles Bridgham Hosmer, of Maine.
Paul R. Josselyn, of Iowa.
Joseph F. McGurk, of New Jersey.
Robert D. Murphy, of Wisconsin.
Myrl S. Myers, of Pennsylvania.
H. Earle Russell, of Michigan.
Clarence J. Spiker, of the District of Columbia.
Harold H. Tittmann, Jr., of Missouri.
Avra M. Warren, of Maryland.
Orme Wilson, of New York.

From Foreign Service officer of class 5 to Foreign Service officer of class 4:

Willard L. Beaulac, of Rhode Island.
J. Webb Benton, of Pennsylvania.
William P. Blocker, of Texas.
Richard F. Boyce, of Michigan.
Howard Bucknell, Jr., of Georgia.
Richard P. Butrick, of New York.
Cecil M. P. Cross, of Rhode Island.
Hugh S. Fullerton, of Ohio.
Edward M. Groth, of New York.
Robert W. Heingartner, of Ohio.
George D. Hopper, of Kentucky.
James Hugh Keeley, Jr., of the District of Columbia.

Robert B. Macatee, of Virginia.
Karl deG. MacVitty, of Tennessee.
H. Freeman Matthews, of Maryland.
George R. Merrell, Jr., of Missouri.
Hugh Millard, of Nebraska.
Orsen N. Nielsen, of Wisconsin.
Walter H. Schoellkopf, of New York.
Rudolf E. Schoenfeld, of the District of Columbia.
Harold Shantz, of New York.
George P. Shaw, of California.
Samuel Sokobin, of New Jersey.
Francis R. Stewart, of New York.
Harold S. Tewell, of North Dakota.
Howard K. Travers, of New York.

From Foreign Service officer of class 6 to Foreign Service officer of class 5:

Hiram A. Boucher, of Minnesota.
Herbert S. Bursley, of the District of Columbia.
J. Rives Childs, of Virginia.
Edward S. Crocker, 2d, of Massachusetts.
Curtis T. Everett, of Tennessee.
Harold D. Finley, of New York.
Samuel J. Fletcher, of Maine.
Walter A. Foote, of Texas.
Waldemar J. Callman, of New York.
Raymond H. Geist, of Ohio.
Stuart E. Crummon, of New Jersey.
Stanley Hawks, of New York.
Loy W. Henderson, of Colorado.
C. Porter Kuykendall, of Pennsylvania.
James E. McKenna, of Massachusetts.
Alfred T. Nester, of New York.
Sydney B. Redecker, of New York.
Laurence E. Salisbury, of Illinois.
Lester L. Schnare, of Georgia.
Edwin F. Stanton, of California.
Leo D. Sturgeon, of Illinois.
Fletcher Warren, of Texas.
Samuel H. Wiley, of North Carolina.
Rollin R. Winslow, of Michigan.

From Foreign Service officer of class 7 to Foreign Service officer of class 6:

Clayson W. Aldridge, of New York.
George Atcheson, Jr., of California.
Russell M. Brooks, of Oregon.
John H. Bruins, of New York.
Joseph F. Burt, of Illinois.
C. Paul Fletcher, of Tennessee.
Herndon W. Goforth, of North Carolina.
Eugene M. Hinkle, of New York.
David McK. Key, of Tennessee.
Marcel E. Malige, of Idaho.
Austin R. Preston, of New York.
Edwin Schoenrich, of Maryland.
William A. Smale, of California.
Sheridan Talbott, of Kentucky.
Frederik van den Arend, of North Carolina.
John Carter Vincent, of Georgia.

From Foreign Service officer of class 8 to Foreign Service officer of class 7:

Franklin B. Atwood, of Massachusetts.
Roy W. Baker, of New York.
William A. Bickers, of Virginia.
Ellis A. Bonnet, of Texas.
Robert L. Buell, of New York.
John M. Cabot, of Massachusetts.
J. Holbrook Chapman, of the District of Columbia.
Augustus S. Chase, of Connecticut.
Cabot Coville, of California.
Alexander P. Cruger, of New York.
Walton C. Ferris, of Wisconsin.
Fayette J. Flexer, of Illinois.
Knowlton V. Hicks, of New York.
Frederick W. Hinke, of New York.
Julius C. Holmes, of Kansas.
Carlton Hurst, of the District of Columbia.
John B. Ketcham, of New York.
Rufus H. Lane, Jr., of Virginia.
John H. Lord, of Massachusetts.
John McArdle, of Pennsylvania.
John H. Morgan, of Massachusetts.
James E. Parks, of North Carolina.
William L. Peck, of Connecticut.
Joseph P. Ragland, of the District of Columbia.
William T. Turner, of Georgia.

From Foreign Service officer, unclassified, at $3,000 per annum, to Foreign Service officer of class 8; and from vice consul of career to consul:

Garrett G. Ackerson, Jr., of New Jersey.
Stuart Allen, of Minnesota.
John M. Allison, of Nebraska.
Burton Y. Berry, of Indiana.
Charles E. Bohlen, of Massachusetts.
James C. H. Bonbright, of New York.
David H. Buffum, of Maine.
Gordon L. Burke, of Georgia.
Edmund J. Dorsz, of Michigan.
Andrew W. Edson, of Connecticut.
Dorsey Gassaway Fisher, of Maryland.
Frederic C. Fornes, Jr., of New York.
Willard Galbraith, of California.
James W. Gantenbein, of Oregon.
George M. Graves, of Vermont.
Archibald E. Gray, of Pennsylvania.
Bernard Gufler, of Washington.
Claude H. Hall, Jr., of Maryland.
Monroe B. Hall, of New York.
Thomas A. Hickok, of New York.
Charles A. Hutchinson, of Minnesota.
Robert Janz, of Oklahoma.
Robert P. Joyce, of California.
Stephen E. C. Kendrick, of Rhode Island.
Hervé J. L'Heureux, of New Hampshire.
John H. Madonne, of Texas.
Thomas J. Maleady, of Massachusetts.
Ralph Miller, of New York.
Sheldon T. Mills, of Oregon.
Harold B. Minor, of Kansas.
Gerald A. Mokma, of Iowa.
James B. Pilcher, of Alabama.
James W. Riddleberger, of Virginia.
Alan N. Steyne, of New York.
Edward G. Trueblood, of Illinois.
Edward T. Wailes, of New York.
Walter N. Walmsley, Jr., of Maryland.

The following-named persons for appointment as Foreign Service officers, unclassified, vice consuls of career, and secretaries in the Diplomatic Service of the United States of America, to which offices they were appointed during the last recess of the Senate:

Hector C. Adam, Jr., of New York.
E. Tomlin Bailey, of New Jersey.
Russell W. Benton, of New York.
Roswell C. Beverstock, of California.
M. Williams Blake, of Ohio.
William F. Busser, of Pennsylvania.
Richard W. Byrd, of Virginia.
David K. Caldwell, of the District of Columbia.
Glion Curtis, Jr., of Missouri.
Harry M. Donaldson, of Pennsylvania.
Perry Ellis, of California.
John K. Emmerson, of Colorado.
James Espy, of Ohio.
Andrew B. Foster, of Pennsylvania.
Owen W. Gaines, of Georgia.
Richard D. Gatewood, of New York.
Albert R. Goodman, of New York.
Norris S. Haselton, of New Jersey.

Beppo R. Johansen, of Florida.
U. Alexis Johnson, of California.
Douglas MacArthur, 2d, of the District of Columbia.
Elbert G. Mathews, of California.
Robert B. Memminger, of South Carolina.
Charles S. Millet, of New Hampshire.
Bolard More, of Ohio.
John Ordway, of the District of Columbia.
Marselis C. Parsons, Jr., of New York.
Edward E. Rice, of Wisconsin.
W. Garland Richardson, of Virginia.
George F. Scherer, of New York.
Max W. Schmidt, of Iowa.
John S. Service, of Ohio.
William P. Snow, of Maine.
Carl W. Strom, of Iowa.
E. Paul Tenney, of Washington.
S. Roger Tyler, Jr., of West Virginia.
Louis Woodruff Wallner, Jr., of New York.
T. Eliot Weil, of New York.
Duncan M. White, of Georgia.
Ivan B. White, of Oregon.
William E. Yuni, of Washington.

PUBLIC HEALTH SERVICE

Asst. Dental Surg. Joseph J. Dunlay to be passed assistant dental surgeon, to rank as such from September 1, 1935.

Asst. Dental Surg. Walter J. Pelton to be passed assistant dental surgeon, to rank as such from September 6, 1935.

Asst. Pharmacist Carl Stier to be passed assistant pharmacist, to rank as such from September 5, 1935.

Asst. Pharmacist Raymond D. Kinsey to be passed assistant pharmacist, to rank as such from September 5, 1935.

Asst. Pharmacist Walter H. Keen to be passed assistant ant pharmacist, to rank as such from September 5, 1935.

Asst. Pharmacist Clarence H. Bierman to be passed assistand pharmacist, to rank as such from September 5, 1935.

Asst. Pharmacist Thomas C. Armstrong to be passed assistant pharmacist, to rank as such from September 5, 1935.

Asst. Surg. Victor H. Haas to be passed assistant surgeon, to rank as such from September 1, 1935.

Asst. Surg. Clifton K. Himmelsbach to be passed assistant surgeon, to rank as such from September 1, 1935.

Asst. Surg. Ralph R. Braund to be passed assistant surgeon, to rank as such from September 1, 1935.

Asst. Surg. Hollis U. Maness to be passed assistant surgeon, to rank as such from September 1, 1935.

Asst. Surg. Kenneth E. Gamm to be passed assistant surgeon, to rank as such from September 1, 1935.

Asst. Surg. John W. Oliphant to be passed assistant surgeon, to rank as such from September 1, 1935.

Asst. Surg. Seymour D. Vestermark to be passed assistant surgeon, to rank as such from September 1, 1935.

Asst. Surg. Leroy E. Burney to be passed assistant surgeon, to rank as such from September 12, 1935.

Asst. Surg. Harold L. Lawrence to be passed assistant surgeon, to rank as such from September 1, 1935.

Asst. Surg. Charles R. Mallary to be passed assistant surgeon, to rank as such from October 1, 1935.

Asst. Surg. Don S. Cameron to be passed assistant surgeon, to rank as such from November 16, 1935.

Asst. Surg. Bert R. Boone to be passed assistant surgeon, to rank as such from November 16, 1935.

Asst. Surg. Gerald M. Kunkel to be passed assistant surgeon, to rank as such from August 22, 1935.

Dr. John W. Kennedy to be assistant surgeon, to rank as such from September 16, 1935.

Dr. Havelock F. Fraser to be assistant surgeon, to rank as such from September 17, 1935.

Dr. Wilson T. Sowder to be assistant surgeon, to rank as such from October 1, 1935.

Dr. Edward C. Lutton to be assistant surgeon, to rank as such from November 11, 1935.

These officers are now serving under temporary commissions issued during the recess of the Senate.

APPOINTMENTS IN THE REGULAR ARMY

To be general, while holding office as Chief of Staff of the Army, with rank from October 2, 1935, under the provisions of an act of Congress approved February 23, 1929

Maj. Gen. Malin Craig, United States Army, vice Gen. Douglas MacArthur, Chief of Staff, relieved on October 1, 1935.

To be major generals

Brig. Gen. Andrew Moses, United States Army, from December 1, 1935, vice Maj. Gen. Harold B. Fiske, United States Army, retired November 30, 1935.

Brig. Gen. William Edward Cole, United States Army, from December 1, 1935, vice Maj. Gen. Frank S. Cocheu, United States Army, retired November 30, 1935.

To be The Adjutant General, with the rank of major general, for the period of 4 years beginning December 24, 1935, with rank from November 1, 1935

Brig. Gen. Edgar Thomas Conley, Assistant The Adjutant General, vice Maj. Gen. James F. McKinley, The Adjutant General, retired October 31, 1935.

To be inspector general, with the rank of major general, for the period of 4 years beginning December 24, 1935, with rank from December 1, 1935

Col. Walter Lawrence Reed, Infantry, vice Maj. Gen. John F. Preston, inspector general, whose term of office expired November 30, 1935.

To be chief of the Air Corps, with the rank of major general, for the period of 4 years beginning December 24, 1935, with rank from December 22, 1935

Brig. Gen. Oscar Westover, assistant to the Chief of the Air Corps, vice Maj. Gen. Benjamin D. Foulois, Chief of the Air Corps, whose term of office expired December 21, 1935.

To be brigadier generals

Col. Duncan Kennedy Major, Jr., Infantry, from November 1, 1935, vice Brig. Gen. Alston Hamilton, United States Army, retired October 31, 1935.

Col. Walter Campbell Sweeney, Infantry, from December 24, 1935, vice Brig. Gen. Andrew Moses, United States Army, who accepted an appointment as major general December 24, 1935.

Col. Edwin Simpson Hartshorn, Infantry, from December 26, 1935, vice Brig. Gen. William E. Cole, United States Army, who accepted an appointment as major general December 26, 1935.

To be Assistant The Adjutant General, with the rank of brigadier general, for the period of 4 years beginning December 28, 1935, with rank from December 24, 1935

Col. Frank C. Burnett, Adjutant General's Department, vice Brig. Gen. Edgar T. Conley, assistant The Adjutant General, who accepted appointment as The Adjutant General December 24, 1935.

To be assistant to the Chief of the Air Corps, with the rank of brigadier general, for the period of 4 years beginning December 28, 1935, with rank from December 24, 1935

Lt. Col. Henry Harley Arnold, Air Corps, vice Brig. Gen. Oscar Westover, assistant to the Chief of the Air Corps, who accepted appointment as Chief of the Air Corps December 24, 1935.

To be assistant to the Surgeon General, with the rank of brigadier general, for the period of 4 years beginning December 28, 1935, with rank from December 1, 1935

Col. Wallace DeWitt, Medical Corps, vice Brig. Gen. Matthew A. DeLaney, assistant to the Surgeon General, retired November 30, 1935.

MEDICAL CORPS

To be first lieutenants with rank from October 1, 1935

First Lt. Lewis William Kirkman, Medical Corps Reserve.
First Lt. William Donald Graham, Medical Corps Reserve.
First Lt. Thomas William Mattingly, Medical Corps Reserve.

To be first lieutenants with rank from November 1, 1935

First Lt. Joseph Frank Peters, Medical Corps Reserve.

First Lt. Edward Morris DeYoung, Medical Corps Reserve.

To be first lieutenants with rank from December 12, 1935

First Lt. Harold Everus Harrison, Medical Corps Reserve.

First Lt. Stephen Christopher Sitter, Medical Corps Reserve.

First Lt. James Clark Van Valin, Medical Corps Reserve.

First Lt. Victor Robert Hirschmann, Medical Corps Reserve.

To be first lieutenants with rank from date of appointment

First Lt. Paul Hartsock Leach, Medical Corps Reserve.

First Lt. Clifford Paul Michael, Medical Corps Reserve.

First Lt. James Augustus McCloskey, Medical Corps Reserve.

DENTAL CORPS

To be first lieutenant with rank from December 2, 1935

First Lt. George Farrer Jeffcott, Dental Corps Reserve.

VETERINARY CORPS

To be first lieutenants with rank from September 30, 1935

Second Lt. Velmer Wayne McGinnis, Veterinary Corps Reserve.

Second Lt. John Howard Rust, 3d, Veterinary Corps Reserve.

Second Lt. Bernard Francis Trum, Veterinary Corps Reserve.

Second Lt. Lloyd Christopher Tekse, Veterinary Corps Reserve.

Second Lt. Edwin Louis Millenbruck, Veterinary Corps Reserve.

Second Lt. Thomas Carlyle Jones, Veterinary Corps Reserve.

CHAPLAINS

To be chaplain with the rank of first lieutenant

Chaplain (First Lt.) Ralph Emmerson McCaskill, Chaplains' Reserve, with rank from October 22, 1935.

Chaplain (First Lt.) John Frazer Chalker, Chaplains' Reserve, with rank from October 22, 1935.

Chaplain (First Lt.) Harold Henry Schulz, Chaplains' Reserve, with rank from November 1, 1935.

INFANTRY

To be second lieutenant

Second Lt. Harrison Schermerhorn Markham, Infantry Reserve, with rank from October 22, 1935.

AIR CORPS

To be first lieutenant in the Air Corps with rank from date of appointment

Henry Irving Riley, former first lieutenant, Air Corps.

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY

TO ADJUTANT GENERAL'S DEPARTMENT

Maj. Ralph Brundidge Lovett, Infantry, October 28, 1935, with rank from August 1, 1935.

Capt. John Glenn Brackinridge, Field Artillery, September 13, 1935, with rank from November 13, 1929.

TO JUDGE ADVOCATE GENERAL'S DEPARTMENT

Capt. Ernest Marion Brannon, Infantry, September 6, 1935, with rank from August 1, 1935.

Capt. Charles Emmett Cheever, Quartermaster Corps, October 15, 1935, with rank from August 1, 1935.

Capt. John Henry Corridon, Field Artillery, September 13, 1935, with rank from March 12, 1929.

Capt. James Lowe Harbaugh, Jr., Coast Artillery Corps, September 6, 1935, with rank from August 1, 1935.

Capt. David Sanderson McLean, Infantry, September 13, 1935, with rank from August 1, 1935.

Capt. Loren Francis Parmley, Cavalry, September 27, 1935, with rank from August 1, 1928.

Capt. Edgar Harvey Snodgrass, Infantry, September 13, 1935, with rank from August 1, 1935.

Capt. Robert Montgomery Springer, Infantry, September 17, 1935, with rank from August 1, 1935.

Capt. Edward Joseph Walsh, Infantry, October 3, 1935, with rank from August 1, 1935.

Capt. Charles Whitney West, Coast Artillery Corps, September 17, 1935, with rank from August 1, 1935.

TO QUARTERMASTER CORPS

Maj. Rufus Boylan, Infantry, October 28, 1935, with rank from August 1, 1935.

Maj. Brisbane Hanks Brown, Infantry, with rank from August 1, 1935.

Maj. William Booth Van Auken, Cavalry, October 3, 1935, with rank from August 1, 1935.

Capt. Theodore Anton Baumeister, Infantry, November 19, 1935, with rank from February 15, 1925.

Capt. Joseph Henry Burgheim, Infantry, September 11, 1935, with rank from October 5, 1924.

Capt. James Lawrence Keasler, Infantry, with rank from April 22, 1935.

Capt. Elam LaFayette Stewart, Infantry, November 23, 1935, with rank from January 1, 1933.

Capt. James Longstreet Whelchel, Coast Artillery Corps, October 17, 1935, with rank from January 21, 1935.

Capt. Michael Henry Zwicker, Coast Artillery Corps, with rank from August 1, 1935.

TO FINANCE DEPARTMENT

Capt. John Bartlett Hess, Infantry, December 16, 1935, with rank from August 1, 1935.

Capt. Ray Homer Larkins, Infantry, with rank from November 21, 1929.

Capt. Richard Kemp LeBrou, Air Corps, with rank from June 1, 1932.

Capt. Hiram Barricklow Turner, Infantry, September 27, 1935, with rank from August 17, 1929.

Capt. Thomas Patrick Walsh, Coast Artillery Corps, December 10, 1935, with rank from May 2, 1926.

TO CORPS OF ENGINEERS

First Lt. Oscar Benjamin Beasley, Coast Artillery Corps, September 6, 1935, with rank from August 1, 1935.

First Lt. James William Park, Field Artillery, with rank from August 1, 1935.

Second Lt. Paul Henry Berkowitz, Field Artillery, November 14, 1935, with rank from June 12, 1934.

Second Lt. Austin Wortham Betts, Coast Artillery Corps, November 14, 1935, with rank from June 12, 1934.

Second Lt. Clarence Bidgood, Infantry, November 21, 1935, with rank from June 12, 1935.

Second Lt. William Beehler Bunker, Cavalry, November 14, 1935, with rank from June 12, 1934.

Second Lt. John Dudley Cole, Jr., Infantry, November 21, 1935, with rank from June 12, 1935.

Second Lt. Frederick Benjamin Hall, Jr., Field Artillery, November 14, 1935, with rank from June 12, 1935.

Second Lt. Clarence Carl Haug, Coast Artillery Corps, November 25, 1935, with rank from June 12, 1935.

Second Lt. Stanley Tage Birger Johnson, Field Artillery, December 14, 1935, with rank from June 12, 1935.

Second Lt. Ellery Willis Niles, Coast Artillery Corps, November 23, 1935, with rank from June 12, 1935.

Second Lt. John Richards Parker, Infantry, November 5, 1935, with rank from June 12, 1935.

Second Lt. Craig Smyser, Field Artillery, November 14, 1935, with rank from June 12, 1934.

Second Lt. Robert Morris Stillman, Field Artillery, November 26, 1935, with rank from June 12, 1935.

Second Lt. Langfitt Bowditch Wilby, Field Artillery, November 19, 1935, with rank from June 12, 1935.

TO ORDNANCE DEPARTMENT

First Lt. Horace Alvord Quinn, Infantry, with rank from April 1, 1933.

First Lt. David Louis Van Syckle, Infantry, October 16, 1935, with rank from December 1, 1931.

TO SIGNAL CORPS

Capt. Elton Foster Hammond, Field Artillery, October 18, 1935, with rank from August 1, 1935.

First Lt. Earle Fremont Cook, Coast Artillery Corps, November 6, 1935, with rank from August 1, 1935.

First Lt. William Little, Infantry, September 27, 1935, with rank from August 1, 1935.

TO CAVALRY

First Lt. Brendan McKay Greeley, Infantry, with rank from January 1, 1935, effective June 16, 1936.

First Lt. Graves Collins Teller, Infantry, September 6, 1935, with rank from August 1, 1935.

TO FIELD ARTILLERY

Capt. Escalus Emmert Elliott, Coast Artillery Corps, October 3, 1935, with rank from August 1, 1935.

Second Lt. Carl Darnell, Jr., Infantry, September 6, 1935, with rank from June 13, 1933.

TO AIR CORPS

First Lt. Walter Campbell Sweeney, Jr., Infantry, with rank from August 1, 1935.

Second Lt. Harvey Thompson Alness, Cavalry, with rank from June 12, 1934.

Second Lt. Paul Carter Ashworth, Corps of Engineers, with rank from June 12, 1934.

Second Lt. Herbert Marvin Baker, Jr., Infantry, with rank from June 12, 1934.

Second Lt. John George Benner, Infantry, with rank from June 12, 1934.

Second Lt. Byron Elias Brugge, Coast Artillery Corps, with rank from June 12, 1934.

Second Lt. William Monte Canterbury, Coast Artillery Corps, with rank from June 12, 1934.

Second Lt. George Bernard Dany, Coast Artillery Corps, with rank from June 12, 1934.

Second Lt. William Milton Gross, Field Artillery, with rank from June 12, 1934.

Second Lt. Paul Tompkins Hanley, Infantry, with rank from June 12, 1934.

Second Lt. John dePeyster Townsend Hills, Infantry, with rank from June 12, 1934.

Second Lt. John Monroe Hutchison, Cavalry, with rank from June 12, 1934.

Second Lt. Richard Andrew Legg, Infantry, with rank from June 12, 1934.

Second Lt. Elvin Seth Ligon, Jr., Infantry, with rank from June 12, 1934.

Second Lt. Arno Herman Luehman, Infantry, with rank from June 12, 1934.

Second Lt. Lawson S. Moseley, Jr., Coast Artillery Corps, with rank from June 12, 1934.

Second Lt. Wilson Hawkes Neal, Field Artillery, with rank from June 12, 1934.

Second Lt. Jack Jerome Neely, Infantry, with rank from June 12, 1934.

Second Lt. Frank Carter Norvell, Field Artillery, with rank from June 12, 1934.

Second Lt. Raymond Judson Reeves, Cavalry, with rank from June 12, 1934.

Second Lt. Jack Edward Shuck, Coast Artillery Corps, with rank from June 12, 1934.

Second Lt. Curtis Delano Sluman, Coast Artillery Corps, with rank from June 12, 1934.

Second Lt. Dale Orville Smith, Infantry, with rank from June 12, 1934.

Second Lt. William Sebastian Stone, Field Artillery, with rank from June 12, 1934.

Second Lt. Hudson Hutton Upham, Infantry, with rank from June 12, 1934.

Second Lt. John William White, Infantry, with rank from June 12, 1934.

Second Lt. Albert Theodore Wilson, Jr., Infantry, with rank from June 12, 1934.

Second Lt. William Harvey Wise, Cavalry, with rank from June 12, 1934.

PROMOTIONS IN THE REGULAR ARMY

To be colonels

Lt. Col. Harry Hall Pritchett, Infantry, from August 1, 1935.

Lt. Col. Jere Baxter, Infantry, from August 1, 1935.

Lt. Col. Frank Kirby Chapin, Cavalry, from August 1, 1935.

Lt. Col. Lloyd Ralston Fredendall, Infantry, from August 1, 1935.

Lt. Col. Rowan Palmer Lemly, Infantry, from August 9, 1935.

Lt. Col. Leroy Pierce Collins, Field Artillery, from August 13, 1935.

Lt. Col. Ballard Lyerly, Field Artillery, from September 1, 1935.

Lt. Col. George Albert Wildrick, Coast Artillery Corps, from September 1, 1935.

Lt. Col. Allen Kimberly, Coast Artillery Corps, from September 1, 1935.

Lt. Col. Thomas Aquila Clark, Ordnance Department, from September 1, 1935.

Lt. Col. Phillip Woodfin Booker, Field Artillery, from September 1, 1935.

Lt. Col. James Alexander O'Connor, Corps of Engineers, from September 16, 1935.

Lt. Col. Lewis Hayes Watkins, Corps of Engineers, from September 26, 1935.

Lt. Col. Richard Park, Corps of Engineers, from October 1, 1935.

Lt. Col. Daniel Isom Sultan, Corps of Engineers, from October 1, 1935.

Lt. Col. John Boursiquat Rose, Ordnance Department, from October 1, 1935.

Lt. Col. Charles Tillman Harris, Jr., Ordnance Department, from October 12, 1935.

Lt. Col. Maxwell Murray, Field Artillery, from October 28, 1935.

Lt. Col. William Edgar Shedd, Jr., Coast Artillery Corps, from November 1, 1935.

Lt. Col. Howard Kendall Loughry, Coast Artillery Corps, from November 1, 1935.

Lt. Col. Robert Price Glassburn, Coast Artillery Corps, from November 1, 1935.

Lt. Col. Harry Keneth Rutherford, Ordnance Department, from December 1, 1935.

Lt. Col. Fred Taylor Cruse, Field Artillery, from December 1, 1935.

Lt. Col. James Preston Marley, Field Artillery, from December 1, 1935.

Lt. Col. Robert Arthur, Coast Artillery Corps, from December 20, 1935.

Lt. Col. Lucian Dent Booth, Ordnance Department, from December 22, 1935.

Lt. Col. Waldo Charles Potter, Field Artillery, from December 24, 1935.

Lt. Col. Henry Henderson Pfeil, Adjutant General's Department, from December 24, 1935.

Lt. Col. Clyde Leslie Eastman, Signal Corps, from December 26, 1935.

To be lieutenant colonels

Maj. Willis James Tack, Infantry, from August 1, 1935.

Maj. Edward Leuffer N. Glass, Cavalry, from August 9, 1935.

Maj. William Edward Burr, Field Artillery, from August 13, 1935.

Maj. Eugene Villaret, Coast Artillery Corps, from September 1, 1935.

Maj. Cuyler Llewellyn Clark, Field Artillery, from September 1, 1935.

Maj. Reiff Hesser Hannum, Ordnance Department, from September 1, 1935.

Maj. Clarence Corinth Benson, Cavalry, from September 1, 1935.

Maj. Thomas Henry Rees, Jr., Cavalry, from September 1, 1935.

Maj. Floyd Randall Waltz, Infantry, from September 1, 1935.

Maj. John Henry Woodberry, Ordnance Department, from September 1, 1935.

Maj. Harold Francis Loomis, Coast Artillery Corps, from September 1, 1935.

Maj. Leland Harold Stanford, Signal Corps, from September 1, 1935.

Maj. Fred Hayes Gallup, Field Artillery, from September 1, 1935.

Maj. Carl Spatz, Air Corps, from September 16, 1935.

Maj. Harold Roe Bull, Infantry, from September 20, 1935.

Maj. James Byron Haskell, Signal Corps, from September 26, 1935.

Maj. Charles Morton Milliken, Signal Corps, from October 1, 1935.

Maj. James Fred Byrom, Infantry, from October 1, 1935.

Maj. Woodfin Grady Jones, Infantry, from October 1, 1935.

Maj. James Patrick Hogan, Coast Artillery Corps, from October 1, 1935.

Maj. Paul Clarence Paschal, Infantry, from October 1, 1935.

Maj. John Leo Parkinson, Infantry, from October 1, 1935.

Maj. Gooding Packard, Coast Artillery Corps, from October 1, 1935.

Maj. Walter Gullion, Adjutant General's Department, from October 12, 1935, subject to examination required by law.

Maj. Francis Marion Brannan, Infantry, from October 28, 1935.

Maj. Adam Empie Potts, Coast Artillery Corps, from November 1, 1935.

Maj. William Rutledge Orton, Infantry, from November 1, 1935.

Maj. Rufus Sumter Bratton, Infantry, from November 1, 1935.

Maj. Sylvester DeWitt Downs, Jr., Field Artillery, from November 1, 1935.

Maj. Orlando Ward, Field Artillery, from November 25, 1935.

Maj. Benjamin Grant Weir, Air Corps, from December 1, 1935.

Maj. Ralph Royce, Air Corps, from December 1, 1935.

Maj. Thomas Huntington Monroe, Infantry, from December 1, 1935.

Maj. Roger Burnett Harrison, Infantry, from December 1, 1935.

Maj. Benjamin Fiery Hoge, Cavalry, from December 20, 1935.

Maj. Frederick Herr, Cavalry, from December 22, 1935.

Maj. Clifford James Mathews, Infantry, from December 24, 1935.

Maj. Frank William Milburn, Infantry, from December 24, 1935.

Maj. Isaac Gill, Jr., Infantry, from December 26, 1935.

To be majors

Capt. John Curtis Newton, Infantry, from August 1, 1935.

Capt. Graeme Gordon Parks, Infantry, from August 1, 1935.

Capt. Edwin Paull Ketchum, Corps of Engineers, from August 1, 1935.

Capt. Frank Lee McCoy, Infantry, from August 1, 1935.

Capt. Cyril Clifton Chandler, Infantry, from August 1, 1935.

Capt. James Francis Clark Hyde, Corps of Engineers, from August 1, 1935.

Capt. Robert James Kirk, Jr., Infantry, from August 1, 1935.

Capt. Leo Alexander Bessette, Infantry, from August 1, 1935.

Capt. James Wellington Younger, Quartermaster Corps, from August 1, 1935.

Capt. Amory Vivion Eliot, Signal Corps, from August 1, 1935.

Capt. James Clarence Reed, Infantry, from August 1, 1935.

Capt. Benjamin Mills Crenshaw, Infantry, from August 1, 1935.

Capt. Alexander Garrett Olsen, Cavalry, from August 1, 1935, subject to examination required by law.

Capt. Robert Kauch, Air Corps, from August 1, 1935.

Capt. Arthur Riehl Wilson, Field Artillery, from August 1, 1935.

Capt. John Major Reynolds, Field Artillery, from August 9, 1935.

Capt. Bickford Edward Sawyer, Finance Department, from August 13, 1935.

Capt. Irwin Samuel Dierking, Quartermaster Corps, from September 1, 1935.

Capt. Donald Boyer Rogers, Field Artillery, from September 1, 1935.

Capt. Joseph Bartholomew Conmy, Infantry, from September 1, 1935.

Capt. William Randolph Watson, Infantry, from September 1, 1935.

Capt. George Curtis McFarland, Coast Artillery Corps, from September 1, 1935.

Capt. Collin Stafford Myers, Infantry, from September 1, 1935.

Capt. William Herschel Middleswart, Quartermaster Corps, from September 1, 1935.

Capt. Frank Sims Mansfield, Infantry, from September 1, 1935.

Capt. Ralph C. G. Nemo, Infantry, from September 1, 1935.

Capt. Ross Franklin Cole, Air Corps, from September 1, 1935.

Capt. Kenneth Smith Anderson, Infantry, from September 1, 1935.

Capt. John Pinnix Lake, Infantry, from September 1, 1935.

Capt. Heston Rarick Cole, Corps of Engineers, from September 1, 1935.

Capt. Russel Burton Reynolds, Infantry, from September 16, 1935.

Capt. Paul Clarence Boylan, Field Artillery, from September 20, 1935.

Capt. Ralph Floyd Love, Infantry, from September 26, 1935.

Capt. William Irving Sherwood, Infantry, from October 1, 1935.

Capt. Charles Wilkes Christenberry, Infantry, from October 1, 1935.

Capt. Charles Andrew Beaucond, Field Artillery, from October 1, 1935.

Capt. Stewart Franklin Miller, Field Artillery, from October 1, 1935.

Capt. Hugh Campbell Parker, Infantry, from October 1, 1935.

Capt. Loyal Moyer Haynes, Field Artillery, from October 1, 1935.

Capt. Floyd Marshall, Infantry, from October 1, 1935.

Capt. William Carey Lee, Infantry, from October 1, 1935.

Capt. Cecil John Gridley, Infantry, from October 1, 1935.

Capt. Leonard Henderson Sims, Infantry, from October 1, 1935.

Capt. John Edwin Ray, Field Artillery, from October 1, 1935.

Capt. Clyde Lloyd Hyssong, The Adjutant General's Department, from October 1, 1935.

Capt. Raymond Jay Williamson, Infantry, from October 1, 1935.

Capt. Vere Painter, Quartermaster Corps, from October 1, 1935.

Capt. Walter Julius Ungethuem, Chemical Warfare Service, from October 1, 1935.

Capt. Albert Edgar Billing, Field Artillery, from October 1, 1935.

Capt. Robert Oney Wright, Cavalry, from October 1, 1935.

Capt. Edwin Todd Wheatley, Infantry, from October 1, 1935.

Capt. John Winthrop Mott, Infantry, from October 1, 1935.

Capt. Jess Garnett Boykin, Cavalry, from October 12, 1935.

Capt. John Charles Macdonald, Cavalry, from October 28, 1935.

Capt. Harvey Shelton, Infantry, from November 1, 1935.

Capt. Thomas Robert Gibson, Infantry, from November 1, 1935.

Capt. Hugh Bryan Hester, Field Artillery, from November 1, 1935.

Capt. James Mahan Roamer, Infantry, from November 1, 1935.

Capt. Maylon Edward Scott, Field Artillery, from November 1, 1935.

Capt. James Dallace Bender, Infantry, from November 1, 1935.

Capt. Louis Howard Thompson, Coast Artillery Corps, from November 1, 1935.

Capt. Ellis Bates, Infantry, from November 1, 1935.

Capt. George Pryor Johnson, Air Corps, from November 1, 1935.

Capt. Clyde Virginius Finter, Air Corps, from November 1, 1935.

Capt. Michael Condon Shea, Field Artillery, from November 1, 1935.

Capt. Paul Dillard Carter, Infantry, from November 1, 1935.

Capt. Paul Henry Weiland, Field Artillery, from November 1, 1935.

Capt. Marvin Wade Marsh, Infantry, from November 3, 1935.

Capt. Holland Spencer Chamness, Infantry, from November 10, 1935.

Capt. Julian Horace George, Infantry, from November 24, 1935.

Capt. William Camillus Kabrich, Chemical Warfare Service, from November 25, 1935.

Capt. Frank Upton Greer, Infantry, from December 1, 1935.

Capt. Laurin Lyman Williams, Infantry, from December 1, 1935.

Capt. Henry Christopher Harrison, Jr., Field Artillery, from December 1, 1935, subject to examination required by law.

Capt. Hanford Nichols Lockwood, Jr., Field Artillery, from December 1, 1935.

Capt. John Markham Ferguson, Infantry, from December 1, 1935.

Capt. John Calvin Sandlin, Infantry, from December 20, 1935.

Capt. Clarence Eugene Brand, Judge Advocate General's Department, from December 22, 1935.

Capt. Leslie Eugene Bowman, Quartermaster Corps, from December 24, 1935.

Capt. Alonzo Patrick Fox, Infantry, from December 24, 1935.

Capt. Hugh Joseph Gaffey, Field Artillery, from December 26, 1935.

To be first lieutenant

Second Lt. Clifford Christopher Wagner, Quartermaster Corps, from August 1, 1935.

MEDICAL CORPS

To be majors

Capt. Kincheon Hubert Bailey, Medical Corps, from September 19, 1935.

Capt. Richard Emmons Elvins, Medical Corps, from October 8, 1935.

To be captains

First Lt. Max Naimark, Medical Corps, from October 28, 1935.

First Lt. Vernon James Erkenbeck, Medical Corps, from November 12, 1935.

First Lt. Arthur Herbert Thompson, Medical Corps, from November 12, 1935.

First Lt. Wilson Theodore Smith, Medical Corps, from November 26, 1935.

First Lt. Clarendon Barron Woods, Medical Corps, from November 26, 1935.

First Lt. Joe Alexander Bain, Medical Corps, from November 26, 1935.

First Lt. Cecil Spencer Mollohan, Medical Corps, from November 26, 1935.

First Lt. Francis Whitney Hall, Medical Corps, from November 26, 1935.

First Lt. Joseph Sibley Cirlot, Medical Corps, from December 6, 1935.

First Lt. Richard Howard Eckhardt, Medical Corps, from December 10, 1935.

First Lt. John Mars Caldwell, Jr., Medical Corps, from December 10, 1935.

First Lt. Charles Parmalee Ward, Medical Corps, from December 10, 1935.

First Lt. Elmer Arthur Lodmell, Medical Corps, from December 10, 1935.

First Lt. Lester Paul Veigel, Medical Corps, from December 10, 1935.

First Lt. George Lewis Beatty, Medical Corps, from December 10, 1935.

First Lt. Harold Irvin Amory, Medical Corps, from December 10, 1935.

First Lt. John Albert Egan, Medical Corps, from December 10, 1935.

First Lt. George Gustavo Guiteras, Medical Corps, from December 10, 1935.

First Lt. Edgar Louis Olson, Medical Corps, from December 10, 1935.

First Lt. Charles Edwards Spellman, Medical Corps, from December 10, 1935.

DENTAL CORPS

To be colonels

Lt. Col. Minot Everson Scott, Dental Corps, from September 19, 1935.

Lt. Col. George D. Graham, Dental Corps, from November 27, 1935.

To be lieutenant colonels

Maj. Thomas Chester Daniels, Dental Corps, from November 24, 1935.

Maj. Frederick Randolph Wunderlich, Dental Corps, from November 26, 1935.

Maj. Bruce Harold Roberts, Dental Corps, from December 27, 1935.

VETERINARY CORPS

To be colonel

Lt. Col. Burton Alpheus Seeley, Veterinary Corps, from November 27, 1935.

To be captains

First Lt. Russell McNellis, Veterinary Corps, from August 3, 1935.

First Lt. Richard George Yule, Veterinary Corps, from August 18, 1935.

MEDICAL ADMINISTRATIVE CORPS

To be captain

First Lt. Douglas Hall, Medical Administrative Corps, from December 4, 1935.

To be first lieutenants

Second Lt. Homer Clarence McCullough, Medical Administrative Corps, from August 29, 1935.

Second Lt. Joseph Carmack, Medical Administrative Corps, from November 1, 1935.

CHAPLAINS

To be chaplains with the rank of lieutenant colonel

Chaplain (Maj.) Edward Larose Branham, United States Army, from September 21, 1935.

Chaplain (Maj.) John Thomas DeBardeleben, United States Army, from September 22, 1935.

Chaplain (Maj.) Samuel Johnson Miller, United States Army, from September 22, 1935.

Chaplain (Maj.) John Thomas Axton, Jr., United States Army, from September 22, 1935.

Chaplain (Maj.) Earl Dudley Weed, United States Army, from September 27, 1935.

Chaplain (Maj.) William Loren Fisher, United States Army, from September 27, 1935.

Chaplain (Maj.) Emerson Etherage Swanson, United States Army, from September 27, 1935.

Chaplain (Maj.) Thomas Edward Swan, United States Army, from September 28, 1935.

Chaplain (Maj.) Frank Hallie Hayes, United States Army, from September 28, 1935.

Chaplain (Maj.) Aristeo Vincent Simoni, United States Army, from September 29, 1935.

Chaplain (Maj.) Peter Joseph Kilkenny, United States Army, from September 29, 1935.

Chaplain (Maj.) Orville Earl Fisher, United States Army, from November 24, 1935.

To be chaplain with the rank of major

Chaplain (Capt.) Peter Joseph Quinn, United States Army, from November 24, 1935.

To be chaplain with the rank of captain

Chaplain (First Lt.) Vernon Paul Jaeger, United States Army, from September 19, 1935.

PROMOTION IN THE PHILIPPINE SCOUTS

TO BE LIEUTENANT COLONEL

Maj. Vicente Lim, Philippine Scouts, from November 1, 1935.

APPOINTMENTS AND PROMOTIONS IN THE COAST GUARD OF THE UNITED STATES

Boatswain Nels Johnson to be chief boatswain, to rank as such from October 23, 1935.

Boatswain Jens B. Krestensen to be chief boatswain, to rank as such from November 2, 1935.

Boatswain William A. Goldbeck to be chief boatswain, to rank as such from October 23, 1935.

Boatswain Peter T. Johnson to be chief boatswain, to rank as such from October 25, 1935.

Boatswain Charles Petersen to be chief boatswain, to rank as such from October 23, 1935.

Boatswain Philip Lehrman to be chief boatswain, to rank as such from October 26, 1935.

Boatswain Harry Funk to be chief boatswain, to rank as such from October 24, 1935.

Boatswain Chester L. Jordan to be chief boatswain, to rank as such from October 24, 1935.

Boatswain Maurice D. Jester to be chief boatswain, to rank as such from October 28, 1935.

Boatswain Charles M. Feddersen to be chief boatswain, to rank as such from October 24, 1935.

Boatswain James H. Snydow to be chief boatswain, to rank as such from October 26, 1935.

Boatswain Thomas Noland to be chief boatswain, to rank as such from October 26, 1935.

Boatswain William A. Skeen to be chief boatswain, to rank as such from October 21, 1935.

Boatswain Andrew Johansen to be chief boatswain, to rank as such from October 24, 1935.

Boatswain William Gardner to be chief boatswain, to rank as such from November 4, 1935.

Boatswain John E. Wilson to be chief boatswain, to rank as such from October 26, 1935.

Boatswain Peder M. Pedersen to be chief boatswain, to rank as such from October 24, 1935.

Boatswain William T. Murphy to be chief boatswain, to rank as such from October 25, 1935.

Boatswain Clarence W. Whitney to be chief boatswain, to rank as such from October 24, 1935.

Boatswain John L. Wilson to be chief boatswain, to rank as such from October 24, 1935.

Boatswain Howard F. Culver to be chief boatswain, to rank as such from October 25, 1935.

Boatswain Russell W. Thresher to be chief boatswain, to rank as such from October 22, 1935.

Boatswain Aubrey C. Stewart to be chief boatswain, to rank as such from October 22, 1935.

Boatswain Ralph G. Jenkins to be chief boatswain, to rank as such from October 24, 1935.

Boatswain John M. Gray to be chief boatswain, to rank as such from October 23, 1935.

Boatswain Kenneth C. Tharp to be chief boatswain, to rank as such from November 1, 1935.

Boatswain William E. Schweizer to be chief boatswain, to rank as such from October 23, 1935.

Boatswain (L) John A. Midgett to be chief boatswain (life saving), to rank as such from October 25, 1935.

Boatswain (L) John A. Alander to be chief boatswain (life saving), to rank as such from October 25, 1935.

Boatswain (L) Edward B. Andrews to be chief boatswain (life saving), to rank as such from October 25, 1935.

Boatswain (L) George F. Morin to be chief boatswain (life saving), to rank as such from October 25, 1935.

Boatswain (L) James S. Fletcher to be chief boatswain (life saving), to rank as such from October 24, 1935.

Boatswain (L) Solomon Nedeau to be chief boatswain (life saving), to rank as such from October 25, 1935.

Boatswain (L) Oscar Smith to be chief boatswain (life saving), to rank as such from October 26, 1935.

Boatswain (L) Ernest Pointer to be chief boatswain (life saving), to rank as such from October 23, 1935.

Boatswain (L) Theodore Roberge to be chief boatswain (life saving), to rank as such from October 26, 1935.

Boatswain (L) Eugene C. Colbeth to be chief boatswain (life saving), to rank as such from October 24, 1935.

Boatswain (L) Albert F. Jones to be chief boatswain (life saving), to rank as such from October 24, 1935.

Boatswain (L) George M. Schellenger to be chief boatswain (life saving), to rank as such from October 24, 1935.

Boatswain (L) Adolph A. Rohdin to be chief boatswain (life saving), to rank as such from October 24, 1935.

Boatswain (L) John O. Anderson to be chief boatswain (life saving), to rank as such from October 25, 1935.

Boatswain (L) Charles H. Wroton to be chief boatswain (life saving) to rank as such from October 23, 1935.

Boatswain (L) Clarence E. Peckham to be chief boatswain (life saving), to rank as such from October 25, 1935.

Boatswain (L) Kent M. Redgrave to be chief boatswain (life saving), to rank as such from October 24, 1935.

Boatswain (L) Beryl W. King to be chief boatswain (life saving), to rank as such from October 25, 1935.

Boatswain (L) Fred L. Wells to be chief boatswain (life saving), to rank as such from October 23, 1935.

Boatswain (L) William E. Preston to be chief boatswain (life saving), to rank as such from October 25, 1935.

Boatswain (L) John J. Glynn to be chief boatswain (life saving), to rank as such from October 22, 1935.

Boatswain (L) Harold L. Carter to be chief boatswain (life saving), to rank as such from October 24, 1935.

Boatswain (L) Leslie V. Barnett to be chief boatswain (life saving), to rank as such from October 25, 1935.

Boatswain (L) Earl W. Suydam to be chief boatswain (life saving), to rank as such from October 24, 1935.

Boatswain (L) John M. Richardson to be chief boatswain (life saving), to rank as such from October 23, 1935.

Boatswain (L) Walter G. Etheridge to be chief boatswain (life saving), to rank as such from October 25, 1935.

Boatswain (L) Charles R. Peele to be chief boatswain (life saving), to rank as such from October 24, 1935.

Boatswain (L) Charles O. Peel to be chief boatswain (life saving), to rank as such from October 24, 1935.

Boatswain (L) Fred E. Stebbins to be chief boatswain (life saving), to rank as such from October 25, 1935.

Boatswain (L) Roy Robinson to be chief boatswain (life saving), to rank as such from October 26, 1935.

Boatswain (L) Ira Andrews to be chief boatswain (life saving), to rank as such from November 1, 1935.

Boatswain (L) Sands E. Littlefield to be chief boatswain (life saving), to rank as such from October 24, 1935.

Radio Electrician Earle S. Fletcher to be chief radio electrician, to rank as such from October 22, 1935.

Radio Electrician William B. Dawson to be chief radio electrician, to rank as such from October 21, 1935.

Radio Electrician Arthur G. Descoteaux to be chief radio electrician, to rank as such from October 24, 1935.

Radio Electrician Ole Friis to be chief radio electrician, to rank as such from October 23, 1935.

Radio Electrician Meredith H. Griffith to be chief radio electrician, to rank as such from October 22, 1935.

Radio Electrician Clyde T. Solt to be chief radio electrician, to rank as such from October 21, 1935.

Machinist Christian O. Hekleberg to be chief machinist, to rank as such from October 25, 1935.

Machinist Hermann Becker to be chief machinist, to rank as such from October 25, 1935.

Machinist Arthur Anderson to be chief machinist, to rank as such from October 24, 1935.

Machinist John Van Heuveln to be chief machinist, to rank as such from October 28, 1935.

Machinist William C. Dryden to be chief machinist, to rank as such from October 23, 1935.

Machinist Elden C. Wigle to be chief machinist, to rank as such from October 18, 1935.

Machinist Tyre Moore to be chief machinist, to rank as such from October 23, 1935.

Machinist William W. Gorman to be chief machinist, to rank as such from October 24, 1935.

Machinist Samuel J. Clifford to be chief machinist, to rank as such from November 4, 1935.

Electrician Charles F. Geiss to be chief electrician, to rank as such from October 24, 1935.

Electrician Harry E. Rowand to be chief electrician, to rank as such from October 21, 1935.

Electrician Conrad W. Bilz to be chief electrician, to rank as such from October 25, 1935.

Carpenter Morris Pierson to be chief carpenter, to rank as such from October 22, 1935.

Carpenter Charles Hansen to be chief carpenter, to rank as such from October 22, 1935.

Pay Clerk Louis J. Armstrong to be chief pay clerk, to rank as such from October 26, 1935.

Pay Clerk Carlin L. Brinkley to be chief pay clerk, to rank as such from October 21, 1935.

Pay Clerk George A. Scott to be chief pay clerk, to rank as such from October 21, 1935.

Pay Clerk George A. Brownley to be chief pay clerk, to rank as such from October 21, 1935.

Pay Clerk Luther W. Cartwright to be chief pay clerk, to rank as such from October 23, 1935.

Pay Clerk Sumner Chisholm to be chief pay clerk, to rank as such from October 22, 1935.

Pay Clerk Nelson N. Ard to be chief pay clerk, to rank as such from October 28, 1935.

Commander Edward D. Jones to be captain, to rank as such from October 1, 1935, in place of Capt. Randolph Ridgely, Jr., retired.

Capt. (Engineering) William E. Maccoun to be commodore, on the retired list, to rank as such from October 1, 1935.

Capt. Randolph Ridgely, Jr., to be commodore, on the retired list, to rank as such from October 1, 1935.

Lt. (Jr. Gr.) William Schissler to be lieutenant, to rank as such from May 15, 1935.

District Commander Eugene T. Osborn to be district commander, with the rank of lieutenant commander, to rank as such from April 6, 1935.

Lt. (Jr. Gr.) William E. Sinton to be lieutenant, to rank as such from May 15, 1935.

Lt. (Jr. Gr.) Henry S. Sharp to be lieutenant, to rank as such from May 15, 1935.

Lt. (Jr. Gr.) George A. Knudsen to be lieutenant, to rank as such from May 15, 1935.

Lt. (Jr. Gr.) Carl U. Peterson to be lieutenant, to rank as such from May 15, 1935.

Lt. (Jr. Gr.) John R. Stewart to be lieutenant, to rank as such from May 15, 1935.

Lt. (Jr. Gr.) Arthur J. Hesford to be lieutenant, to rank as such from May 15, 1935.

Lt. (Jr. Gr.) Joseph D. Harrington to be lieutenant, to rank as such from May 15, 1935.

Lt. (Jr. Gr.) Sidney F. Porter to be lieutenant, to rank as such from May 15, 1935.

Lt. (Jr. Gr.) Charles E. Toft to be lieutenant, to rank as such from May 15, 1935.

Lt. (Jr. Gr.) William L. Maloney to be lieutenant, to rank as such from May 15, 1935.

Lt. (Jr. Gr.) William L. Clemmer to be lieutenant, to rank as such from May 15, 1935.

Lt. (Jr. Gr.) Ralph R. Curry to be lieutenant, to rank as such from May 15, 1935.

Lt. (Jr. Gr.) Harold J. Doebler to be lieutenant, to rank as such from May 15, 1935.

Lt. (Jr. Gr.) Kenneth C. Phillips to be lieutenant, to rank as such from May 15, 1935.

Lt. (Jr. Gr.) George C. Lindauer to be lieutenant, to rank as such from May 15, 1935.

Lt. (Jr. Gr.) Edmund E. Fahey to be lieutenant, to rank as such from May 15, 1935.

Lt. (Jr. Gr.) Spencer F. Hewins to be lieutenant, to rank as such from May 15, 1935.

Lt. (Jr. Gr.) Clifford R. MacLean to be lieutenant, to rank as such from May 15, 1935.

Lt. (Jr. Gr.) Henry F. Stolfi to be lieutenant, to rank as such from May 15, 1935.

Lt. (Jr. Gr.) John F. Harding to be lieutenant, to rank as such from May 15, 1935.

Lt. (Jr. Gr.) True G. Miller to be lieutenant, to rank as such from May 15, 1935.

Lt. (Jr. Gr.) Herman T. Diehl to be lieutenant, to rank as such from May 15, 1935.

Lt. (Jr. Gr.) Leonard T. Jones to be lieutenant, to rank as such from May 15, 1935.

Lt. (Jr. Gr.) Harold A. T. Bernson to be lieutenant, to rank as such from May 15, 1935.

Lt. (Jr. Gr.) Henry F. Garcia to be lieutenant, to rank as such from May 15, 1935.

Lt. (Jr. Gr.) Searcy J. Lowrey to be lieutenant, to rank as such from May 15, 1935.

Lt. (Jr. Gr.) Samuel L. Denty to be lieutenant, to rank as such from May 15, 1935.

Lt. (Jr. Gr.) George W. Dick to be lieutenant, to rank as such from May 15, 1935.

Lt. (Jr. Gr.) Peery L. Stinson to be lieutenant, to rank as such from June 7, 1935.

Lt. (Jr. Gr.) Russell J. Roberts to be lieutenant, to rank as such from June 7, 1935.

Lt. (Temporary) Luke Christopher to be lieutenant, to rank as such from September 23, 1935.

Lt. (Temporary) John S. Merriman, Jr., to be lieutenant, to rank as such from September 23, 1935.

Ensign William H. Snyder to be lieutenant (junior grade), to rank as such from May 16, 1935.

Ensign Richard D. Schmidtman to be lieutenant (junior grade), to rank as such from May 16, 1935.

Ensign James D. Craik to be lieutenant (junior grade), to rank as such from May 16, 1935.

Ensign Theodore J. Harris to be lieutenant (junior grade), to rank as such from May 16, 1935.

Ensign Anthony J. DeJoy to be lieutenant (junior grade), to rank as such from May 16, 1935.

Ensign Loren H. Seeger to be lieutenant (junior grade), to rank as such from May 16, 1935.

Ensign George D. Synon to be lieutenant (junior grade), to rank as such from May 16, 1935.

Ensign Robert L. Grantham to be lieutenant (junior grade), to rank as such from May 16, 1935.

Ensign Irvin J. Stephens to be lieutenant (junior grade), to rank as such from May 16, 1935.

Ensign Edward T. Hodges to be lieutenant (junior grade), to rank as such from May 16, 1935.

Ensign Donald T. Adams to be lieutenant (junior grade), to rank as such from May 16, 1935.

Ensign Theodore J. Fabik to be lieutenant (junior grade), to rank as such from May 16, 1935.

Ensign Garland W. Collins to be lieutenant (junior grade), to rank as such from May 16, 1935.

Ensign John R. Henthorn to be lieutenant (junior grade), to rank as such from May 16, 1935.

Ensign Emil A. Pearson to be lieutenant (junior grade), to rank as such from May 16, 1935.

Ensign Hollis M. Warner to be lieutenant (junior grade), to rank as such from May 16, 1935.

Ensign Walter B. Millington to be lieutenant (junior grade), to rank as such from May 16, 1935.

Ensign Reinhold R. Johnson to be lieutenant (junior grade), to rank as such from May 16, 1935.

Ensign Walter W. Collins to be lieutenant (junior grade), to rank as such from May 16, 1935.

Ensign John P. German to be lieutenant (junior grade), to rank as such from May 16, 1935.

Ensign Karl O. A. Zittel to be lieutenant (junior grade), to rank as such from May 16, 1935.

Ensign Gilbert I. Lynch to be lieutenant (junior grade), to rank as such from May 16, 1935.

Ensign George R. Leslie to be lieutenant (junior grade), to rank as such from May 16, 1935.

Ensign Joseph A. Bresnan to be lieutenant (junior grade), to rank as such from May 16, 1935.

Ensign Carl H. Stober to be lieutenant (junior grade), to rank as such from May 16, 1935.

Ensign John R. Kurcheski to be lieutenant (junior grade), to rank as such from May 16, 1935.

Ensign Frederick Wild to be lieutenant (junior grade), to rank as such from May 16, 1935.

Ensign Alvin H. Giffin to be lieutenant (junior grade), to rank as such from May 16, 1935.

Ensign Joe Lawrence to be lieutenant (junior grade), to rank as such from May 16, 1935.

Ensign James A. Alger, Jr., to be lieutenant (junior grade), to rank as such from May 16, 1935.

Ensign Robert S. Lecky to be lieutenant (junior grade), to rank as such from May 16, 1935.

Charles Edward Brush to be constructor with the rank of lieutenant, to rank as such from November 12, 1935.

Lt. Norman M. Nelson to be lieutenant commander, to rank as such from October 1, 1934.

Lt. Carl E. Guisness to be lieutenant commander, to rank as such from October 1, 1934.

Engineer in Chief Robert B. Adams to be captain (engineering), to rank as such from December 18, 1935.

These officers are now serving under temporary commissions issued during the recess of the Senate.

Appointments and Promotions in the Navy

MARINE CORPS

Brig. Gen. Louis McC. Little to be a major general in the Marine Corps from the 27th day of July 1935.

Lt. Col. Charles J. Miller to be a colonel in the Marine Corps from the 1st day of December 1935.

Capt. Oliver P. Smith to be a major in the Marine Corps from the 29th day of May 1934.

Capt. Thomas R. Shearer to be a major in the Marine Corps from the 29th day of May 1934.

Capt. Jesse L. Perkins to be a major in the Marine Corps from the 30th day of June 1935.

Capt. Robert E. Mills to be a major in the Marine Corps from the 27th day of July 1935.

Capt. Blythe G. Jones to be a major in the Marine Corps from the 27th day of July 1935.

The following-named captains to be majors in the Marine Corps from the 1st day of August 1935:

George T. Hall
Robert C. Kilmartin
Edward A. Craig

The following-named captains to be majors in the Marine Corps from the 1st day of September 1935:

Bernard Dubel	Howard N. Stent
Leland S. Swindler	Ford O. Rogers

Capt. Walter G. Farrell to be a major in the Marine Corps from the 1st day of October 1935.

Capt. Ralph R. Robinson to be a major in the Marine Corps from the 8th day of October 1935.

Capt. Hamilton M. H. Fleming to be a major in the Marine Corps from the 1st day of December 1935.

First Lt. Guy B. Beatty to be a captain in the Marine Corps from the 1st day of June 1935.

First Lt. Robert J. Straub to be a captain in the Marine Corps from the 30th day of June 1935.

First Lt. Philip L. Thwing to be a captain in the Marine Corps from the 1st day of July 1935.

First Lt. Robert G. Hunt to be a captain in the Marine Corps from the 1st day of July 1935.

The following-named first lieutenants to be captains in the Marine Corps from the 27th day of July 1935:

Lewis B. Puller	Perry K. Smith
Ernest E. Shaughnessey	George H. Bellinger, Jr.
Herbert P. Becker	Raymond A. Anderson
William C. Purple	Charles F. Cresswell

The following-named first lieutenants to be captains in the Marine Corps from the 1st day of August 1935:

Walter J. Stuart
Charles G. Meints
Alexander W. Kreiser, Jr.

The following-named first lieutenants to be captains in the Marine Corps from the 1st day of September 1935:

Lenard B. Cresswell	St. Julien R. Marshall
Thomas J. McQuade	Tilghman H. Saunders

First Lt. Kenneth B. Chappell to be a captain in the Marine Corps from the 1st day of October 1935.

First Lt. Walter I. Jordan to be a captain in the Marine Corps from the 8th day of October 1935.

The following-named first lieutenants to be captains in the Marine Corps from the 1st day of December 1935:

Arthur W. Ellis	Samuel S. Ballentine
Wilburt S. Brown	James P. S. Devereux
Theodore B. Millard	

The following-named first lieutenants to be captains in the Marine Corps from the 1st day of January 1936:

David K. Claude
Edward J. Trumble
Harold D. Harris

Second Lt. Claude I. Boles to be a first lieutenant in the Marine Corps from the 29th day of May 1934.

Second Lt. George Corson to be a first lieutenant in the Marine Corps from the 2d day of June 1935.

Second Lt. Clarence O. Cobb to be a first lieutenant in the Marine Corps from the 2d day of June 1935.

Corp. Donald J. Decker, a meritorious noncommissioned officer, to be a second lieutenant in the Marine Corps, revocable for 2 years, from the 1st day of September 1935.

The following-named citizens to be second lieutenants in the Marine Corps, revocable for 2 years, from the 1st day of September 1935:

Michael Sampas, a citizen of Massachusetts.
William E. Boles, a citizen of Alabama.
Arthur A. Chidester, a citizen of Arkansas.
James M. Clark, a citizen of Ohio.
Wendell H. Duplantis, a citizen of Nevada.
Clyde R. Huddleson, a citizen of North Dakota.
Edwin A. Law, a citizen of Florida.
James S. O'Halloran, a citizen of Massachusetts.
Harry O. Smith, Jr., a citizen of Vermont.
Alexander A. Vandegrift, Jr., a citizen of Virginia.
Joseph L. Winecoff, a citizen of Georgia.

Q. M. Clerk Ray O'Toole to be a chief quartermaster clerk in the Marine Corps, to rank with but after second lieutenant, from the 29th day of October 1935.

Q. M. Clerk Oswald Brosseau to be a chief quartermaster clerk in the Marine Corps, to rank with but after second lieutenant, from the 5th day of November 1935.

Postmasters

ALABAMA

Bryan Whitehurst to be postmaster at Abbeville, Ala., in place of L. C. Hays. Incumbent's commission expired January 22, 1935.

Harry E. Marshall to be postmaster at Orrville, Ala. Office became Presidential July 1, 1935.

ARKANSAS

Philip G. Gates to be postmaster at Crossett, Ark., in place of E. H. Finch, deceased.

Leola Garner to be postmaster at Plainview, Ark. Office became Presidential July 1, 1935.

William F. Bryant to be postmaster at Quitman, Ark. Office became Presidential July 1, 1935.

CALIFORNIA

Eugene F. Morris to be postmaster at Agnew, Calif., in place of W. S. Sullivan. Incumbent's commission expired December 18, 1934.

Alfonse M. Hamann to be postmaster at Balboa, Calif., in place of E. B. Whitson. Incumbent's commission expired December 18, 1934.

A. Dewey Newburn to be postmaster at Carlsbad, Calif., in place of P. M. Arnold. Incumbent's commission expired February 28, 1933.

Clark Wallace to be postmaster at Compton, Calif., in place of E. J. Lewis, removed.

Frederick K. Smith to be postmaster at Crestline, Calif. Office became Presidential July 1, 1935.

Dino L. Ceccarelli to be postmaster at Dos Palos, Calif., in place of M. E. Millett. Incumbent's commission expired February 20, 1935.

Maud W. Wilson to be postmaster at Fall River Mills, Calif., in place of C. C. Fitzwater. Incumbent's commission expired December 18, 1934.

W. Sinclair Head to be postmaster at Garden Grove, Calif., in place of M. A. Head, transferred.

Dorathea Dooley to be postmaster at Hopland, Calif., in place of E. F. Grant. Incumbent's commission expired June 24, 1934.

Henry P. Sartain to be postmaster at Lincoln, Calif., in place of K. M. Fleming. Incumbent's commission expired January 22, 1935.

Edgar M. Bandy to be postmaster at Lindsay, Calif., in place of J. B. Frisbee, deceased.

Alexander Main to be postmaster at Lompoc, Calif., in place of D. C. Saunders, deceased.

Sidney E. Henking to be postmaster at Niland, Calif., in place of S. E. Henking. Incumbent's commission expires January 9, 1936.

Vera Wettlin to be postmaster at Orange, Calif., in place of W. O. Hart. Incumbent's commission expired December 18, 1933.

John E. Alfors to be postmaster at Parlier, Calif., in place of C. H. Hackney. Incumbent's commission expired February 20, 1935.

Josephine Zucca to be postmaster at Selby, Calif., in place of Josephine Zucca. Incumbent's commission expires January 9, 1936.

Bess Morabe to be postmaster at Sutter Creek, Calif., in place of Bess Morabe. Incumbent's commission expires January 9, 1936.

Mary A. Black to be postmaster at Terminal Island, Calif., in place of W. J. Black, resigned.

Edith M. Kennedy to be postmaster at Weimar, Calif., in place of E. M. Kennedy. Incumbent's commission expires January 9, 1936.

COLORADO

Lloyd W. Failing to be postmaster at Craig, Colo., in place of I. P. Beckett, resigned.

CONNECTICUT

Albert C. Santi to be postmaster at Ivoryton, Conn., in place of J. B. Griswold, deceased.

George S. Clark to be postmaster at Milford, Conn., in place of M. J. Cheney. Incumbent's commission expired December 16, 1933.

Albert H. Buckingham to be postmaster at Roxbury, Conn., in place of Burton Hodge. Incumbent's commission expired February 5, 1935.

Frank Buonocore to be postmaster at Torrington, Conn., in place of A. E. Wellman, retired.

Warren A. Mansfield to be postmaster at Woodbury, Conn., in place of R. O. Judson. Incumbent's commission expired January 28, 1934.

FLORIDA

George P. Farnall to be postmaster at Belle Glade, Fla., in place of G. P. Farnall. Incumbent's commission expires January 13, 1936.

Charles W. Pierce to be postmaster at Boynton, Fla., in place of C. W. Pierce. Incumbent's commission expired March 18, 1934.

William T. Graves to be postmaster at Cottondale, Fla. Office became Presidential July 1, 1935.

Charles W. Stewart to be postmaster at Naples, Fla., in place of C. W. Stewart. Incumbent's commission expires January 13, 1936.

Edgar Drew Padgett to be postmaster at Ponce de Leon, Fla. Office became Presidential July 1, 1935.

Henry A. Drake to be postmaster at Port St. Joe, Fla. Office became Presidential July 1, 1935.

Leonard F. Stewart, Jr., to be postmaster at Zellwood, Fla. Office became Presidential July 1, 1935.

GEORGIA

Thomas W. Dalton to be postmaster at Alto, Ga., in place of J. A. Grant. Incumbent's commission expired March 2, 1935.

Lucius Hannon to be postmaster at Atco, Ga., in place of Lucius Hannon. Incumbent's commission expires January 7, 1936.

Elizabeth H. Quinn to be postmaster at Barnesville, Ga., in place of E. H. Quinn. Incumbent's commission expires January 7, 1936.

Evelyn W. Simpson to be postmaster at Buford, Ga., in place of Ertha Garner. Incumbent's commission expired February 25, 1935.

Jesse S. Weathers to be postmaster at Cairo, Ga., in place of J. S. Weathers. Incumbent's commission expires January 7, 1936.

Ivie B. Owen to be postmaster at Concord, Ga., in place of R. E. Lee. Incumbent's commission expired June 3, 1930.

John Marvin Gillespie to be postmaster at Demorest, Ga., in place of J. R. Barrett. Incumbent's commission expired February 25, 1935.

Mae W. Duke to be postmaster at Gibson, Ga. Office became Presidential July 1, 1935.

Sara B. Fox to be postmaster at Harlem, Ga., in place of S. B. Fox. Incumbent's commission expires January 7, 1936.

W. Vaughn Rice to be postmaster at Hiawassee, Ga. Office became Presidential July 1, 1935.

Charlie T. Hightower to be postmaster at Hogansville, Ga., in place of M. F. Harris. Incumbent's commission expired February 25, 1935.

Victor H. Carmichael to be postmaster at Jackson, Ga., in place of Bessie Waldrop. Incumbent's commission expired February 25, 1935.

Clifton O. Lloyd to be postmaster at Lindale, Ga., in place of C. O. Lloyd. Incumbent's commission expires January 7, 1936.

Walter E. Schilling to be postmaster at Marietta, Ga., in place of Mrs. A. S. Clay. Incumbent's commission expired December 16, 1934.

J. Stanley Newton to be postmaster at Norman Park, Ga., in place of J. S. Newton. Incumbent's commission expires January 7, 1936.

Wilbur N. Harwell to be postmaster at Oxford, Ga., in place of J. T. Bird. Incumbent's commission expired February 25, 1935.

HAWAII

Alfred K. Smith to be postmaster at Kealakekua, Hawaii, in place of F. J. Cushingham. Incumbent's commission expired February 20, 1935.

IDAHO

Ernest W. Myers to be postmaster at Avery, Idaho, in place of R. R. Walker, resigned.

Iva F. Madden to be postmaster at Cascade, Idaho, in place of I. F. Madden. Incumbent's commission expires January 7, 1936.

Byron E. Harris to be postmaster at Headquarters, Idaho. Office became Presidential July 1, 1935.

Henry B. Jones to be postmaster at Wilder, Idaho, in place of C. A. McPherson. Incumbent's commission expired January 22, 1935.

ILLINOIS

Nancy Michael to be postmaster at Argo, Ill., in place of Nancy Michael. Incumbent's commission expires January 7, 1936.

Leslie B. McCaffrey to be postmaster at Fort Sheridan, Ill., in place of Bessie Reynolds. Incumbent's commission expired March 8, 1934.

Dorothy A. O'Donnell to be postmaster at Grafton, Ill., in place of Thomas O'Donnell, deceased.

John T. O'Brien to be postmaster at Harvard, Ill., in place of Eugene Saunders. Incumbent's commission expired December 15, 1931.

Edwin C. F. Braun to be postmaster at Lebanon, Ill., in place of J. A. Dausmann. Incumbent's commission expired January 22, 1935.

Eugene Hoerrmann to be postmaster at Manhattan, Ill., in place of A. M. Tennysen. Incumbent's commission expired February 14, 1935.

Etta Lutz to be postmaster at Mendota, Ill., in place of G. E. Whitmore, retired.

Angus D. Irey to be postmaster at Monmouth, Ill., in place of J. W. Scott, retired.

Alice May Pulley to be postmaster at Pittsburg, Ill., in place of J. S. Burnett, removed.

Clarence J. Hanen to be postmaster at St. Anne, Ill., in place of G. W. Martin. Incumbent's commission expired December 9, 1934.

Michael Sparks to be postmaster at St. Francisville, Ill., in place of W. A. Brian, removed.

John R. Slater to be postmaster at Savanna, Ill., in place of B. M. Smith, transferred.

Rufus B. Grissom to be postmaster at Toledo, Ill., in place of J. E. Hughes, removed.

John W. Norris to be postmaster at Washington, Ill., in place of D. S. Birkett. Incumbent's commission expired February 4, 1935.

Daniel H. Desmond to be postmaster at Woodstock, Ill., in place of L. H. Renich, retired.

Homer G. Ingram to be postmaster at Zion, Ill., in place of S. H. DePew. Incumbent's commission expired February 14, 1935.

INDIANA

Lawrence M. Slough to be postmaster at Bourbon, Ind., in place of C. E. Elkins, removed.

Mel M. Carter to be postmaster at Greensburg, Ind., in place of C. M. Woodfill. Incumbent's commission expired January 13, 1935.

Alton C. Reeves to be postmaster at Hope, Ind., in place of W. H. Hailway. Incumbent's commission expired February 14, 1935.

Frank G. Trinosky to be postmaster at La Crosse, Ind., in place of E. J. Pinney. Incumbent's commission expired April 16, 1934.

Albert Spanagel to be postmaster at Lawrenceburg, Ind., in place of H. R. Hayes, resigned.

Ruth D. Pommerehn to be postmaster at North Madison, Ind., in place of A. B. Lochard, resigned.

Millie E. Smith to be postmaster at Ray, Ind. Office became Presidential July 1, 1935.

Walter H. Droege to be postmaster at Seymour, Ind., in place of T. E. Carter, removed.

Gordon O. Thurston to be postmaster at Shelbyville, Ind., in place of G. E. Young, resigned.

Charles F. Fisher to be postmaster at Speed, Ind. Office became Presidential July 1, 1935.

Frank G. Sheviak to be postmaster at Wanatah, Ind., in place of W. W. Schmidt. Incumbent's commission expired April 2, 1934.

IOWA

Edward J. Kooreman to be postmaster at Alton, Iowa, in place of E. J. Kooreman. Incumbent's commission expires January 12, 1936.

Henry D. Butterbrodt to be postmaster at Bennett, Iowa. Office became Presidential July 1, 1935.

Samuel J. Gray to be postmaster at Blencoe, Iowa, in place of Bertha Zadow. Incumbent's commission expired January 22, 1935.

Estelle Coon to be postmaster at Brooklyn, Iowa, in place of J. A. Barnes. Incumbent's commission expired January 22, 1935.

Edson L. Glau to be postmaster at Charter Oak, Iowa, in place of H. A. Jones. Incumbent's commission expired December 20, 1934.

Donald D. Mead to be postmaster at Cresco, Iowa, in place of W. C. Patterson, retired.

Mary A. Waters to be postmaster at Delmar, Iowa, in place of R. E. Scheib, resigned.

Lester T. Quaadorf to be postmaster at Dows, Iowa, in place of W. L. Damerow. Incumbent's commission expired February 25, 1935.

Daisy V. Farrell to be postmaster at Fonda, Iowa, in place of R. F. Sargent. Incumbent's commission expired December 9, 1934.

Martin C. Fitzpatrick to be postmaster at Greeley, Iowa, in place of A. E. Frentress, retired.

Hubert E. Liming to be postmaster at Ida Grove, Iowa, in place of B. H. Todd. Incumbent's commission expired February 14, 1935.

Howard E. Reichard to be postmaster at Knoxville, Iowa, in place of M. L. Curtis, removed.

Marie B. Henderson to be postmaster at Minburn, Iowa. Office became Presidential July 1, 1935.

Albert S. Barry to be postmaster at Muscatine, Iowa, in place of W. S. McKee, resigned.

Florence Gilman to be postmaster at Rock Rapids, Iowa, in place of W. G. Smith. Incumbent's commission expired January 22, 1935.

KANSAS

William Merrifield to be postmaster at Agra, Kans., in place of S. L. Crown. Incumbent's commission expired December 16, 1933.

Ferdinand Scharping to be postmaster at Hillsboro, Kans., in place of Ferdinand Scharping. Incumbent's commission expires January 8, 1936.

Edward Tacha to be postmaster at Jennings, Kans., in place of H. E. Simpson. Incumbent's commission expired January 28, 1934.

Anna H. Smith to be postmaster at Morland, Kans., in place of A. J. Nichols, resigned.

Rollie David to be postmaster at Russell Springs, Kans. Office became Presidential July 1, 1935.

Harry F. Sloan to be postmaster at Selden, Kans., in place of R. J. Miller. Incumbent's commission expired April 20, 1932.

KENTUCKY

Rex A. Logan to be postmaster at Bowling Green, Ky., in place of Clarence Neighbors. Incumbent's commission expired December 20, 1934.

Henry Boyd Stiles to be postmaster at Cecilia, Ky., in place of F. A. Wiseman. Incumbent's commission expired April 30, 1934.

Minnie Heflin to be postmaster at Ewing, Ky., in place of J. H. Thompson, resigned.

James A. Usher to be postmaster at Farmington, Ky. Office became Presidential July 1, 1935.

Fanny L. Scott to be postmaster at Florence, Ky., in place of O. C. Lucas, resigned.

Lester Jeter to be postmaster at Hustonville, Ky., in place of Grant North, removed.

Elizabeth L. Arnold to be postmaster at Lewisburg, Ky., in place of C. B. Marshall. Incumbent's commission expired February 5, 1935.

Morgan B. Johnson to be postmaster at McRoberts, Ky. Office became Presidential January 1, 1935.

Lynn B. Wells to be postmaster at West Liberty, Ky., in place of J. L. Blair. Incumbent's commission expired February 20, 1935.

MAINE

Gladys C. Thurlow to be postmaster at Buckfield, Maine, in place of C. M. Buck, deceased.

Geneva B. Haley to be postmaster at Cornish, Maine, in place of R. W. Chaplin, resigned.

Charles A. Robbins to be postmaster at Lincoln, Maine, in place of A. A. Weatherbee. Incumbent's commission expired December 20, 1934.

Paul Archambault to be postmaster at Madawaska, Maine, in place of Thomas Hebert. Incumbent's commission expired June 28, 1934.

Fred W. Allen to be postmaster at Pownal, Maine. Office became Presidential July 1, 1935.

Orrin J. Bishop to be postmaster at Presque Isle, Maine, in place of E. I. Waddell. Incumbent's commission expired January 22, 1935.

Alice S. Fitzgerald to be postmaster at Smyrna Mills, Maine. Office became Presidential July 1, 1935.

MARYLAND

Kathryn T. Schaefer to be postmaster at Chesapeake City, Md., in place of J. M. Reed, Jr. Incumbent's commission expired April 22, 1934.

Clarence C. C. Thomas to be postmaster at Lilypons, Md. Office became Presidential July 1, 1935.

Louis E. Lamborn to be postmaster at McDonogh, Md., in place of L. E. Lamborn. Incumbent's commission expires January 11, 1936.

Katherine G. O'Donnell to be postmaster at Mountain Lake Park, Md., in place of H. C. Leighton. Incumbent's commission expired April 22, 1934.

William D. Lovell, Jr., to be postmaster at New Windsor, Md., in place of M. D. Reid. Incumbent's commission expired January 28, 1935.

Levin D. Lynch to be postmaster at Ocean City, Md., in place of G. S. Cropper. Incumbent's commission expired March 18, 1934.

Mary W. Stewart to be postmaster at Oxford, Md., in place of M. W. Stewart. Incumbent's commission expires January 11, 1936.

Maurice T. Truitt to be postmaster at Pittsville, Md., in place of J. W. Brittingham, deceased.

Victor F. Cullen to be postmaster at State Sanatorium, Md., in place of V. F. Cullen. Incumbent's commission expires January 11, 1936.

John O. Crapster to be postmaster at Taneytown, Md., in place of H. L. Feeser. Incumbent's commission expired January 28, 1935.

Philip E. Huntt to be postmaster at Waldorf, Md., in place of P. E. Huntt. Incumbent's commission expires January 11, 1936.

MASSACHUSETTS

Thornton S. Swift to be postmaster at Bourne, Mass. Office became Presidential July 1, 1935.

Marguerite H. Mallahy to be postmaster at Fiskdale, Mass., in place of B. D. Webber. Incumbent's commission expired June 17, 1934.

John V. Malone to be postmaster at Lancaster, Mass., in place of M. M. Monahan, removed.

Carl R. Rowe to be postmaster at Marlboro, Mass., in place of J. H. Baker. Incumbent's commission expired January 22, 1935.

Samuel L. Wildes to be postmaster at Montague, Mass., in place of S. L. Wildes. Incumbent's commission expires January 9, 1936.

Dorothy T. Swift to be postmaster at North Falmouth, Mass., in place of D. T. Swift. Incumbent's commission expires January 9, 1936.

MICHIGAN

Elburn H. Shelp to be postmaster at Bancroft, Mich., in place of C. F. Waldie. Incumbent's commission expired December 18, 1934.

John H. Sauvola to be postmaster at Chassell, Mich., in place of P. H. Schannenk, deceased.

Bernice J. LaPointe to be postmaster at Erie, Mich., in place of J. G. Gilday. Incumbent's commission expired June 17, 1934.

Grover W. Allen to be postmaster at Grass Lake, Mich., in place of F. A. Cole. Incumbent's commission expired January 15, 1933.

Kathleen L. Bouchey to be postmaster at Hillman, Mich., in place of G. A. McNicol. Incumbent's commission expired December 8, 1934.

Louis J. Vanderburg to be postmaster at Holland, Mich., in place of A. J. Westveer, retired.

James N. Mulvenna to be postmaster at Hudson, Mich., in place of E. C. Baldwin, retired.

Joseph A. Picard to be postmaster at Jackson, Mich., in place of F. J. Beaman. Incumbent's commission expired December 18, 1934.

Guy D. Thompson to be postmaster at Lapeer, Mich., in place of F. B. Kay. Incumbent's commission expired December 18, 1934.

Ernest B. Kelly to be postmaster at Mason, Mich., in place of L. R. Doane. Incumbent's commission expired March 2, 1935.

Matt F. Bilek to be postmaster at Menominee, Mich., in place of Edward Barstow. Incumbent's commission expired February 25, 1935.

Martha Swaney to be postmaster at Morenci, Mich., in place of M. A. Smith. Incumbent's commission expired December 20, 1934.

Robert D. Tripp to be postmaster at Petoskey, Mich., in place of G. W. McCabe, deceased.

Stanley A. Horning to be postmaster at Portland, Mich., in place of J. B. Hecox. Incumbent's commission expired December 18, 1934.

Alonzo A. Strong to be postmaster at Reed City, Mich., in place of D. A. Rosencrans, transferred.

Arthur E. O'Neill to be postmaster at Saline, Mich., in place of C. A. Jordan. Incumbent's commission expired January 23, 1935.

Joseph B. Comiskey to be postmaster at South Lyon, Mich., in place of J. V. Baker. Incumbent's commission expired December 18, 1934.

Clark M. Pomeroy to be postmaster at Sterling, Mich., in place of G. S. Scott. Incumbent's commission expired February 4, 1935.

Hilda Webber to be postmaster at Trenary, Mich. Office became Presidential July 1, 1935.

William Stahl to be postmaster at Van Dyke, Mich., in place of C. J. Bristow. Incumbent's commission expired December 18, 1934.

Jesse L. Whitney to be postmaster at Washington, Mich. Office became Presidential July 1, 1935.

Francis E. Benjamin to be postmaster at Whitehall, Mich., in place of E. A. Hopperstead. Incumbent's commission expired February 20, 1935.

Robert H. Peacock to be postmaster at Yale, Mich., in place of W. R. Bryce. Incumbent's commission expired January 13, 1935.

MINNESOTA

Lloyd A. Ahles to be postmaster at Albany, Minn., in place of Thomas Tomasek. Incumbent's commission expired June 20, 1934.

Lindley B. Hanna to be postmaster at Austin, Minn., in place of G. E. Anderson, retired.

Edward E. Vig to be postmaster at Belgrade, Minn., in place of J. O. Gullander. Incumbent's commission expired February 25, 1935.

Arthur Elmer Imsdahl to be postmaster at Brooten, Minn., in place of O. A. Solberg. Incumbent's commission expired December 20, 1934.

Bertha H. Anderson to be postmaster at Byron, Minn., in place of A. G. Doherty. Incumbent's commission expired May 20, 1934.

Lucy M. Berczyk to be postmaster at Clarissa, Minn., in place of G. A. Etzell. Incumbent's commission expired March 8, 1934.

Palmer M. Swenson to be postmaster at Dawson, Minn., in place of H. C. Bacon. Incumbent's commission expired February 25, 1935.

Olger B. Weibye to be postmaster at Eagle Bend, Minn., in place of E. C. Hutchinson. Incumbent's commission expired May 20, 1934.

Herman Ten Cate to be postmaster at Edgerton, Minn., in place of H. C. Baldwin, removed.

Virgia Poole to be postmaster at Effie, Minn. Office became Presidential July 1, 1935.

Norman O. Nelson to be postmaster at Fertile, Minn., in place of J. A. Gregerson, removed.

Herman Frajola to be postmaster at Gilbert, Minn., in place of James Crane. Incumbent's commission expired February 25, 1935.

Sam Bogen to be postmaster at Hendricks, Minn., in place of C. J. Johnson. Incumbent's commission expired February 20, 1935.

LeRoy S. Burnett to be postmaster at Hewitt, Minn. Office became Presidential July 1, 1935.

Catherine G. T. Lydon to be postmaster at Kellogg, Minn., in place of C. F. Wolfe. Incumbent's commission expired February 20, 1935.

Edward R. Scanlan to be postmaster at Lanesboro, Minn., in place of A. M. Enger. Incumbent's commission expired June 19, 1933.

Herman H. Krenzke to be postmaster at Lewiston, Minn., in place of G. W. Kiefer. Incumbent's commission expired February 20, 1935.

Jacob Egerman to be postmaster at Melrose, Minn., in place of C. W. Carlson. Incumbent's commission expired February 20, 1935.

John R. Coan to be postmaster at Minneapolis, Minn., in place of W. C. Robertson, deceased.

Russell C. Mills to be postmaster at Montevideo, Minn., in place of S. S. Michaelson, removed.

Rudolph S. Viitala to be postmaster at Mountain Iron, Minn., in place of J. L. Beck. Incumbent's commission expired February 20, 1935.

John C. Christensen to be postmaster at Ruthton, Minn., in place of H. C. Pedersen, resigned.

Philip A. Weis to be postmaster at Sartell, Minn. Office became Presidential July 1, 1935.

William R. Kleven to be postmaster at Sebeka, Minn., in place of M. E. Isherwood. Incumbent's commission expired February 25, 1935.

George W. Phares to be postmaster at Sturgeon Lake, Minn., in place of Charles Olson. Incumbent's commission expired February 20, 1935.

Elmer E. Swenson to be postmaster at Warren, Minn., in place of A. B. Nelson, removed.

Burt Mason to be postmaster at Warroad, Minn., in place of Halvor Robberstad. Incumbent's commission expired December 20, 1932.

Josephine D. Smith to be postmaster at Wayzata, Minn., in place of R. E. Wakefield, removed.

MISSISSIPPI

Charles O. Yelverton to be postmaster at Bay Springs, Miss., in place of F. C. Shoemaker. Incumbent's commission expired July 3, 1934.

James I. Pittman to be postmaster at Eupora, Miss., in place of L. B. Phillips. Incumbent's commission expired February 4, 1935.

Stella O. McGehee to be postmaster at Gloster, Miss., in place of H. B. Miller. Incumbent's commission expired May 29, 1934.

John N. Truitt to be postmaster at Minter City, Miss., in place of J. N. Truitt. Incumbent's commission expired July 1, 1934.

Della A. Myers to be postmaster at Newhebron, Miss., in place of D. A. Myers. Incumbent's commission expired June 9, 1934.

William G. Sloan to be postmaster at Northcarrollton, Miss., in place of W. G. Sloan. Incumbent's commission expires January 13, 1936.

Myra P. Varnado to be postmaster at Osyka, Miss., in place of M. P. Varnado. Incumbent's commission expires January 13, 1936.

MISSOURI

Michael Streib to be postmaster at Affton, Mo., in place of G. J. C. Wohlschlaeger. Incumbent's commission expired December 10, 1932.

Watkin Jones to be postmaster at Bevier, Mo., in place of W. P. Rowland, deceased.

Avery L. Dreier to be postmaster at Billings, Mo., in place of Colmore Gray. Incumbent's commission expired April 8, 1934.

Carroll Wisdom to be postmaster at Bowling Green, Mo., in place of L. E. Meyer. Incumbent's commission expired February 20, 1935.

John A. Byler to be postmaster at Ethel, Mo., in place of B. N. Jones. Incumbent's commission expired March 2, 1935.

Harold S. Bradley to be postmaster at Hickman Mills, Mo., in place of G. S. Lorimer. Incumbent's commission expired February 14, 1935.

Clyde G. Eubank to be postmaster at Madison, Mo., in place of L. R. Kirtley. Incumbent's commission expired February 25, 1935.

Joseph E. Soutee to be postmaster at Marionville, Mo., in place of A. L. Owens, removed.

Margaret H. Stewart to be postmaster at Mexico, Mo., in place of L. M. Gamble. Incumbent's commission expired February 25, 1935.

Harry E. Ball to be postmaster at Montgomery City, Mo., in place of C. E. Vandaveer. Incumbent's commission expired July 3, 1934.

William G. Nunnelly to be postmaster at New Florence, Mo., in place of F. A. Grebe. Incumbent's commission expired February 25, 1935.

Hugh I. Holmes to be postmaster at St. Charles, Mo., in place of E. L. Renno. Incumbent's commission expired February 20, 1935.

Verna F. Whisner to be postmaster at Sarcoxie, Mo., in place of J. H. Seneker. Incumbent's commission expired May 3, 1933.

Alethea S. Williams to be postmaster at Silex, Mo., in place of J. V. Forst. Incumbent's commission expired February 25, 1935.

William H. McIntire to be postmaster at Vandalia, Mo., in place of C. C. Wilson. Incumbent's commission expired February 25, 1935.

Grailie B. Windes to be postmaster at Washburn, Mo. Office became Presidential July 1, 1935.

John P. Cunningham to be postmaster at Wentzville, Mo., in place of W. F. Meier. Incumbent's commission expired February 25, 1935.

MONTANA

Stephen Nuerenberg to be postmaster at Missoula, Mont., in place of R. T. Richardson, retired.

NEBRASKA

Chris A. Andersen to be postmaster at Benkelman, Nebr., in place of E. V. Barger, resigned.

Renald A. Tobey to be postmaster at Gresham, Nebr., in place of A. A. Irmer, removed.

Lafe Simonson to be postmaster at Palmer, Nebr., in place of B. R. Adams. Incumbent's commission expired June 20, 1934.

NEW HAMPSHIRE

Ruth N. Ray to be postmaster at Chester, N. H., in place of P. G. Hazelton. Incumbent's commission expired February 25, 1935.

Paul A. Richard to be postmaster at Hudson, N. H., in place of A. B. Clyde. Incumbent's commission expired December 16, 1933.

NEW JERSEY

William J. Lawlor to be postmaster at Carteret, N. J., in place of T. J. Nevill. Incumbent's commission expired February 14, 1935.

George A. Keenan to be postmaster at Clifton, N. J., in place of J. K. Grimes, not commissioned.

William J. Maloney to be postmaster at Fords, N. J., in place of G. T. Applegate, resigned.

Lewis D. Smith, Jr., to be postmaster at Fort Hancock, N. J., in place of N. O. Simpson. Incumbent's commission expired February 25, 1935.

Cornelius S. Hoff to be postmaster at Frenchtown, N. J., in place of C. A. Britton. Incumbent's commission expired February 28, 1933.

William J. Reynolds to be postmaster at Newfoundland, N. J., in place of C. E. Post, removed.

Anne C. Murphy to be postmaster at North Hackensack, N. J., in place of E. N. Crandell, deceased.

Margaret A. Esposito to be postmaster at Sicklerville, N. J. Office became Presidential July 1, 1935.

Peter F. Martin to be postmaster at Waldwick, N. J., in place of George Schultz, removed.

Irma Goodman to be postmaster at Woodbine, N. J., in place of Jacob Feldman, removed.

NEW MEXICO

Helen Anna Childers to be postmaster at Jal, N. Mex. Office became Presidential July 1, 1935.

Joseph J. Considine to be postmaster at Mesilla Park, N. Mex., in place of L. C. Harris. Incumbent's commission expired May 16, 1934.

Henry A. Harber to be postmaster at State College, N. Mex., in place of J. H. Evans. Incumbent's commission expired December 19, 1933.

James B. Martin to be postmaster at Tatum, N. Mex. Office became Presidential July 1, 1935.

NEW YORK

Barthold C. Hadel to be postmaster at Amagansett, N. Y., in place of W. E. Cartwright, resigned.

Walter Longwell to be postmaster at Bath, N. Y., in place of S. D. Clark, resigned.

Thomas F. English to be postmaster at Elmsford, N. Y., in place of M. H. Avery. Incumbent's commission expired January 23, 1935.

Dennis J. Sullivan to be postmaster at Fort Plain, N. Y., in place of R. D. Miller. Incumbent's commission expired February 5, 1935.

Barbara J. Kelly to be postmaster at Frankfort, N. Y., in place of I. W. Fish. Incumbent's commission expired December 18, 1934.

James M. Dwyer to be postmaster at Geneseo, N. Y., in place of W. D. Shepard. Incumbent's commission expired February 5, 1935.

Daniel F. Driscoll to be postmaster at Geneva, N. Y., in place of L. A. Currey. Incumbent's commission expired February 6, 1935.

James T. McLaughlin to be postmaster at Glen Head, N. Y., in place of M. O. Howell, removed.

Jerry Burd to be postmaster at Greenwood, N. Y. Office became Presidential July 1, 1935.

William J. Riley to be postmaster at Hoosick Falls, N. Y., in place of G. W. Van Hyning. Incumbent's commission expired January 23, 1935.

Thomas F. Carroll to be postmaster at Oriskany, N. Y., in place of W. S. White. Incumbent's commission expired February 20, 1935.

Victor S. Manchester to be postmaster at Petersburg, N. Y., in place of L. D. Carr. Incumbent's commission expired January 13, 1935.

Ethel M. Cole to be postmaster at Pleasant Valley, N. Y., in place of L. L. Erhart. Incumbent's commission expired May 2, 1934.

Thomas E. Roeber to be postmaster at Port Washington, N. Y., in place of E. W. McBrian, resigned.

Sarah C. Lounsbery to be postmaster at Stone Ridge, N. Y., in place of Frank Davis. Incumbent's commission expired January 13, 1935.

Mabel G. Baldwin to be postmaster at Waverly, N. Y., in place of F. C. Simmons, deceased.

Carl N. Marshall to be postmaster at Wellsville, N. Y., in place of J. H. Fisher, retired.

John J. Hoek to be postmaster at West Sayville, N. Y., in place of Albert Van Essendelft. Incumbent's commission expired March 22, 1934.

Patrick A. Murphy to be postmaster at White Plains, N. Y., in place of LeRoy Smith, retired.

NORTH CAROLINA

James Franklin Greene to be postmaster at Bakersville, N. C., in place of G. M. Baker, resigned.

John R. Giles to be postmaster at Glen Alpine, N. C. Office became Presidential July 1, 1935.

Carl V. Bundy to be postmaster at Jamestown, N. C. Office became Presidential July 1, 1935.

Frank L. Hoyle, Sr., to be postmaster at Shelby, N. C., in place of J. H. Quinn, removed.

NORTH DAKOTA

Lincoln A. Hanson to be postmaster at Aneta, N. Dak., in place of Anfin Qualey. Incumbent's commission expired December 20, 1934.

Mary M. Held to be postmaster at Beulah, N. Dak., in place of T. H. Scholz. Incumbent's commission expired April 28, 1934.

Florence M. Law to be postmaster at Halliday, N. Dak., in place of H. M. Pippin, removed.

John W. Virden to be postmaster at Larimore, N. Dak., in place of J. D. Peirce. Incumbent's commission expired February 4, 1935.

Helen Morton to be postmaster at Manning, N. Dak. Office became Presidential July 1, 1935.

Veronica F. Bimler to be postmaster at Munich, N. Dak. Office became Presidential July 1, 1935.

Carl L. George to be postmaster at Sarles, N. Dak., in place of C. L. George. Incumbent's commission expires January 7, 1936.

Janette O. Gray to be postmaster at Wilton, N. Dak., in place of L. Q. Perkins. Incumbent's commission expired January 28, 1933.

OHIO

Marvin L. Sollmann to be postmaster at Anna, Ohio, in place of E. C. Ludwig. Incumbent's commission expired March 2, 1935.

John B. Kochheiser to be postmaster at Bellville, Ohio, in place of G. L. Shaffer, removed.

Lee F. Beveridge to be postmaster at Butler, Ohio, in place of J. F. Bumpus. Incumbent's commission expired March 22, 1934.

William A. Cassady to be postmaster at East Columbus, Ohio, in place of M. P. Devore. Incumbent's commission expired March 18, 1934.

Thomas G. Smith to be postmaster at Glendale, Ohio, in placed of J. H. Church, Jr., declined.

Florence Wilcox to be postmaster at Hilliards, Ohio, in place of F. G. Winterringer. Incumbent's commission expired January 13, 1935.

Cecil W. Briggs to be postmaster at New Holland, Ohio, in place of H. H. Davis. Incumbent's commission expired June 17, 1934.

James L. Crawford to be postmaster at Orient, Ohio. Office became Presidential July 1, 1935.

Robert W. Schocke to be postmaster at Oxford, Ohio, in place of J. C. Caldwell. Incumbent's commission expired March 22, 1934.

Hiram L. Easinger to be postmaster at Pandora, Ohio, in place of H. E. Cahill. Incumbent's commission expired December 18, 1934.

Carl H. Caris to be postmaster at Ravenna, Ohio, in place of C. R. Seymour, transferred.

Ray M. Cartwright to be postmaster at Sardinia, Ohio, in place of M. E. Campbell, deceased.

John Daniel O'Sullivan to be postmaster at Sharonville, Ohio, in place of E. M. Smith. Incumbent's commission expired December 20, 1934.

Clarence A. Flenniken to be postmaster at Smithfield, Ohio, in place of I. L. Flenniken, deceased.

Goldie N. Stroup to be postmaster at Spencer, Ohio, in place of Della Boone. Incumbent's commission expired February 4, 1935.

Howard E. Smith to be postmaster at Vandalia, Ohio, in place of M. M. Beeson, resigned.

OKLAHOMA

Orval L. Harris to be postmaster at Asher, Okla., in place of J. R. Hibbard, resigned.

Lester M. Norris to be postmaster at Cache, Okla. Office became Presidential July 1, 1935.

Elmer C. Hoops to be postmaster at Fort Cobb, Okla., in place of T. H. Henderson, removed.

Earl L. Smith to be postmaster at Locust Grove, Okla., in place of Estella Sahland. Incumbent's commission expired February 21, 1935.

Clifford A. Shaw to be postmaster at Oakwood, Okla. Office became Presidential July 1, 1935.

Marie A. Crute to be postmaster at Prague, Okla., in place of Edward McKim. Incumbent's commission expired March 22, 1934.

Ora E. Spaulding to be postmaster at Ralston, Okla., in place of J. W. McCague. Incumbent's commission expired February 14, 1935.

OREGON

Irwin D. Pike to be postmaster at Grass Valley, Oreg., in place of I. D. Pike. Incumbent's commission expired January 13, 1935.

Fred L. Hartman to be postmaster at Pilot Rock, Oreg. Office became Presidential July 1, 1935.

Carl W. Fegtly to be postmaster at Vale, Oreg., in place of Oscar Daley, resigned.

PENNSYLVANIA

Francis J. Pension to be postmaster at Abington, Pa., in place of E. H. Heydt. Incumbent's commission expired June 20, 1934.

LeRoy W. Stengel to be postmaster at Bally, Pa., in place of S. L. Bechtel, removed.

Edith M. Cookins to be postmaster at Canonsburg, Pa., in place of W. A. Leroy, retired.

Isaac A. Hiorth to be postmaster at Chester, Pa., in place of J. K. Hagerty, removed.

Curtis R. Bloom to be postmaster at Clymer, Pa., in place of E. L. Beechey, removed.

William K. Wrigley to be postmaster at Curwensville, Pa., in place of T. E. Sheridan. Incumbent's commission expired January 22, 1935.

John H. Renstrom to be postmaster at Fayette City, Pa., in place of J. H. Renstrom. Incumbent's commission expired May 25, 1932.

Caroline E. W. Curry to be postmaster at Glen Olden, Pa., in place of E. H. Cliff. Incumbent's commission expired January 19, 1933.

Isaac W. Edgar to be postmaster at Glenshaw, Pa., in place of I. W. Edgar. Incumbent's commission expired January 22, 1935.

Alvin C. Winner to be postmaster at Hatboro, Pa., in place of L. R. Thoman. Incumbent's commission expired February 25, 1935.

Elmer N. Zepp to be postmaster at Hatfield, Pa., in place of W. R. Kulp. Incumbent's commission expired January 9, 1935.

Frances M. Dougherty to be postmaster at Haverford, Pa., in place of G. R. Fleming. Incumbent's commission expired February 14, 1935.

John Johnston to be postmaster at Library, Pa., in place of M. M. Ross, not commissioned.

James P. Dennehy to be postmaster at Lock Haven, Pa., in place of G. B. Stevenson. Incumbent's commission expired February 25, 1935.

Matthew C. Fox, Jr., to be postmaster at Media, Pa., in place of J. B. Flounders. Incumbent's commission expired January 10, 1932.

Margaret M. Jones to be postmaster at Miquon, Pa., in place of M. M. Jones. Incumbent's commission expired January 28, 1935.

Lottie I. Brewer to be postmaster at Oaks, Pa., in place of J. H. Francis, removed.

Thalia D. Hammer to be postmaster at Ogontz School, Pa., in place of E. F. Rivers, deceased.

James Mosco Ott to be postmaster at Orbisonia, Pa., in place of H. T. Wear. Incumbent's commission expired January 9, 1935.

James W. Nash to be postmaster at Portage, Pa., in place of F. W. Eicher. Incumbent's commission expired January 28, 1935.

John W. Connelly to be postmaster at Prospect Park, Pa., in place of T. H. Kelly, resigned.

William F. Halligan, Jr., to be postmaster at Radnor, Pa., in place of O. G. Darlington. Incumbent's commission expired January 8, 1934.

Charles F. McCartney to be postmaster at Reedsville, Pa., in place of I. L. Shilling. Incumbent's commission expired January 7, 1935.

LeRoy Walker to be postmaster at Ridley Park, Pa., in place of W. E. Brooks, retired.

Wilburt E. Wunder to be postmaster at Royersford, Pa., in place of L. E. Johnson. Incumbent's commission expired January 8, 1934.

Stephen G. McCahan to be postmaster at Saxton, Pa., in place of L. P. Ross, resigned.

Ralph Blaine Althouse to be postmaster at Sharon Hill, Pa., in place of J. A. Carney, removed.

Mabel J. Stover to be postmaster at Shrewsbury, Pa., in place of R. L. Stover, deceased.

Julia W. Lightner to be postmaster at Sinnamahoning, Pa. Office became Presidential July 1, 1935.

William S. Becker to be postmaster at Temple, Pa., in place of F. M. Adam. Incumbent's commission expired January 28, 1935.

Ella R. Williams to be postmaster at Vandergrift, Pa., in place of H. B. Paterson, resigned.

Harold G. Seyler to be postmaster at Weiser Park, Pa. Office became Presidential July 1, 1935.

Charles E. Fullwood to be postmaster at Wellsboro, Pa., in place of C. W. Bailey, resigned.

Jacob F. Hertzog to be postmaster at West Lawn, Pa., in place of G. F. Eisenhower. Incumbent's commission expired January 22, 1935.

Sadie L. Brunner to be postmaster at Worcester, Pa. Office became Presidential July 1, 1933.

Margaret E. Malley to be postmaster at Wyncote, Pa., in place of A. H. Washburn. Incumbent's commission expired February 25, 1935.

SOUTH CAROLINA

Charles A. Potter to be postmaster at Cowpens, S. C., in place of C. L. Potter. Incumbent's commission expired June 10, 1934.

Walter C. Kay to be postmaster at Honea Path, S. C., in place of N. C. Moore. Incumbent's commission expired May 26, 1932.

Eunice B. Hiott to be postmaster at Pickens, S. C., in place of M. E. Morris. Incumbent's commission expired December 20, 1934.

Foster Kreps, Jr., to be postmaster at Ridge Spring, S. C., in place of H. M. Watkins, removed.

Adeniram J. Nicholson to be postmaster at Saluda, S. C., in place of O. L. Edwards. Incumbent's commission expired February 25, 1935.

Thomas V. Derrick to be postmaster at Walhalla, S. C., in place of I. S. Holden. Incumbent's commission expired December 20, 1934.

SOUTH DAKOTA

James L. Manion to be postmaster at Keystone, S. Dak., Office became Presidential July 1, 1935.

Lysle T. Dartt to be postmaster at Wall, S. Dak., in place of I. D. Winter. Incumbent's commission expired June 2, 1934.

TENNESSEE

Park A. Carr to be postmaster at Harrogate, Tenn., in place of A. H. Hill, resigned.

George A. Lester to be postmaster at Hohenwald, Tenn., in place of W. T. Starbuck. Incumbent's commission expired February 25, 1935.

Ernest H. Gibson to be postmaster at Humboldt, Tenn., in place of G. V. Jackson. Incumbent's commission expired March 2, 1935.

Ralph K. Godwin to be postmaster at Jefferson City, Tenn., in place of T. H. Edgar, removed.

Ralph M. Murphy to be postmaster at Sevierville, Tenn., in place of L. E. Sarten, removed.

Henry E. Hudson to be postmaster at Whitwell, Tenn., in place of E. S. Childers. Incumbent's commission expired February 25, 1935.

TEXAS

Amos D. Rawlinson to be postmaster at Anahuac, Tex. Office became Presidential July 1, 1935.

Emery Beaumont to be postmaster at Humble, Tex., in place of W. S. Street, removed.

Milledge A. Hart, Jr., to be postmaster at New Boston, Tex., in place of L. R. Atkins, removed.

John W. Ledbetter to be postmaster at Round Rock, Tex., in place of J. W. Ledbetter. Incumbent's commission expires January 8, 1936.

Volney F. Norris to be postmaster at Thorndale, Tex., in place of S. S. Boles. Incumbent's commission expired February 4, 1935.

Philip E. Luker to be postmaster at Throckmorton, Tex., in place of H. W. Scott, removed.

John B. Hardin to be postmaster at Vernon, Tex., in place of C. J. Farrell. Incumbent's commission expired May 16, 1934.

Leopold Morris to be postmaster at Victoria, Tex., in place of George Ireland. Incumbent's commission expired February 20, 1935.

James A. McFadden to be postmaster at Yoakum, Tex., in place of Perry Wendtland. Incumbent's commission expired February 25, 1935.

UTAH

Melvin Lind to be postmaster at Midvale, Utah, in place of C. I. Goff. Incumbent's commission expired February 14, 1935.

Elaine S. Peterson to be postmaster at Moab, Utah, in place of F. M. Shafer. Incumbent's commission expired April 22, 1934.

VIRGINIA

Lewis N. Glover to be postmaster at Berryville, Va., in place of R. E. Potts, resigned.

Anthony G. Simmons to be postmaster at Fincastle, Va., in place of G. T. Slusser, removed.

Ross V. Martindale to be postmaster at Sweet Briar, Va., in place of P. H. Edwards, resigned.

Edward G. Newell to be postmaster at Veterans' Administration Home, Va., in place of F. M. Brown, deceased.

WASHINGTON

Harold W. Lewis to be postmaster at Bingen, Wash. Office became Presidential July 1, 1935.

Roy E. Carey to be postmaster at Hartline, Wash. Office became Presidential July 1, 1935.

Earl DeCamp to be postmaster at Nespelem, Wash. Office became Presidential July 1, 1935.

Willard A. Grube to be postmaster at Oroville, Wash., in place of J. F. Samson. Incumbent's commission expired February 25, 1935.

Jennie A. Smith to be postmaster at Peshastin, Wash., in place of J. A. Smith. Incumbent's commission expires January 8, 1936.

John M. Eager to be postmaster at Raymond, Wash., in place of J. O. Fresk, deceased.

Ralph C. Cochran to be postmaster at Snohomish, Wash., in place of Edward Hinkley, transferred.

Charles O. Snapp to be postmaster at Springdale, Wash. Office became Presidential July 1, 1935.

Hazel H. Howe to be postmaster at Tenino, Wash., in place of Wilson Howe, deceased.

WEST VIRGINIA

Levi Gay to be postmaster at Eccles, W. Va., in place of Levi Gay. Incumbent's commission expires January 7, 1936.

George A. Brooks to be postmaster at Pineville, W. Va., in place of G. A. Brooks. Incumbent's commission expires January 7, 1936.

Ottis F. Swiger to be postmaster at Salem, W. Va., in place of Claude Pepper, removed.

WISCONSIN

Carroll R. Eaton to be postmaster at Adams, Wis., in place of B. A. McBride. Incumbent's commission expired February 28, 1935.

Marie Freeman to be postmaster at Bayfield, Wis., in place of H. J. S. Hanson. Incumbent's commission expired February 25, 1935.

William E. Drossart to be postmaster at Casco, Wis., in place of J. A. Mathys. Incumbent's commission expired January 22, 1935.

Frank G. Dillon to be postmaster at Veterans' Administration, Wis., in place of J. F. Coulter. Incumbent's commission expired November 20, 1933.

WYOMING

Daniel C. Carson to be postmaster at Pinedale, Wyo., in place of D. C. Carson. Incumbent's commission expires January 9, 1936.

Frank Herrington to be postmaster at Powell, Wyo., in place of L. R. Ness, resigned.

Claude W. Anthony to be postmaster at Yellowstone Park, Wyo., in place of C. A. Lindsley, retired.

HOUSE OF REPRESENTATIVES

MONDAY, JANUARY 6, 1936

The House met at 12 o'clock noon.

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

Our Father in Heaven, we rejoice that the divine love is as enduring as the throne of the Infinite God. As Thou art the God of the whole earth, we humble ourselves before Thee and gratefully acknowledge Thy merciful providences. We pray that our affections and loyalties may swing unstintedly to Thee and lead us through cares, responsibilities, and perplexities to heights unscaled and depths unplumbed. Let triumphant faith run through the arteries of our national life and work with Thee for the coming of a more complete vision of righteousness, holiness, and peace. Thus we shall fulfill the highest hopes for civilization and become the teacher of all nations in free and Christian institutions. These blessings we ask through Christ, our Redeemer. Amen.

The Journal of the proceedings of Friday, January 3, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Horne, its enrolling clerk, announced that the Senate had passed the following resolutions:

Senate Resolution 205

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of Hon. HUEY P. LONG, late a Senator from the State of Louisiana.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That, as a further mark of respect to the memory of the deceased, the Senate at the conclusion of its proceedings today adjourn until Monday next.

Senate Resolution 206

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of Hon. THOMAS D. SCHALL, late a Senator from the State of Minnesota.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That, as a further mark of respect to the memory of the deceased, the Senate at the conclusion of its proceedings today adjourn until Monday next.

The message also announced that the Vice President had appointed Mr. BARKLEY and Mr. NORBECK members of the joint select committee on the part of the Senate, as provided for in the act of February 16, 1889, as amended by the

act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments", for the disposition of useless papers in the National Archives.

THE BUDGET (H. DOC. NO. 382)

The SPEAKER laid before the House a message from the President of the United States, which was read, and, with the accompanying documents, referred to the Committee on Appropriations and ordered printed.

(For Budget message see Senate proceedings of this day, p. 51.)

CALENDAR WEDNESDAY

Mr. BANKHEAD. Mr. Speaker, I ask unanimous consent that the business on Calendar Wednesday of this week may be dispensed with.

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

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. ZIONCHECK. Mr. Speaker, I ask unanimous consent to have the Clerk read a letter which I have written to Dr. Townsend, together with a resolution, and also to make a remark or two thereafter for not over 2 minutes.

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

Mr. SNELL. Mr. Speaker, reserving the right to object, I should like to know what the policy of the majority is going to be with reference to Members addressing the House today and tomorrow. There are several Members on this side of the aisle who would like to make a few general remarks on the state of the Union. If we are going to have some remarks from that side, I especially request that we may also be allowed to make some remarks.

The SPEAKER. The Chair may say, with the consent of the majority leader, that it is expected to take up an appropriation bill on Wednesday. The Chair hopes that those in charge of that particular bill and other appropriation bills will be just as liberal in allowing time for general debate as may be possible under the circumstances. There will be taken up today bills on the Unanimous Consent Calendar and tomorrow bills on the Private Calendar. Both of these calendars are greatly congested and disposition ought to be made of these calendars as quickly as possible. As the Chair just stated, an appropriation bill will be taken up on Wednesday. Under these circumstances the Chair feels that he ought not to recognize Members who may ask unanimous consent to discuss matters which may be taken up under general debate. They may get that time by taking the matter up with the chairman in charge of the appropriation bill or the minority leader on the other side of the Chamber.

In deference to Members who have bills on the Private Calendar and who are extremely anxious to have them disposed of, the Chair thinks that those who desire to indulge in general debate should take the course which has been especially provided for this purpose. The Chair does not mean by that statement that he will not recognize a Member who desires a few minutes to address the House. The House itself may dispose of such requests when submitted, but the Chair hopes he will have the indulgence of the Members so far as unanimous-consent requests are concerned that may be covered in general debate. The Chair hopes that the Members of the House will sustain this position, because, as previously stated, there are a great many bills upon these two calendars.

The Chair hopes that answers the question asked by the gentleman from New York.

Mr. SNELL. Mr. Speaker, as far as I am concerned, I will be pleased to comply with the request of the Chair. However, I want to make my position clear. If anyone on the other side is to be allowed to speak, we shall immediately follow with a request for additional time. We do not want any question about this matter.

The SPEAKER. The Chair does not understand that the gentleman from Washington asked unanimous consent to address the House.

Mr. ZIONCHECK. Mr. Speaker, I withdraw the request to address the House for 2 minutes.

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

Mr. TABER. Mr. Speaker, reserving the right to object, may I inquire how long it will take to read this letter?

Mr. ZIONCHECK. Mr. Speaker, it took me 5 minutes to dictate the letter.

Mr. TABER. Why not have it printed in the RECORD instead of having it read here? The main purpose will be served.

Mr. DINGELL. Mr. Speaker, why should the gentleman make an objection to this request?

Mr. BANKHEAD demanded the regular order.

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

There was no objection.

The Clerk read as follows:

DECEMBER 31, 1935.

Dr. F. E. TOWNSEND,
President Old Age Revolving Pensions, Ltd.,
Southern Building, Washington, D. C.

MY DEAR DR. TOWNSEND: I received your questionnaire dated December 3, and was waiting for Congressman ZIONCHECK to return to Washington, D. C., so that he might answer it personally. However, he has not yet returned, hence I am writing this letter so that it may reach you before January 1, for I feel sure that he would wish me to do so in his absence.

I hesitate to express his views in this matter, although he has discussed them quite frankly with me and others. To the best of my recollection they are as follows: (Before starting on this allow me to say that Mr. ZIONCHECK was one of the 57 Representatives who voted for the McGroarty bill.)

In the first place, Congressman ZIONCHECK keenly feels that the present Social Security Act is miserly and inadequate and that the age limitation is too high.

Second, he has no objection to $200 a month for those who are aged, although he does resent it being called a "pension" rather than "compensation", for he looks upon such things as a matter of right rather than as a matter of favor.

Third, he feels that if $200 a month to everyone over 60 years of age will bring about recovery and prosperity, he wonders why you do not ask for $500 and thus bring about a boom.

He has stated on repeated occasions that he will vote for the Townsend bill, or a similar bill, in the event it comes before the coming session of Congress if he is a Member, although he does not agree with the false and unfounded promise of the effects thereof in the event it becomes a law. He has been quite plain about the matter in answers to inquiries from his constituents, and I set forth a copy of the usual letter which he has sent in response to their questions concerning the Townsend plan:

"I am vigorously in favor of an adequate old-age-pension law, and you may rest assured that I will do everything within my power toward that end.

"It is my understanding that Dr. Townsend and his advisers are now preparing a compromise plan which provides for a 2-percent sales tax on comforts and luxuries, the other portion of the revenue to come from gift, income, and inheritance taxes. Personally, I favor any plan that does not impose a tax upon the necessary things of life, for thus it would impose a burden upon those who are least able to pay.

"For your information, I signed the petition to discharge the Ways and Means Committee from the further consideration of the Townsend plan. I was the twelfth one to sign this petition, for I believe that questions which so vitally affect the welfare and well-being of millions of people should be brought to the floor of the House for full and complete discussion and amendment, if necessary, to the end that proper and adequate legislation should be enacted.

"Personally I would be glad to see the aged receive $200 a month or more, if a feasible plan could be worked out, for I recognize the need of economic security for those who have worked and produced in their younger years, together with the argument that their removal from the labor market would create work opportunities for the younger people who seek employment.

"I am disappointed in the so-called social-security bill, introduced by the administration. In my opinion, it is inadequate in many respects, and I am not in sympathy with the manner in which the funds are to be raised."

His opinion, I am satisfied, is that the plan is economically unsound for the following reasons:

First, it provides for a transaction tax on all transactions, and thus taxes those who are least able to pay, as well as those best able to pay. (This transaction tax will also stimulate consolidation and monopoly in order to avoid multiplicity of transactions to avoid the tax.)

Second, the Townsend plan does not provide any means of absorbing the excessive "rake-off" by way of profits that will come about by the stimulated circulation of money by the compulsory spending of the $200 a month. (He illustrates this point by telling of playing poker in a house that takes a "rake-off."

He pictures it as one sitting at a table with others; when bets are made the house man reaches in and takes out a red chip, a blue chip, or more, and, if no one is looking, a handful of chips, and no matter how lucky a person is playing at this game, if he plays long enough the house will have all the chips, and, in his opinion, you cannot improve the situation by handing out more chips and dealing the cards faster.)

Third, he cannot see how it will be possible to compel the beneficiaries of this pension plan to spend the $200 a month unless they want to.

Fourth, it is difficult for him to see how you are going to provide a different medium of exchange for the payment of this pension without removing the dignity therefrom.

The sponsors of the plan seek to justify it on the basis that, aside from its value to the aged, it will increase purchasing power. And by that test it must be judged. Thus judging it, it is defective. For it subtracts at least as much purchasing power from some under-incomed persons as it adds to other under-incomed persons.

What we need is a vast increase in our national income—and a better distribution of a large part of that increase. The national income was some $80,000,000,000 in 1929. It could have been and could be, say, $160,000,000,000. If the bulk of the extra $80,000,000,000 went to those with incomes of less than $3,000 there would be a decent life for all Americans. Congressman ZIONCHECK feels that the trouble with us in 1929 was that our mass-production industries were keeping up their prices and pinching their production—thus reducing purchasing power—while a tiny minority of the people of this country had billions of dollars of income which they could not and would not spend for the products of industry in such a way to keep our industries going and maintain employment. If the mass-production industries would greatly increase their production and lower prices; if we could insure minimum wages; if our increased taxes were so adjusted that most of the revenue came from those persons who cannot and will not spend the bulk of their income for consumers' goods—then our present economic system would work. But the Townsend plan will achieve none of those ends. It will not increase net spending power, but will probably reduce it; it will not increase production or lower prices; it does not concern itself with minimum wages; and its taxing features are in no way designed to compel spending by the over-incomed.

The chief virtue of the Townsend plan is that, if adopted, it will prove a negative; it will demonstrate that the objective at which it aims—prosperity—can be achieved only by intelligent planning and not by tinkering with planlessness.

I have heard Congressman ZIONCHECK express himself as believing this to be the most fantastic idea, illustrating it in the terms of the cat-and-rat ranch, where the rancher raised rats and fed them to the cats, killed the cats, skinned them, and fed the carcasses of the cats to the rats. In other words, we would have had perpetual motion were it not for the irritating and incidental phenomenon known as friction. Nevertheless, he feels that if the Townsend plan becomes a law it will accentuate the inherent contradictions of our profit system and thus more forcefully bring to the conscious realization of the people the need of a fundamental and basic change, where people can work to live and live while they are working.

If Mr. ZIONCHECK had his way about the Townsend plan, he would have a sales tax—not a transaction tax. He would preferably exempt the necessities of life from any tax whatsoever and supplement this loss of tax income by gift, income, and inheritance taxes on those who are able to pay and those who would be the greatest beneficiaries of your artificially stimulated plan. He has stated this view to his constituents on each and every opportunity, so that they labor under no misapprehension as to his views on the matter. And, incidentally, he has stated that in his opinion he has never seen a better racket than the so-called Townsend racket, despite the fact that he thinks that you really believe yourself to be sincere. The best evidence of this, he feels, is that the cofounder and national secretary, Mr. Clements, is a former real-estate shark from Los Angeles, Calif.

Very truly yours,

J. E. YOUNG,
Secretary to M. A. Zioncheck.

Mr. ZIONCHECK. Mr. Speaker, there is a resolution which was included in my unanimous-consent request, and I should like to have that read.

The Clerk read as follows:

House Resolution 386

Resolved, That the Committee on Ways and Means, as a whole or by subcommittee, is authorized and directed to investigate any and all charges of attempts to intimidate or influence Members of the House of Representatives with respect to the bill H. R. 7154, or any other bills affecting old-age-pension schemes, or rackets, by which the dimes and dollars of the poor aged enrich the promoters, during the Seventy-fourth Congress, by any person, partnership, trust, association, or corporation, and especially the Townsend set-up. The committee shall report to the House as soon as practicable the results of its investigation, together with its recommendation, if any.

That said committee, or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, by subpena or otherwise, and to take such testimony as it deems necessary. Subpenas shall be issued under the signature of the chairman and shall be served by any person designated by him. The chairman of the committee or any member thereof may administer oaths to witnesses. Every person who, having been summoned as a witness by authority of said committee or any subcommittee thereof, willfully makes default or who, having appeared, refuses to answer any question pertinent to the investigation heretofore authorized shall be held to the penalties provided by section 102 of the Revised Statutes of the United States.

NEW DEAL PROPAGANDA

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including therein a speech made by the gentleman from New York [Mr. FISH] before the National Republican Club in New York on January 4.

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

There was no objection.

Mr. REED of New York. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following speech made by the gentleman from New York [Mr. FISH] before the National Republican Club in New York on January 4:

I have repeatedly pointed out that the New Deal administration was the greatest propaganda machine in history, and that we were living in a government of propaganda and ballyhoo emanating from hundreds of publicity agents paid out of the Treasury of the United States to defend the socialistic New Deal measures which have destroyed business confidence and retarded recovery. The innovation of the President, who insisted on addressing the Congress at 9 o'clock at night, is the high-water mark of all-time propaganda. It is perfectly obvious to every thinking man and woman that the 9 o'clock session was chosen not for the purpose of presenting information or facts to the Congress on which to determine legislation but to use Congress as window dressing and a springboard to uphold and defend the New Deal and spread partisan propaganda among the people for campaign purposes over a national radio hook-up at night.

The next step will be to get permission from Ivory soap, Old Gold cigarettes, or the Standard Oil to use their time to speak to Congress on the state of the Union. Perhaps even such procedure will not be necessary, for after the President has usurped even more of the legislative powers of Congress he will address Congress over the radio from the White House, combining a fireside chat with his instructions to Congress, which up to now has in a supine and servile manner surrendered their own legislative powers in defiance of the Constitution, betrayed representative government, and left themselves with no more legislative clothing than has Ghandi.

Every historian has pointed out that whenever the executive and legislative powers are combined you have tyranny. As I said the other day, a rose by any other name smells as sweet, and a dictatorship by another name smells as rotten. The President's protestations about liberty and democratic institutions were mere alibis to offset the charges of political and economic dictatorship. The insistence on calling a night session of Congress for propaganda purposes was just another autocratic high-handed dictatorial act in harmony with the general tendency of the New Deal—"I am the State; after me the deluge"—but in the meanwhile there is no limit to anything that will help continue the New Deal for 4 years more—particularly by use of public funds or by radio or other propaganda. A power has arisen in government greater than the people themselves—a veritable Frankenstein of regimentation, bureaucracy, collectivism, and state socialism, consisting of agencies, bureaus, and commissions claiming the right to make laws and issue edicts and held together by the cohesive power of maintaining themselves in office at any cost.

I listened in on the radio to the skillfully organized political demonstration and to the vitriolic campaign speech of the President in the House of Representatives. There were no suggestions, recommendations, or even facts submitted upon which to formulate legislation. It was exactly the kind of political and partisan speech I expected and for which reason I absented myself from Congress, preferring not to abet or be a party to such an undignified performance. It would have been just as well if all Republicans had stayed away, inasmuch as the President made a partisan campaign speech. His remarks sounded to me like that of a desperate man, calling out the mob and preaching class hatred because he knew the New Deal was slipping and that the people had lost confidence in his promises and pledges. Probably the President knows that most of his unsound, un-American, and socialistic experiments will be declared unconstitutional by the Supreme Court within the next few months.

It was a campaign speech of a low order, the greater part of which was bitterly partisan, filled with threats against anything of the past and the established order. It could not in any way be called a Presidential message.

The President opened his speech with the good-neighbor theme on the American Continent and expounded at length on the peace and good will that existed there. What about the long, bloody war

in the Chaco between Paraguay and Bolivia? What about the recent Communist uprising in Brazil? What about the religious persecution in Mexico and the civil war waging in different sections of that country? What about Venezuela, where, since the death of the dictator, Gomez, there have been civil disturbances? What about Cuba still under a military dictatorship? I merely state the record in answer to the honeyed words and sugar-coated phrases of the President in his speech of last night. Orthodoxy is my doxy and hetodoxy is the other man's doxy seems to be his viewpoint when comparing South and Central America and Mexico to the nations of Europe and Asia.

President Roosevelt has no monopoly in his desire for peace or abhorrence of war, but if we had not stopped him last year by refusing to give him power to determine the aggressor nation we might be entangled in war-producing enmities with Japan, Italy, and even with Germany by now. This was practically the only time that the Congress has refused to yield to the all-consuming appetite and thirst of the President for dictatorial power. The President, however, gave his blessing to the neutrality bill before Congress. Consequently, within the next few days there will be a show-down on the proposed legislation, which will be taken up next Tuesday by the House Committee on Foreign Affairs in order to have it adopted before the temporary 6-month Neutrality Act which expires on the 29th of February. According to the press, the President has been holding numerous conferences with Democratic Members of the House and Senate, but, as far as I know, no Republican has been asked to cooperate. President Roosevelt has departed from the customary practice and established precedents in handling international affairs as he has in most of the other acts of this administration.

His predecessors as President have generally considered it not only advisable but essential to put aside partisanship in dealing with foreign governments. Not so this New Deal administration. From the very beginning it has run its foreign policies on practically a partisan basis without seeking the cooperation or approval of Republican Members of Congress. Such a high-handed and autocratic policy is bound to run into snags and result in unnecessary dissensions.

As ranking Republican member of the Committee on Foreign Affairs in the House of Representatives, and to that extent the spokesman of my party on international issues, I am opposed to giving the President any additional power to entangle us in foreign disputes and embroil us in war. I led the fight 4 years ago against giving President Hoover and Secretary Stimson the power to lay an embargo against the aggressor nation and again 2 years ago when President Roosevelt made the same request, which is an unneutral act and bound to eventuate in war.

I believe I am representing the views of the Republican Party when I say that it favors strict and impartial neutrality in accordance with the American policy of neutrality established by Washington and upheld by every President and Secretary of State until the last few years. The Republican policy is that if the old nations of the world insist on arming to the teeth and going to war it is their war and not our war.

We are opposed to becoming entangled in ancient foreign blood feuds and boundary disputes, joining the League of Nations, or any war sanctions or commitments. We do not propose to police the world or pick the chestnuts out of the fire for other nations. We are in favor of the traditional American policy of neutrality—that is minding our own business, as we have plenty of problems to solve at home.

To sum up in one sentence, the Republican Party is in favor of spending millions for defense, if necessary, but not one dollar to send American soldiers overseas to fight other peoples' battles. We will vote to give the President power to lay arms and economic embargoes against both belligerents, but not against one. The President and Secretary Hull have repeatedly asked for this far-reaching and vital authority to determine the aggressor nation, but, thank God, it is the only power that a supine Congress has declined to grant. If the Congress yielded, it would be tantamount to empowering the President to declare war instead of the Congress.

The American people have not forgotten that they did their part in the World War and helped turn the tide of defeat into victory. After the armistice was signed and victory won we brought our troops home. We asked for nothing and got just what we asked—nothing at all—no reparations, no indemnities, no plunder, or no conquered territories. But, scarcely was the war won when our former allies began to repudiate their war debts and have even refused to pay interest on the money we loaned them after the armistice. President Roosevelt, among his other achievements, has failed to collect a penny except from Finland.

There is an overwhelming determination on the part of the American people to keep out of foreign wars, and the best way is to maintain the traditional American neutrality policy, and not follow the foreign policy of the New Dealers and internationalists into unneutral acts, the World Court, or the League of Nations through the back door.

The laying of arms and specified economic embargoes against both Italy and Abyssinia will not hamper the decisions reached by the League of Nations, but will preserve our neutrality. If we should, on the other hand, give the President the power which he has consistently sought to lay embargoes against the aggressor alone, it would be a hostile act and cause serious disturbances among millions of Americans of Italian origin in the United States. Then, again, if we adopted such an unneutral policy against Italy, we would have to do it against Japan in China, or may in the near future against Germany in case of war against Soviet Russia. The Republicans, together with independent Democrats, have won an important victory and forced the President to retreat from the position he took last year.

The United States should not become a fire department, rushing from one blaze to another trying to put it out, because eventually we will get badly burned ourselves. In other words, we will be holding the bag for other nations and be expected to do all the fighting.

The Republican Party stands for the kind of neutrality that will keep our country out of war; not the kind of neutrality, as advocated by the New Deal, that leads directly to American participation in foreign wars.

The Republican Party is also opposed to increasing or extending the power of the President, and believes the time has come—if not long since passed—to take back the powers granted the President by Congress and restore constitutional and representative government in the United States and a government by law and not by Executive orders.

The President claims all the credit for the improvement of industry and business during the last 6 months without giving credit to the Supreme Court for holding the N. R. A. unconstitutional. The improvement of business conditions dates from the demise of the N. R. A. and the lifting of fear, dread, and uncertainty off the minds of businessmen. It is definite proof that the New Deal policies have prolonged the depression by destroying business confidence. Confidence and employment are one and inseparable. There can be no steady or permanent jobs for the eleven and a half million unemployed American wage earners without business confidence. We need no New Deal dictatorship, but we need the dictatorship of the Constitution to preserve our free institutions, our American system, and the rights and liberties of the people from Executive usurpation, and business from collectivism and State socialism.

The President's speech to the country is notice that the New Dealers will continue this mad orgy of waste, extravagance, and squandermania without any real expectation of balancing the Budget, economic sanity, or the restoration of business confidence. Business requires more than a breathing spell. It needs assurance that it will be let alone to make legitimate profits and to employ labor on American standards of wages. There can be no real business confidence until the threat of the revolutionary New Deal policies is withdrawn from over the heads of legitimate business. The President again mentions in a vague way the desirability of balancing the Budget, but he has been doing that for 3 years, and we are getting further away from it every month under the New Deal spending program.

He likewise stated there would be no more taxes, which is the most misleading statement ever made by a President of the United States, and a distortion of the facts. Of course there will be no more taxes until after the 1936 campaign is over, but after that the wage earner, the farmer, the small businessman, and people of small means face inflation, repudiation, or bankruptcy.

The political caldron is beginning to seethe and bubble and the ingredients which Macbeth's witches used for their hell's broth were not more various or infernal than those which are being thrown into the mess now being brewed by Prof. Rexford Guy Tugwell and the rest of the "brain trust" at Washington, and ably abetted by some Cabinet officers and at times by the President himself.

The American people, irrespective of party, are horror-struck at the sight of the Government letting loose its own spokesman against the established economic and social order that has made for the greatness, prosperity, happiness, and freedom of our people, with the highest wage scale and standards of living ever known in the world.

Is Under Secretary of Agriculture Rexford Guy Tugwell still a spokesman of the New Deal administration after his recent inflammatory speech at Los Angeles denouncing the capitalistic system and urging that we do away with the "sterile morality of individualism and that all who disagree are tories, autocrats, and enemies, and they must get out of the way with the moral system that supports them"? Professor Tugwell further stirred up the flames of class hatred by saying, "Our best strategy is to surge forward with the workers and farmers of this Nation committed to general achievements but trusting in the genius of our leader for the disposition of our forces and the timing of our attack." Is this the answer to the President's proposed breathing spell? Professor Tugwell goes on to say, "And we should proceed for once in establishing a farmer-worker alliance which will carry all before it, reducing our dependence on halfway measures." I merely ask if Mr. Tugwell still represents the views of the Democratic Party, or have the Democrats stolen the clothes of the Socialist Party? The people have a right to know, as the election is only 10 months away. But after the President's speech last night no one need wonder where the President stands; he stands with and for all the statements of Professor Tugwell and the rest of the "brain trust", almost equaling them in venom and in preaching and inciting class hatred.

We Republicans also have our problems.

Unfortunately, a few of the Old Guard leaders of the Republican Party are hopelessly reactionarly and blind to the conditions ahead and will attempt to revive the dead past, which spells ruin for the country and will eventuate in a disastrous radical reaction.

Let us, rather, follow the advice of the great and courageous American, Theodore Roosevelt, who said, "I propose to do everything I can to make the Republican Party stand for sane and constructive liberalism, just as it did under Lincoln." The policy of the Republican Party should clearly be neither to compromise with the socialism of the New Deal or to go back to the old order of

alleged domination by special interests, wealth, and reaction, but to go forward on a sound and liberal platform of a square deal for labor, the farmer, the businessman, the consumer, and for private property under the confines and compass of the Constitution of the United States.

Paraphrasing the famous words of Abraham Lincoln, "A house divided against itself cannot stand", I believe this Government cannot endure permanently, half unconstitutional and half constitutional, half based on bureaucracy and socialism and half based on private enterprise and private property. I do not expect the house to fall, but I expect it will cease to be divided. It will become all one thing or all the other. The reelection of the New Deal candidate will hasten the spread of bureaucracy, socialism, and class hatred, whereas the election of a liberal Republican like Senator WILLIAM E. BORAH, or some other liberal who can carry the West, will hasten the restoration of a government by law instead of by Executive order, and assure the permanence of our Constitution and representative form of government, divided into three separate and independent departments of government, the executive, legislative, and judiciary, with its system of checks and balances. The only issue in the next election will be Roosevelt and the economic and political dictatorship of the New Deal, and all Republican conservatives and liberals alike must unite to restore American liberty, our American system and Constitution, and representative government, and to that end I give my heart, my energy, and my best efforts, and likewise to restore the sound principles of the Republican Party and to elect a Republican President next November.

ROOSEVELT OR REACTION

Mr. HILDEBRANDT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. HILDEBRANDT. Mr. Speaker, it is becoming more and more evident each day that the campaign of 1936 will involve the most definite line-up of unscrupulous predatory interests—huge profiteering corporations, munitions makers, and other exploiters—against the forces of social justice, progressivism, and real democracy that the United States has ever seen, with the exception perhaps of the campaigns waged by Jefferson and Jackson and the Bryan-McKinley campaign of 1896.

Every trust magnate in America, every individual and organization that has acquired wealth by living on the sweat and blood of the plain people of the country will fight Franklin D. Roosevelt tooth and nail this year.

Every American citizen with a social conscience should therefore support President Roosevelt, regardless of whether or not he is satisfied with the administration's policy in all respects. I am one of many Democrats who believe we should go much farther to the left than we have gone—who are convinced that more sweeping and fundamental changes must be made to end the impoverishment of the producing class by a small group of parasites. Nevertheless, I shall wholeheartedly back the President for reelection, recognizing that his defeat would mean the riveting of new chains on the people by Wall Street and possibly even the establishment of a Fascist dictatorship in the United States.

Big business is furious with rage at the moderate control of its activities so far provided by the administration. If it had more vision and common sense, it would accept this control, realizing that if it strains the public's patience it may be compelled to acquiesce in measures far more drastic than these. However, the "powers that prey" are not noted for vision and common sense. Their greed and avarice are so violent that they hotly resent even the mildest effort to restrain them. Therefore they are fighting the President, and, as Raymond Clapper well said in the Washington Post of December 6, will unite in "a bitter crusade against his reelection."

There is only one thing for the honest believer in economic emancipation to do. That is to vote and work for President Roosevelt and to leave no stone unturned to prevent the return to office of the Hoover-Mellon-Mills Wall Street clique. This is a time when there should be a united front of all citizens who do not want to go back to the conditions of the Hoover administration, when the appeals of the hungry and homeless were met sometimes with callous indifference, sometimes with policemen's clubs, rifles, and bayonets, and sometimes with gas and tear bombs, and when the men who fought in the World War were driven like hunted animals from the Capital City of their country and their pitifully rude shacks burned to the ground!

Every Jeffersonian Democrat, every Republican who derives his inspiration from the ideals of Lincoln, every follower of a minor party devoted to the interests of the "forgotten man"—Farmer-Laborite, Progressive, Socialist, and so forth—should disregard differences over details of policy next year and join hands in a common cause against a common enemy.

In the 1936 campaign, despite the inadequacy of some of the legislation so far enacted, Franklin D. Roosevelt will be the leader in one of the greatest conflicts in all history between humanity and property—the champion of Lazarus at the gates of Dives.

There will be but one issue next year—"Roosevelt or Reaction?"

On such an issue the American people can have but one answer.

THE VETERANS OF FUTURE WARFARE

Mr. WILLIAMS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. WILLIAMS. Mr. Speaker, under leave to extend my remarks in the RECORD I include the following speech which I delivered at a meeting of the Veterans of Foreign Wars at Flat River, Mo., on November 10, 1935:

Mr. Chairman, members of all veterans' organizations, and friends, I want to express my appreciation for the opportunity to be here on this occasion and to enjoy your kind hospitality and friendly greeting. Organizations such as yours keep alive and active the spirit of patriotism and true devotion to American ideals and institutions. Yours is an organization that stands for a square deal, that informs the country on the various problems of government, that teaches brotherly love and esteem, that inculcates a friendly feeling in the community, and, above all, inspires a truer love of country and an unswerving loyalty to our flag.

Seventeen years ago tomorrow the hearts of the American people were made glad by the declaration of the armistice which brought to an end the greatest war in history. It had wrought widespread destruction to property; it had taken an immense toll in human life and had left in its wake many bankrupt nations and much misery and suffering. During the stirring days of '17 and '18, when millions of the flower of America's young manhood entrained for camp, we went with them to the courthouses, where patriotic speeches were made and martial music was played and inspiring songs were sung. Then we went with them to the railroad stations and, as the trains bore them away, we bade them Godspeed and waved them goodbye. And then during the following weeks and months we read the newspapers and scanned the bulletins with bated breath and anxious hearts for the latest news. Many restless days and sleepless nights were spent.

There was established an invisible line reaching from the threshold and fireside of every American home to the fields and trenches of France over which were sent messages of hope and cheer and along which could be heard the whisperings of mothers' prayers. Those were times that tried men's souls, and it is little wonder that there was wild enthusiasm and unrestrained happiness and joy at the news of the armistice on November 11, 1918. In the meantime many fine, brave American boys had made the supreme sacrifice on foreign soil. Then began the long, slow, tedious trek homeward of the finest and most courageous body of men ever assembled on earth. Many of them were maimed and crippled. Others were diseased in body and broken in spirit. Myriads of these young men had left homes of comfort and abandoned careers of promise in order to serve their country. In many cases they returned to find themselves disabled and handicapped, without a job, and the prospect for the future gloomy.

There is a tendency among Americans in the rush and hurry of our modern times to forget. We are too much engrossed in other affairs, in the hubbub and babble and the crashing and shrieking and clanging of the commercial and industrial life to think about the more essential things. We are so absorbed in selfish and personal interests that we do not recall the heroic deeds and the noble sacrifices made by the young men of this Nation on the field of battle.

A few years ago there were brought back from the fields of France the remains of the Unknown American Soldier. The casket was placed beneath the dome of our National Capitol. For 24 hours a stream of humanity flowed by. The great generals and admirals of the largest armies and navies of the world in all their military and naval array passed by. Ambassadors, ministers, and representatives of all foreign powers were there. Representatives of the executive, legislative, and judicial branches of the Government came. In the procession were found tottering and feeble veterans of former wars, those whose ranks are growing thinner and thinner with the passing of the years. There came his comrades, some of them maimed and crippled, and as they paused beside the casket they were thinking that it might contain the

remains of one by whose side they had fought and struggled and sacrificed on the field of battle; one of their buddies who had fallen by their side. In front of the casket mothers halted with sad heart and tear-dimmed eyes wondering if it contained the remains of her long-lost boy. From every nook and corner of the world and from every rank and station, men, women, and children came, and as they came they brought flowers of every tint and color and fragrance and placed them upon and around the casket until the Hall was filled. They brought the beautiful flowers that their petaled lips and perfumed breath could in eloquent and fragrant language express the tribute which the bearers so deeply felt.

In all ages of the past, kings and rulers have been laid to rest with all the pomp and glory of their positions; presidents and great men have been taken to their last resting place with the sorrow and sympathy of the nation hovering over them. But in all the history of the world no such tribute was ever paid as was shown the Unknown American Soldier on that occasion. Why did they come? Not to pay tribute to any particular soldier or any individual, for they did not even know who he was. They did not know whether he came from the shipyards or marts of the Atlantic coast or the factories of the East. They did not know whether he came from the logging camps of the North or the wheatfields of the Northwest. They did not know whether he came from the orchards of the Pacific coast or the cotton plantations of the South. They did not know whether he was a Missouri boy who had left his hoe and his plow to rust in a Missouri cornfield to answer his country's call. They only knew that he had fallen on the field of battle fighting for the defense of his country and the preservation of free institutions and human liberty throughout the world, and that someone sometime loved him. Why did they come? They came to pay homage and tribute to the ideals, the institutions, the principles, the aspirations and hopes for which the American soldier fought. The remains were placed in Arlington Cemetery just to the east of that beautiful and magnificent memorial building erected in memory and in honor of those boys who made the sacrifice in those trying days. And there in front of that simple tomb, faithful soldiers, in sunshine and in rain walk their beat as silent sentinels, keeping watch over his grave. Organizations and meetings like this should recall and revive the feelings and sentiments of other days.

To the Spanish-American War veterans, those who enlisted in the War against Spain, I want to pay a tribute of highest praise. At that time I was a student at Missouri University. Some of my classmates enlisted. Of that number three of the finest and best young men I ever knew never came back. To commemorate their life and death the students by subscription raised the money with which a beautiful old-gold and black tablet was purchased and placed on the wall in Jesse Hall, the main building of the university. It was my privilege to deliver the memorial address presenting the tablet to the school, and the late beloved and lamented Walter Williams in one of his inimitable speeches accepted the tablet on behalf of the university, and it remains there today as a monument to the memory of those boys who gave their lives in that conflict.

The enlistment of the young men in the service at that time from every section of the country was proof conclusive that the bitterness and strife of Civil War days were buried forever in an oblivion of forgiveness that forgets. The sons of the blue from the wind-swept Lakes of the North marched side by side with the sons of the gray from the sun-kissed lagoons of the South in a common cause. Old Joe Wheeler, who had fought with all the valor and courage of a southern gentleman to keep a race in slavery and subjection, marched up the heights of San Juan Hill at the head of a colored regiment to drive from the Western Continent the last vestige of Spanish tyranny and oppression.

The story is told that after the San Juan Battle the nurses and doctors with their aides went upon the battlefield and gathered up the wounded and dying and brought them into the hospital. They were placed on cots in the halls and wards until the building was fairly crowded. Over in one corner lay a wounded American soldier. Raising himself on his elbow he began the song:

"My country, 'tis of thee,
Sweet land of liberty,
Of thee I sing."

The moans and cries of the wounded were silenced, and those who were able took up the refrain,

"Land where my fathers died,
Land of the Pilgrims' pride,
From every mountain side
Let freedom ring."

And I tell you, my friends, this afternoon, that I would rather have the sentiment of that song written large and deep on the hearts of the American people than to have us the proud possessors of the largest standing army and the strongest navy that the world affords. That was the spirit and the sentiment of the boys who marched to battle in '98 and all honor and glory to them.

I witnessed one of the finest examples of loyalty and forbearance on the part of those who participated in what is known as the "bonus" march on Washington in 1932. The House had passed the measure providing for the payment of the adjusted-compensation certificates, and, as you know, I voted for it. The bill had gone over to the Senate for consideration. Thousands of the soldier boys had gathered on the steps leading to the Senate Chamber and on the plaza in front of the Capitol. The debate in the Senate was prolonged, extending late into the night. Many of the boys had grown tired and had fallen asleep while awaiting the outcome. At last the news came that the Senate had defeated the measure. There was no bitterness or resentment, no turmoil or threat, but, on the other hand, they all arose and sang America. That was the spirit behind their movement, and all glory and honor to them.

This Government has been liberal toward those who were disabled by reason of disease or injury while in military service. It has been solicitious for the widows, the children, and the dependents of those who lost their lives in the service of their country. It has provided various forms of relief—war-risk insurance, hospitalization, vocational education, a bonus—adjusted-compensation certificates, pensions, and service-connected compensation. Compared with other nations, our Government has been most generous, providing much more help and granting much more liberal rewards than any other nation on earth. This it should do. Many veterans have found it difficult and some have found it impossible to establish service-connected disability, and in some cases inequities have crept in and some injustice has been done. It has been my constant purpose and will continue to be my steadfast aim to render every possible service to the veterans and their dependents. I have in my files now 456 cases which I have taken up with the Veterans' Administration, to say nothing of the many cases which I have handled in the past and on which the file has been closed. By continued and persistent efforts I secured the passage during the last session of Congress of 15 private pension bills for the dependents of old soldiers.

Much has been said and written about the payment of the adjusted-compensation certificates, commonly but mistakenly called the "bonus." I have voted for immediate payment every chance I had. This was done not merely to satisfy the wishes and meet the requests of the veterans but because I believed it to be just and right. During the war and the period immediately following it many men and corporations engaged in industry made excess profits, received inordinate incomes, and accumulated great wealth. This was being done while the soldiers were denied the opportunities offered in civil life and while they were enduring the hardship and suffering incident to camp and trench life and were paid a mere pittance. At the close of the war thousands of war claims made by the railroads, munitions plants, manufacturers of arms, and others were settled, and many millions of dollars were paid them in cash then. The settlement was not postponed 8 years and a certificate given in payment which was not due for 20 years more. The veterans' compensation was due when the service was rendered and should have been paid at the close of the war. That compensation with interest from that time to now will equal the face value of the certificates, and for that reason they should be paid now. Industry made money during the war while the boys were denied the chance to thrive and prosper.

At the close of the war industry adjusted its claims with the Government and received cash in payment. Why should not the adjusted claims of the veterans, that are in equity and justice due, be paid? I have no authority to speak for the legislative or executive branches of the Government, but it is my prediction that satisfactory bonus legislation will be passed at the next session of Congress. I can assure you one thing—that I will continue to work and vote for the immediate cash payment of the adjusted-compensation certificates, and the Government should forego and remit the interest.

The practical, selfish, sordid things of life must not be permitted to crowd out or destroy our gratitude and love for those who answered their country's call.

War has never been of our seeking. It has been thrust upon us. Selfishness and avarice, despotism and arrogance, greed and love of power asserted themselves and created the crises which could only be settled by an appeal to arms. We have no effete or corrupt dynasties to maintain; no tottering thrones to support; no feudal or lordly classes or castes to uphold; no foreign conquests to make; no additional territory to acquire; no vengeance to wreak upon anyone; no unholy alliance to abide by; no unrighteous ambition to satisfy. We are not looking for other worlds to conquer. We want no more wars. We desire peace.

In whatever conflicts we have engaged, it has been in the defense of principles and to maintain our ideals and to preserve our Nation and our honor and to keep our flag unspotted and undefiled. The bravery and the valor, the courage and the manhood of American soldiers, sailors, and marines on land and sea are unexcelled in the annals of history. Wherever they have carried the flag it has been in a just and righteous cause.

Realizing the horrors of warfare, the sorrow, the suffering, and sacrifice that it entails; the terrible waste and destruction that it brings; the desolation and ruin that it leaves in its wake; the heavy financial and economic burdens that it places upon future generations, it does seem that some plan could be devised by which war could be abolished or the chances of its returning reduced to a minimum. Aside from its horrors, its sorrow, the suffering and sacrifice, from a purely economic, a financial, and a business standpoint, warfare should be avoided. From 70 to 90 cents of every dollar collected in taxes by the nations of the world go to pay the expenses of past wars and in preparation for warfare in the future. Remove the probability of future wars and the enormous burden, which is now placed upon the people by reason of war, will be lifted.

The expense of all other Government activity pales into insignificance beside the war burdens. The expense of all the peace activities of government is practically nothing compared with that of war. It seems rather strange that the major portion of our Government expenses should be devoted to the agencies of

destruction and desolation and ruin rather than to those of improvement and development and progress, to better educational facilities, the alleviation of suffering, the abolition of poverty and destitution, the restoration of social justice, and the establishment of those institutions that will bring happiness and contentment to the people. But we have not reached the stage where the element of force can be safely banished from consideration; where a resort to arms may not be necessary. Momentous hours may come when some nation will make war upon an institution or a nation rather than let it live and others will accept war rather than let the nation die.

Your organization stands for the preservation of high American ideals, for the eradication of all disloyal propaganda, for the elimination of all communistic tendencies, and for the proper preparation for the protection and defense of our country.

On the question of preparedness for war, the maintenance of an army and a navy, there are three well-defined schools of thought in this country. There are the extreme pacifists—members of certain religious, social, and fraternal organizations—who, because of religious or conscientious scruples, think we should have peace at any price. They would tear down our military barracks, dismantle our forts, and junk our Navy. They would abolish all forms of military training. They are conscientiously opposed to bearing arms under any condition. They are not in favor of maintaining a navy sufficient to protect and guard the avenues of our commerce in times of peace. They seem to think that war can be averted by a pious discussion of the horrors of war within the narrow confines of their sacred portals. When the dark and ugly storm clouds of war gather they take refuge behind their conscientious objection to war in order to avoid military duty. You will find none of that class among the great martyrs or heroes of history. They are the milk-and-mush members of society.

In days of great national disaster, in hours of stress and strain, in times that try men's souls, and that call for action and courage, that class is found skulking away in the rear. They are of the kind that would have peace at the sacrifice of honor. They have a narrow and limited vision, and are unmindful of the lessons of history and indifferent to the laws of human nature. They are fanatical, unmoved by the dictates of reason, and untouched by the simplest and plainest appeals of common sense. There may be worse things in the life of a nation, as well as in the life of an individual, than a fight or a battle. Abject submission to wrong, tyranny, and oppression, and a cowardly surrender of our rights and honor are infinitely worse than the loss of life on the battlefield in the defense of justice and honor. The world cannot be reformed by a resolution. War cannot be avoided by a wave of the hand. Strife cannot be exterminated by a spray of rose water. There is a difference between peace and pacifism. There is little good done by these extreme fanatical pacifists.

At the other end of the argument are the extreme militarists. Those who make war and the preparation for war a business. The major generals, the admirals, the chiefs of staff, the lieutenants, the colonels, the commanders in chief, and the captains; those who have been tutored and trained and are skilled in the art of war. Those who are sounding the trumpets of alarm and rattling their swords; those who continually see the war clouds gathering and rising along the horizon. It would seem of little use to have international conferences for the limitation of naval armament and the reduction of military forces as long as those meetings are attended and dominated by admirals and major generals. Conference after conference has been held, and still the representatives at those meetings have returned to the nation which they represented, and the navy-building program has been enlarged and the military positions have been strengthened. These conferences up to this date have been "full of sound and fury, signifying nothing." There are too many Alexanders the Great, too many Napoleons, too many Mussolinis, too many Ludendorffs and Hitlers abroad in the land preaching the doctrine of suspicion and hate among the nations and advocating the building of the strongest navy and the maintaining of the largest army. They are encouraging their nation to build the most forts and barracks and to construct the largest war vessels, dreadnaughts, cruisers, destroyers, submarines, and aircraft carriers and mount them all with guns that will shoot farther than those which other vessels have. This thing has continued until the United States has constructed two aircraft carriers that have a displacement of 33,000 tons, are almost 1,000 feet in length, and can each carry fully equipped and ready for action 100 airplanes, with a take-off and a landing deck. These war lords demand increased preparedness. These extreme militarists are a menace and as dangerous as the extreme pacifists.

Between the extreme pacifists and the radical militarists stand those who represent the sane, rational, sober thought of the Nation on the question of preparedness. They are not as loud or as well organized as the others, but they compose the great mass of the American people. They believe in fighting if it becomes necessary to defend our honor and to preserve our liberties and our rights. They believe that we should maintain a reasonable navy as the first line of defense and to police the seas in time of peace. Not that we should have more and bigger war vessels than any other nation, but a reasonable equipment in accordance with our needs and our position among the nations of the world. Not that we should destroy our forts and barracks and abolish all military training, but that we should maintain headquarters and training grounds in charge of men familiar with military tactics, which may form the nucleus around which a citizen-soldier army can be built in time of need. Those who think that a reasonable amount of military and naval preparation is necessary as a matter of self-defense and self-preservation, those who think that a complete destruction of all military and naval organization would be an invitation to the nations of earth for invasion and conquest, those who believe that the support and maintenance of reasonable military and naval establishments are the surest guaranty against invasion or warfare—the men and women who occupy this great middle ground, who entertain these sound and reasonable ideas on the question of preparedness, comprise the overwhelming majority of the people of earth. They need organization; they need cooperation and coordination to develop public sentiment and create a feeling of friendship and good will among the nations of earth. The time has come when the Government should devote most of its time and money to the agencies and institutions of peace rather than to the instrumentalities of war. The time is when the radical arguments of the militarists and the fanatical appeals of the pacifists must pass into the discard and the sober common sense of the people must assert itself.

The time may have been in ages ago when the nations of earth were living unto themselves, ignorant and indifferent as to the progress, the motives, the ambitions of others, when each nation may have been hostile, suspicious, and jealous toward the others. In this age of invention and progress, with improved methods of transportation and modern means of communication, when each nation knows what the other is doing, there is no longer any reason for the unfounded suspicions, the petty jealousies, and secret hostilities. It is earnestly to be desired that the time may soon come when the unselfish, sincere statesmen and diplomats of the world, with the only purpose to serve and secure the highest degree of social justice for the people, guided by rational public opinion, uninfluenced by the swashbuckling jingoism of the militarists and unmoved by the wild, impassioned appeals of the pacifists, in a spirit of friendship, good will, and fellowship, may sit down around the council table and there formulate some plan to lessen the chances for war, a plan which will have the sanction of public opinion throughout the world and lead us into the paths of peace.

My sincere wish and fondest hope is that the time may soon come when the swords will be beaten into plowshares and spears be made into pruning hooks, and that the dream of Tennyson will be realized when the "war drum throbs no longer and the battle flag be furled in the parliament of man, the federation of the world." Upon those who bring about that condition the everlasting blessings of mankind should rest.

This talk would not be complete without a fitting tribute to our national emblem which is here displayed. At the sight of it the heart of every true American wells with joy and pride, proud of its history, proud of its achievements, proud of the ideals and institutions for which it stands. The stars in its firmament have ever increased in number and grown in brightness. The constancy, loyalty, and fidelity of its blue has not faded with the passing years; the purity and chastity of its white has remained unspotted and undefiled; the valor and sacrifice of its red has ever led to nobler deeds and inspired a loftier patriotism. In its history and development its form and design have changed, but it is the same flag still. Whether it is of the finest silk, in the most brilliant and costly colors, upon a staff of gold and tinsel, or whether it is of the commonest cloth, whose color may be dimmed by time and whose folds may be tattered and torn, it is the same flag still. Whether it waves from the stately and massive structures in the city in commemoration of some great event where it is greeted and cheered by thousands, or whether it silently floats in the breezes over the threshold of the humblest cottage in the far-away countryside, it's the same flag still.

It is the flag that encouraged and inspired Washington and his little band of faithful followers as they stood in their bare feet and tattered garments, shivering around the campfires at Valley Forge. It is the flag that waved in triumph over the ramparts at Yorktown when Cornwallis surrendered and we became an independent Nation. It is the flag that the brave, courageous boys of the Spanish-American War carried to such signal victory, to destroy the last remnant of monarchy in the New World and to establish this continent as the home of republics. It is the same flag that, in the greatest of all wars, our brave and courageous boys carried all the way from Chateau Thierry to the Argonne and to a triumphant victory; the same flag that, with a valor and courage unequaled in the annals of mankind, they carried in defense of the honor and integrity of our own Nation and in the defense and preservation of free institutions and human liberty throughout the world. It is the same flag that in the development of civilization and in its progress around the world has brought courage, inspiration, and hope to the oppressed and downtrodden nations and peoples of the earth. Wherever it has gone, whatever has been its mission, whether on land or sea, it has always come back home with honor written on its silken folds, with its blue unclouded, and its stars undimmed. "Long may it wave, o'er the land of the free and the home of the brave."

A PARLIAMENTARY INQUIRY

Mr. SWEENEY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SWEENEY. Mr. Speaker, what becomes of the resolution that the gentleman from Washington [Mr. ZIONCHECK] has just offered?

The SPEAKER. Is has been read for the information of the House. When it is introduced, it will be referred to the appropriate committee.

NEUTRALITY

Mr. MAVERICK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include also a speech on the same subject of neutrality made by another person.

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

There was no objection.

Mr. MAVERICK. Mr. Speaker, leaving the last session of Congress, I made several talks over the radio and several before audiences concerning neutrality and peace. One talk I made November 11 in Denver, Colo., dedicated to my old regiment, One Hundred and Fifty-seventh Infantry (1st Colorado), which was on the radio over a national hook-up; November 26, before the University City Peace Council, University City (a suburb of St. Louis), Mo.; I also spoke before the League of Women Voters at the Sidney Lanier Junior High School in Houston, Tex., December 12; several times in San Antonio, Tex., my district, before various groups. I also made a radio address over Station WMAL, Washington, D. C., on my return, which was carried on the National Broadcasting Co. network, last Saturday, January 4.

One of the most distinguished advocates of peace and authorities in this country on the subject of neutrality and international law is Dr. S. D. Myres, Jr., of Southern Methodist University, Dallas, Tex. He is connected with the Arnold Foundation in Public Affairs at that university. The Arnold Foundation is doing great work. Dr. Myres spoke with me on the program in Houston, Tex., before the League of Women Voters, and his speech received widespread editorial comment over the South, as well as publicity over the Nation.

I ask unanimous consent to include in the RECORD the speech of Dr. Myres. It is as follows:

NEUTRALITY AS A NECESSITY

[By S. D. Myres, Jr., Director the Arnold Foundation in Public Affairs, Southern Methodist University]

Today almost everyone recognizes the imminence of another general war. Europe has recently experienced one crisis after another and Asia is in the throes of political unrest. Italy ruthlessly throws her armies against Ethiopia, while England and France, acting nominally in behalf of the League of Nations but in fact governed by considerations of national interest, strongly protest and threaten to use sanctions against this aggression. Japan, criticized and warned by the League and the nations signatory to the Paris Pact, nevertheless pushes on into China, consolidating her gains and proving as have the western powers time and again that might makes right—at least when one plays the game of imperialism against a weak and defenseless neighbor.

Germany, regarded by many as the key to the problem of Europe, renounces those parts of the Treaty of Versailles which stand in the way of her regaining her coveted place in the sun. Reparations she holds to be unjust and unpayable; restrictions on the size and character of her military and naval organizations she declares to be inequitable and void. The failure of other nations, including France, to carry out their pledges to disarm, Germany assigned as a reason for her action. Regardless of the merits or demerits of her case, the bold steps which she has taken have opened the way for a renewal of the competition in military affairs which 30 years ago led straight to the World War.

LEAGUE OF NATIONS AND NATIONAL WELFARE

The political atmosphere of Europe is already supercharged with fears of impending trouble; and in spite of the unflagging efforts of the League of Nations to maintain a community of interests for peace, the old system of balance of power, of alliance versus alliance, has reappeared to crystallize discord into armed conflict.

In troublesome times like the present, it is only natural for the American people to take stock of the situation and to adopt such course of action as will protect their national welfare. The citizens of this country have not forgotten the World War and what it cost, and will not lightly see the Nation plunged into another cataclysm, no matter what special interests may urge it or what phrases may be utilized to arouse their emotional responses. It has been estimated that the war of 1917 cost us 55 billion dollars in treasure and 350,000 lives, plus many other losses which came as byproducts.

How we became involved in the war and why we fought it are questions on which historians are not entirely agreed, but one thing does seem rather clear—what we gained from it is negligible. Perhaps the fundamental object for which we fought was freedom of the seas. Although Wilson wanted this issue settled, the peace conference ignored it entirely—and we are no nearer the attainment of our goal than when we took up arms. The world was to be made "safe for democracy." But look at the dictators who rule even in the more enlightened countries—look at Mussolini, Hitler, Stalin. The rights of small nations were to be safeguarded. But witness the rape of Manchuria and Ethiopia. Ignoring certain territorial readjustments in Europe and the establishment of the mandates system, the one constructive result of the war was the founding of the League of Nations. But the United States has not chosen to participate in the League, and the principles of that organization are apparently being scuttled by its big members as they pursue with determination the selfish foreign policies of their respective governments.

With such conditions as these prevalent in the world, it is hardly strange that thinking men and women in the United States should resolve to keep our Nation out of another war. This feeling is so well-nigh unanimous that we can definitely regard it as a fundamental of our foreign policy for the immediate future. Now, in seeking a means to make effective this determination of the American people to avoid war and maintain peace, three possible choices are before us. The first is to build an Army and Navy strong enough to prevent war by force. The second is to cooperate whole-heartedly with other nations to maintain peace. And the third is to pursue a policy of strict neutrality. Let us briefly examine each of these approaches to the problem.

The prevention of war by military action involves a contradiction at the outset, for military action is the essence of war. Those who advocate preparedness as a basis for peace rarely contemplate the actual use of the military arm; what they rely on chiefly is the threat to potential disturbers of the peace involved in the very existence of superior forces. Now, against bandits in China or rebels in Nicaragua, the employment of armed forces in the cause of peace can be, and often is, efficacious. But that is not what we are talking of here—we are discussing the creation of an Army and Navy big enough to confront any of the great powers, or combination of such powers, when they endanger our rights or security as a nation.

METHODS TO ATTAIN PEACE

One does not need to be a pacifist to see that the organization of a military machine strong enough to dominate the world in any emergency which might arise is open to the gravest difficulties. First, it is physically and financially impossible. The shifting character of alliances in international politics creates combinations which cannot be safely anticipated. The cost in money to meet this situation would approach the aggregate expended by all states which might from time to time impinge upon our interests. That such a drain on our natural resources could hardly be endured calls for little proof. Moreover, the course suggested would prove futile. Any effort on our part to build a navy to enforce our rights against, say, England and Japan would cause them at once to increase their construction programs, and the end would likely come only after all three powers were economically exhausted or engaged in war. Germany tried a policy similar to this one before 1914, and her failure speaks for itself. Finally, militarism in the exaggerated sense violates the American tradition. In this country the civil authority has always been supreme; and all free men and women want it to continue so. It is unthinkable that the United States should be converted into an armed camp, as is the case in Italy, Japan, and certain other nations. We desire, and will continue to maintain, adequate forces for the defense of our territory; but we reject the fallacy that national security can be guaranteed only by building the greatest army and navy in the world.

International cooperation for peace doubtless offers the greatest ultimate hope. The development of a comprehensive system of international law and the machinery to apply it is imperative if civilization is to be long maintained. This process, however, will require many years. At present, international law and international institutions are in a retarded state of development. Both the law of peace and the law of war are full of gaps and contradictions, as any effort at codification readily reveals. Also the machinery to apply the law is inadequate. The most satisfactory agency is, of course, the League of Nations. But with all its merits—and it has many—it has not yet proved dependable in dealing with major political disputes. It is true that the absence of the United States from the League has weakened its action; nevertheless, the states which are members have also contributed to its ineffectiveness by their almost constant rivalries as they have played the game of power politics. Frequently the Great Powers, such as France, England, Italy, Germany, and Japan, have used the League as a mere chessboard on which to play the game. And when some of them have begun to lose, they have left the table.

The League, obviously, cannot be blamed for this condition; rather the individual nations themselves, actuated by prejudices, fears, and ambitions, must bear the responsibility. Under such circumstances, no League member feels that it can trust that organization implicitly to guarantee its security. All members maintain armed forces, and the states which count for most in the League today—England, France, and Russia—have the strongest naval and military organizations in the world.

DIFFICULT TO DETERMINE AGGRESSOR NATION

Many persons look for the achievement of peace by means of collective sanctions. The time may come when an outlaw nation will be punished in somewhat the same fashion as an individual criminal is now. The moment, however, has not yet arrived when we can rely on this procedure. It is no easy matter, for example, to determine aggression. It is vastly more difficult to proceed effectively against the aggressor, especially if the aggressor is a powerful nation. Suppose the aggressor refuses to accept the sanctions voted, as did Japan during the dispute over Manchuria—who will then apply them? In the case mentioned, the British Navy was the logical agency for the purpose, but was not used. Why? Because England did not want to fight Japan. You thus see the basic contradiction in the use of sanctions, with the world

organized nationally as it is today. Sanctions applied in the name of international justice and peace are too likely to cause the very thing they are aimed against—international war and injustice. The series of crises which has recently occurred in the triangular discussions between Italy, Ethiopia, and the League serves to confirm this conclusion. This controversy illustrates how easily the employment of sanctions can generalize a dispute—one essentially between Italy, Ethiopia, and Great Britain—by drawing in the other powers of Europe. The danger of a general European war has thus been increased, especially in view of the basic rivalry between France and Germany and between Germany and Russia.

What, then, should be the policy of the United States? Our Government should continue—in fact, should increase—its collaboration with other nations to create a world of law and order. Its participation in the work of the International Labor Office, the League of Nations, and various conferences which seek to limit armaments, develop and codify international law, and facilitate international trade should not be diminished. We should contribute in every reasonable manner to the advancement of international justice, peace, and security. But at the same time we should bear in mind the realities of world politics and refuse to be carried away by a zeal for humanity, democracy, and other concepts which blind us to our true national interests.

NEUTRALITY ONLY SAFE COURSE

With the world upset as it is today—torn by passions, on the verge of general war—the only safe and sensible course open to us is strict neutrality. If Europe finds it necessary to apply collective sanctions in settling her disputes, let us not interfere. If the League must resort to article XVI of the Covenant to enforce the decisions of the Council and Assembly, let it be known that the United States will not ship arms and munitions or extend credits to any of the parties involved in the controversy. By such means the uncertainty of our policy regarding sanctions—long criticized by League members as an obstacle to peace and security—will be eliminated.

After all, regardless of theories to the contrary, the principle of neutrality remains a cardinal part of international law and practice. Members of the League of Nations today accept and act on this principle, as the reservations generally adopted in interpreting article X and the Pact of Paris show. Neutrality has been a basic American doctrine since the time of Washington, but new conditions require that it be reinterpreted. The introduction of the submarine, all-inclusive contraband lists, and so-called measures of blockade have greatly altered the situation respecting freedom of the seas in wartime. Our failure to recognize this changed status of naval warfare was directly responsible for our involvement in the conflict of 1917. Stating the matter simply, we insisted on the right of our private citizens to trade and travel freely in the war zones with complete immunity. Such risks as they took were not simply their own; these risks concerned the sovereignty of the American people. It was inevitable that this interpretation of the law of neutrality should encourage our citizens to take additional risks and should ultimately lead us into the war.

Recently, congressional committees have studied this question in the light of our experience in the World War, and have concluded that legislation should be enacted to strengthen our position of neutrality. The joint resolution passed during the closing hours of the last session of Congress is an initial step. This act is incomplete and it expires in approximately 2½ months. The chief provisions of this measure prohibit the export of arms, munitions, and implements of war to belligerents; provide that those who trade with belligerents do so at their own risk; and provide that persons traveling on belligerent ships do so at their risk. Especially noticeable is the absence of restrictions on loans and credits and on trade in commodities commonly used in warfare, such as oil, cotton, and steel.

WHAT NEUTRALITY LEGISLATION SHOULD CONTAIN

There seems to be little doubt that the Congress which meets in January will adopt a more comprehensive neutrality act. However, much difference of opinion naturally exists concerning the provisions to be included. I am personally of the opinion that the new legislation should contain the following points: An embargo on arms and munitions to all states engaged in armed conflict; the licensing, on a peacetime basis, of shipments of other goods bound directly or indirectly to the belligerents; the prohibition of all loans and credits to belligerents; the withholding of passports to American citizens who seek to travel in war zones; the prohibition of American vessels from carrying munitions, and strict limitations on their carrying contraband. So far as possible, the legislation should be automatic; the President should be relieved of strain like that experienced by Wilson in the years 1914–17. Legislation which is clear and unequivocal would do much to lessen the danger of war psychology, always a threat to peace when our position of neutrality is uncertain. Adequate provision, however, should be made for the exercise of Executive discretion in situations which cannot be fully anticipated and covered by legal regulations.

Aside from such technicalities—and all of them are important—the basic question before the American people is relatively simple: Do we really want to stay out of war enough to pay the price of peace? Will our manufacturers and businessmen be willing to forego profits which they may never collect? Can we as a nation restrain our emotions when we are merely annoyed, and when the national interest is not endangered? From the beginning of its history, our country has enjoyed a unique position among the nations. Blessed by geographical remoteness, it has been able to develop its culture and institutions largely undisturbed by the disruptive influences common to Old World politics. The greatest danger of surrendering this favored position has always been, and is today, in the likelihood that we shall become involved in warfare outside our territorial limits. A policy of neutrality, carefully planned and resolutely followed, offers us the best hope of maintaining the national advantages which are ours by heritage. I am convinced, moreover, that this policy would be of great value to the cause of true internationalism. I speak not as an isolationist but as one interested in the welfare of the world community when I urge that the most constructive measure which our Government can take at the present moment of tension and unrest is to adopt a neutrality act so complete and effective that the resources of the United States cannot be utilized by any state which resorts to war in disregard of its solemn pledges to keep the peace. Neutrality, I take it, is thus a national and international necessity.

WAR WILL SWEEP AWAY ALL CHANCES OF RECOVERY

Mr. Speaker, it is my intention to deliver more or less a résumé of the speeches I made this summer on neutrality.

I visited around 20 States, not known as a Congressman but as an individual in ordinary rough traveling clothes, and I found the American people want one thing: To stay out of war. Also, they are overwhelmingly in favor of mandatory neutrality.

Mr. Speaker, the question of peace—I mean of this Nation's staying out of war altogether—may prove to be the most important question before the American people in our national history.

This is because if we are drawn into a war, then war necessity will require that every law that is written shall be merely to win that war. All chance of recovery, all chance of maintaining any of our civil liberties, or ordinary liberties, will be swept away. All other legislation, all other efforts, will be subordinated to the dread horror of war and the effort to make one great, powerful military and naval machine. This machine will be dedicated to the killing of human beings—which in the past has not done much for human liberty—and to the destruction of the physical property of the enemy—and which never really saved the property rights of a nation at home either.

So I think that the American people, and we, the representatives of the people, should strain every nerve, every muscle, every brain cell—and all our hearts—to stay out of war. I think it rather obvious that we all agree on that, and the question is, How are we going to do it?

Well, for a full year now we have been discussing neutrality, and whether it shall be mandatory or discretionary. Many have expected a bitter controversy, but it appears the administration and the State Department are submitting a bill considerably better than any they have submitted before, recognizing the true spirit of neutrality and the new idea of neutrality. Thus the various groups of thought here in Washington may reach a final decision rather quickly and which I am sure will meet with the almost unanimous support of the American people.

DISCRETIONARY AND MANDATORY NEUTRALITY

Last year we enacted a neutrality bill, and it was supposed to be mandatory, but it had a "may" or two in it you know—m-a-y—and that looked like a discretionary grant where the President would have all the power of war or peace. But that is rather well cleared up now, because the President last Friday night, in his masterful address on the opening day of Congress, acknowledged the principle of mandatory neutrality and the policy of the good neighbor.

And it looks like the State Department and Secretary Hull are riding down the right track now, too. For a while, it looked like Secretary Hull might be trying to ride two horses—an American horse and a League of Nations horse. What we want him to do is to ride just one horse—a good old American horse, and not use an English saddle, either. English saddles, though they look attractive, are very slippery and expensive—our good Secretary might fall off—so I think it better that he get a good Texas saddle and ride the American horse down the neutrality track. In any event, we must have no trick riding.

Personally, speaking of Congressmen, I know of no Congressman or Senator who would play politics on a matter that concerns war, and a poll shows 85 percent of the Rep-

resentatives and 90 percent of the Senators favor the strictest and most mandatory type of neutrality. I am only one Congressman. Many of you have done much more than I have in the cause of peace. There was a committee in the House last session, and on it I served with my colleagues, CHRISTIANSON, of Minnesota, TOBEY, of New Hampshire, both Republicans, and both distinguished former Governors of their States KLOEB, of Ohio, a Democrat, a member of the Foreign Affairs Committee, the author of a very important neutrality bill, and one of the leaders for intelligent action for peace KOPPLEMANN, of Connecticut, SISSON, of New York, MORITZ, of Pennsylvania, all three Democrats, and able, patriotic gentlemen; and SAUTHOFF, of Wisconsin, of the Progressive Party, another courageous fighter for peace. In the Senate among those favoring neutrality we find NYE, of North Dakota, and VANDENBERG, of Michigan, both Republicans CLARK, of Missouri, and BONE, of Washington, both Democrats; and all four serving on the Senate Munitions Committee; and many others. I am not authorized to speak for all or any of these gentlemen, but I mention them as supporters of substantial, strict neutrality. The statement is made, however, so that we understand that our action is nonpartisan.

M'REYNOLDS AND NYE-CLARK-MAVERICK NEUTRALITY BILLS

The distinguished gentleman from Tennessee [Mr. MCREYNOLDS], with the support of the administration and State Department, Friday, January 3, 1936, introduced a bill which is a great step forward for the country. While the McReynolds bill was being written, some of us were writing another, and it was introduced Monday at noon in the Senate by NYE and CLARK; in the House by me. This bill was introduced because we believe the administration bill has certain loopholes, although essentially a good bill; and the bill, called by the press the Nye-Clark-Maverick bill is of the strictest and most mandatory type.

Let me mention mandatory neutrality and the various concepts of neutrality, because the words have caused some misconceptions in the minds of the people.

Now, the old conception of neutrality allowed the neutral to profit by a war. Not only could such a nation trade with the belligerents, as it did before the war, but it could increase its exports a hundredfold to either belligerent that was in a position to buy; it could profit by the war both in the greater volume of its shipments and in the higher prices paid.

It was this increase in war trade over the normal trade of peacetimes that constituted the principal economic entanglements that so often dragged the neutral into the war in the end.

Now, let us take neutrality under the new conception, or the conception to be established by written law of the United States of America. It is that the Nation should not make war profits on belligerents, and should have as little as possible to do with these belligerents. This will necessitate an embargo on munitions of war, or implements of war, and many other restrictions on foreign trade and commerce. But frankly, wars in general, the World War in particular, from a very cold-blooded, practical, business viewpoint, considering also the unconscionable profits, are certainly not worth the candle. The human lives lost will not be regained—nor will the eleven or so billions of dollars which we loaned to the Allies.

WORLD WAR MISTAKES

Continuing with the idea of neutrality, we might here make some immediate comparisons. In the World War we were never neutral from its begininng, even according to the old conception, nor were our neutral rights ever respected from the beginning, according to the old definition of neutrality. If we look at the columns of the newspapers of that day we find that we immediately sided with the Allies, or the British and French Governments, emotionally, physically, and financially. Under the abuse of the German Government we protested against their submarine campaign. And the British Government very cleverly controlled its own propaganda—but it also violated American rights and seized our ships on the high seas. England blockaded Germany and would not let us sell to Germany. So we sold to England, upon the theory I presume—even though millions of our fellow human beings were losing their lives with products "Made in America"—that we were making great profits.

Now, there is no sense in blaming the whole thing on J. P. Morgan and Wall Street. I probably have the same opinion of J. P. and the Street as the average person, but the American people—and you and I—should not always excuse ourselves and blame everything on one individual or one group of individuals. We Americans have a habit of blaming someone else to save ourselves from realities—of thinking. We should consider our own conduct in that particular. It is true that the people of this country were finally pushed into the war by propaganda. But we went, and that is the point. It is true that newspaper propaganda constantly dinned in the ears of the American people stories about the atrocities of the Germans—and combined with the fact that we were not neutral from the first, along with the lending by our international bankers of hundreds of millions of other people's money, finally put us in the war. Then we beat the tom-toms of hate, played our bands, and as a nation lent more of our money to send our own flesh and blood into the pot of death, to collect the same thing—money!

WAR BLOODY CIRCLE OF HUMAN BLINDNESS

Then we loaned billions more so the munitions makers could get the cash, all of which will have to be paid by the common taxpayers of the United States. Then, after we had gone through this foolish and criminal policy of having set up huge paper profits, and having lost our blood and brawn on foreign battlefields, we lost the billions of dollars in addition. If this is not a crazy and bloody circle of human blindness, I do not know what it is. Why, I cannot see any sense in war from any angle whatsoever.

Mr. Speaker, let me sum up, and repeat a little, for we must understand clearly what is meant by the old idea of neutrality and the new idea of neutrality. The old idea was for us to have political isolation, but to be right in on the economic game of sending our ships across the seas, to sell all manner of merchandise and products to the belligerents in their business of killing. And so, having entered in that manner, we finally joined the conflict politically and in a military way, and got into the big business of killing, too. That was the history of the World War, as of the War of 1812. But the new idea is that we must not merely stay out of trouble politically but also economically; that we must not only avoid political and military entanglements but economic entanglements as well.

Now, in writing any law we must make our intentions clear, and Congress cannot evade responsibility by writing a blank check.

NYE-CLARK-MAVERICK BILL COVERS SITUATION

Therefore, in writing this proposed neutrality law, we have set down certain limitations, specifically, in clear, plain language, and these governmental executives, including the Chief Executive, merely follow the law, as they do any other law, and as is their duty.

Simply speaking, I believe the bill which I introduced Monday in the House, and which Senators NYE and CLARK simultaneously introduced in the Senate, covers the situation. Let me describe this bill in ordinary language.

First of all, the law itself sets out that it is necessary in the absence of international agreements, and is enacted pending new agreements that will insure peace, justice, and equality among the nations. I mention this so that all must know that the author's attitude is not that of a bitter isolationist, but for neutrality under the conditions of the world today. Also, it is obviously impracticable to even talk about the League of Nations or World Court right now. Some day our country may have peace by international action, and I hope we shall, but it would be obviously impossible for the machinery of international organization to be set up in the short time now available.

But to go on with the bill: It seeks to establish neutrality and peace, as I have tried to show you, and specifically in section 2 creates a flat, outright embargo on arms to all belligerents in any war. Section 3 is the real controversial

part which gives the President the right to put definite quotas on such things as he finds to be materials or products considered war necessities, on a basis of the annual average of the past 5 years. I am not, myself, very well pleased with this section, but the consensus of opinion is that since it was abnormal or increased business that got us in the last war, that if ordinary business is held to normal no one can complain for loss of it at home, nor can a foreign nation complain. Besides, the other sections of the bill rather fully protect us, especially due to the fact that in sections 9 and 10 loans are automatically forbidden to belligerents upon the outbreak of war, and no extension can be granted on commercial credits. These sections comply with the Securities and Exchange Commission and Federal Reserve Board laws and regulations. It can be safely said that if this law had been in effect before the World War that we may never have gone in it; certainly, however, it is safe to say that with this law we will have better chances to stay out of any present or future war.

The point is, a belligerent could not go very far if we stop the flotation of loans, and do not allow any extension over the first 90 days or 6 months of credit. Other sections concern the prohibition of American vessels from proceeding to belligerent ports, or travelling in hostile waters; certain prohibition of travel; and the power of the President to forbid the departure of vessels from our ports and to restrict our ports from the use of submarines, or the misuse by foreign nations of our flag in shipping.

Well, Mr. Speaker and colleagues, you just about have the picture. The prospects for the enactment of a satisfactory law on neutrality look good. Let us work together to that end.

And for the Nation as a whole, let none of us get excited, nor lose our tempers, but be patient and sensible. Remember, if war comes, we are through, and civilization is through—finished. There is nothing to gain in war—and everything to lose. Since all we can possibly gain is suffering, misery, and death, let us fight for neutrality and peace.

THE FARMER'S ENEMY

Mr. FISH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including an article on the Constitution and the Supreme Court written by Senator WILLIAM E. BORAH.

The SPEAKER. Is there objetcion to the request of the gentleman from New York?

There was no objection.

Mr. FISH. Mr. Speaker, under leave to extend my remarks in the RECORD, I include an article by Senator WILLIAM E. BORAH, of Idaho, from Collier's Magazine:

[From Collier's for Feb. 1, 1936]

THE FARMER'S ENEMY

By WILLIAM E. BORAH, United States Senator from Idaho

Where is the American farmer to find the market upon which alone depends his permanent prosperity? Is there a market? If so, where is it?

Whatever virtues there were in the Agricultural Adjustment Act as an emergency proposition, it did not seem to me a permanent solution of the tragedy of the American farm.

Mr. Freestone, the able master of the State Grange of the State of New York, according to the press, recently stated: "We hope that some of the experiments sincerely made in the cause of agriculture will be successful, but in the long run, on a permanent basis, government cannot save agriculture. * * * When the present emergency is over * * * when the end of experimentation comes, the organizations (farm organizations) will see new opportunities to grow in the service of agriculture."

This, I suspect, represents the views of the vast majority of the American farmers.

Notwithstanding the hog vote, the wheat vote, and all other votes, the farmer does not like regimentation. He takes it because it is the only help that has been offered him in an almost indescribably distressing situation. Those who picture the farmer as anxious to let his acres lie idle and wait for his check, in my opinion, know little about his real views. He is less in love with bureaucracy than anyone in the United States. Instinctively he wants to run his farm which his own industry has carved out of perhaps a desert; he wants to enlarge and to improve. He likes to add to his acreage, his herd; and he rejoices to see things grow—"multiply and replenish the earth."

But he had seen the debenture which the Grange had urged for 50 years killed. The Tariff Act of 1929, as it passed the Senate, provided for the issuance of debenture certificates to farmers exporting farm commodities equal to the amount of the duty upon such commodities.

These certificates issued to the farmer exporting his commodities were to be redeemed by the Secretary of the Treasury under proper rules and regulations. He had seen the pledge broken by which he was to be given equality of treatment under the tariff. He had seen his dollar, when measured in the commodity of his production, cut in half, and his taxes, interest, and debts in the meantime increasing. So he consented to reduce acreage and to kill his pigs—something which he deplores far more than do those who criticize him for doing so.

FORCED TO REGIMENTATION

Give the farmer a fair market—a market in which he can realize the cost of production with resonable profits—and he will return the check, take back the idle acres, fight for the life of his pigs, and chase away the first representative of bureaucracy appearing at his barn gate with a pitchfork. But until he is given a market he must take regimentation in order, as he hopes, to save his farm, his home, and afford a chance in life to his children. You cannot blame him for accepting the only program offered, however distasteful it seemed, to afford, as he feels, a chance, if not to pull through, at least to exist.

It is a truism, of course, to say that prosperity for agriculture depends upon an enlarged market. But it is a truism which is greatly disregarded. Refinancing of farm indebtedness is, of course, important. Reduction of taxes and cheaper freight rates are likewise important. But the fundamental and determining factor is that of increased and increasing demands for the products of the farm. Can this demand be created? Can this market be found? The demand is at hand; that we know. I feel the market can be made available. And, fortunately, in making this market available we will at the same time be serving the cause of humanity and strengthening our entire political structure. In other words, insofar as we serve the cause of social justice we serve the cause of agriculture by furnishing a market.

WE CAN'T LOOK ABROAD

It appears doubtful whether we shall realize anything like what we seem to hope for in the matter of a foreign market. Everything indicates we are not going to find any considerable demand abroad for our agricultural products. I do not mean to say that we should not by all practical and reasonable means seek to enlarge our foreign market. And to this end the debenture system will probably be of more service than anything which has been suggested. But at best the foreign market will take care of a very small percentage of the products from the farm. In normal times only about 18 percent of farm income is represented by exports. We may not be able to maintain even that percentage.

We know that it has been the policy of all nations, particularly since the World War, to increase all agricultural output. It is estimated that some 50,000,000 acres have been put under cultivation since the armistice. Backward countries with fertile soil and abundance of cheap labor are supplying and building up production to such an extent that it not only reduces the demand for American products but actually threatens to invade, in fact is invading, our domestic market. It would seem that the only market for the American farmer is here in the United States, at his very door. And it seems to me that under a sound economic system that market is ample to insure, in connection with a fair system of refinancing farm indebtedness and a just tax policy, return of prosperity to American agriculture. I say a return of prosperity. The time has been so long that perhaps I should say insure prosperity to American agriculture.

I suppose we ought to gage our farm problem by normal years rather than years of depression. It would greatly simplify the problem if it should be ascertained that in normal years the farmer was prosperous or even fairly prosperous, and that his trouble came only with the general depression. But if we ascertain that in so-called prosperous years we still had a most serious condition on the farm we will be able better to determine the seriousness of the problem, the nature of it, and possibly the solution of it.

What are the facts? The present income of the farm is about $7,300,000,000. It has been augmented since 1932 to the extent of about $1,963,000,000. I am not now subtracting anything by reason of increase in the price of the things the farmer must buy. For the purpose of this article, we may credit the income with the full amount above indicated. But here is the real problem—not how much we have been able to add to an impossible minimum such as that of 1932, but what have we done or can we do to add to the income to which I now call attention. In 1928–29 the income of the farm was $11,941,000,000. The relevant question, therefore, is, What was the condition of agriculture at the time it had an income in excess of the present income to the extent of $4,641,000,000?

A PROBLEM WE'VE ALWAYS HAD

The income, in other words, at the present time of the American farm is about 63 percent of the average income from 1923 to 1929. The question, therefore, is, Did this income bring prosperity to agriculture during these years? If not, can we hope to bring prosperity by curtailing production, or shall we look for enlarging and increasing markets? We know that during the years from 1923 to 1929 mortgages were increased and enlarged and foreclosed. Tax sales in agricultural regions were common. At the Republican convention in Kansas City in 1928 the farmers marched in a body from adjoining States to make known their distressed condition.

Our farm problem did not come with the depression. It was here in a most aggravated form during the years which have been designated as years of prosperity. If the trouble on the farm had commenced with the depression, we might well hope that when we get back to the "favorable" condition of 1929 the farm problem will disappear. But it will not disappear under circumstances similar to those years. In fact, I ask when has there been prosperity on the farm during recent years except in times of war or in case of crop failures on a large scale in other countries? It is instructive to go back over the history of agriculture and learn how rarely the farmer has been prosperous in recent decades except when war or famine gave him a market. The farm question has its roots in conditions other than those superinduced by general depression.

It will not be contended that from 1923 to 1929 the farmer was at fault. He had produced and was prepared, assuming the American people could buy, to feed the American people, pay his taxes, high as they were, pay his interest, high as it was, reduce his mortgage and, keeping step to the music of the seasons' change, reseed and replant his acres. Assuming that the American people could buy! But, badly as many needed to buy, they could not buy. A proud, strong people were by the millions without the means to supply their tables with more than the bare necessities of life, and millions more were not able to provide even the bare necessities of life. The farmer had not overproduced, measured by the needs of the people; he had not curtailed production or limited output; he had not, through agreements, fixed the price of his products. He had gone forward and produced sufficient to make comfortable all the people of the land and in doing so had discharged his full duty to himself, to humanity, and to his country. No family need go unfed and no child go undernourished on account of the failure of the farmer to produce. And yet he was producing for a people, taken as a whole, with a fabulous national income. The trouble was, this income had been so distributed that 80,000,000 people must confine their purchases to the bare necessities of life and 50,000,000 be satisfied with far less. Here is where the difficulty arose.

A LIBEL ON CIVILIZATION

It now appears that if from 1923 to 1929 all the families in the United States had been able to purchase sufficient to bring them up even to the standard of bare necessities, our practical capacity production in this country would not have been sufficient to meet the consumptive demand. It would seem, wittingly or unwittingly, that the farmer was producing on the theory that every family in the country would have at least the bare necessities of life. Thus this economic crisis in the life of the farm has not only revealed the tragedy of the farm but the tragedy of the Nation, to wit: must we submit and be reconciled to the cruel and enigmatical theory that the natural, normal workings and processes of economic system lead inevitably to meager existence for the millions and incalculable plenty for the hundreds? Must we accept that as the normal, modern civilization for which we have been striving? It seems to me a libel upon civilization. There can be no basis in reason or in justice in 20 percent of the income-earning portion of our population enjoying 98 percent of its savings, leaving the balance, 2 percent, to be divided among the other 80 percent of the population. Such is not an orderly, natural result of modern civilization but a result brought about through practices resting at last upon nothing less than extortion and violence.

With anything like an equitable distribution of our national income, with such a distribution as would have naturally followed had there been no use of unfair and illegal practices, there would have been no distress on the farm. But there was distress on the farm, and there will be until a more equitable distribution takes place. There will not only be trouble ahead for agriculture but profound trouble for all, as there is at this present time. Such conditions simply cannot continue. And the more debts we incur, the more taxes we impose in an effort to counteract the effects of such inequity, the deeper grow our troubles. It is an old story that the righting of such wrongs must come through the initiative of those who suffer. It never comes from those unacquainted with the discipline of want or the wisdom acquired through self-denial.

THE SOURCE OF TOWNSEND'S STRENGTH

Things are happening under our very eyes which ought to be a warning that these conditions cannot continue. Perhaps the most extraordinary social and political movement in recent years and perhaps in our entire history is the Townsend old-age-pension movement. Within a few months, so rapidly have the teachings of this movement taken hold in the minds of the millions of the people that they now seem to have the balance of political power in a number of States and are boldly bidding for national control. I am not about to discuss whether the scheme is sound or practicable but am considering it only as a barometer of the feeling of a vast number of our law-abiding people. The proposal could well be entitled "Townsend's plan for the redistribution of purchasing power." It is not merely a plan to secure a pension for the aged. These elderly people are in fact to be made the agents to accomplish a much broader and more fundamental thing.

And that fundamental thing is, as they contend, the restoration of purchasing power to the masses. It is their contention that the plan, if put into operation, will bring about an equitable distribution of the national income. This, in my opinion, is the driving, impelling thought behind this movement. Regardless, therefore, of the method, which you may reject as impracticable or unworkable, the movement derives its great strength from the resentment which so many feel and which resentment the movement has summoned to its support.

There is something radically wrong. The basis upon which rests our constitutional scheme of government is that for every wrong there is a remedy. If the concentration of wealth, on the one hand, and the spread of distress, on the other, should continue to develop along the same lines for the next 50 years as it has developed during the last 50 years, just what would be the status of American institutions? We might still call this a republic, but it is doubtful if we would even pay that tribute of respect to republican institutions.

NO MAGIC IN TAXING

In dealing with this problem there are some things we cannot do. We cannot confiscate and we ought not to repudiate. We cannot take the property of A and turn it over to B, C, and D. And if we did so under our present system A would soon have it all back again. We cannot distribute wealth or establish equitable income through the process of taxing power. Assuming that by such methods we could break down large estates, no substantial benefit would flow to the people. The sums gathered through taxation stop at bureaus and would be consumed by unnecessary officials, resulting in mere extravagance and waste. The distribution would get very little beyond the demands of those operating the Government. Taxes should be levied solely for the purpose of taking care of the necessary expense of the Government.

I fully understand that when you come to discuss the concentration of wealth and the monopolistic practices or methods by which it has been brought about and by which it is maintained, it is argued, and with an air of divine finality, that you cannot turn back the clock. For myself I am not proposing to turn back the clock. I am not proposing to take from anyone the fruits of industry, of ability, of genius. If through superior ability a better article is made, if through greater efficiency a business wins its way to the market, no one has a right to complain. On the other hand, that is in the interest of consumers, provided the way is still open to compete on the basis of merit and efficiency. The people get the benefit of a better article at lower prices; and the channels of trade remain open to those who may still further produce better articles at lower prices.

GETTING THE BENEFIT

This principle has been well illustrated by the motor vehicle industry. When the depression was at its worst this industry was at its best in many ways. Its engineering and experimental departments took on new life. They did not get together and agree upon prices for the same old cars. They did not come to the Congress begging for subsidies. They devoted their efforts to solving their problems in the open field of competition. The result was the companies won out and the people got better cars at lower prices. Under a monopolistic regime, under a price-fixing agreement, under a price-fixing combine the companies might have pulled through, but the public would have been riding around in the same old singing "Lizzie" at perhaps a higher price. It is in the field of competition that industry and genius win and the people get the benefit of the victory.

Justice Brandeis (before he became a member of the Supreme Court) declared that: "Experience has taught us that competition is never suppressed by the greater efficiency of one concern. It is suppressed by agreement to form a monopoly or by those excesses of competition which are designed to crush a rival. . . . No business has been so superior to its competitors in the process of manufacture or of distribution as to enable it to control the market solely by reason of its superiority. There are no natural monopolies in the industrial world."

QUESTIONS OF ETHICS

Is it turning back the clock to say that in the business world there shall be no squeezing out of a beginner, no discrimination against retailers who buy from a rival, no holding back of raw material, no secret agreements or arrangements against a rival, no threats against concerns who sell supplies to a rival, no agreement to impose prices upon the people regardless of the value of the goods sold? Is it turning back the clock to say that thuggery is as intolerable on the highways of commerce as it is on the highways of travel? Have we reached the point where it can be said that overreaching or illegal practices under a corporate charter are less amenable to law and the public interest than over-reaching or illegal practices at the country store?

TOWARD PERMANENT RECOVERY

If capitalism is going to insist upon a code of conduct free from all principles of fair and honest dealing, if it is going to insist that the creed of the underworld, where cunning and deceit and ruthlessness and finally extermination are recognized as the law of life, shall be and must be the rule of capitalism, we must be prepared to meet the question of state socialism or even communism. I venture to prophesy that the people will not indefinitely permit private interests to fix prices either directly or indirectly. If they are to be fixed, they will be fixed by public authority. If capitalism has nothing to say in the way of a more equitable distribution of the earnings of capitalism, if it is going to insist that widespread poverty in the midst of incalculable wealth, that denial of the comforts and conveniences of the modern world for the majority of the people are natural and inevitable, then capitalism must be prepared to fight for its very existence.

But is all this true? Are these things a result of natural and normal development? It does not seem to me to be so. Monopoly

does not exist as a result of natural growth. It is a result of practices which between man and man no one would defend, practices definable in the law and punishable by law and enforced at little cost when compared to the cost and exertion put forth in an effort to counteract the effect of monopoly. It is much easier to define or specify those practices by which vast aggregations of economic power have been built up than it is to define or specify the practices by which the professional racketeer preys upon the public. Woodrow Wilson once declared: "I take my stand absolutely on a proposition that private monopoly is indefensible and intolerable. Any decently equipped lawyer can suggest to you statutes by which the whole business can be stopped."

We come back to the point from which we started, and that is the first primary step toward permanent farm recovery—the restoration and maintenance of farm prices for farm products. To do that a market must be found. Louis J. Taber, master of the National Grange, speaking at Sacramento, Calif., November last, declared: "There can be no permanent recovery and no return to prosperity until we increase mass purchasing power, until we raise our standard of living, and until there is a better and broader distribution of the wealth we all create. Real Americans have no desire to take away the property that honestly belongs to others. But red-blooded Americans demand for every man that is willing to work the right to acquire the comforts of life."

AN EXCLUSIVE MARKET

The market which we must have is not in Europe nor anywhere else in the Old World. Those markets are ours only upon a very limited scale. It is here in the United States, in the homes of millions of common people, that our markets must be found. And they can never be found until we restore purchasing power to these people. You can never restore purchasing power while private interests through combinations and agreements fix prices. The farm purchasing problem, therefore, has its roots in the most profound problem in our whole social structure.

I conclude by saying that it would seem beyond debate that this home market belongs exclusively to the American farmer to the full extent of his ability to supply it. There can be no sound argument, it would seem, to support the contention that this market is to be divided with foreign producers so long as the American farmer is anxious and able to supply our demand.

THE MOST URGENT DEMAND

If it be said that we must let in foreign farm products in order that we may find a market for our manufactured goods, the answer seems to me to be that the finest market in the world for the American manufacturer is prosperous American agriculture. The farmer is the best of buyers when he has the means with which to buy. His fences, his barns, his granaries, his home, and the clothing and schooling of his children, so long in need of what the American manufacturer has to sell, constitute the most urgent demand anywhere to be found.

Thomas B. Reed once said: "If we propose to abandon any industries, we had better not let it be the agricultural industries. Our system of protection is not for manufacturers alone. It is for farmers also. Whoever deprives our farmers of all the American market they can occupy is false to his principles and must meet with defeat, or the system must be surrendered which proclaims that American markets are first of all for American citizens, who are engaged in developing the country we already have."

THE TOWNSEND PLAN

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including a few remarks I have made on the Townsend plan.

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

There was no objection.

Mr. HOFFMAN. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following statement made by me with reference to the Townsend plan:

[From the Allegan Gazette of Dec. 19, 1935]

HOFFMAN REVIEWS THE TOWNSEND PLAN—EXPOSES ITS FALLACIES AND INIQUITIES—THOUSANDS TRY TO COERCE CONGRESSMEN—WILL NOT STAND IT—MAN AND WIFE EACH COULD DRAW $200 EVERY MONTH

A recent publication of a Nation-wide movement carried this statement: "It is now the open hunting season for Congressmen."

Evidently the author of this statement has not been reading the daily papers the last few years. Since the time of Edward Larue Hamilton, who so greatly honored this district, who was a statesman, and one of the last who had opportunity to be such without being continually beset by organizations of his district, more and more Congressmen have been, in the most humiliating sense of the word, servants of their districts.

But the situation has changed far beyond that where a Congressman is permitted to represent his district having in mind his country. Today and for some years past he has been an errand boy of special groups, cajoled or threatened, as a particular group might consider most advantageous to their own interest.

The process has continued and spread until he not only receives requests, demands, and threats to do, or to refrain from doing, a particular thing, from organizations and groups but from individuals who presume to tell him that he now represents the writer or the speaker, and that unless he acts in accordance with that writer's or speaker's demands he will not be returned to office.

Today some farm leaders insist that the benefits conferred by the A. A. A. are but protection similar to that afforded manufacturers and labor by a protective tariff. In part he is right; in part he is in error; for the check laid upon the table of the farmer for not producing hogs, corn, wheat, or any other product is a direct and immediate payment, which does not prevent foreign competition; which rather, in view of recent figures, increases that competition and results, not alone in a higher price to the consumer, as does the protective tariff on manufactured articles, but it results in a scarcity of the things the consumer eats, wears, and uses.

There is a silver group in Congress which insists that the United States Government purchase silver at a price above the world market, and this upon the theory that silver is necessary to maintain the monetary system of the country.

Just why your money and mine should be used to purchase silver metal at an exorbitant price; that is, at a price above its market value, is a thing which I have never been able to fathom, although I clearly understand why western silver producers are in favor of such a program.

And so the list of those seeking special benefits, special privileges, might be extended almost indefinitely. I might refer to the loans which were made upon cotton which gave to the cotton growers of the South an immediate and indefinite advantage over the producers of any other agricultural product.

Attention might be called to the fallacy of these various schemes by pointing out that we have lost the foreign cotton market, that we have lost our foreign market for agricultural products, while at the same time we have failed to bring about prosperity.

The demand that a Congressman vote for appropriations is almost irresistible and, if he yielded to all of these demands made by each particular group, the staggering total would throw us into immediate bankruptcy.

It was in the closing days of the Congress when bills for the appropriation of money for this, that, and the other things was being put through without due consideration that JAMES P. BUCHANAN, a loyal Democrat from Texas, but who places country above party, arose and solemnly warned his Democratic colleagues that Congress had already appropriated $10,000,000,000 and that to continue meant disaster. It was he who more recently, consulting with the President, informed the Executive in no unmistakable terms that there must be a halt.

It is in Washington that the taxpayers' money is being poured out as though it were of no more value and were as limitless as the grains of sand along the shores of Lake Michigan.

If you consider, you will be shocked to learn that between the 31st day of August 1935 and the 31st day of October 1935, 26,169 employees have been added to the pay roll of the Federal Government.

You know, but you do not realize, the effect of the fact that in October alone 1,830 new employees or officials went on the Federal pay roll.

You do not have in mind that while the income of our country from 1930 until the end of 1932 dropped until it was a little above $2,000,000,000, expenditures increased from four billion to approximately five and one-half billion.

From the end of 1932 on, Government receipts gradually and consistently rose until they were, in the middle of 1935, approximately four and one-half billion, while expenditures increased from five and one-half billion to seven and one-half billion.

We forget that if a man earned $24 per minute it would take him 2,000 years to earn the money the Government has spent in the last 3 years.

With all this spending we now have sweeping over this country the grandest spending scheme of all, the so-called Townsend plan. Fired with a fervor similar to that of the religious fanatic, many of the subscribers to this plan believe it to be ordained of God as a device which will end poverty and suffering and bring about the millenium.

For those faithful souls, those honest citizens, who so sincerely believe, we all rightly have the greatest sympathy and charity. For those leaders who are profiting by this plan, who are collecting the nickels and the dimes—yes; the quarters—from those who, as a class, have the least of this world's goods, we should have but the greatest contempt and scorn.

All over this country—and I have in mind no particular spot—we have going about a horde of men lecturing, seeking office on a platform which includes the Townsend plan. These men are opportunists. They are capitalizing upon the strength of a great popular movement, a movement which has for its avowed object the highly laudable and justifiable purpose of alleviating suffering and increasing happiness, but which is impracticable and, as outlined, unjust and illegal.

Briefly, let us examine this plan, and that there may be no mistake, let me read from a petition presented to me as a Representative of the Fourth District:

"The undersigned citizens of the United States request you to introduce in the Congress of the United States at your earliest opportunity the following bills and use your utmost effort to obtain their passage into law:

"First. A bill obligating the Government of the United States to pay every citizen of said Government whose record is free of habitual criminality and who has attained the age of 60 years a monthly pension of $200 until the end of his or her life upon the sole condition that he or she retires from all further business

or profession for gain, and agrees, under oath, to spend the entire amount of the pension within the confines of the United States during the current month in which it is received.

"Second. A bill creating a Nation-wide Federal transactions tax calculated at a rate sufficiently high to produce the revenue necessary to meet the requirements of bill no. 1."

Here you have the first proposition; and now listen and tell me if there be a man among you who can honestly and conscientiously agree to the foregoing. Think! This is a request to pass a law to pay every citizen whose record is free from habitual criminality and who has attained the age of 60 years a monthly pension of $200 until the end of his life upon certain conditions.

This pension goes not alone to the needy of 60 years of age, but it goes to those who possess incomes amounting even into the millions, if they so desire. The man, the woman, who has sufficient to live upon in comfort and in luxury, under the terms of this law, would draw the $200 per month. Am I in error?

On the 4th day of February 1935 I sat in the committee room of the Committee on Ways and Means of the House of Representatives, composed of 21 Members, and I heard Dr. Townsend, the author of this plan, testify, under oath, as follows:

"Mr. HILL (member of the committee). Now, regardless of the income, from whatever source received, any citizen of the United States receiving that income, who is over the age of 60 years, would be entitled to the $200 per month pension.

"Dr. TOWNSEND. Yes. I agree to that.

"Mr. HILL. That would, of course, include the wealthy people as well as the classes of people all down the line, all the way down to those who are in a state of poverty.

"Dr. TOWNSEND (p. 685). We agree that the plan shall be nondiscriminatory and applied to all citizens equally.

"Mr. HILL. In other words, it would apply to John D. Rockefeller, Sr., to Henry Ford, to J. P. Morgan, as well as to a man who has no means or income at all?

"Dr. TOWNSEND. If they wish to acquire the pension under the provisions of the act.

"Mr. HILL. That is, they would be eligible.

"Dr. TOWNSEND. Yes."

On page 733 of the same record, Mr. Hudson, one of the experts produced by Dr. Townsend, and by whose side he sat at the time he was giving his testimony, was asked by Mr. VINSON, of the committee:

"Would you not include Mr. Andrew Mellon as a beneficiary under this bill, he being past the 60 years of age?

"Mr. HUDSON. Absolutely."

Yet the Townsendites tell me today—and they have been telling me for weeks past—that I was committing political suicide because I would not subscribe to a bill which, regardless of need or income, provides a pension of $200 per month to the wealthy, the well-to-do, as well as to those in moderate circumstances or in need—an outrageous demand which they have made upon me, which they make upon every Congressman; and their battle cry is, "An open hunting season upon Congressmen."

What magic is there in the figure of $200 per month? I have written to many of them, asking them whether they would not be satisfied with $50, $100, $150, $175; and many, many times the answer has been, "No; we want, we demand, $200 per month, and we propose to have it; and if we do not get it, we'll get a revolving Congressman; we'll get a Congressman who will give it to us."

What is the $200 to be spent for? Myself, 60 years of age, with a wife of equal age, we would be entitled, under the provisions of this law, if I merely practiced law as amusement or gratuitously to assist my boys, who are both with me, to $4,800 per year. Owning our own home in Allegan, with a garden, fruit trees, and a few chickens, we can easily live upon $800 and live in comfort. That would give us $4,000 to spend, and for what should we use it? Would we refuse to take it? Is that human nature? How many would?

All those eligible will take it, spend it, and, if they cannot use the things purchased, give them to others, thus lessening the purchasing capacity of those others.

This question of what the money should be spent for interested some members of the committee, and so Dr. Townsend was asked, and you will find this on page 687 of the record:

"Mr. HILL. I take it, of course, he would have to spend it in good faith, even though he spent it for luxuries. He could not go out and squander it in order to get rid of it, so that he may be eligible to receive $200 the next month?

"Dr. TOWNSEND. Why not? We do not care what he does with it. That is immaterial. Let him have carte blanche."

And church folk, members of religious organizations, you drys who are behind this movement (and remember always that, in Allegan County, I campaigned for the first local option and then prohibition), listen to the rest of his reply:

"Let him buy whisky with it if he wants to kill himself off as quickly as he chooses. That is immaterial. It is commerce—business—that we want in this country. We are not going to regulate people's morals in the least when we give them this money to spend."

So I am threatened with political disaster, as is every other Congressman who refuses to give to every person over 60 and who is not a habitual criminal, who is a citizen of the United States, $200 per month, provided he spends it each month.

In favor of an old-age pension, in favor of social security, yes; but in favor of accepting Dr. Townsend and his satellites as my political boss, no; never!

Unhappy indeed is the state of those Democrats, or, rather, those New Dealers, who have been characterized as rubber stamps and who are now, the country over, subjects of scorn and ridicule, lacking the respect of right-thinking citizens.

How contemptible, how lacking in manhood must be the man who will abrogate his right to think, to reason, to form judgment, and agree in advance in order to obtain office to follow the arbitrary direction of a man who lives in the other extreme of the United States; and adopt a plan which we know to be unfair, unjust, unreasonable, and unconstitutional, for any plan; and, mark this well, enacted into law, which does as does this plan, give to one group of citizens regardless of their need an arbitrary sum collected from another group, will never stand the test of the Supreme Court of the United States. It works hardship upon every other citizen who is not the recipient of its benefit. It collects from him a tax amounting to from 2 to 42 percent, for it is a 2-percent transaction—not sales tax, as is so often erroneously assumed.

A bushel of wheat the world around will produce a 48-pound sack of flour. By the time that bushel of wheat gets into the hands of the grocery man and is a sack of flour this plan of Dr. Townsend will add to the cost of that 48-pound sack of flour 10 cents; and this you will find on page 731 of the record.

Not only that, but if this plan goes into effect the farmer who grows the wheat and sells it must take out a license. Perhaps I do not know what I am talking about; but, certainly, Dr. Townsend must know his plan. Let us hear what he said—and you will find this on page 692 of the record:

"Mr. HILL. Suppose a farmer, growing wheat and livestock; he is engaged in the business of selling what he produces as well as in the business of producing these commodities. Would he have to take out a license?

"Dr. TOWNSEND. He certainly would have to take out a license. He is engaged in business—the business of producing commodities for foodstuffs.

"Mr. HILL. Any producer who produces for the purpose of selling products?

"Dr. TOWNSEND. Yes.

"Mr. HILL. Would have to take out his license?

"Dr. TOWNSEND. He would."

And so the farmer's wife who sells eggs, who sells cream, who sells butter, the farmer's boy who sells melons, each and all must take out a license; and each and all must contribute so that someone, whether he needs it or not, can have $200 a month.

Now, the easy way out of this situation for every officeholder, for every candidate for office, is, as it always is when beset by any particular group, to promise to agree to the thing desired whether that promise be made with intention to keep or to violate.

If to illustrate my point I make reference to our President, I ask the forgiveness of my Democratic friends.

In our little town there are a thousand or twelve hundred registered voters. It is said—and no doubt correctly—that at least 500 of them have signed the Townsend petition. That means political defeat to any man who does not agree to their proposition; and so, when I am asked whether I have promised to support the $200 pension at the next session, should not the answer be: "Why, of course; why not?" and accompany it with a wink, the wink meaning, of course, that there are certain reservations.

Might I not explain, "Promises are easy and necessary, but surely in this day and age nobody believes they are made to be kept. You cannot expect me to keep a promise if our President did not."

We all know what the 1932 Democratic platform contained. We all know that the President flew from New York to Chicago to stand squarely upon that platform and to proclaim before the world that he was 100 percent for it. We all know that practically all those promises have been repudiated, thrown into the wastebasket.

Yet the President's popularity, it is said, is undiminished; and why? Simply because he tells us that changed conditions prevented the fulfillment of those promises; and does anyone find fault? Certainly the farmer who receives the Triple A checks, the cotton growers, and all the other long list down the road have no complaint to make. Certainly those thousands upon thousands of new employees placed upon the Federal pay roll are not complaining.

Then, having given my promise, why should I not, to become the fair-haired hero of the Townsendites, as soon as Congress has opened, make a speech in favor of the Townsend plan? Why not with my colleagues join in passing the bill? Why not send it up to the President and have him approve it, and then say to the Townsendites: "Yes; we have done all we can. We have enacted your plan into law." Then, when someone brings it before the Supreme Court and that body declares it—as it will; as it must—to be unconstitutional, because it is unjust and not right, lay the blame upon the Supreme Court?

That is the plan that has been and is being followed—not by Democrats like Al Smith; John W. Davis; Albert C. Ritchie; Senator Byrd, of Virginia; Senator Tydings, of Maryland; Governor Murray, of Oklahoma; Governor Talmadge, of Georgia; Newton D. Baker, former Secretary of War; and Bainbridge Colby, former Secretary of State—but by the New Dealers, who, after all, as said by CARTER GLASS, are not Democrats but are New Dealers first, last, and all the time.

And another out for the Congressman is to support the plan, realizing that if prosperity comes, as ultimately it will, the people

will forget about the Townsend plan. That is the broad and the easy way which may lead temporarily to public office, to popularity; but is widely divergent from that straight and narrow road which one must follow if he retains his self-respect, and that is the road which I choose to follow, believing and willing to advocate and to work for any plan which promises security to old age which is reasonable and just, but declining emphatically and absolutely to subscribe to a theory which will work injustice, inequality, and hardship and which in any event must fail because of legal restrictions. These legal restrictions cannot be changed so as to permit of a scheme of this kind, because it is inherently unjust and unreasonable.

In the end, in the long run, our people are fair, they are honest, and they will not stand for oppression or for special privileges to any particular class.

A TREATY NAVY

Mr. BOLAND. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a radio address delivered by my colleague the gentleman from Pennsylvania [Mr. DORSEY].

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

There was no objection.

Mr. BOLAND. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following radio address of the gentleman from Pennsylvania [Mr. DORSEY] delivered October 26, 1935:

In November 1918 a grief-stricken and impoverished civilization, stupefied by the shock of war, turned weary eyes upon a scene of desolation and horror. The battlefields of the world were still crimson with the fresh blood of eight millions of dead. The floors of the seven seas were littered with the hulks of sunken ships manned by ghostly crews. Victor and vanquished alike were sickened of war and the thoughts of war. There existed a general reluctance among the masses even to think of a future conflict, together with a well-defined revolt against the machinery of war. Within the breast of mankind was lodged a solemn pledge that never again should humanity be subjected to the frightful horrors and stark tragedies from which the world had just emerged.

The war-ravaged countries which participated in the World War and those small nations living in eternal dread of powerful neighbors looked with hope upon any scheme designed to establish perpetual peace. As a man awakening from a drunken orgy reaches for a sedative, so these nations, large and small, grasped with eager hands the League of Nations plan of President Wilson.

Never before was man so ready to make a conscientious effort to reduce the instruments and to lessen the probabilities of war.

Despite such auspicious prospects, attempts to reduce the armed forces of the world met with dismal failure. Tremendous technical difficulties obstructed the path. Not only were the implements of war involved, but far-reaching economic problems, smoldering jealousies, and self-preservation were projected into the situation. These destroyed much of the idealism existent in the beginning, despite the well-intentioned efforts of the statesmen of the world.

President Harding, in 1921, realized the spirit then prevalent and hoped that the reduction of naval armaments would prove more susceptible of solution than had the problem of general arms reduction. He, therefore, invited the principal powers to participate in a conference for the limitation of naval forces. At the time this conference assembled, the United States, while still inferior to Great Britain in naval strength, had a definite head start toward absolute preponderance. The naval program of 1916 was well under way. The heavy armor and the mighty guns of the superdreadnaughts, which were to make this country supreme upon the seas, were already assembled in the navy yards. On the ways were being built 10 great battleships. The keels were laid for six swift and powerful battle cruisers, to be the largest vessels of war the world had ever known. Also, in course of construction were 10 light cruisers, as well as numerous submarines and destroyers—a tremendous embryo fleet in itself, which when completed and added to the ships then in service, would have definitely assured to the United States naval supremacy.

After months of preliminary conversations and weeks of bargaining, the Washington Conference was able to arrive at a partial solution of the vexing problem of naval disarmament. In 1922 the Five Powers Treaty was signed limiting the permissible total tonnage of capital ships, that is, ships above 10,000 tons, in the ratio of 5 for Great Britain and the United States, 3 for Japan, and 1.7 for France and Italy. No working agreement was reached restricting either the number or total tonnage of ships of 10,000 tons or less.

For the first time in history the powerful nations of the world had by mutual agreement placed a limit on the size to which their navies could be built, a limit heretofore bounded only by the size of the dockyard forges and the depth of the public purse.

Here was true cause for elation. Never before had such an unprecedented act of conciliation been laid on the altar of international good will.

But behind the altruism and the idealism was a background of shrewd international bargaining. It was a question of give and take, with the United States doing most of the giving. None of the conferees seriously doubted that in an unlimited naval race the United States would far outdistance the others. In its final analysis unlimited naval competition became a question of dollars and cents, with the United States holding the purse strings of the world. More than this, the glowing forges and continuous sound of rivet hammers in the shipyards gave abundant proof of a determination to win the race. Faced with inevitable defeat in such a competition, the other nations were determined to salvage for themselves such advantage as was possible. Japan was frankly loath to accept the apparent inferiority of the 5-to-3 ratio and consented only after the inducement of the Pacific nonfortification agreement was written into the treaty. Great Britain honestly bemoaned the loss of her historic preponderance at sea. Patriotic and conservative Britons felt that in some way the Empire could and should have found a method to overtop our partially completed 1916 building program.

As a result of this treaty, only 3 of the 10 battleships then building were completed and none of the mighty battle cruisers. Of the latter, two were converted into aircraft carriers, of which the United States at that time had only one, an old collier, converted for use as an experimental carrier.

The year following the ratification of the Washington Treaty, by which we renounced naval supremacy, President Harding issued a prophetic warning to the American people. He said:

"It is covenanted, in international honor, that our Navy shall retain the first rank, and any failure at retention must be charged to ourselves, because the world has deliberately acknowledged the righteousness of our front-rank position."

The years following brought forth a situation not contemplated by the treaty and yet not unpredictable. Restricted in larger vessels, foreign naval powers launched upon an intensive program of construction of fighting ships while American naval shipbuilding atrophied.

During the 8 years following the Washington Treaty the United States laid down 8 cruisers, 3 submarines, and no destroyers; Great Britain, 15 cruisers, 19 submarines, and 22 destroyers; Japan, 15 cruisers, 35 submarines, and 47 destroyers; France, 8 cruisers, 67 submarines, and 48 destroyers; Italy, 6 cruisers, 32 submarines, and 37 destroyers; or, expressed in total number of these 3 types of vessels which were not limited by treaty, the United States laid down 11; Great Britain, 56; Japan, 97; France, 103; and Italy, 75.

An attempt in 1927 at Geneva to extend the restrictions to all classes of naval vessels proved an utter failure. At Washington we lead in the race. By relinquishing that lead we achieved a partial success. At Geneva we lagged, but the leaders would not stop and wait for us.

Disarmament by example had proved an illusion. If there be today those who still believe in the efficacy of this method, let them but look at the standing armies of the world. Has our example deterred in the least the 12 countries with vastly larger armies? Did our failure to build to treaty limitation stop foreign naval building? In the light of recent events abroad, bold indeed would be the theorist who advocated further concessions to the exploded ideal of disarmament by example.

Following the fiasco at Geneva, Congress in 1929 authorized the construction of 15 cruisers. We dared not lag further in the race, but even had these vessels been completed we would still have been below the ratios established at Washington. These potential cruisers were considered abroad sufficiently significant to resume further negotiations for the limitation of naval vessels not formerly restricted by the Washington Treaty.

The following year, at London, an agreement was drawn up providing for limitation of naval vessels not previously restricted. Whereas at Washington, America led from strength, at London we followed from weakness. To none of the conferees were the compromises finally reached satisfactory. France and Italy rejected them entirely, America, Japan, and Great Britain reluctantly ratified the agreement only because it seemed preferable to no treaty at all.

Twelve years after the World War limitation of naval armaments of all categories had become an accomplished fact, at least among the three principal naval powers.

Four years later, in December 1934, Japan's denunciation of the Washington and London Treaties wiped out the fruit of all these labors. Unless by some unforeseen miracle the treaties should be renewed in a final conference, limitation of naval armaments will, on the 1st of January 1937, become only another experiment, noble in purpose but apparently impossible of enforcement. On that date, with all restrictions as to size or number of ships removed, maritime nations will be free to build, each to its concept of its own peculiar needs.

What, then, shall we do with this new-found freedom? What will others do? Will 1937 mark the beginning of a new post-war naval race?

For others we cannot answer, but for ourselves these questions demand an immediate answer, an answer based on sound decisions, not of the moment but for the long years to come.

Greatness in arms and authority in council are not achievements of a season's growth. The diplomatic problems of the day may yield to the solutions of the day, but our naval position, once lost, cannot readily be regained. No millions of citizens springing to arms can replace the sure bulwark of a permanent fleet. Failure to maintain an adequate navy would be a folly to be equaled only by engaging in unrestricted building competition. For America the pathway leads along the firm middle ground. So long have the present relative treaty positions existed that they have come to be regarded as a fixed structure of naval policy, and it is along this established treaty level—no more, no less—that our future points.

Fortunately, we are today headed toward this goal. Disarmament by example, during the post-Washington Treaty period had reduced our Navy to such a point that at the London Conference one of the American delegates was astonished to find how "hopelessly inferior" was the American Navy.

When the present administration came into power in March 1933 our President announced as his policy "To build the Navy up to treaty strength", and with characteristic energy and ability proceeded to carry out his announced policy. He faced a Herculean task—to remedy the neglect of 12 long years was not a task to be lightly undertaken. Though much remains yet to be done, today the end is in sight.

The Congress wisely provided in the Vinson-Trammell bill not only for building the Navy to treaty strength but of more importance still for maintaining it there. Under the provisions of this bill the Navy will by 1942 have attained full treaty strength. It behooves each peace-loving American citizen who, with an abiding faith in the righteousness of our cause, believes that an adequate Navy is a sure shield behind which we may rejoice in the isolation of our position and in our aloofness from foreign embroilments to give active and wholehearted support to a "Treaty Navy, fully manned and fully ready."

THE MONEY SYSTEM

Mr. GOLDSBOROUGH. Mr. Speaker, I ask unanimous consent to extend my own remarks by inserting an address delivered by me at the Seventeenth Annual Convention of the American Farm Bureau Federation in Chicago on December 10, 1935.

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

There was no objection.

Mr. GOLDSBOROUGH. Mr. Speaker, under the leave to extend my remarks in the RECORD I include the following address delivered by me at the Seventeenth Annual Convention of the American Farm Bureau Federation in Chicago, Ill., on December 10, 1935:

When I received from your president, Mr. Edward A. O'Neal, your invitation to speak at this gathering I immediately told him how glad I would be to be with you all and discuss with you matters of national interest.

Mr. O'Neal told me to talk about "The honest dollar", and before I begin to discuss the subject I want to warn you in advance that everyone who talks about money thinks that he or she knows all about it.

The different opinions about what should be done remind me of the occasion when Isadora Duncan, the famous Russian dancer, wrote a letter to George Bernard Shaw, the distinguished social philosopher. Miss Duncan, beautiful in form and feature, wrote Mr. Shaw, angular in form and plain of feature, suggesting that they marry and have a child, and that this youngster, with her magnificent body and his wonderful brain, would be the most remarkable child ever born. Mr. Shaw answered the lady and thanked her very much for the compliment she was apparently attempting to pay him, but suggested that she consider the possibility that if they married and had a child it might have his body and her brain, and what a mess that would be.

There is another class who realize that there is something wrong with our money, who realize that great social injustice is being done, but who, not realizing that they are suffering from the injustice, dismiss the whole matter from consideration. This latter class calls to mind the prosperous individual who was being solicited for assistance by a man with whom he had been raised, with whom he had been to college, and who was his fraternity brother. After hearing a part of his companion's despairing statement, he called in two of his servants, and, bursting into tears, said to them, "Throw this old so-and-so out. He's breaking my heart."

Our unsocial national money system dates from the first issue of Government bonds in 1790, which was the forerunner of the First Bank of North America, organized in 1791, but in the last 5 years, owing to our money system, a condition has existed for which there is no historical precedent.

From earliest infancy we have all been told to believe that there is always employment of some kind for anyone who is willing to work. We have been led to believe that idleness was always voluntary and never necessary, and that those who were not employed in some sort of gainful occupation were simply lazy and worthless.

In the last 5 years we have learned that conditions can make gainful occupation impossible, that, however willing, energetic, intelligent, and well prepared an individual may be, conditions may be such that it is absolutely impossible for the individual to obtain any sort of gainful employment.

The youth of America for 150 years has had emphasized to him or her the opportunities for American youth. The Constitution of the United States has been blazoned to the world as the greatest document ever struck off at any time by the mind and for the purpose of man. Our capitalistic form of government has been held up as a model of equal opportunity and of inducement to every individual to give the very best that is in him.

In the last 5 years, the youth of America have begun to wonder: "We were born in the land of vaunted liberty and justice and equal opportunity. We have worked hard in an endeavor to prepare ourselves to be useful citizens of the Republic. Our parents have denied themselves to give us this opportunity, but we find it does not exist. We find there is nothing for us to do. We discover that unless we inherit a livelihood there is nothing we can do except possibly become hangers-on in some Government bureau."

I believe I have as close contact with young men and women as most people my age, and I say to you that if our capitalistic form of Government is to be saved, conditions must be permanently changed in the matter of economic opportunity.

I shall not this afternoon attempt an historical analysis of our monetary system. It suffices to say for the purpose of this discussion that our primary difficulty is lack of money, money being anything that facilitates the exchange of goods and services. You see daily in the great metropolitan papers that the banks are filled with money. The banks are not filled with money. There is a shortage of money everywhere. What substantially all of the banks have is the right to extend bookkeeping credits. The total capital, surplus and undivided profits of all the banks in the United States is less than $7,000,000,000. In order to have any sort of business activity there should be at least $60,000,000,000 in circulation, and the only way, under our system, that we can get $60,000,000,000 in circulation is for the banks to exercise the right they have under an unconstitutional law to create out of nothing in bookkeeping credit nine times the actual cash which they possess. How many of our people know about this? Of the 126,000,000 or 127,000,000 of the citizens of the 48 States of this Union, possibly not 2,000 understand the money system under which this country is in subjugation.

The framers of the Constitution of the United States, acquainted as they were with the curse of the private control of money which had afflicted Europe for hundreds of years, placed in the Constitution of the United States the provision that Congress had the right to coin money and regulate its value. A tremendous battle ensued between the international bankers and Alexander Hamilton on one side, and Benjamin Franklin, Jefferson, Madison, Adams, and others on the other side, the Hamilton group endeavoring to set aside the constitutional provision and the Franklin group standing for the constitutional provision. To the eternal misfortune of the United States, Franklin passed away before the issue was decided, and Jefferson and his allies were not strong enough to stand out against Hamilton and the international bankers. The immediate outcome of this battle of money was the first issue of Government bonds, resulting in the first creation, nationally, of banker's money, and in the establishment of the First Bank of North America, a private organization, just as was and is the Bank of England, the Bank of France, and the other European central banks.

If the people of this country knew that nearly 95 percent of our money is created by bank debt, and that the banks, by increasing debt to them, can expand the currency, and that by collecting debt from them, can deflate the currency, our system would not last any longer than a special session of Congress could be called to repeal the present law. International bankers control the press, they control the universities, they control the colleges, they control the high schools and the grammar schools, so that no real, vital information about the money of the country ever gets to the people, and none of the real reasons of significant historical happenings ever get into a schoolbook.

From my earliest recollection, I have wondered why practically all business was conducted on credit. It is, of course, because our money is the result of a debt. It is because the more business we do the greater the debt must be.

The other day, when reading an editorial in one of our most conservative newspapers, I ran across the statement that "Most economists agree that a nation cannot emerge from a depression until it has written off the excessive burden of debt accumulated during the preceding period of prosperity." This means that the only thing we can possibly have is never prosperity, but what seems to be prosperity, until debt, accumulating faster than production, finally creates a panic among bankers which results in their demanding payment of debts due them, which, in turn, wipes out the bank bookkeeping money of the country, and results in the dumping of all sorts of property on the market and the wiping out of values, which, in turn, after causing untold human desolation and misery, enables this group of international bankers and their allies to absorb the accumulated wealth of the country at their own price.

No one admires the magnificent efforts of the present administration more than I do. The program made toward the rehabilitation of our people has been a miracle. The magnificent courage of the head of the admiinstration against what at first seemed hopeless odds must inspire everyone with the most profound admiration. Great progress has been made in the last 4 years toward destroying the illusion of the necessity of a gold standard, or, for that matter, of any metal standard. Great progress has been made toward an understanding of the fact that money is not wealth, but simply a means of carrying the production of the country to the consumers of the country. Great progress has been made in an understanding of the fact that those who deal in the people's medium of exchange for their own advantage are public enemies. All this I can see clearly, and with a feeling of great pride, but I say to you, my fellow citizens, with all the earnestness and sincerity of which I am capable, that this country can never have even the temporary prosperity of which it is capable, and can never have permanent prosperity, until we do away with a system controlled by private interests which can create or destroy the medium of exchange at its own will, or which medium of exchange is created by the mental attitude of the people.

In the summer of 1933 a statistician and economist, whose name is almost a household word throughout the length and breadth of the civilized world, made a speech at the Century of Progress Fair at Chicago. He stated that the country owed debt, public and private, of some $200,000,000,000, that the country had a tremendous productive capacity, and that if we all became thrifty and behaved ourselves we could pay off $25,000,000,000 of this debt in a year, and that the country would be free of debt in 8 years. He entirely lost sight of the fact that under our system, as the country's debt was paid, the money of the country would disappear, and that as the money of the country disappeared prices would fall, laborers would walk the streets unemployed, and farmers would burn their crops to better advantage than they could market them. I knew this gentleman very well, and I wrote him a letter and asked him what, under our monetary system, the people would use for money when the debts were paid. He wrote back and said he had not thought of that.

From 1930 to 1933, owing to the destruction of bank debt, the people's medium of exchange fell from 55 billion to 37 billion. Eighteen hundred million of bank deposits wiped out, not because the money was lost in the sea, not because it was buried where no one could find it, but simply because, under our system of private control of the medium of exchange and the creation of money by bank debt, the collection of debt due banks resulted in a destruction of the medium of exchange, which, in turn, destroyed the value of all property of every kind and character and caused universal destruction, universal chaos, and universal despair.

If it requires, we will say for illustration, $60,000,000,000 to transact the business of the people of the United States, this $60,000,000,000 can be created by the payment of the national debt with new money and by confining the banks to loaning the money they actually have. Such a proceeding could be taken without any so-called inflation.

If this happened, if there were actually in existence $60,000,000,000 to transact the business of the country, you could never have any inflation, you could never have any deflation, because that money would always be in existence somewhere and could not be taken out of existence by anybody. Of course, a part of it might become concentrated in certain hands, but by reinvestment it would go back into circulation and thus prevent a contraction of the currency.

I am not now attempting to discuss certain other factors which even under a constitutional money system would ultimately have to be taken into consideration. We are living in an age where machines have made unnecessary human labor to a very great extent. The greatest civilization in many respects that the world has ever known was the Grecian civilization. The philosopher Aristotle dominated the human mind for nearly 2,000 years until Francis Bacon, with his pholosophy of inductive reasoning, divided with him the realm of philosophic thought. All modern logic, the fundamentals of modern mathematics, the models of modern oratory, the patterns of modern prose and poetic literature are based on the Grecian form. Greece had a great leisure class, a class which did not have to labor for its daily bread. To this class modern civilization is indebted for the glories of which I have spoken. But that class and that country decayed, and it decayed because its civilization was built upon human slavery. We have an opportunity to build a civilization, energetic, imaginative, wonderful, which in turn will not have to struggle and strive by uncongenial labor for the bread and meat to sustain its life, and we have the opportunity to create that civilization and sustain it, not on human slavery, but on machines which will serve all humanity. A consideration of ways and means to bring about this condition is not, as I said before, within the purview of this discussion.

Going back to our original theme, statesmen must realize that a money system, to function properly, must recognize the laws of physics, not misuse the laws of psychology. The total quantity of money should bear a scientific relation to the volume of consumer goods which the Nation has produced and has available for distribution. The system of money which increases or diminishes at the will of bankers or because of the excitement or despair of individuals must be destroyed.

Europe never had a greater statesman than Prince Bismarck. He realized the socially destructive influence of our National Bank Act of 1863. He is noted as having said to a fellow German, Conrad Siem, "The division of the United States into federations of equal force was decided long before the Civil War by the high financial powers of Europe. These bankers were afraid that the United States, if they remained in one block and as one nation, would attain economic and financial independence, which would upset their financial domination over the world. The voice of the Rothschilds predominated. They foresaw tremendous booty if they could substitute two feeble democracies, indebted to the financiers, for the vigorous Republic, which was practically self-providing. Therefore, they started their emmissaries in order to exploit the question of slavery and thus to dig an abyss between the two parts of the Republic. Lincoln never suspected these underground machinations. He was against slavery, and he was elected as such. His character prevented him from being the man of one party. When he had affairs in his hands he perceived that these sinister financiers of Europe wished to make him the executor of their designs. They made the rupture between the North and the South imminent. The masters of finance in Europe made the rupture to exploit. Lincoln's personality surprised them. His being a candidate had not troubled them; they thought to easily dupe the wood cutter. But Lincoln read their plots and understood that the South was not the worst foe, but the financiers."

In 1872 Horace Greeley wrote his opinion of the National Bank Act. "We have stricken the shackles from 4,000,000 human beings and brought all laborers to a common level, not so much by the elevation of the former slaves as by practically reducing the whole working population, white and black, to a condition of serfdom. While boasting of our noble deeds we are careful to conceal the ugly fact that by our iniquitous money system we have nationalized a system of oppression which, though more refined, is not less cruel than the old system of chattel slavery."

At the time when Lincoln was struggling to set up a money system as provided by the Constitution of the United States, fear was expressed that the United States would establish an honest money system and be forever free from the clutches of the international bankers. The London Times, that backbone of reactionary England, said, "If that mischievous financial policy, which had its origin in the North American Republic during the late war in that country, should become indurated down to a fixture, then that Government will furnish its own money without cost. It will pay off its debts and be without a debt. It will have all the money necessary to carry on its commerce. It will become prosperous beyond all precedent in the history of the civilized governments of the world. The brains and the wealth of all countries will go to North America. That Government must be destroyed or it will destroy every monarchy on the globe."

The Federal Reserve Act, of course, admits a greater expansion of the currency, but the principle of private control of the people's medium of exchange and of the creation of the medium of exchange by debt, and the destruction of the medium of exchange by the demand for payment of the debt, remain the same.

Up to this time the discussion has proceeded along the lines of criticism of the monetary system of the United States. No remedy has been suggested. In other words, no constructive suggestion has been made. May I be permitted to say that beginning with 1922, I have, at every session of Congress, introduced bills which appeared to me to constitute suggestions for monetary reform. Extensive hearings were held on bills introduced by me in 1922 and 1924. As you will remember, the Republican Party was in power and, after interesting a prominent Republican in the subject, hearings were held on his bills in 1926, 1927, and 1928. A bill introduced by me to stabilize the currency passed the House of Representatives in 1932 by a majority of 289 to 60, but did not pass the Senate. Extensive hearings were held in 1934 on a bill introduced by me for the creation of a national monetary authority. In 1935 the Goldsborough amendment to the Banking Act of 1935 was defeated by a small majority. This statement is made only for the purpose of indicating that insofar as I am concerned, I have not engaged in destructive criticism, but have endeavored to support constructive reform; and have never, under any circumstances, engaged in personal attack. There is as great a percentage of high-minded and patriotic bankers as there are of any other class. My endeavor has been to create a better money system for all of the people of the United States.

I know that this afternoon I could, within a short time, write on a piece of paper the names of 50 men who, if they had the power, could place upon the statute books of the United States a law which would make poverty as rare as a prehistoric animal. Through all recorded history the strength and the wisdom of the people has come from the soil. There are this afternoon in this room representatives from all of the great 48 States of the Union; representatives of that great part of our population that furnishes in so large a part the sinews and brains of the country.

It lies within your power, with the knowledge you have and the influence you can exert upon those who represent you in the American Congress, to see to it that legislation is passed and passed quickly, which will make it possible to distribute the tremendous potential production of farm and factory to all our people, to create a prosperity unending, and such as the world has never seen; a condition which will make those who have labored long in the vineyard exclaim with ancient Simeon: "Lord, now lettest Thou Thy servant depart in peace, for mine eyes have seen Thy salvation!"

Several years ago our people in several parts of the country thought it would be better in the summer to start work an hour earlier and shut down an hour earlier in order to have a longer recreational period at the end of the day. There were a great many learned and tiresome discussions as to how this could be done, but nobody had the influence and power to simply tell people to get up an hour earlier and have them do it and stop work an hour earlier and have them do that.

One morning some bright lad woke up with the idea of simply setting the clock up an hour during certain months of the year, and the whole problem was immediately solved.

If certain individuals would say to our 127 millions of citizens, "You must, from time to time, turn over your property to us. You shall labor and your children shall labor. You and they shall suffer every privation in order to accumulate more property of some kind of character. But, after a certain time, after you have built up your fortunes substantially, you must turn them over to us", they would be unable to enforce their demands; they would be laughed at; they would be considered demented.

Matters are not managed that way. After a period of depression, the banks gradually begin to lend, book credits created by bank loans become bank deposits; bank deposits passing by check increase the circulating medium of the country. Business expands on borrowed money. Increased circulation raises prices. In other words, we are in a so-called period of prosperity. The more credit is given by the banks the greater the volume of our circulating medium becomes; prices mount; the higher prices justify more bank credits, and the boom is on.

One day the master minds meet and decide that the time has come to gather in the accumulated property of the people. Rumors are started that conditions are unsound. Frightened city and community bankers begin to curtail their loans. Rediscount rates are raised in Federal Reserve banks, thus requiring further curtailment. Repayment of loans to the banks causes a fall of deposits, the credit currency is contracted, falling prices close factories and put workmen on the streets, and the price of basic products—corn, wheat, cotton, cattle, hogs—takes an immediate drop. We become a nation of debtors unable to pay our debts, and the accumulations of years of self-denial are swept away.

Formerly when we were operating on the gold standard as originally administered, it was a financier's racket to transport gold back and forth between the United States and England. Taking gold out of the United States caused prices to fall, and bringing it back caused prices to rise, so that the international bankers and their allies could take gold out of the country and absorb the Nation's wealth at low prices and bring the gold back and sell at high prices. By this method other people's property was absorbed by the international money changers by a device as simple as the daylight saving one which makes people go to work and quit work an hour earlier.

I am not here and now making an argument for silver, or for any sort of reserve, but I wonder how many of us here today know how the international bankers and their allies succeeded in contracting the currency in 1873 by demonetizing silver.

A perfectly harmless bill was introduced entitled "An act revising and amending the law as relative to the mints, assay offices, and coinage of the United States." This bill was signed by President Grant, and 8 months later, in a letter dated October 3, 1873, he admitted he did not understand that the bill he had signed had demonetized silver. Most of the Senators and Representatives whose votes legalized the demonetizing act were innocent of any intention of destroying silver as any part of the monetary base. Just how the bill was doctored is not a pretty story, and the telling of it would add nothing to the force of the argument I am attempting to make in this discussion.

The Honorable W. D. Kelly, Chairman of the Committee on Coinage, which had the bill in charge, made the following statement on the floor of the House of Representatives on March 9, 1878: "In connection with the charge that I advocated the bill which demonetized the standard silver dollar, I say that though Chairman of the Committee on Coinage, I was as ignorant of the fact that it would demonetize the silver dollar, or of its dropping the silver from our system of coins, as were those distinguished Senators, Messrs. Blaine and Voorhies, who were then Members of the House, and each of whom a few days since interrogated the other: 'Did you know it was dropped when the bill was passed?' 'No', said Mr. Blaine; 'did you?' 'No', said Mr. Voorhies. I do not think that there were three Members of the House that knew it. I doubt whether Mr. Hooper, who in my absence from the Committee on Coinage, and attendance on the Committee of Ways and Means, managed the bill, knew it. I say this in justice to him."

On July 13, 1876, Congressman Holman made the following statement on the floor of the House of Representatives: "I have before me the record of the proceedings of the House on the passage of that measure, a record which no man can read without being convinced that the measure and the method of its passage through this House were a colossal swindle. I assert that the measure never had the sanction of this House and did not possess the moral force of law."

Again on August 5, 1876, Mr. Holman said: "The original bill was simply a bill to organize a bureau of mines and coinage. The bill which finally passed the House and ultimately became a law was certainly not read in this House. It was never considered before this House as it was passed. Up to the time the bill came before this House for final passage the measure had simply been one to establish a bureau of mines. It came from the Committee on Coinage, Weights, and Measures. The substitute which finally became a law was never read, and is subject to the charge made against it by the gentleman from Missouri [Mr. Bland] that it was passed by the House without a knowledge of its provisions, especially upon that of coinage. I myself asked the question of Mr. Hooper whether it changed the law in regard to coinage, and the answer of Mr. Hooper left the impression on the whole House that the subject of the coinage was not affected by the bill."

General Garfield, afterward the martyred President of the United States, in a speech made at Springfield, Ohio, in the fall of 1877, said: "Perhaps I ought to be ashamed to say so, but it is the truth to say that, at the time being chairman of the Committee on Appropriations and having my hands overfull during all that time with work, I never read the bill. I took it upon the faith of a prominent Democrat and a prominent Republican, and I do not know that I voted at all. There was no demand for the yeas and nays, and no one opposed the bill that I know of. It was put through as dozens of bills are, as my friends and I know, in Congress and on the faith of the report of the chairman of committee."

As you will remember, the result of the demonetization of silver was such a curtailment in the volume of money of the Nation that a terrible depression, lasting several years, was suffered. Senator Ferry, of Michigan, made the following statement regarding the panic of 1873, caused by the demonetization of silver: "Millions of people were reduced from good circumstances to penury, or covered with debt, beneath which burden their backs must bend until it is unloaded at the grave, where an innocent posterity must take it up and bear it on."

I do not claim, of course, that any human means can be devised which will immediately cure human inefficiency, human hardness of heart, human mental or physical incapacity, human shiftlessness, or lack of character.

I do say, however, that all the human deficiencies I have enumerated are handmaids of human poverty, and that the elimination of human poverty would gradually eliminate human frailty.

I do say that the only reason we have poverty in this country is that of inadequate means of distribution. I do say that the inadequate means of distribution are due primarily to defects in our money system, and that if these defects were eliminated and we had another system, the sole purpose of which was to facilitate the exchange of goods and services, that our people would soon go another step in the science of distribution, with the outcome the validity of the concept that we are all the heirs of all the ages, and that some part of the production of the inventions which have sprung from the genius of all the people are the heritage and the rightful property of all the people.

Of one thing there can never be danger. There can never be any danger of oversatisfying human want. This truth has been magnificently expressed by William James in his essay on Reflex Action and Theism in the Will to Believe. "Man's chief difference from the brutes lies in the exuberant excess of his subjective propensities, his preeminence over them simply and solely in the number and in the fantastic and unnecessary character of his wants, physical, moral, esthetic, and intellectual. Had his whole life not been a quest for the superfluous, he would never have established himself as inexpugnably as he has done in the necessary. And from the consciousness of this he should draw the lesson that his wants are to be trusted; that even when their gratification seems farthest off, the uneasiness they occasion is still the best guide of his life, and will lead him to issues entirely beyond his present powers of reckoning. Prune down his extravagance, sober him, and you undo him."

I do not know how I can better close this attempt, to some extent, to emphasize the great work before the people of this country than to quote from the great wartime President, Woodrow Wilson: "The great monopoly in this country is the monopoly of big credits. So long as it exists our old variety and freedom and individual energy of development are out of the question. A great industrial nation is controlled by its system of credit. Our system of credit is concentrated. The growth of the Nation, therefore, and all our activities, are in the hands of a few men who chill and check and destroy genuine economic freedom."

EXTENSION OF REMARKS

Mr. BLANTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the Townsend plan.

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

There was no objection.

THE AGRICULTURAL ADJUSTMENT ACT

Mr. WARREN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. WARREN. Mr. Speaker, the Supreme Court of the United States has just handed down its opinion declaring the Agricultural Adjustment Act to be unconstitutional. [Applause.] I should like for it to be noted that the applause comes entirely from the Republican side of the House. [Applause.]

This decision of the Court will be received with consternation and amazement by millions of farmers throughout this land who have been benefited by the first constructive program that any Congress or any administration has ever proposed in their behalf. [Applause.] It comes to them as a sickening and deadly blow.

Regardless of Court opinions, Mr. Speaker, I believe there are enough Members of the present Congress who are so deeply interested in the welfare of the American farmer that they will keep this Congress in session until Christmas, if necessary, to write upon the statute books legislation that will repair this damage. The farmers of the Nation will never return to the economic slavery that existed prior to 1933. [Applause.]

Mr. CONNERY. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

Mr. RICH. Mr. Speaker, reserving the right to object, I shall not object——

Mr. CLARK of Idaho. Mr. Speaker, I object.

Mr. CONNERY. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes.

Mr. CLARK of Idaho. I object, Mr. Speaker.

Mr. CONNERY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

Mr. BANKHEAD. Mr. Speaker, reserving the right to object—and I will not object in this instance—but under the formula laid down, and very properly so, by the Speaker a few moments ago, I think when a day is set aside for the consideration of a particular calendar the day should be devoted to that purpose; and although it is very difficult and unpleasant to interpose objections to requests of our friends on the other side, we must carry through the program; and I shall object to any further requests for unanimous consent today. I shall not object to this request.

Mr. RICH. Mr. Speaker, will the majority leader yield?

Mr. BANKHEAD. I yield.

Mr. RICH. When are we going to get an opportunity to reply to the message that we heard on Friday night?

Mr. BANKHEAD. I may say to the gentleman it is the expectation to take up the independent offices appropriation bill on Wednesday, and probably the remainder of the week will be given to its consideration. Ample opportunity will be afforded for general debate.

Mr. RICH. Will we be given an opportunity then to comment on the state of the Union?

Mr. BANKHEAD. Certainly; the gentleman will be given such opportunity.

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

There was no objection.

Mr. CONNERY. Mr. Speaker, I intended in the 5 minutes merely to read excerpts from the Boston Post by W. K. Kellogg, of Kellogg's Corn Flakes, showing what the 30-hour week has done in his business during the past 5 years. Mr. Kellogg has increased the wages of his workers 12½ percent; and he believes, in company with Mr. Robert Johnson, of Johnson & Johnson, of Brunswick, N. J., that the remedy for the situation where 11,000,000 people are unemployed today in the United States is to go on a 5-day week and 6-hour day. This is all I wanted to read from Mr. Kellogg's statement.

Mr. Speaker, I ask unanimous consent to put this article in the RECORD so that the membership may read it. These are not my views, but the views of Mr. Kellogg, an important business man in the United States. The article is not long and I think it will be of great interest.

Mr. RICH. Mr. Speaker, reserving the right to object, how much of the RECORD will the article take?

Mr. CONNERY. Just a little space.

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

There was no objection.

Mr. CONNERY. Mr. Speaker, the article to which I have referred in my remarks is as follows:

[Boston Post, Thursday, Jan. 2, 1936]

HIGHER PAY IN SPITE OF 6-HOUR DAY—W. K. KELLOGG, CEREAL MANUFACTURER, HAS FINE RESULTS

BATTLE CREEK, MICH., January 1.—Continued improvement in business conditions during 1936 was foreseen today by W. K. Kellogg, the cereal manufacturer, in announcing a material increase in the company's advertising appropriations for the year.

SOLUTION OF UNEMPLOYMENT

But while business will continue to improve, he said, unemployment is still one of the outstanding problems which must be solved before there can be complete recovery. The solution, in Mr. Kellogg's opinion, is widespread adoption of the 6-hour day with wages increased to preserve the purchasing power of the individual worker. The Kellogg Co. has had the 6-hour day for 5 years, and recently increased daily wages to the highest point in the company's history.

"We were able to do this as a result of the economies and efficiencies brought about by the 6-hour day on the one hand, and by the increased sales that resulted from our continuous program of sales promotion and advertising on the other," Mr. Kellogg said.

NEWSPAPER ADVERTISING BEST

In announcing the increased promotion, Mr. Kellogg said the company will continue to employ many advertising media, but that newspaper advertising "will remain the most important part of the program."

"The cooperation and the flexibility of this type of advertising", he said, "have enabled us to concentrate our efforts where they are most needed with a minimum of delay and have proved to us over and over again the outstanding value of newspaper advertising."

Discussing the 6-hour day as a solution of the unemployment problem, Mr. Kellogg said its adoption in the Kellogg plant in 1930 resulted in an immediate increase of 20 percent in employment and that in 1935 the average number of employees was 39 percent greater than it had been under the 8-hour day.

SHORTER DAY, HIGHER WAGES

"After 2½ years", he said, "the 6-hour day proved so satisfactory that we adopted it as a permanent policy. Then in October 1935 we announced an increase in wages that brings our total wage scale to the highest point in the history of the company, higher for 6 hours than it had been for 8 hours before the depression, with a minimum daily wage for men of $4.50. This we were able to do as a result of the economies and efficiency brought about by the 6-hour day on the one hand, and by the increased sales that resulted from our continuous program of sales promotion and advertising on the other.

GREAT PROBLEM CAN BE SOLVED

"I believe the 6-hour day, voluntarily adopted by those industries in which it would be practicable, would be the most effective step that could be taken to relieve unemployment. But merely to cut down the hours of labor without, at the same time, offering a living wage will spell more trouble. The employer's problem is to maintain purchasing power, without which he will come to grief ultimately, by paying as much or more for the short day as for the long one.

"That is a problem, indeed, but we have proved to our own satisfaction that it is not impossible of solution, and I believe that others will reach the same conclusion. It seems to me only simple justice that the employee should be allowed to share in the benefits of invention and improved processes, not penalized for them. There are always corners to be cut, leaks which can be stopped. The employer must display unwonted ingenuity in this direction, but if he does so, I do not believe he will suffer materially for permitting his employees a fairer return for their labor."

CONTESTED-ELECTION CASES

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

WASHINGTON, D. C., *January 3, 1936.*

The SPEAKER HOUSE OF REPRESENTATIVES,
Washington, D. C.

SIR: The contest for a seat in the House of Representatives from the Twentieth District of New York was instituted by James J. Lanzetta against the returned Member, Vito Marcantonio, pursuant to the provisions of the act of March 2, 1887, as evidenced by the filing in the office of the Clerk of the House of Representatives of a notice of contest and of the reply thereto by the contestee.

The Clerk received within the time prescribed by law testimony adduced on behalf of contestee, but no testimony has been received on behalf of the contestant, and the time for taking the same under the law has long since expired. Papers and testimony in the possession of this office will be transmitted to that Committee on Elections to which the case shall be referred.

Very respectfully,

SOUTH TRIMBLE,
Clerk of the House of Representatives.

The communication was referred to the Committee on Elections No. 1 and ordered printed.

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

WASHINGTON, D. C., *January 3, 1936.*

The SPEAKER HOUSE OF REPRESENTATIVES,
Washington, D. C.

SIR: I have the honor to lay before the House of Representatives the contest for a seat as a Delegate in the House of Representatives for the Seventy-fourth Congress of the United States for the Territory of Hawaii, Lincoln Loy McCandless against Samuel Wilder King, notice of which has been filed in the office of the Clerk of the House; and also transmit herewith original testimony, papers, and documents relating thereto.

In compliance with the act approved March 2, 1887, entitled "An act relating to contested-election cases", and such portions of the testimony as the parties in interest agreed upon or as seemed proper to the Clerk, after giving the requisite notices, have been printed, and indexed together with the notices of contest, and the answers thereto and original papers and exhibits have been sealed up and are ready to be laid before the Committee on Elections.

Two copies of the printed testimony in the aforesaid case have been mailed to the contestant and the same number to the contestee which, together with copies of the briefs of the parties, will be laid before the Committee on Elections to which the case shall be referred.

Yours respectfully,

SOUTH TRIMBLE,
Clerk of the House of Representatives.

Referred to Committee on Elections No. 2 and ordered printed.

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

WASHINGTON, D. C., *January 3, 1936.*

The SPEAKER HOUSE OF REPRESENTATIVES,
Washington, D. C.

SIR: I have the honor to lay before the House of Representatives a notice of the contest for a seat in the House of Representatives for the Seventy-fourth Congress of the United States for the Nineteenth Congressional District of the State of Ohio, *Locke Miller* v. *John G. Cooper*, notice of which has been filed in the office of the Clerk of the House; and also transmit herewith original testimony, papers, and documents relating thereto.

In compliance with the act approved March 2, 1887, entitled "An act relating to contested-election cases", and such portions of the testimony as the parties in interest agreed upon or as seemed proper to the Clerk, and indexed together with the notices of contest, and the answers thereto and original papers and exhibits have been sealed up and are ready to be laid before the Committee on Elections.

Two copies of the printed testimony in the aforesaid case have been mailed to the contestant and the same number to the contestee. When the briefs of the parties shall have been received they will be laid before the Committee on Elections to which the case shall be referred.

Yours respectfully,

SOUTH TRIMBLE,
Clerk of the House of Representatives.

Referred to the Committee on Elections No. 3 and ordered printed.

ADDRESS BEFORE THE PHILIPPINE LEGISLATURE

Mr. SNELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a speech that was made by the honored Speaker of this House at the last joint meeting of the Philippine Legislature. I want to say to the Members that it was a fine speech, admirably delivered, and I think it is proper that it should be placed in the RECORD at this time. [Applause.]

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

There was no objection.

Mr. SNELL. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following address delivered by Hon. JOSEPH W. BYRNS, Speaker of the House of Representatives, before the last joint session of the Philippine Legislature at Manila on November 12, 1935:

Mr. President, Mr. Speaker, and members of the Philippine Assembly, it is indeed a high honor to appear before you on this occasion in anticipation of the historic processes soon to be inaugurated as a preliminary to the birth of a new and independent nation. As a member of the party of United States Senators and Congressmen who, with their wives and important members of the United States press, have come on your generous invitation from our homeland to extend our congratulations and cordial good will on this memorable occasion, I wish to join in the felicitations and good wishes so eloquently expressed by our able, distinguished, and much-beloved Vice President, the second ranking officer of our Government, and who speaks as the leader of our delegation. I join in his expression of pride that this historic event has been made possible by the generous action of our great Republic in voluntarily surrendering its right of sovereignty and the interests which go with it in order that the people of the Philippine Islands may enjoy that sense of national freedom and independence which we have enjoyed for nearly 150 years. So far as I know, it is the first time that a great people have achieved independence without the necessity of securing it at the point of the sword; and may I say, Mr. President, and to you, Mr. Speaker, that while my country has surrendered its sovereignty it never has and never will surrender its friendship and sympathetic interest in the Filipino people. No real republican form of government has ever existed as such for any great length of time which did not recognize the principles of democracy and the common good of the people as a whole. It is the practice of those fundamental ideals which has made our own country great and powerful and its people happy and contented during the past years.

May I say that it is for you gentlemen and other leaders in your nation to preserve and make lasting these principles so well expressed in the highly progressive constitution which you have approved. We feel certain that this will be done by the incoming administration headed as it will be by your very able and devoted leader and President, Hon. Manuel Quezon. We look with confidence, therefore, to your development and "strike hands with you across the sea" in best wishes for your future endeavors along these lines.

In the House of Representatives we find that the following Congressmen and Senators in our party served in the same period that your President Manuel Quezon represented your country as the Philippine Commissioner in the House of Representatives: John N. Garner, Joseph T. Robinson, Matthew M. Neely, James F. Byrnes, Robert L. Doughton, Bertrand H. Snell, and Allen T. Treadway, all of whom have risen to places of influence and distinction in the Congress.

We found him to be a very able man, resourceful, considerate, and dependable. His contacts with these Members of Congress, a few of whom I have mentioned, I know have given him not only a theoretical but a very practical knowledge of the workings of the American system of government.

We have all come in contact with the many able Commissioners you have sent to Washington during past years, and whose names I shall not have time to mention, and also with the able men who have come to Washington from time to time as members of various high commissions. All of this has served to increase our confidence in your future, for all were able and faithful representatives of your interests. Undoubtedly honest differences of political opinion will arise, but these will be solved, I am sure, in a spirit of amity and good will.

In considering your new constitution I find first and foremost those declarations in the bill of rights to which the Vice President has referred.

Through his pleasant contact with the Congress, your new President-elect has acquired a practical viewpoint of other administration details for the interpretation in a fair and equitable way of the provisions of your constitution.

I bespeak for him your united support, and that you will give him generously of your advice and assistance, that the way may be smoothed for the attainment of the high ideals he possesses.

He has had associated with him for the last few years as Governor General of the Philippine Islands Governor Frank Murphy, an able and conscientious executive whose experiences as mayor of one of our great cities, Detroit, has familiarized him with finance and orderly government. In his official contacts here we are pleased but not surprised to know that he has displayed tact and good judgment.

For the next 10 years at least the American flag will fly over your Commonwealth and you will have with you an official representing the United States, who will have the title of High Commissioner. This official, I am happy to believe, will be your present able Governor General and he will be representative of the President of the United States when it is necessary for him to act.

His sympathetic cooperation during our continued sovereignty, subject to changes by Congress, will be the expression of the American people.

For 10 years, unless there is a change, the Stars and Stripes, for which I know you have the greatest respect, will fly over the Commonwealth. The Philippine flag, red, white, and blue, with its three stars and its blazing sun, typifying the tropics, will be carried on all standards. These sister flags will do much as they have in the past to strengthen the fine type of friendship which exists today.

When the time comes for the Republic to replace the Commonwealth, we believe that the conduct of its affairs during this period will so impress the nations of the world that the new Republic will begin its career with not only the old friendship of my country, but that all the enlightened nations of the earth will unite in its protection and in the preservation of its sovereignty.

The great American Nation will watch your development with keen interest and, wherever we may, will extend a helping hand.

You raise products which are not raised in the United States. We sell your manufactured articles which are not made in your country. We believe that the President's Commission will work out an equitable plan beneficial to both our nations, and that the result of its recommendations will strengthen the ties that will become stronger with the years.

The administration of President Quezon and Vice President Osmeña is entitled to unified support. Your example of unity, patriotism, and self-sacrifice will have a most beneficial and heartening effect on the people of my country and make it more simple and easy to reconcile any inequalities that now exist or may occur.

A strong government administering your affairs under your progressive constitution, which has been approved by our great President, Franklin D. Roosevelt, will make for harmony, unity, and cooperation.

It was kind of the Philippine people to include in their invitation to Senators and Congressmen an invitation for their wives. They have enjoyed the visit. You have aroused their sympathy and interest as you have our own.

I have learned that the Filipino women are leaders in the matter of education. They are the household bankers. They have followed the teachings of our school teachers and our economists. They have many of the favorite American dishes in their kitchens. So on behalf of the ladies of the Senate and of the House of Representatives, I thank you for the courtesy of the invitation, but I have the suspicion that back of it was the thought that our wives and daughters who have come with us will in the future help to tighten the bonds of friendship and good will between our nations.

I cannot close these remarks without referring briefly to my friend and your friend Hon. Harry B. Hawes. As United States Senator, and since then, he has been an earnest, devoted, and able friend of the Philippine people. He merits your friendship and gratitude for his faithful and unselfish work in your behalf.

Let me again thank you for the high privilege that has been extended to us and to our wives to visit you and study first hand

your conditions and your aspirations. Let me assure you that we are taking home with us the kindliest thoughts of a pleasant and instructive visit.

To have even a small part in the establishment of an independent republic in the great Orient, to know that the fine traditions of America will be preserved, is satisfaction enough for all right-thinking Americans.

THE SUPREME COURT'S TENDENCY TO LEGISLATE BY MEMBERS OF THE COURT—DISSENTING OPINIONS OF MEMBERS OF THE SUPREME COURT

Mr. RAMSAY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of dissenting opinions of members of the Supreme Court.

The SPEAKER. Is there objection?

There was no objection.

Mr. RAMSAY. Mr. Speaker, being a lawyer who has practiced law continuously for the past 35 years, I have been obsessed with the idea that judges and those who are learned in the law are probably better qualified than any other citizen to determine whether or not an act of Congress is derogatory to the Constitution. But if you are a lawyer, who has studied the legislation adopted by our Congress during the life of our Republic, you will be compelled to confess that your researches of such legislation have disclosed to you that no act was ever passed by Congress with the open or avowed purpose of flaunting or circumventing the Constitution. But on the contrary every such act was debated fully, and the majority who enacted such legislation honestly believed that under the terms of the Constitution the Congress was well within its rights and undoubtedly was attempting to carry out the wishes of the people.

And if you have studied the decisions of our Supreme Court on this subject you will be convinced that the Court, in setting aside such acts, did not remove from your mind reasonable doubt about the constitutionality of the acts. But, on the contrary, the Court was so divided in opinion that their decisions only added confusion to the doubt they sought to remove.

Our Supreme Court has many times seriously divided its councils upon passing on acts of Congress, and many great members of the Court have charged it with undertaking to usurp the power of legislation and were therefore themselves violating the Constitution and trespassing upon the power of Congress to enact legislation as granted to it by the people under the Constitution itself.

That we may understand the views of some of the greatest of our Supreme Court judges, I beg to cite and quote from the income-tax case known as *Pollock* v. *Farmers Loan & Trust Co.* (157 U. S. 429 and 158 U. S. 601), decided in 1895, Justices Harlan, Brown, Jackson, and White dissented. In dissenting, Justice Harlan argued:

That by reversing the earlier law and practice of the Government the majority of the Court rendered it necessary to amend the Constitution to secure principles of right, justice, and equality in Federal taxation—

And he insisted that policy and economic considerations rather than law actuated the majority in their conclusion.

Again, in 1902, in the case of *Connolly* v. *Union Sewer Pipe Co.* (184 U. S. 540), decided in 1902, Justice McKenna dissenting from the opinion of the Court said:

Courts are not to determine, he thought, whether laws are arbitrary, oppressive, or capricious, indeed whether such combinations are evils or blessings, or to what extent either, is not a judicial inquiry. * * * To consider their effect would take us from legal problems to economic ones, and this demonstrates to my mind how essentially any judgment or action based upon these differences is legislative and cannot be reviewed by the judiciary.

Again, in *Burton* v. *United States* (202 U. S. 344), decided in 1906, Justices Brewer, White, and Peckham dissented from the opinion of the Court and declared—

That the construction now given writes into the statute an offense which Congress never placed there. It is a criminal case, and in such a case, above all, judicial legislation is to be deprecated.

In the case of *Weems* v. *United States* (217 U. S. 349), decided in 1910, Justice White, with the concurrence of Justice Holmes, recorded a vigorous dissent:

They thought if legislation defining and punishing crime is held repugnant to constitutional limitations because it "seems to the judicial mind not to have been sufficiently impelled by motives of reformation of the criminal"—

The legislative power is impotent to control crime. Since the decisions subjected to judicial control the degree of severity with which authorized modes of punishment might be inflicted, it seemed to the minority—

That the demonstration is conclusive that nothing will be left of the independent legislative power to punish and define crime.

The direct result of the decisions, it was maintained, was to expand the judicial power by endowing it with a vast authority to control the legislative department in the exercise of its rightful discretion.

In the case of *Lochner* v. *New York* (198 U. S. 45), decided in 1905, Justices Harlan, White, Day, and Holmes dissented. Justice Harlan, writing the dissenting opinion, declared:

It is not the province of the Court to inquire, under our system of government, whether or not this be wise legislation. The courts are not concerned with the wisdom or policy of legislation. We do not regard it as within the function of the Court to determine what is sound economic theory in the realm of labor legislation.

Justice Holmes prepared a separate dissenting opinion, in which he declared:

This case is decided upon an economic theory, which a large part of the country does not entertain. If it were a question whether I agreed with that theory, I should desire to study it further and long before making up my mind. But I do not conceive that to be my duty, because I strongly believe that my agreement or disagreement has nothing to do with the right of a majority to embody their opinions in law.

Again, in the case of *Employers' Liability Cases* (207 U. S. 463), decided in 1908, Justices Moody, Harlan, McKenna, and Holmes dissented from the judgment of the Court. Justice Moody, in the course of his dissenting opinion, said:

The Court has never exercised the mighty power of declaring the acts of a coordinate branch of the Government void, except where there is no possible and sensible construction of the act which is consistent with the fundamental organic law. The presumption that other branches of the Government will restrain themselves within the scope of their authority and the respect which is due to them and their acts admit of no other attitude from this Court. * * * But the economic opinion of the judges and their views of the requirements of justice and public policy, even when crystallized into well-settled doctrines of law, have no constitutional sanctity. They are binding upon succeeding judges, but while they may influence, they cannot control legislators. Legislators have their own economic theories, their views of justice and public policy, and their views when embodied in written law must prevail.

In the case of the *Standard Oil Co.* v. *United States* (221 U. S. 1), decided in 1911, dissenting in part from the reasoning of the majority, Justice Harlan claimed—

That the Court, by its decisions, when interpreted by the language of its opinion, has not only upset the long unsettled interpretation of the Sherman Antitrust Act but has usurped the constitutional functions of the legislative branch of the Government.

Continuing further, he said:

I am impelled to say that there is abroad, in our land, a most harmful tendency to bring about the amending of constitutions and legislative enactments by means alone of judicial construction.

In the case of *Burns Baking Co.* v. *Bryan* (264 U. S. 504), decided in 1923, Justice Brandeis, dissenting, said—

That the Court had decided, as a fact, that the prohibition of excess weights is not necessary for the protection of the purchasers against imposition and fraud by short weights; that the law subjected bakers and sellers of bread to heavy burdens.

Continuing, he said:

In my opinion, this is an exercise of the powers of a super-legislature—not the performance of the constitutional function of judicial review.

In the case of *Hammer* v. *Dagenhart* (247 U. S. 251), decided in 1918, Justices Holmes, McKenna, Brandeis, and Clark dissented and said:

We should have thought that the most conspicuous decision of this Court has made it clear that the power to regulate com-

merce and other constitutional powers could not be cut down or qualified by the fact that it might interfere with the carrying out of the domestic policy of any State. The act does not meddle with anything belonging to the States. They may regulate their internal affairs and their domestic commerce as they like, but when they seek to send their products across the State line they are no longer within their rights.

In the case of *Adkins* v. *Children's Hospital* (261 U. S. 525), decided in 1923, Chief Justice Taft and Justices Sanford and Holmes dissented. In dissenting, Justice Taft said:

It is not the function of this Court to hold congressional acts invalid simply because they are passed to carry out economic views which the Court believes to be unwise or unsound.

Justice Holmes, in dissenting, said:

I confess that I do not understand the principle on which the power to fix a minimum for the wages of women can be denied by those who admit the power to fix a maximum for their hours of work. (Hours of work for women in the District of Columbia had previously been upheld by the Court.)

The very latest criticism of the Court by its own members relative to its tendency to pass upon questions of policy rather than law, is the case of the United States of America against Gus L. Constantine, which was decided at the October term of Court in 1935, and is not yet in print.

In this case Justices Cardozo, Brandeis, and Stone dissented, and in dissenting in this case, Justice Cardozo expressed the following:

If I interpret the reasoning aright, it does not rest upon the ruling that Congress would have gone beyond its power, if the purpose that it professed was the purpose truly cherished. The judgment of the Court rests upon the ruling that another purpose, not professed, may be read beneath the surface, and by the purpose so imputed, the statute is destroyed. Thus, the process of psychoanalysis has spread to unaccustomed fields. There is a wise and ancient doctrine that a court will not inquire into the motives of a legislative body or assume them to be wrongful (*Fletcher* v. *Peck*, 6 Cr. 87; *Magnana Co.* v. *Hamilton*, 292 U. S. 40). There is another wise and ancient doctrine that a court will not adjudge the invalidity of a statute except for manifest necessity. Every reasonable doubt must have been explored and extinguished before moving to that grave conclusion (*Ogden* v. *Saunders*, 12 Wheat. 213). The warning sounded by this Court in the *Sinking Fund Cases* (99 U. S. 700), has lost none of its significance. Every presumption is in favor of the validity of a statute, and this continues until the contrary is shown beyond a rational doubt. One branch of the Government cannot encroach on the domain of another without danger. The safety of our institutions depends in no small degree on a strict observance of this salutary rule. I cannot rid myself of the conviction that in the imputation to the lawmakers of a purpose not professed, this salutary rule of caution is now forgotten or neglected after all the many protestations of its cogency and virtue.

It is my belief that no act of Congress should be set aside by our courts unless the court can by unanimous decisions declare that the enactment is a violation of the Constitution. This would remove doubt and add great weight to the decisions of our courts and allay the suspicion of our people that the court has set itself up as a super legislative body.

In closing I desire to quote from the decision of Chief Justice Marshall in the original case of our Supreme Court, where it decided for the first time the power of Congress to enact legislation under the commerce clause of our Constitution (*Gibbons* v. *Ogden*, 9 Wheat. 1), where he said:

The wisdom and the discretion of Congress, their identity with the people, and the influence which their constituents possess at elections are in this as in many other instances as that, for example, of declaring war, the sole restraints on which they have relied to secure them from its abuse. They are the restraints on which the people must often rely solely in all representative governments.

THE CONSENT CALENDAR

The SPEAKER. Under the order of the House this is unanimous-consent day, and the Clerk will call the first bill on the Consent Calendar.

AMENDING THE ACT OF FEBRUARY 28, 1925, IN RELATION TO THE NAVAL RESERVE AND THE MARINE CORPS RESERVE

The Clerk called the first bill on the Consent Calendar, H. R. 5731, to amend in certain particulars the act approved February 28, 1925, entitled "An act to provide for the creation, organization, administration, and maintenance of a Naval Reserve and a Marine Corps Reserve", as amended, and for other purposes.

The SPEAKER. Is there objection?

Mr. VINSON of Georgia. Mr. Speaker, in view of the fact that the Navy Department has submitted additional amendments to the Naval Reserve bill, I ask that this bill be resubmitted to the Committee on Naval Affairs.

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

There was no objection.

PUBLIC-DOMAIN LANDS IN NEVADA AND OREGON

The Clerk called the bill (H. R. 4126) to reserve certain public-domain lands in Nevada and Oregon as a grazing reserve for Indians of Fort McDermitt, Nev.

The SPEAKER. This bill requires three objections. Is there objection?

There was no objection.

The SPEAKER. There is a similar Senate bill (S. 1142) on the Speaker's table. Does the gentleman from Oklahoma desire to substitute the Senate bill for the House bill?

Mr. ROGERS of Oklahoma. I do.

The SPEAKER. Without objection, the Senate bill, S. 1142, will be substituted for the House bill.

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That public-domain lands in the States of Nevada and Oregon described as lots 3, 4, and west half of lot 5 of section 1; lots 1 to 9, inclusive; west half lot 10 and north half southwest quarter section 2; lots 1 to 10, inclusive, and south half section 3; lots 1 to 10, inclusive, and southeast quarter section 4; lots 1 to 4, inclusive, and lots 8, 10, 11, and 12 of section 5; north half northeast quarter section 9; north half northwest quarter and northwest quarter northeast quarter section 10, township 47 north, range 39 east, of the Mount Diablo meridian, Nevada; and southeast quarter section 20; west half southeast quarter and southeast quarter southeast quarter section 21; south half section 22; northwest quarter, southeast quarter and south half southwest quarter section 26; west half southeast quarter, west half northeast quarter, and northeast quarter northeast quarter section 27; all of section 28; east half and southwest quarter section 29; all of sections 31, 32, 33, 34, 35, and southwest quarter section 36, of township 40 south, range 44 east; and all of sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, west half northeast quarter, north half southeast quarter, and southwest quarter southeast quarter section 12; west half section 13; all of sections 14, 15, 16, 17, 18, and fractional sections 19, 20, 21, 22, 23, and west half of fractional section 24 of township 41 south, range 44 east, of the Willamette meridian, in Oregon, containing approximately 21,500 acres, be, and the same are hereby, withdrawn from the public domain and reserved for the use and occupancy of Indians of the former Fort McDermitt Military Reserve, Nev.: *Provided*, That the rights and claims of bona-fide settlers initiated under the public-land laws prior to July 7, 1933, shall not be affected by this act.

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 House bill (H. R. 4126) was laid on the table.

CHANNEL BETWEEN CLEAR LAKE AND LOST RIVER, CALIF.

The Clerk called the bill (H. R. 6773) to deepen the irrigation channel between Clear Lake and Lost River, in the State of California, and for other purposes.

The SPEAKER. Is there objection?

Mr. HOPE. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

PAYMENT TO UINTAH AND OTHER BANDS OF INDIANS FOR CERTAIN COAL LANDS

The Clerk called the bill (H. R. 6019) authorizing an appropriation for payment to the Uintah, White River, and Uncompahgre Bands of Ute Indians in the State of Utah for certain coal lands and for other purposes.

The SPEAKER. Is there objection?

Mr. COCHRAN. Mr. Speaker, I reserve the right to object. I note that the chairman of the Committee on Indian Affairs is present. I desire to explain my position on Indian bills. First, let me say the trouble with Indian bills that are brought here is that we have no report whatsoever from the General Accounting Office, where all the records are located. With all due respect to the Secretary of the Interior and to the Commissioner of Indian Affairs, I say they do not know from their records what this country has done for the

Indians, nor what claims have been paid, nor advances made.

A bill was recently introduced and reported by the Committee on Indian Affairs providing for the payment to a certain band of Indians for certain lands which they did not receive under a treaty. I took the matter up with the Comptroller General of the United States, in charge of the General Accounting Office, and found that the Government of the United States had paid for that land to that band of Indians before I was born. When I called his attention to that fact, the author of the bill thanked me, and the bill was withdrawn.

I am not going to let Indian bills pass until I can get a report from the General Accounting Office, to see whether or not the money has been paid, or, furthermore, to see what advances and gratuities the Government has made to the Indians of the tribe that is seeking to be reimbursed.

There is a bill pending from my own State for reimbursement, not an Indian bill, and if I can stop it, I shall do so. I do not think there is any State in the Union or any municipality, or county, or subdivision of a State, or any band of Indians in this country, which has a right today to come to the United States Government and say that the Government owes them money, in view of what we have been doing for the people of all the States since the depression started. They might have spent some money in behalf of the United States Government years ago, but let us consider the billions of dollars that the United States Government has spent in behalf of the people of the States in the last few years. I think we should take that into consideration in handling all claim bills. I ask the gentleman if he will not request this bill go over without prejudice until I can get a report from the General Accounting Office.

Mr. MURDOCK. Mr. Speaker, will the gentleman yield?

Mr. COCHRAN. Yes.

Mr. MURDOCK. Suppose we incorporate in this bill an amendment in substance as the gentleman has indicated, that before the payment of the sum authorized to be appropriated shall be made, there shall be deducted therefrom such sum as the Secretary of the Interior shall determine has been gratuitously expended for the benefit of said Indians.

Mr. COCHRAN. I will not let the Secretary of the Interior, with all due respect to that gentleman, decide this question. It must be decided by the Comptroller General of the United States. I want to get a report from the Comptroller General of the United States. I am not going to let the bill go through otherwise, and if the gentleman does not want it to go over without prejudice, I propose to object.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. COCHRAN. Yes.

Mr. TABER. This is the same bill, except that it is a House bill instead of a Senate bill, which we defeated on a roll call, when the Committee on Indian Affairs had the call in the last days of the last session.

Mr. COCHRAN. I thank the gentleman from New York. I say to the gentleman from Utah, and for the information of the House, that the Congress has referred to the Court of Claims 114 resolutions setting aside statute of limitations, to give the Court of Claims power to determine claims of Indians against the United States, and the total amount involved in those 114 resolutions is three and a quarter billions of dollars. I repeat the sum, three and a quarter billions—not millions—of dollars.

You have referred those bills to the United States Court of Claims. It should be stopped. Mr. Speaker, I object.

Mr. TABER. Mr. Speaker, I object.

Mr. MILLARD. Mr. Speaker, I object.

Mr. RICH. Mr. Speaker, I object.

RICHMOND NATIONAL BATTLEFIELD PARK

The Clerk called the next bill, H. R. 1415, to provide for the establishment of the Richmond National Battlefield Park, in the State of Virginia, and for other purposes.

The SPEAKER pro tempore (Mr. WOODRUM). Is there objection to the present consideration of the bill?

Mr. ROGERS of Oklahoma. Mr. Speaker, reserving the right to object, I tried to have the gentleman from Missouri [Mr. COCHRAN] yield so that I could ask him a question a moment ago. I know the gentleman from Missouri wants to be fair. The gentleman referred to a bill that was defeated after it had been found that the bill had been paid. I hope the gentleman did not mean that, because the bill was withdrawn.

Mr. COCHRAN. I meant "withdrawn", instead of "defeated", and I will change my remarks to read that way, but is it not true that the letter I received from the Comptroller General showed that the money had been paid before I was born?

Mr. ROGERS of Oklahoma. The gentleman will have the RECORD show that the bill was withdrawn, instead of defeated?

Mr. COCHRAN. Yes; but it was paid, and that is the reason it was withdrawn. If the Committee on Indian Affairs will refer all such bills to the Comptroller General, a representative of the Congress, as well as to the Department of the Interior, and consider the Comptroller General's report, we will not have any trouble, because when you get his report I do not think you will report such bills.

The bill that was withdrawn the Commissioner of Indian Affairs recommended that it be paid, but the Comptroller General informed me it had already been paid. That shows you the Commissioner of Indian Affairs does not have sufficient records to report on Indian claim bills.

I am acting at the request of the Committee on Expenditures, of which I am chairman. I have no personal interest in the matter other than to protect the taxpayers of the country. Surely none of us would like to pay a bill twice. Why ask the Government?

Mr. RICH. Reserving the right to object, are we discussing Calendar No. 302?

The SPEAKER pro tempore. Yes.

Mr. RICH. May I ask whoever has charge of this bill whether a committee was formed, under a bill which was presented to the Committee on Public Lands last year, giving the Secretary of the Interior power to create a commission to determine what monuments or parks should be established in the United States; and if so, was this bill presented to that committee or commission, and did that committee or commission act on it?

Mr. MONTAGUE. This bill was offered before that bill to which the gentleman referred was offered.

Mr. RICH. Then we have a bill giving the Secretary of the Interior and his committee the power to recommend to Congress what monuments should be established. Why not present it to the committee? Now, here we have three or four of these bills coming right along in a row. Are we going to permit every Member of Congress to say that we must have monuments established or parks established in our particular districts? If so, what is going to be the expense of those monuments and where are we going to get the money, and how much is it going to eventually cost in succeeding Congresses to take care of those particular monuments?

Mr. MONTAGUE. I may say to the gentleman that there is a question whether this is a monument; whether battlefield parks are monuments. I do not know, but I am advised that the Secretary of the Interior takes the ground that they are not monuments.

Mr. RICH. Has the Secretary of the Interior recommended that this bill be passed?

Mr. MONTAGUE. The appropriate department recommended it. I do not know whether the Secretary did or not, but the Department has recommended that the bill be passed.

Mr. RICH. What is it going to cost to establish this park?

Mr. MONTAGUE. This is a bill that rounds out what is known as Battlefield Park, as far as my own district is concerned. The State of Virginia owns the property now. Some gentlemen in my own town, some of them old Confederate soldiers, bought it and presented it to the State.

Mr. RICH. The State of Virginia owns this park?

Mr. MONTAGUE. Yes; and wishes to present it to the National Government.

Mr. RICH. So that the National Government will bear the expense of maintaining it. You have more parks in Virginia than in any other State in the country. It is about time that we stop creating parks in Virginia. Eventually Virginia will be nothing but a park, and we up in Pennsylvania, my taxpayers, will have to support it.

Mr. Speaker, I object.

Mr. MONTAGUE. May I ask the gentleman if he will let this bill go over without prejudice?

Mr. RICH. I will let the bill go over without prejudice, but I am going to object to every one of these park bills on the calendar.

Mr. MONTAGUE. Then, 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 Virginia?

There was no objection.

COLONIAL NATIONAL MONUMENT, VA.

The Clerk called the next bill, H. R. 5722, to provide for the addition or additions of certain lands to the Colonial National Monument in the State of Virginia.

The SPEAKER pro tempore. Is there objection?

Mr. RICH. Mr. Speaker, I object.

Mr. MONTAGUE. Will the gentleman kindly take the same position that he did before, and let this go over without prejudice?

Mr. RICH. I will do that.

Mr. MONTAGUE. Then I ask that the bill go over without prejudice, Mr. Speaker.

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

There was no objection.

THE HOMESTEAD NATIONAL MONUMENT OF AMERICA, GAGE COUNTY, NEBR.

The Clerk called the next bill, S. 1307, to establish the Homestead National Monument of America in Gage County, Nebr.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. RICH. Mr. Speaker, I object.

Mr. LUCKEY. Will the gentleman allow this bill to be passed over without prejudice?

Mr. RICH. I will do that, but I will be here the next time to object.

Mr. LUCKEY. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

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

There was no objection.

TWENTY-FIRST AMENDMENT

The Clerk called the next bill, H. R. 8368, to enforce the twenty-first amendment.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MILLER. Mr. Speaker, at the request of the author of the bill I ask unanimous consent that it may go over without prejudice.

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

There was no objection.

SHIPMENT OF PRIVATELY OWNED AUTOMOBILES

The Clerk called the next bill, H. R. 3421, to authorize credit in disbursing officers' accounts covering shipment of privately owned automobiles from October 12, 1927, to October 10, 1929.

Mr. HOPE. Mr. Speaker, will some member of the Committee on Military Affairs undertake to explain the bill?

Mr. HILL of Alabama. Mr. Speaker, I may state to the gentleman from Kansas that in 1927 the War Department issued a regulation which permitted officers to ship their automobiles under the general head of authorized baggage. The regulation was held by the Judge Advocate General of the Army to be in conformity with existing law. It meant that the officers could have their automobiles shipped by the Government without expense to themselves. In 1929 the Comptroller General took a view opposite to that entertained by the Judge Advocate General and held that the transportation of these automobiles must be paid for by the officers of the Army. This being the case, the money that had been expended by the Government in transporting these automobiles was charged up against the disbursing officers of the Army who had permitted the different shipments. As I understand from the letter of the Secretary of War, the officers whose automobiles were shipped have reimbursed the Government for the expenses of these shipments.

The purpose of this bill is simply to relieve the disbursing officers from being charged with these expenditures.

Mr. HOPE. In other words, this bill will not cost the Government of the United States anything?

Mr. HILL of Alabama. No. I call the gentleman's attention to the statement of the Secretary of War, in which he says:

> The personnel concerned have been required to reimburse the Government for excess rate on automobiles over and above the rate on household goods.

The Secretary of War then goes on to say:

> The War Department seeks enactment of the proposed legislation, which will allow the items, will relieve personnel of a liability incurred through no fault of their own, and will have no other effect.

Mr. HOPE. This would require the disbursing officers to refund to these Army officers the amounts that have been paid in.

Mr. HILL of Alabama. I do not so understand it. I understand this bill really takes care of a matter of bookkeeping, that it requires no further appropriation or the expenditure of any money on the part of the Federal Government. I understand, furthermore, that the money that was paid has been reimbursed by the officers for whose benefit it was paid.

Mr. HOPE. If this be the case, I cannot understand why the legislation is necessary.

Mr. HILL of Alabama. Because the Comptroller General charged these amounts against the disbursing officers, and these charges still stand against the disbursing officers. The only way they can secure relief, as I understand it, is through an act of Congress.

Mr. HOPE. If the money has been paid in by the officers in question, are not the books of the disbursing officers now in balance so far as these accounts are concerned?

Mr. HILL of Alabama. No; as I understand it these charges are still standing today against these disbursing officers.

Mr. HOPE. The gentleman, then, understands the legislation to be simply a matter of clearing up these accounts on the books of the officers, and that it does not involve the repayment of the amounts which have been paid in by these officers?

Mr. HILL of Alabama. That is my information from the War Department, I may say to the gentleman from Kansas.

Mr. HOPE. It does not in any way authorize the carrying of these automobiles as baggage in the future at Government expense?

Mr. HILL of Alabama. No.

Mr. HOPE. It does not change the law or the decision of the Comptroller General?

Mr. HILL of Alabama. No. The Secretary of War makes that clear in his letter.

Mr. HOPE. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

> *Be it enacted, etc.*, That the Comptroller General of the United States is hereby authorized to allow transportation accounts for private automobiles of officers, warrant officers, nurses, enlisted men, or civilian employees shipped as their authorized baggage allowance from October 12, 1927, to October 10, 1929, and within the authorized weight allowance, at classification rates charged by the transportation companies: *Provided*, That where any amounts have

been collected for shipments made during such period of the difference between classification rates and household-goods rates as authorized by existing law, the payment, upon presentation of claims therefor, of amounts thus collected to those from whom collected is authorized and directed.

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.

SARATOGA NATIONAL HISTORICAL PARK (NEW YORK)

The Clerk called the next bill, H. R. 89, to provide for the creation of the Saratoga National Historical Park in the State of New York, and for other purposes.

Mr. RICH. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

UNIFORM SYSTEM OF BANKRUPTCY

The Clerk called the next bill, H. R. 1425, to amend section 80 of chapter 9 of an act to amend the act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898.

Mr. MILLER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice because there is another bill on the calendar that will probably serve the same purpose as this one.

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

Mr. O'MALLEY. Mr. Speaker, reserving the right to object, there are a great many amendments that have been offered to the Bankruptcy Act. Is it not possible to get all of these amendments to that act in one bill, so that the act may be intelligently and logically amended at one time?

Mr. MILLER. That is the very reason I am asking that this bill be passed over. This bill applies to only one district in South Carolina.

Mr. O'MALLEY. There are other amendments to the Bankruptcy Act?

Mr. MILLER. Only one other amendment to this particular section.

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

There was no objection.

LAW CLERKS IN UNITED STATES DISTRICT COURTS

The Clerk called the next bill, H. R. 6376, to amend section 118 of the Judicial Code to provide for the appointment of law clerks to United States district court judges.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HOPE. Mr. Speaker, reserving the right to object, may I ask a member of the Judiciary Committee to explain this bill and give us some information?

Mr. MILLER. Mr. Speaker, I am a member of the Judiciary Committee, but I do not know that I can answer the gentleman's question. I ask unanimous consent that this bill be passed over without prejudice, because there is some little contention with reference to this matter.

Mr. O'MALLEY. The report on this bill is very incomplete as to the need for these clerks in the various districts.

Mr. MILLER. I may say that I did not draw the report and I am not defending the bill.

Mr. O'MALLEY. May I say, with all deference to the gentleman's committee, that if the bill does come up I propose to object to its consideration?

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

There was no objection.

OFFICERS ON THE RETIRED LIST OF THE NAVY AND MARINE CORPS

The Clerk called the next bill, S. 2774, for the relief of certain officers on the retired list of the Navy and Marine Corps who have been commended for their performance of duty in actual combat with the enemy during the World War.

Mr. MARSHALL. May I ask someone to give us an idea as to the amount involved?

Mr. VINSON of Georgia. This does not increase the pay of any officer.

Mr. MARSHALL. When an officer is elevated to a higher rank, does not that automatically increase his salary?

Mr. VINSON of Georgia. The bill states very positively that there may be no increase in pay. As a matter of fact, if it were not so stated, it would happen in very few instances because the pay is based on longevity of service and not rank. This bill is recommended by the Department and merely takes care of the officers who were wounded in action and retired on account of physical disability.

Mr. TAYLOR of Tennessee. How many officers will be affected?

Mr. VINSON of Georgia. The bill has been unanimously reported by the committee. There are only 78 in the whole of the naval service.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That all officers of the Navy and Marine Corps who have been retired or who may hereafter be retired for physical disability and who have been commended for their performance of duty in actual combat with the enemy during the World War by the head of the executive department under whose jurisdiction such duty was performed shall be placed upon the retired list with the rank of the next higher grade: *Provided*, That such promotion shall not carry with it any increase of pay.

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.

RETIREMENT AND ANNUITIES OF CIVILIAN MEMBERS OF UNITED STATES NAVAL ACADEMY

The Clerk called the next bill, H. R. 8140, to provide for the retirement and retirement annuities of civilian members of the teaching staffs at the United States Naval Academy and the Postgraduate School, the United States Naval Academy.

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent to substitute the bill S. 2845 for the House bill, which is identical in language.

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

There was no objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That civilian members of the teaching staffs of the United States Naval Academy and Postgraduate School, whose employment commences from and after the date of approval of this act, shall, as a part of their contracts of employment, be required to carry, during such employment, a deferred annuity policy, having no cash surrender or loan provision, from a joint-stock life-insurance corporation, incorporated under the laws of any State of the United States, which has a charter restriction that its business must be conducted without profit to its stockholders.

SEC. 2. Toward the purchase of said deferred annuity each member of such teaching staffs shall be required to register a monthly allotment through the Navy Allotment Office, Navy Department, Washington, D. C., equivalent in amount to 10 percent of his monthly basic salary: *Provided*, That for each month such allotment is registered the pay accounts of such member shall be credited monthly from such appropriations as may be made for this purpose with an additional sum equivalent to 5 percent of his monthly basic salary.

SEC. 3. The retiring age for all civilian members of the teaching staffs set forth in this act shall be the 30th day of June following their sixty-fifth birthday, or any date between their sixty-fifth birthday and the following 30th day of June upon which their employment may be terminated: *Provided*, That in the discretion of the Secretary of the Navy such retiring age may be extended to not beyond the seventieth birthday in individual and special cases.

SEC. 4. Civilian members of the teaching staffs of the Naval Academy and Postgraduate School, who are so employed on the date of approval of this act, may, at their own request, if made within 60 days thereafter to the Secretary of the Navy, participate in the benefits under the provisions of sections 1 and 2 of this act. Each such member of the teaching staffs who so participates and who, upon reaching the date of retirement as set forth in section 3 of this act has an insufficient accumulation of premium payments to his credit to have purchased for him an annuity of $1,200 per annum, shall be paid by the Secretary of the Navy, from such appropriations as may be made for such purpose, such amounts that, together with his purchased annuity, will make his total annuity $1,200 per annum. Each such member of the teaching

staffs, who so participates and who is forced to retire for physical incapacity prior to his reaching the prescribed retirement age, shall be paid by the Secretary of the Navy, from such appropriations as may be made for such purpose, such amounts which, together with his purchased annuity, will make his total annuity equivalent to an amount, not exceeding $1,200 per annum, which would have been due him had the provisions of this act been in effect on the rate of his original employment: *Provided*, That each such member of the teaching staffs who is so employed on the date of approval of this act and who is entitled to retirement and retirement benefits under the provisions of the Civil Service Retirement Act of 1920, as amended, may elect to continue thereunder, or he may elect to participate in the benefits under the provisions of this section; but in the event that he elects to participate in the benefits under the provisions of this section, no further deductions shall be made from his pay for credit to the civil-service retirement fund, and the Civil Service Commission shall close his account with such fund under the same provisions as though he voluntarily separated himself from the Federal service, except that the amount of such credit will be retained in the civil-service retirement fund and remain subject to claim by, and payment to, him, his beneficiary, or his estate only in the event of his separation from the Federal service by death or otherwise before retirement under the provisions of this act, and then only in the amount by which such credit exceeds the total amount of 5 percent of his basic salary which may have been credited to his monthly pay accounts under the provisions of section 2 of this act.

SEC. 5. Civilian members of the teaching staffs of the Naval Academy and Postgraduate School shall include instructors, assistant chief instructors, chief instructors, assistant professors, asociate profesors, and professors.

SEC. 6. The Secretary of the Navy is authorized and directed to make such regulations as may be necessary to carry out the provisions of this act. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary to carry out the provisions of this act.

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. 8140) was laid on the table.

DISPOSAL OF MATERIAL NO LONGER NEEDED BY THE NAVY

The Clerk called the next bill, H. R. 1381, to amend Public Law No. 249, Seventy-first Congress, entitled "An act to authorize the Secretary of the Navy to dispose of material no longer needed by the Navy."

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Public Law No. 249, Seventy-first Congress, approved May 23, 1930, entitled "An act to authorize the Secretary of the Navy to dispose of material no longer needed by the Navy", is amended by striking out the word "and" before the word "tools" and inserting after the word "tools" a comma followed by "boats and boat equipment."

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.

SUBMARINE AND DIVING DUTY IN THE NAVY

The Clerk called the next bill, H. R. 5729, to amend the act entitled "An act to provide additional pay for personnel of the United States Navy assigned to duty on submarines and to diving duty", to include officers assigned to duty at submarine training tanks and diving units, and for other purposes.

Mr. HOPE and Mr. TERRY rose.

Mr. HOPE. Mr. Speaker, reserving the right to object, I should like to have the gentleman from Virginia [Mr. DARDEN] give us some idea of the number of officers and men who will be affected by this bill and the amount it will likely cost per annum.

Mr. DARDEN. It is difficult to state the number of officers and men affected. It will cost approximately $14,500 per annum. The bill is designed to allow those men who are assigned to private shipyards where submarines are under construction to draw diving pay after the trials begin, but before the ship is commissioned.

Mr. TERRY. May I ask the gentleman whether or not the officers who are to get this increased pay are doing the diving themselves?

Mr. DARDEN. Yes; officers and men are instructing in the diving tanks of the Navy and performing submarine duty in the trials. There is a great deal of work now going on in an effort to minimize the danger of loss of life in submarine collisions. The officers who are running the schools and actually performing the work are to be compensated, as well as those who are attached to ships that are on trial, but have not been commissioned, although the men are actively engaged in diving work.

Mr. TERRY. These men are actually doing the diving work.

Mr. DARDEN. Yes. This is additional pay for hazard. It is now being received by a number of people in the Navy, and the Naval Affairs Committee believed that it should be extended to all those who are really subjected to the hazards. It is to this end that the bill has been reported.

Mr. HOPE. Mr. Speaker, do I understand that at the present time the Navy personnel, who take over these boats in the Government shipyards before they are commissioned, do receive this addtional pay?

Mr. DARDEN. Yes.

Mr. HOPE. And this bill simply puts those who take over such boats from private shipyards on the same basis?

Mr. DARDEN. Yes. The trials are run in private yards before the ship is accepted and commissioned.

Mr. HOPE. And the men who man these ships during the trials are assuming the same risk and dangers that they do after the ship is commissioned.

Mr. DARDEN. They are proportionately the same. Of course, a ship is on constant duty usually after the ship is commissioned. The trials are fewer, but the hazard in diving is the same. It is probably greater because it is a new ship.

Mr. HOPE. I have no objection, and withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. WOODRUM). Is there objection to the present consideration of the bill?

There was no objection.

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent that the Senate bill (S. 2257) be considered in lieu of the House bill.

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the act entitled "An act to provide additional pay for personnel of the United States Navy assigned to duty on submarines and to diving duty" (45 Stat. 412; U. S. C., Supp. VII, title 34, sec. 886) is hereby amended by inserting after the words "submarine of the Navy" in line 3 of said act the words "including submarines under construction for the Navy from the time builders' trials commence, or on duty at submarine escape training tanks, the Navy Deep Sea Diving School, or the Naval Experimental Diving Unit", and by inserting after the words "submarine of the Navy" in lines 6 and 7 of said act the words "including submarines under construction for the Navy from the time builders' trials commence", so that the said act as amended will read as follows: "That hereafter all officers of the Navy on duty on board a submarine of the Navy, including submarines under construction for the Navy from the time builders' trials commence, or on duty at submarine escape training tanks, the Navy Deep Sea Diving School, or the Naval Experimental Diving Unit, shall, while so serving, receive 25 percent additional of the pay for their rank and service as now provided by law; and an enlisted man of the United States Navy assigned to duty aboard a submarine of the Navy, including submarines under construction for the Navy from the time builders' trials commence, or to the duty of diving, shall, in lieu of the additional pay now authorized, receive pay, under such regulations as may be prescribed by the Secretary of the Navy, at the rate of not less than $5 per month and not exceeding $30 per month, in addition to the pay and allowances of his rating and service: *Provided*, That divers employed in actual salvage operations in depths of over 90 feet shall, in addition to the foregoing, receive the sum of $5 per hour for each hour or fraction thereof so employed.

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

UNITED STATES LIGHTHOUSE SUPPLY DEPOT, ST. JOSEPH, MICH.

The Clerk called the next bill, H. R. 5916, to authorize the conveyance by the United States to the State of Michigan of the former United States lighthouse supply depot, St. Joseph, Mich., for State naval force purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby authorized and directed to convey to the State of Michigan for State naval force purposes all right, title, and interest of the United States in and to a tract of land containing 1.724 acres,

more or less, situated in section 23, township 4 south, range 19 west, in the county of Berrien, State of Michigan, formerly embraced within the United States lighthouse supply depot at St. Joseph, Mich., and transferred to the control and jurisdiction of the Navy Department for naval purposes by the act of Congress approved July 1, 1918 (40 Stat. 704, 719). Such conveyance shall contain the express condition that if said State of Michigan shall at any time cease to use such tract of land for State naval force purposes or shall alienate or attempt to alienate such tract, title thereto shall revert to the United States, and the deed or instrument of conveyance shall recite the reversionary right herein 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.

AUTHORIZING THE APPOINTMENT OF MIDSHIPMEN FROM AMONG HONOR GRADUATES OF HONOR SCHOOLS

The Clerk called the bill (H. R. 7486) to authorize the appointment of midshipmen from among honor graduates of honor schools and from among members of the Naval Reserve Officers' Training Corps.

The Clerk read the title of the bill.

Mr. VINSON of Georgia. Mr. Speaker, this bill is recommended by the Navy Department. It is similar to the measure which provides for the appointment from honor schools to West Point. This bill authorizes the Secretary of the Navy to designate from so-called honor schools named by the War Department one midshipman. I will state that there are 20 of those schools in the United States.

A similar bill has been passed regarding the appointment of cadets to West Point. This is on all fours with that bill.

Mr. TERRY. Are these midshipmen appointed by the Secretary of the Navy?

Mr. VINSON of Georgia. They are designated after they have become honor graduates of these so-called honor schools.

Mr. KELLER. Would this interfere with the appointments to Annapolis by Members of Congress?

Mr. VINSON of Georgia. It has no connection with the appointment by Members of Congress to Annapolis.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy is authorized to appoint not more than 20 midshipmen annually to the Naval Academy from among the honor graduates of educational institutions which are designated as honor schools by the War Department: *Provided*, That not more than one midshipman shall be appointed in any one year from any one of such schools.

SEC. 2. That the Secretary of the Navy is authorized to appoint midshipmen to the Naval Academy from among the members of the Naval Reserve Officers' Training Corps: *Provided*, That not more than one midshipman shall be appointed in any one year from any one of the educational institutions at which a Naval Reserve Officers' Training Corps unit is established.

With the following committee amendments:

Page 1, line 7, after the word "Department", strike out "*Provided*, That not more than one midshipman shall be appointed in any one year from any one of such schools" and insert "and the members of the Naval Reserve Officers' Training Corps: *Provided*, That such appointments shall be made under such rules and regulations as the Secretary of the Navy may prescribe."

Strike out all of section 2.

The committee amendments were agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THE SILVER SERVICE ON THE U. S. S. "PADUCAH"

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent to call out of order the bill (H. R. 8872) authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the Woman's Club, of the city of Paducah, Ky., the silver service in use on the U. S. S. *Paducah*. The reason I am asking unanimous consent is that it probably will not be reached today, and the organization is very anxious that the bill should pass.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia? The Chair hears none.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy is authorized, in his discretion, to loan to the Woman's Club, of the city of Paducah, Ky., for preservation and exhibition, the silver service which was in use on the U. S. S. *Paducah: Provided*, That no expense shall be incurred by the United States for the delivery of such silver service.

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 MUSKOGEE OR CREEK TRIBE OF INDIANS

The Clerk called the next bill on the Consent Calendar, H. R. 5442, authorizing an appropriation to carry out the provisions of section 26 of the agreement with the Muskogee or Creek Tribe of Indians, approved March 1, 1901.

The SPEAKER pro tempore. Is there objection?

Mr. COCHRAN. Reserving the right to object, I should like to make a short statement. This bill provides for an appropriation of $600,000 to carry out the provisions of section 26 of an act to ratify and confirm an agreement with certain Indian tribes. I invite attention to the minority report on the bill, signed by Mr. COLLINS, of California, wherein, in part, he says:

A decision of the Court of Claims was rendered on the 25th day of February 1884, wherein the court held on a question of law as a conclusion of law, that all the claims—

I repeat, all the claims—

which the petitioners had against the United States for damages and losses growing out of the late Rebellion were adjusted, settled, and released by the treaty of 1866, which is the treaty herein discussed and the payment thereunder of $100,000, as provided in article III, and that the claimants, having received that sum, are not entitled to be paid any further amount.

Mr. Speaker, I am forced to object.

Mr. NICHOLS. Mr. Speaker, I am the author of this bill, and the statements made by the gentleman are not absolutely correct. I should like to answer them. I ask unanimous consent to proceed for 1 minute.

Mr. COCHRAN. Mr. Speaker, I yield to the gentleman. I think the gentleman should not say that I am incorrect. I merely read the minority views, and if anyone is incorrect, it is the author of the minority views.

Mr. NICHOLS. Mr. Speaker, this bill is based on a treaty, a treaty made between the Creek Indians and the Government of the United States. The hundred-thousand-dollar provision which the gentleman refers to is referred to in the treaty as follows:

One hundred thousand dollars shall be paid to soldiers that enlisted in the Federal Army and the loyal refugee Indians and freedmen who were driven from their homes by the rebel forces, to reimburse them in proportion to their respective losses, etc.

The treaty further provides that immediately after the ratification thereof the United States shall ascertain the amount due the respective soldiers who enlisted in the Federal Army. In other words, the $100,000 was paid only as good-will money. A committee was appointed. That committee made a survey and came back and reported the actual damages sustained by those Indians at five million dollars plus.

Mr. COCHRAN. Mr. Speaker, let me ask the gentleman to explain why the court said "all the claims" and also advise the House how much money the Government of the United States has advanced in gratuities to the Indians that he is representing. Of course, if there is any amount due, the Indians are dead long ago, and it will be grandchildren that would benefit as well as lawyers.

Mr. NICHOLS. Oh, no. Many of the heirs are still living. In any event, this is a contract entered into by the gentleman's great Government and mine with a tribe of Indians in Oklahoma. After they had fixed this amount they came back and by the action of this Congress the Senate of the United States was appointed as an arbitration body, and the Senate agreed that the Government owed these Indians $1,200,000, and such a bill was passed, but when it came to the House conferees were asked for, and in the conference the amount was cut down to $600,000, and it was rammed down the throats of the Indians; and this is only asking for the balance of the $1,200,000 that was agreed to by the Senate of the United States.

Mr. COCHRAN. Mr. Speaker, the Comptroller General of the United States has the reports, and the Department of the Interior does not have them; and, until I have a report from the Comptroller, I shall object.

Mr. NICHOLS. I will agree with the gentleman to do what the Comptroller says to do on this bill.

Mr. COCHRAN. The gentleman from Oklahoma is always fair and he is fair now in awaiting the Comptroller's report.

The SPEAKER pro tempore. Objection is heard, and the Clerk will call the next bill.

SURVEY OF ARKANSAS RIVER AND FOURCHE BAYOU, ARK.

The Clerk called the bill (H. R. 7995) to authorize a preliminary examination and survey of the Arkansas River and Fourche Bayou with a view to the control of floods in the vicinity of Little Rock and North Little Rock, Ark.

The SPEAKER pro tempore. Is there objection?

Mr. MARSHALL. Mr. Speaker, I reserve the right to object, to inquire if it is not true that the authority is already vested in the Army engineers to do the thing required in this bill.

Mr. TERRY. Part of the examination has been made, but so far as the Fourche Bayou is concerned it has not been made. This gives an authorization, and not an appropriation of money or anything of that sort. It calls attention of the Army engineers to the necessity for this examination. The committee investigated it and there seems to be no objection to it.

The SPEAKER. 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 Arkansas River and Fourche Bayou with a view to the control of floods in the vicinity of Little Rock and North Little Rock, Ark., in accordance with the provisions of section 3 of an act entitled "An act to provide for 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 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.

The title was amended to read: "A bill to authorize a preliminary examination of the Arkansas River and Fourche Bayou with a view to the control of floods in the vicinity of Little Rock and North Little Rock, Ark."

MONUMENT TO SPANISH COLONIAL MISSIONS IN TEXAS, ETC.

The Clerk called House Joint Resolution 211, to create a commission to study and report on the feasibility of establishing a national monument, or monuments, in the territory occupied by the Spanish colonial missions in the States of Texas, New Mexico, Arizona, and California.

The SPEAKER pro tempore. Is there objection?

Mr. RICH. I object.

Mr. MAVERICK. Mr. Speaker, will the gentleman withhold his objection so that I can propose an amendment which might meet with the gentleman's approval?

Mr. RICH. I will withhold it.

The SPEAKER pro tempore. Does the Chair understand the gentleman reserves the right to object until the amendment is read for information?

Mr. RICH. Yes; I should like to reserve the objection until I hear the amendment.

The SPEAKER pro tempore. Without objection, the Clerk will read the amendment for information.

There was no objection.

The Clerk read as follows:

Amendment proposed by Mr. MAVERICK: Strike out all after the enacting clause and insert:

"That a commission is hereby created to be known as the Spanish Colonial Missions Commission, to be composed of two Members of the Senate, to be appointed by the President of the Senate; six Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives; and two members to be appointed by the Secretary of the Interior, and the Secretary of the Interior, ex officio. Any vacancy in the commission shall be filled in the same manner as an original appointment. The members of the commission shall select a chairman from among their number. The commissioners shall receive no compensation for their services. The commission shall cease to exist upon making its report to Congress pursuant to this resolution.

"SEC. 2. The Spanish Colonial Missions Commission is authorized and directed—

"(1) To make a study for the purpose of ascertaining the best methods for the preservation of Spanish colonial architecture, sites, antiquities, art, and culture, and for the collection and making available to the public of historical data, materials, and information with respect thereto, with the view of establishing appropriate monuments, parks, and shrines, encouraging suitable exhibitions, commemorations, and tourist attractions, and promoting domestic travel and patriotic knowledge; and

"(2) To submit to Congress, as soon as practicable, a report containing the results of its study, together with its recommendations for such legislation as it deems necessary or appropriate.

"SEC. 3. The commission may appoint and fix the compensation, without regard to the civil-service laws or the Classification Act of 1923, as amended, of a secretary, historian, and such other employees, and may make such expenditures, including expenditures for actual travel and subsistence expenses of commissioners and employees (not exceeding $5 for subsistence expense for any one person for any one calendar day) while absent from their places of residence or designated posts of duty on the business of the commission, and including printing and binding, as may be necessary for the execution of its functions under this resolution. All expenses of the commission shall be allowed and paid upon the presentation of itemized vouchers therefor approved by the chairman of the commission.

"SEC. 4. There is hereby authorized to be appropriated the sum of $15,000 to be expended by the commission in accordance with the provisions of this resolution.

"Amend the title to read as follows: 'To create a commission to study and make a report and recommendations to Congress on preserving and making available to the public sites, data, materials, and information relative to Spanish colonial architecture, antiquities, arts, and culture.' "

Mr. RICH. Mr. Speaker, I should like to say to the gentleman from Texas [Mr. MAVERICK] that this would only create another commission. The Democratic platform called for the elimination of commissions. Last year we established a commission to determine overlapping duties——

Mr. SMITH of Virginia. Mr. Speaker, the regular order.

Mr. RICH. That Commission was appointed last year. We also appointed a committee to investigate——

The SPEAKER pro tempore. The regular order has been demanded. Is there objection?

Mr. RICH. Mr. Speaker, I object.

PLANT QUARANTINE LAWS

The Clerk called the next bill, H. R. 8495, to amend certain plant-quarantine laws.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There being no objection, the Clerk read as follows:

Be it enacted, etc., That the third sentence of the second paragraph under the subheading "Enforcement of the Plant Quarantine Act" under the heading "Miscellaneous" of the act entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1916", approved March 4, 1915, is amended to read as follows: "If the plants or plant products are found upon inspection to be free from injurious pests and not in violation of a plant-quarantine law or plant-quarantine regulation of the United States Department of Agriculture or of the State of destination pertaining to such injurious pests, or if infected shall be disinfected by said official, they shall upon payment of postage therefor be returned to the postmaster at the place of inspection to be forwarded to the person to whom they are addressed; but if found to be infected with injurious pests and incapable of satisfactory disinfection or in violation of a plant-quarantine law or plant-quarantine regulation of the United States Department of Agriculture or of the State of destination pertaining to such injurious pests, the State inspector shall so notify the postmaster at the place of inspection who shall promptly notify the sender of said plants or plant products that they will be returned to him upon his request and at his expense, or in default of such request that they will be turned over to the State authorities for destruction."

With the following committee amendment:

Page 1, line 9, after the word "products", insert "(including seed)."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CLAIMS OF KIOWA, COMANCHE, AND APACHE TRIBES OF INDIANS

The Clerk called the next bill, H. R. 6818, conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any claim which the Kiowa, Comanche, and Apache Tribes of Indians may have against the United States, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HOPE. Mr. Speaker, I object.

CLAIMS OF WINNEBAGO TRIBE OF INDIANS

The Clerk called the next bill, H. R. 6740, to amend an act approved December 17, 1928, entitled "An act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment thereon in claims which the Winnebago Tribe of Indians may have against the United States, and for other purposes."

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HOPE. 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 Kansas?

There was no objection.

DISPOSAL OF SMUGGLED MERCHANDISE

The Clerk called the next bill, H. R. 8624, to provide for the disposal of smuggled merchandise, to authorize the Secretary of the Treasury to require imported articles to be marked in order that smuggled merchandise may be identified, and for other purposes.

The SPEAKER pro tempore. Is there objection?

There being no objection, the Clerk read as follows:

Be it enacted, etc., That where under existing law any forfeiture, condemnation, or abandonment of watches, watch movements, or parts thereof under the customs laws is declared by the collector of customs, or any forfeiture is decreed by any court, the Secretary of the Treasury is hereby directed to sell at public auction for a price not less than the fair value thereof, plus legal duty imposed thereon, together with all costs, including transportation and court costs, or, in lieu thereof, to destroy said merchandise, after removal for governmental accounts of all economically recoverable precious stones, gold, silver, or platinum: *Provided*, That payment of compensation to informers as now provided by law shall be paid in the case of any merchandise recovered to the Government and sold at public auction, or in case of destruction of such merchandise the amount provided by law shall be determined upon a fair value thereof: *Provided, however*, That no such amount shall exceed $50,000. The Secretary of the Treasury is authorized to make such rules and regulations as may be necessary to carry out the provisions of this section.

SEC. 2. After 90 days after the date of the enactment of this act, no watch movement, complete or incomplete, shall be permitted entry into the United States unless an unduplicated consecutive number, together with the manufacturer's or importer's name, is marked legibly on the barrel, bridge, or pillar plate be registered with the Secretary of the Treasury for identification purposes, as he may by rules and regulations prescribe.

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.

BILLS OF INTERPLEADER

The Clerk called the next bill, S. 1277, to amend section 24 of the Judicial Code by conferring on district courts additional jurisdiction of bills of interpleader.

The SPEAKER pro tempore. Is there objection?

There being no objection, the Clerk read as follows:

Be it enacted, etc., That subsection 26 of section 24 of the Judicial Code, as amended (U. S. C., title 28, sec. 41 (26)), be, and the same is hereby, amended to read as follows:

"(26) Original jurisdiction of bills of interpleader—Twenty-sixth: (a) Of suits in equity begun by bills of interpleader or bills in the nature of bills of interpleader duly verified, filed by any person, firm, corporation, association, or society having in his or its custody or possession money or property of the value of $500 or more, or having issued a note, bond, certificate, policy of insurance, or other instrument of the value or amount of $500 or more, or providing for the delivery or payment or the loan of money or property of such amount or value, or being under any obligation written or unwritten to the amount of $500 or more, if—

"(i) Two or more adverse claimants, citizens of different States, are claiming to be entitled to such money or property, or to any one or more of the benefits arising by virtue of any note, bond, certificate, policy, or other instrument, or arising by virtue of any such obligation; and

"(ii) The complainant (a) has deposited such money or property or has paid the amount of or the loan or other value of such instrument or the amount due under such obligation into the registry of the court, there to abide the judgment of the court; or (b) has given bond payable to the clerk of the court in such amount and with such surety as the court or judge may deem proper, conditioned upon the compliance by the complainant with the future order or decree of the court with respect to the subject matter of the controversy."

Such a suit in equity may be entertained although the titles or claims of the conflicting claimants do not have a common origin, or are not identical, but are adverse to and independent of one another.

"(b) Such a suit may be brought in the district court of the district in which one or more of such claimants resides or reside.

"(c) Notwithstanding any provision of the Judicial Code to the contrary, said court shall have power to issue its process for all such claimants and to issue an order of injunction against each of them, enjoining them from instituting or prosecuting any suit or proceeding in any State court or in any United States court on account of such money or property or on such instrument or obligation until the further order of the court; which process and order of injunction shall be returnable at such time as the said court or a judge thereof shall determine and shall be addressed to and served by the United States marshals for the respective districts wherein said claimants reside or may be found.

"(d) Said court shall hear and determine the cause and shall discharge the complainant from further liability; and shall make the injunction permanent and enter all such other orders and decrees as may be necessary or convenient to carry out and enforce the same.

"(e) In any action at law in a United States District Court against any person, firm, corporation, association, or society, such defendant may be set up by way of equitable defense, in accordance with section 274b of the Judicial Code (U. S. C., title 28, sec. 398), any matter which would entitle such person, firm, corporation, association, or society to file an original or ancillary bill of interpleader or bill in the nature of interpleader in the same court or in any other United States District Court against the plaintiff in such action at law and one or more other adverse claimants, under the provisions of paragraph (a) of this subsection or any other provision of the Judicial Code and the rules of court made pursuant thereto. The defendant may join as parties to such equitable defense any claimant or claimants who are not already parties to such action at law. The district court in which such equitable defense is interposed shall thereby possess the powers conferred upon district courts by paragraphs (c) and (d) of this subsection and by section 274b of the Judicial Code."

"SEC. 2. The act entitled 'An act authorizing casualty companies, surety companies, insurance companies or associations, or fraternal or beneficial societies to file bills of interpleader', approved May 8, 1926 (U. S. C., Supp. III, title 28, sec. 41 (26)), is hereby repealed. Said repeal shall not affect any act done or any right, accruing or accrued in any suit or proceeding had or commenced under said act hereby repealed, prior to the passage of this act, but all such acts or rights, suits, or proceedings shall continue and be valid and may be prosecuted and enforced in the same manner as if said act had not been repealed hereby."

With the following committee amendments:

On page 1, strike out lines 3, 4, and 5 and insert in lieu thereof "That section 24 of the Judicial Code, as amended, is amended by inserting at the end thereof the following:".

On page 4, line 22, strike out the word "Code" and insert "Code.".

On page 4, line 24, strike out " "Sec." and insert "Sec. 2."

On page 5, in line 10, strike out the word "hereby" " and insert "hereby."

The committee amendments were agreed to.

The bill as amended 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 was amended to read as follows: "An act to amend section 24 of the Judicial Code by conferring on district courts additional jurisdiction of bills of interpleader and of bills in the nature of interpleader."

COOS HEAD RIVER AND HARBOR RESERVATION

The Clerk called the next bill, S. 978, authorizing the Secretary of War to convey to the University of Oregon certain lands forming a part of the Coos Head River and Harbor Reservation.

The SPEAKER pro tempore. Is there objection?

There being no objection, the Clerk read as follows:

Be it enacted, etc., That the Secretary of War is authorized and directed to convey by quitclaim deed to the University of Oregon, State of Oregon, subject to the conditions hereinafter specified, the following described part of the Coos Head River and Harbor Reservation situated on the south shore of the entrance to Coos

Bay in Coos County, Oreg.: All of lot 3, section 2, township 26 south, range 14 west, Willamette meridian, except the west 750 feet of said lot heretofore conveyed to the University of Oregon: *Provided*, That such conveyance shall not be made until the Civilian Conservation Corps has relinquished the use and occupancy of said land.

SEC. 2. The lands herein authorized to be conveyed shall be used by the University of Oregon solely for scientific and educational purposes, subject, however, to the right of the United States, in case of war or other emergency, to assume control of, hold, use, and occupy said lands or any part thereof for any and all military, naval, or other governmental purposes, and subject at all times to the rights of the United States stated in section 3 hereof. The deed executed by the Secretary of War under the provisions of section 1 of this act shall contain the express condition that if the University of Oregon shall at any time attempt to alienate said lands that same shall revert to the United States.

SEC. 3. The lands herein authorized to be conveyed to the University of Oregon shall at all times be subject to the right of the United States to occupy and use such part thereof as are now or may hereafter be needed for jetty site or sites, for rights-of-way for tramways to such jetty site or sites, and for ingress and egress by persons engaged in river and harbor work; and the United States shall at all times have prior right to three-fourths of the natural flow of streams draining lots 2 and 3.

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.

BRIDGE ACROSS POTOMAC RIVER AT DAHLGREN, VA.

The Clerk called the next bill, H. R. 8025, authorizing the George Washington Memorial Bridge Public Corporation, its successors and assigns, to construct, maintain, and operate a bridge across the Potomac River at or near Dahlgren, Va.

Mr. MARSHALL. Mr. Speaker, reserving the right to object, may we have an explanation of the bill?

Mr. BLAND. Mr. Speaker, may I say that I have been asked to request unanimous consent that this bill may be passed over without prejudice?

Mr. Speaker, I had occasion to look into this matter, and find that this bill is really a part of the existing law, having been provided for in the omnibus bill at the close of the last session.

The SPEAKER pro tempore. Without objection, the bill will be passed over without prejudice.

There was no objection.

BRIDGE ACROSS MISSISSIPPI RIVER AT ST. LOUIS, MO.

The Clerk called the next bill, H. R. 8609, authorizing the county of St. Clair, in the State of Illinois, and the State of Illinois, or either of them, to construct, maintain, and operate a toll bridge across the Mississippi River at or near a point on Broadway between Florida and Mullanphy Streets in the city of St. Louis, Mo., and a point opposite thereto in the town of Stites, in the county of St. Clair, State of Illinois, and connecting with St. Clair Avenue extended in said town.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in order to promote interstate commerce, improve the postal service, and provide for military and other purposes, the county of St. Clair, in the State of Illinois, and the State of Illinois, or either of them, be, and are hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Mississippi River, at a point suitable to the interests of navigation, at or near a point on Broadway between Florida and Mullanphy Streets in the city of St. Louis, Mo., and a point opposite thereto in the town of Stites, in the county of St. Clair, State of Illinois, and connecting with St. Clair Avenue extended in said town, 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. There is hereby conferred upon the county of St. Clair, in the State of Illinois, and the State of Illinois, or either of them, 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, maintenance, and operation 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 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 said county of St. Clair, in the State of Illinois, and the State of Illinois, or either of them, are hereby authorized to fix and charge tolls for transit over such bridge, 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. In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for 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 such 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 30 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 cost 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. 5. The right to alter, amend, or repeal this act is hereby expressly reserved.

Amend the title so as to read: "A bill authorizing the county of St. Clair, in the State of Illinois, to construct, maintain, and operate a toll bridge across the Mississippi River, at or near a point on Broadway between Florida and Mullanphy Streets in the city of St. Louis, Mo., and a point opposite thereto in the town of Stites, in the county of St. Clair, State of Illinois, and connecting with St. Clair Avenue extended in said town."

With the following committee amendments:

Page 1, line 5, strike out the words "and the."

Page 1, line 6, strike out the words "State of Illinois, or either of them", and strike out the word "are" and insert in lieu thereof the word "is."

Page 2, line 13, strike out the words "and the State of Illinois."

Page 2, line 14, strike out the words "or either of them."

Page 3, line 2, strike out the words "and the State of Illinois, or either of them, are" and insert in lieu thereof the word "is."

The 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.

Amend the title so as to read: "A bill authorizing the county of St. Clair, in the State of Illinois, to construct, maintain, and operate a toll bridge across the Mississippi River at or near a point on Broadway between Florida and Mullanphy Streets in the city of St. Louis, Mo., and a point opposite thereto in the town of Stites, in the county of St. Clair, State of Illinois, and connecting with St. Clair Avenue extended in said town."

BRIDGE ACROSS OHIO RIVER, SHAWNEETOWN, ILL.

The Clerk called the next bill, H. R. 8680, to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Shawneetown, Gallatin County, Ill., and a point opposite thereto in Union County, Ky.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the Ohio River at or near Shawneetown, Gallatin County, Ill., and a point opposite thereto in Union County, Ky., authorized to be built by the city of Shawneetown, Ill., by an act of Congress approved June 4, 1934, are hereby extended 1 and 3 years, respectively, from the date of approval hereof.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS MISSOURI RIVER, MIAMI, MO.

The Clerk called the next bill, S. 2950, granting the consent of Congress to the county of Saline, Mo., to construct, maintain, and operate a toll bridge across the Missouri River at or near Miami, Mo.

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 county of Saline, Mo., to construct, maintain, and operate a bridge and approaches thereto across the Missouri River, at a point suitable to the interests of navigation, at or near

Miami, Mo., 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 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 read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION

The Clerk called the next resolution, H. J. Res. 297, granting consent of Congress to a compact or agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission and specifying the powers and duties thereof.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the House joint resolution, as follows:

Whereas, pursuant to act no. 332 of the Commonwealth of Pennsylvania, approved June 25, 1931, as amended by act no. 138, approved May 18, 1933, and chapter 215 of the Laws of New Jersey, approved June 11, 1934, the Commonwealth of Pennsylvania and the State of New Jersey have entered into a certain compact or agreement, which said compact or agreement has been duly executed and delivered by the Governor of the Commonwealth of Pennsylvania on behalf of the said Commonwealth and by the Governor of New Jersey on behalf of the State of New Jersey; and

Whereas the aforesaid agreement or compact is in substantially the following form, that is to say:

Whereas the commission on behalf of the Commonwealth of Pennsylvania, existing by virtue of the act approved the 8th day of May 1919 (Pamphlet Laws, 148), and its supplements and amendments, and the commission, on behalf of the State of New Jersey, existing by virtue of the provisions of the act, approved the 1st day of April 1912 (ch. 297), and its supplements and amendments, acting as a joint commission, have acquired various toll bridges over the Delaware River between the Commonwealth of Pennsylvania and the State of New Jersey; and

Whereas additional bridge facilities between the two States will be required in the future for the accommodation of the public and the development of both States; and

Whereas such additional bridge facilities should be developed without the expenditure of large sums from the public revenues; and

Whereas it is highly desirable that there be a single agency for both States empowered to further the transportation interests of these States with respect to that part of the Delaware River north of the stone arch bridge of the Pennsylvania Railroad from Morrisville to Trenton: Now, therefore,

The Commonwealth of Pennsylvania and the State of New Jersey do hereby solemnly covenant and agree, each with the other, as follows:

ARTICLE I

There is hereby created a body corporate and politic, to be known as the "Delaware River Joint Toll Bridge Commission" (hereinafter in this agreement called the "commission"), which shall consist of the commissioners, on behalf of the Commonwealth of Pennsylvania, provided for by the act, approved the 8th day of May 1919 (Pamphlet Laws, 148), and its supplements and amendments, for the acquisition of toll bridges over the Delaware River, and of commissioners, on behalf of the State of New Jersey, provided for by the act, approved the 1st day of April 1912 (ch. 397), and its supplements and amendments, for the acquisition of toll bridges over the Delaware River, which said commissions have heretofore been acting as a joint commission by virtue of reciprocal legislation.

No action of the commission shall be binding unless a majority of the members of the commission from Pennsylvania and a majority of the members of the commission from New Jersey shall vote in favor thereof.

The commission shall constitute the public corporate instrumentality of the Commonwealth of Pennsylvania and the State of New Jersey for the following public purposes, and shall be deemed to be exercising an essential governmental function in effectuating such purpose, to wit:

(a) The administration, operation, and maintenance of the joint State-owned bridges across the Delaware River between the Commonwealth of Pennsylvania and the State of New Jersey, and located north of the present stone arch bridge of the Pennsylvania Railroad across the Delaware River from Morrisville to Trenton;

(b) The investigation of the necessity for additional bridge communications over the Delaware River north of the said railroad bridge, and the making of such studies, surveys, and estimates as may be necessary to determine the feasibility and cost of such additional bridge communications;

(c) The preparation of plans and specifications for, and location, construction, administration, operation, and maintenance of, such additional bridge communications over the Delaware River, north of the aforesaid railroad bridge, as the commission deems necessary to advance the interests of the two States and to facilitate public travel; and the issuance of bonds and obligations to provide moneys sufficient for the construction of such bridges; and the collection of tolls, rentals, and charges for the redemption of such bonds and obligations, and the payment of interest thereon;

(d) The procurement from the Government of the United States of any consents which may be requisite to enable any project within its powers to be carried out.

ARTICLE II

For the effectuation of its authorized purposes, the commission is hereby granted the following powers:

(a) To have perpetual succession.

(b) To sue and be sued.

(c) To adopt and use an official seal.

(d) To elect a chairman, vice chairman, secretary, and treasurer, and appoint an engineer. The secretary, treasurer, and engineer need not be members of the commission.

(e) To adopt suitable bylaws for the management of its affairs.

(f) To appoint such other officers, agents, and employees as it may require for the performance of its duties.

(g) To determine the qualifications and duties of its appointees, and to fix their compensation.

(h) To enter into contracts.

(i) To acquire, own, hire, use, operate, and dispose of personal property.

(j) To acquire, own, use, lease, operate, and dispose of real property and interest in real property, and to make improvements thereon.

(k) To grant the use of, by franchise, lease, and otherwise, and to make and collect charges for the use of, any property or facility owned or controlled by it.

(l) To borrow money upon its bonds or other obligations, either with or without security.

(m) To exercise the power of eminent domain.

(n) To determine the exact location, system, and character of, and all other matters in connection with, any and all improvements or facilities which it may be authorized to own, construct, establish, effectuate, maintain, operate, or control.

(o) In addition to the foregoing powers, to exercise the powers, duties, authority, and jurisdiction heretofore conferred and imposed upon the aforesaid commissions, hereby constituted a joint commission by reciprocal legislation of the Commonwealth of Pennsylvania and the State of New Jersey, with respect to the acquisition of toll bridges over the Delaware River, the management, operation, and maintenance of such bridges, and the location, construction, operation, and maintenance of additional bridge communications over the Delaware River north of the aforesaid railroad bridge of the Pennsylvania Railroad.

(p) To exercise all other powers, not inconsistent with the constitutions of the States of Pennsylvania and New Jersey or of the United States, which may be reasonably necessary or incidental to the effectuation of its authorized purposes or to the exercise of any of the foregoing powers, except the power to levy taxes or assessments for benefits; and generally to exercise, in connection with its property and affairs and in connection with property under its control, any and all powers which might be exercised by a natural person or a private corporation in connection with similar property and affairs.

ARTICLE III

If for any of its authorized purposes (including temporary purposes) the commission shall find it necessary or convenient to acquire for public use any real property in the Commonwealth of Pennsylvania or the State of New Jersey, whether for immediate or future use, the commission may, by resolution, determine to acquire such property by a fee simple absolute or a lesser interest, and the said determination shall not be affected by the fact that such property has therefore been taken for or is then devoted to a public use, but the public use in the hands or under the control of the commission shall be deemed superior to the public use in the hands or under the control of any other person, association, or corporation.

If the commission is unable to agree with the owner or owners thereof upon terms for the acquisition of any such real property in the Commonwealth of Pennsylvania for any reason whatsoever, then the commission may acquire such real property by the exercise of the right of eminent domain, in the manner provided by the act, approved the 8th day of May 1919 (Pamphlet Laws, 148), entitled "An act providing for the joint acquisition and maintenance by the Commonwealth of Pennsylvania and the State of New Jersey of certain toll bridges over the Delaware River", and the acts amendatory thereof and supplementary thereto, relating

to the acquisition of interstate toll bridges over the Delaware River.

If the commission is unable to agree with the owner or owners thereof upon terms for the acquisition of any such real property, in the State of New Jersey, for any reason whatsoever, then the commission may acquire such property by the exercise of the right of eminent domain, in the manner provided by the act of the State of New Jersey, entitled "An act authorizing the acquisition and maintaining by the State of New Jersey, in conjunction with the State of Pennsylvania, of toll bridges across the Delaware River; and providing for free travel across the same", approved the 1st day of April 1912 (ch. 297), and the various acts amendatory thereof and supplementary thereto, relating to the acquisition of interstate toll bridges over the Delaware River.

The power of the commission to acquire real property by condemnation or the exercise of the power of eminent domain in the Commonwealth of Pennsylvania and the State of New Jersey shall be a continuing power and no exercise thereof shall be deemed to exhaust it.

The commission and its duly authorized agents and employees may enter upon any land, in the Commonwealth or the State of New Jersey, for the purpose of making such surveys, maps, or other examinations thereof as it may deem necessary or convenient for its authorized purposes.

However, anything to the contrary contained in this compact notwithstanding, no property, now or hereafter vested in or held by any county, city, borough, village, township, or other municipality, shall be taken by the commission without the consent of such municipality, unless expressly authorized so to do by the Commonwealth or State in which such municipality is located. All counties, cities, boroughs, villages, townships, and other municipalities, and all public agencies and commissions of the Commonwealth of Pennsylvania and the State of New Jersey, notwithstanding any contrary provision of law, are hereby authorized and empowered to grant and convey to the commission upon its request, but not otherwise, upon reasonable terms and conditions, any real property which may be necessary or convenient to the effectuation of its authorized purposes, including real property already devoted to public use.

The Commonwealth of Pennsylvania and the State of New Jersey hereby consent to the use and occupation by the commission of any real property of the said two States, or of either of them, which may be or become necessary or convenient to the effectuation of the authorized purposes of the commission, including lands lying under water and lands already devoted to public use.

The term "real property", as used in this compact, includes lands, structures, franchises, and interests in land, including lands under water and riparian rights, and any and all things and rights usually included within the said term, and includes not only fees simple and absolute but also any and all lesser interests, such as easements, rights-of-way, uses, leases, licenses, and all other incorporeal hereditaments, and every estate, interest, or right, legal or equitable, including terms of years and liens thereon by way of judgments, mortgages, or otherwise, and also claims for damage to real estate.

ARTICLE IV

Notwithstanding any provision of this agreement, the commission shall have no power to pledge the credit of the Commonwealth of Pennsylvania, or of the State of New Jersey, or of any county, city, borough, village, township, and other municipality of said Commonwealth or State, or to create any debt against said Commonwealth or State or any such municipality.

ARTICLE V

The commission is hereby authorized to make and enforce such rules and regulations, and to establish, levy, and collect (or to authorize by contract, franchise, liens, or otherwise, the establishment, levying, and collection of) such tolls, rates, rents, and other charges, in connection with any such bridge across the Delaware River which it may hereafter construct and operate, as it may deem necessary, proper, desirable, and reasonable, which tolls, rates, rents, and other charges shall be at least sufficient to meet interest and sinking-fund charges on bonds and obligations issued by the commission, and the maintenance of such bridge, and the administrative expenses of the commission properly chargeable to such bridge. The commission is hereby authorized and empowered to pledge such tolls, rates, rents, and other revenues, or any part thereof, as security for the repayment, with interest, of any moneys borrowed by it or advanced to it for any of its authorized purposes, and as security for the satisfaction of any other obligation assumed by it in connection with such loans or advances.

ARTICLE VI

The Commonwealth of Pennsylvania and the State of New Jersey hereby covenant and agree with each other and with the holders of any bonds or other obligations of the commission, for which tolls, rents, rates, or other revenues have been pledged, that, so long as any of said bonds or obligations remain outstanding and unpaid (unless adequate provision is otherwise made by law for the protection of those advancing moneys upon such bonds or obligations), the Commonwealth of Pennsylvania and the State of New Jersey will not diminish or impair the power of the commission to own, operate, and control said properties and facilities, or to establish, levy, and collect tolls, rents, rates, and other charges in connection with such properties and facilities.

The Commonwealth of Pennsylvania and the State of New Jersey hereby covenant and agree with each other and with the holders of any bonds or obligations of the commission, for which tolls, rents, rates, or other revenues shall have been pledged, that the said Commonwealth and State will not authorize or permit the construction, operation, and maintenance of any additional bridge or tunnel for the transportation of passengers by vehicles over the Delaware River by any other person or body than the commission within a distance of 10 miles in either direction from any such toll bridge, measured along the boundary line between the said Commonwealth and the said State.

ARTICLE VII

The bonds or obligations which may be issued by the commission for any of its authorized purposes, and as security for which tolls, rents, rates, and other revenues shall have been pledged, are hereby made securities in which all State and municipal officers and bodies of the Commonwealth of Pennsylvania and the State of New Jersey, and all banks, bankers, trust companies, savings banks, savings and loan associations, investment companies, and other persons carrying on a banking business, or insurance companies, insurance associations, and other persons carrying on an insurance business, and all administrators, executors, guardians, trustees, and other fiduciaries, and all other persons whatsoever, who now or may hereafter be authorized to invest in bonds or other obligations of the Commonwealth of Pennsylvania or of the State of New Jersey, may properly and legally invest funds, including capital belonging to them or within their control; and said bonds or other obligations are hereby made securities which may properly and legally be deposited with and received by any State or municipal officer or agency of the Commonwealth of Pennsylvania and the State of New Jersey for any purpose for which the deposit of bonds or other obligations, either of the Commonwealth or of the State, is now or may hereafter be authorized.

ARTICLE VIII

The effectuation of its authorized purposes by the commission is and will be in all respects for the benefit of the people of the Commonwealth of Pennsylvania and the State of New Jersey, and for the increase of their commerce and prosperity, and since the commission will be performing essential governmental functions in effectuating said purposes, the commission shall not be required to pay any taxes or assessments upon any property acquired or used by it for purposes authorized by this agreement; and the bonds or obligations issued by the commission, their transfer, and the income therefrom, including any profits made on the sale thereof, shall, at all times, be free from taxation within the Commonwealth of Pennsylvania and the State of New Jersey.

ARTICLE IX

The commission shall make annual reports to the Governors and legislatures of the Commonwealth of Pennsylvania and the State of New Jersey, setting forth in detail its operations and transactions, and may make such additional reports, from time to time, to the Governors and legislatures as it may deem advisable.

Whenever the commission, after investigation and study, shall have concluded plans, with estimates of cost, and means of financing any new toll bridge across the Delaware River, as hereinbefore provided, it shall make to the legislatures of each State, at the next sessions thereof, a detailed report, dealing with the contemplated project; but such project may, nevertheless, be proceeded with if the legislatures of said States, or either of them, are not in session.

ARTICLE X

Whenever particular bonds issued for any bridge or bridges, and the interest thereon, shall have been paid, or a sufficient amount shall have been provided for their payment and shall continue to be held for that purpose, the commission shall cease to charge tolls for the use of such bridge and thereafter such bridge shall be a free bridge, and shall thereafter be maintained equally at the cost of the Commonwealth of Pennsylvania and the State of New Jersey by appropriations made for such purposes, as now provided by law for the maintenance of bridges over the Delaware River acquired by the Commonwealth of Pennsylvania and the State of New Jersey.

In witness whereof, this 18th day of December 1934, A. Harry Moore has affixed his signature hereto as Governor of the State of New Jersey and caused the great seal of the State to be attached thereto.

[SEAL] A. HARRY MOORE,
Governor, State of New Jersey.

And, on this 19th day of December 1934, Gifford Pinchot has affixed his signature hereto as Governor of the Commonwealth of Pennsylvania and caused the great seal of the Commonwealth to be attached thereto.

[SEAL] GIFFORD PINCHOT,
Governor, Commonwealth of Pennsylvania.

Now, therefore, be it

Resolved, etc., That the consent of Congress is hereby given to the aforesaid compact or agreement, and to each and every term and provision thereof: *Provided*, That nothing herein contained shall be construed to affect, impair, or diminish any right, power, or jurisdiction of the United States or of any court, department, board, bureau, officer, or official of the United States, over or in regard to any navigable waters, or any commerce between the States or with foreign countries, or any bridge, railroad, highway, pier, wharf, or other facility or improvement, or any other person, matter, or thing, forming the subject matter of the aforesaid compact or agreement or otherwise affected by the terms thereof: *And provided further*, That the right to alter, amend, or repeal this resolution, or any part thereof, is hereby expressly reserved.

The House joint 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.

AMENDMENT OF STEAMBOAT INSPECTION ACT

The Clerk called the next bill, S. 2001, to amend section 4426 of the Revised Statutes of the United States, as amended by the act of Congress approved May 16, 1906.

Mr. SMITH of Virginia. Mr. Speaker, reserving the right to object, I understand that my colleague the gentleman from Virginia [Mr. BLAND] desires that this bill go over without prejudice.

Mr. BLAND. 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 Virginia?

There was no objection.

STATE OF CALIFORNIA

The Clerk called the next bill, H. R. 7814, to authorize the Secretary of Commerce to grant to the State of California an easement over certain land of the United States in Tehama County, Calif., for highway purposes.

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 Commerce is hereby authorized to grant to the State of California an easement over a 20-foot strip of land situated along the easterly boundary of the Mill Creek (Calif.) Fisheries Station property in Tehama County in said State, for State highway purposes; said strip of land, which consists of twenty-four one-hundredths acre, more or less, to be particularly described in said grant.

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.

BOARD OF REGENTS, SMITHSONIAN INSTITUTION

The Clerk called the next resolution, S. J. Res. 118, providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress.

Mr. HOPE. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

Mr. KELLER. Mr. Speaker, reserving the right to object, this bill already is the law, having been passed at the last session.

Mr. Speaker, I ask unanimous consent that the Senate joint resolution be laid on the table.

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

There was no objection.

PRELIMINARY EXAMINATION OF SUWANNEE RIVER, FLA.

The Clerk called the next bill, H. R. 8300, to authorize a preliminary examination of Suwannee River in the State of Florida, from Florida-Georgia State line to the Gulf of Mexico.

Mr. MARSHALL. Mr. Speaker, I questioned the necessity of a similar bill a minute ago on the ground that the authority already exists.

Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

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

There was no objection.

AMENDMENT OF BANKRUPTCY ACT

The Clerk called the next bill, H. R. 6982, to amend section 80 of chapter 9 of an act to amend the act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898.

Mr. TABER. Mr. Speaker, reserving the right to object, it seems to me that this is a rather important bill to be called up on the Consent Calendar.

Mr. Speaker, for the moment I ask unanimous consent that the bill be passed over without prejudice.

Mr. MILLER. Temporarily?

Mr. TABER. Until the next call of the Consent Calendar.

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

There was no objection.

TO ENCOURAGE TRAVEL TO AND WITHIN THE UNITED STATES

The Clerk called the next bill, H. R. 5844, to encourage travel to and within the United States, and for other purposes.

Mr. O'MALLEY. Mr. Speaker, reserving the right to object, I wish the author of the bill would make a short explanation, would tell us how much it will cost the Government annually.

Mr. LEA of California. Mr. Speaker, the first year the cost of administration under the bill will not exceed $75,000, and in succeeding years the cost cannot be greater than $125,000 annually.

The purpose of this bill is to promote travel to and within the United States and also, so far as possible, on American ships.

Practically every foreign country engages in this sort of activity. The United States has a balance of trade against her on tourist travel ranging from $200,000,000 to $600,000,000 a year. This bill is an attempt in a modest way to try and create a more favorable balance for our own country.

Mr. O'MALLEY. I have no doubt that some encouragement should be given to the travel in and to the United States, but I do not think that the people in Europe particularly have enough money to come over here. If they do have enough money, they ought to use it to pay their debts to us before doing any traveling. A lot of people from foreign countries come to this country annually. We have no way of checking the aliens coming into this country. Sometimes they stay far beyond their agreed-upon time and beyond the time that the permit allows them to stay in this country, during which time many of them engage in competition with Americans in industry and business. In my own State there have been some people who came in on visitors' permits and they have stayed for long periods without becoming citizens. They have taken jobs that Americans could otherwise have held and still have failed to apply for citizenship. I would favor this bill if the Immigration Committee of the House would devise some way to register the aliens and travelers who enter this country, just like Americans are compelled to register when visiting Europe. I doubt very much whether we will make very much money from the people who may come here from Europe as today the only ones who come in are broke and looking for a job or someone to support them.

Mr. LEA of California. That is only a part of the purpose of the bill. Through the United States Consular Service and the commercial attachés of the Commerce Department we have 348 offices in foreign countries at the present time. This bill is designed to utilize these existing agencies to promote travel as well as trade in favor of the United States, to use these existing agencies rather than to build up a set of new agencies.

It is already against the law for anyone visiting this country to stay longer than the limit fixed by his visitor's permit. Such visitors are denied the right to engage in all ordinary employments and are subject to deportation and penalties if they do.

Mr. TAYLOR of Tennessee. Is this a sort of subsidizing measure?

Mr. LEA of California. No; not at all.

Mr. O'MALLEY. I would suggest that the Members of the House are entitled to a full understanding as to how much this bureau is going to cost. The purported cost as set out in this bill is $125,000 for this year, but next year it may cost $150,000.

Mr. LEA of California. There is a specific provision in the bill which prohibits an increased cost, section 6.

Mr. O'MALLEY. Does that provision prohibit an increase for next year?

Mr. LEA of California. Section 6 prohibits an increase for all time. That section provides that appropriations for carrying out the purposes of the act shall not exceed $75,000

for the first year and shall "not exceed $125,000 for any fiscal year thereafter."

Mr. MILLARD. Mr. Speaker, I demand the regular order.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. MARSHALL. Mr. Speaker, I object.

SUSPENSION OF NONQUOTA IMMIGRATION VISAS TO PERSONS BORN IN MEXICO

The Clerk called the next joint resolution, H. J. Res. 236, to suspend issuance of nonquota immigration visas to persons born in the Republic of Mexico, to suspend issuance of all nonpreference quota immigration visas, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution?

Mrs. O'DAY. Mr. Speaker, I object.

DEPORTATION OF CERTAIN ALIEN SEAMEN

The Clerk called the next bill, H. R. 5380, to provide for the deportation of certain alien seamen, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mrs. O'DAY and Mrs. KAHN objected.

CONVEYANCE OF CERTAIN LAND TO THE CITY OF ENFIELD, CONN.

The Clerk called the next bill, H. R. 8559, to convey certain land to the city of Enfield, Conn.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to convey to the board of selectmen of the town of Enfield of the State of Connecticut, for street purposes only, all the right, title, and interest of the United States to the following described parcel of land which forms a part of the new post-office site at Enfield, Conn.:

Lying and being in the town of Enfield, county of Hartford, State of Connecticut, being a strip of land fronting 32 feet on the northerly side of High Street and extending of that width in a northwardly direction along the westerly side of Bartley Avenue for the full depth of the post-office site, a distance of 150 feet: *Provided, however*, That the said town of Enfield, Conn., shall not have the right to sell or convey the said described premises nor to devote the same to any other purpose than as hereinbefore provided; and in the event said premises shall not be used for street purposes only and cared for and maintained as are other public streets in said town, the right, title, and interest conveyed to the town of Enfield shall revert to the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

EXPENSES OF RAILROAD RETIREMENT BOARD

The Clerk called the next resolution, S. J. Res. 144, to provide for the payment of compensation and expenses of the Railroad Retirement Board as established and operated pursuant to section 9 of the Railroad Retirement Act of June 27, 1934, and to provide for the winding up of its affairs and the disposition of its property and records, and to make an appropriation for such purposes.

There being no objection, the Clerk read the Senate joint resolution, as follows:

Whereas the Railroad Retirement Board was established and organized as an independent agency in the executive branch of the Government by and pursuant to section 9 of the Railroad Retirement Act, which act has been held by the Supreme Court of the United States to be invalid; and

Whereas the Railroad Retirement Board in the performance of its duties has acquired valuable data, records, information, and experience which should be utilized in determining the policy of Congress regarding the subjects of employment by railroads and the retirement of employees of railroads; and

Whereas the Board has records of individual employments which are of great value and should be preserved, and has in the course of its work received valuable records and documents which must be returned to their owners after the information contained therein shall have been noted and photostatic copies, where necessary, shall have been made: Now, therefore, be it

Resolved, etc., That the Railroad Retirement Board as established in section 9 of the Railroad Retirement Act (Public, No. 485, 73d Cong.) and the appointment and compensation of its members and the employment and compensation of its staff are hereby approved, ratified, and confirmed to all intents and purposes as if the provisions of section 9 relating thereto had on the day of their enactment been enacted as a statute distinct and separate from any other provisions of the Railroad Retirement Act aforesaid; and no member of the Board or of its staff shall be liable for any action heretofore taken within the terms of the authority sought to be granted by the Railroad Retirement Act.

SEC. 2. The Railroad Retirement Board as established by and pursuant to section 9 of the Railroad Retirement Act and section 1 hereof is hereby continued for a period of 60 days from the enactment hereof for the purpose of liquidating its affairs; returning documents in its possession to those from whom they were procured and whose property they are, after recording therefrom such information as in its judgment should be preserved or making photostatic copies thereof, where necessary; arranging for turning over the records, papers, and property of the Board to such agency as the President shall designate; and making a report upon its activities and experience to the President for transmission to Congress.

SEC. 3. The Board shall maintain such offices, use such equipment, furnishings, supplies, services, and facilities, and employ such persons as in its judgment may be necessary for the proper discharge of its duties.

SEC. 4. There is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, $35,000 to pay to the Board and its employees for services heretofore rendered on, prior to, and subsequent to May 6, 1935, and for services to be rendered during the next 60 days after the enactment hereof, the compensation to which they would have been entitled for such services if the Railroad Retirement Act had been held constitutional, and to pay any expenses heretofore incurred and not yet paid and the expenses necessary in carrying out this joint resolution.

SEC. 5. The Board is hereby authorized and directed to refund to its past and present employees and to its members all compensation earned by them but withheld as employee contributions to the railroad-retirement fund and deposited to the credit of said fund in the Treasury, and said fund is hereby appropriated and made available for such refundments accordingly.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

ANNUITY LEGISLATION COVERING INTERSTATE CARRIERS BY RAILROAD

The Clerk called the next resolution, H. J. Res. 314, to provide for a commission to investigate the desirability of further retirement and annuity legislation applicable to interstate carriers by railroad.

Mr. RAYBURN. Mr. Speaker, I do not believe this resolution is now necessary; therefore, I now ask unanimous consent that the resolution be laid on the table.

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

There was no objection.

AMENDMENT TO COMMUNICATIONS ACT OF 1934

The Clerk called the next bill, S. 1336, to amend paragraph (f) of section 4 of the Communications Act of 1934.

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

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That paragraph (f) of section 4 of the Communications Act, 1934, is hereby amended by adding after the words "a chief engineer and not more than three assistants", the words "a chief accountant and not more than three assistants", and by adding after the words "and the chief engineer", the words "and the chief accountant", and by adding after the word "engineers" the word "accountants", so that paragraph (f) of section 4, as amended, will read as follows:

"(f) Without regard to the civil-service laws or the Classification Act of 1923, as amended, (1) the Commission may appoint and prescribe the duties and fix the salaries of a secretary, a director for each division, a chief engineer and not more than three assistants, a chief accountant and not more than three assistants, a general counsel and not more than three assistants, and temporary counsel designated by the Commission for the performance of special services; and (2) each commissioner may appoint and prescribe the duties of a secretary at an annual salary not to exceed $4,000. The general counsel and the chief engineer and the chief accountant shall each receive an annual salary of not to exceed $9,000; the secretary shall receive an annual salary of not to exceed $7,500; the director of each division shall receive an annual salary of not to exceed $7,500; and no assistant shall receive an annual salary in excess of $7,500. The Commission shall have authority, subject to the provisions of the civil-service laws and the Classification Act of 1923, as amended, to appoint such other officers, engineers, accountants, inspectors, attorneys, examiners, and other employees as are necessary in the execution of its functions."

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.

WESTERN BANDS OF SHOSHONE INDIANS

The Clerk called the next bill, S. 2510, authorizing the western bands of the Shoshone Tribe of Indians to sue in the Court of Claims.

Mr. HOPE. I object, Mr. Speaker.

AMENDMENT OF BANKRUPTCY ACT

Mr. MILLER. Mr. Speaker, I ask unanimous consent to return to Calendar No. 377, the bill (H. R. 6982), to amend section 80 of chapter 9 of an act to amend the act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and I shall ask for its present consideration.

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

There was no objection.

The Clerk read the title of the bill.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 80 of chapter 9 of 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, be, and the same is hereby, amended to read as follows:

"SEC. 80. Municipal debt readjustments: (a) Any municipality or other political subdivision of any State, including (but not hereby limiting the generality of the foregoing) any county, city, borough, village, parish, town, or township, unincorporated tax of special assessment district, and any school, drainage, irrigation, reclamation, levee, sewer, or paving, sanitary, port, improvement, or other districts (hereinafter referred to as a 'taxing district'), may file a petition stating that the taxing district is insolvent or unable to meet its debts as they mature, and that it desires to effect a plan of readjustment of its debts. The petition shall be filed with the court in whose territorial jurisdiction the taxing district or the major part thereof is located and for any such district having no officials of its own the petition shall be filed by the municipality or political subdivision, the officials of which have power to contract on behalf of said district or to levy the special assessments within such district. The petition shall be accompanied by payment to the clerk of a filing fee of $100, which shall be in addition to the fees required to be collected by the clerk under other chapters of this act. The petition shall state that a plan of readjustment has been prepared, is filed and submitted with the petition, and that creditors of the taxing district owning not less than 30 percent in the case of drainage, irrigation, reclamation, and levee districts (except as hereinafter provided), and owning not less than 51 percent in the case of all other taxing districts in amount of the bonds, notes, and certificates of indebtedness of the taxing district affected by the plan, excluding bonds, notes, or certificates of indebtedness owned, held, or controlled by the taxing district in a fund or otherwise, have accepted it in writing. The petition shall be accompanied with such written acceptance and with a list of all known creditors of the taxing district, together with their addresses so far as known to the taxing district, and description of their respective claims showing separately those who have accepted the plan of readjustment, together with their separate addresses, the contents of which list shall not constitute admissions by the taxing districts in a proceeding under this chapter or otherwise. Upon the filing of such a petition the judge shall enter an order either approving it as properly filed under this chapter, if satisfied that such petition complies with this chapter and has been filed in good faith, or dismissing it, if not so satisfied. If creditors holding 5 percent in amount of the bonds, notes, or certificates of indebtedness shall within 90 days after the first publication of the notice provided for in subdivision (c), clause (1), of this chapter, appear and controvert the facts alleged in the petition, the judge shall decide the issues presented, and unless the material allegations of the petition are sustained shall dismiss the petition: *Provided, however*, That such written acceptance of not less than 30 percent of the creditors of drainage, irrigation, reclamation, and levee districts shall not be required in any case where a loan shall have been authorized to the petitioning taxing district by an agency of the United States Government for the purpose of enabling any such petitioning district to reduce and refinance its outstanding indebtedness.

"(b) The plan of readjustment shall not be confirmed until it has been accepted in writing, filed in the proceeding, by or on behalf of creditors whose claims have been allowed holding two-thirds in amount of the claims of each class whose claims have been allowed and would be affected by the plan (except as hereinafter provided), and by creditors holding 66⅔ percent in the case of drainage, irrigation, reclamation, and levee districts and creditors holding 75 percent in the case of all other taxing districts in amount of the claims of all classes of the taxing district affected by the plan, but excluding claims owned, held, or controlled by a taxing district, and such plan has been accepted and approved by the taxing district in a writing filed in the proceeding, signed in its name by an authorized authority: *Provided, however*, That it shall not be requisite to the confirmation of the plan that there be such acceptance by any creditor or class of creditors (a) whose claims are not affected by the plan, or (b) if the plan makes provision for the payment of their claims in cash in full, or (c) if provision is made in the plan for the protection of the interests, claims, or liens of such creditors or class of creditors, or (d) of a petitioning taxing district to which a loan shall have been authorized by an agency of the United States Government, for the purpose of enabling the petitioning district to reduce and refinance its outstanding indebtedness."

With the following committee amendments:

Page 1, line 3, after the word "that", insert "subparagraphs '(a)' and '(d)' of."

Page 1, line 7, strike out "is" and insert in lieu thereof "are."

Page 4, beginning with line 8 strike out the remainder of the bill and insert in lieu thereof the following:

"(d) The plan of readjustment shall not be confirmed until it has been accepted in writing, filed in the proceeding, by or on behalf of creditors holding at least 51 percent in amount of the claims of each class in the case of drainage, irrigation, reclamation, and levee districts and creditors holding two-thirds in amount of the claims of each class in the case of all other taxing districts whose claims have been allowed and would be affected by the plan, and by creditors holding 51 percent in the case of drainage, irrigation, reclamation, and levee districts and creditors holding 75 percent in the case of all other taxing districts in amount of the claims of all classes of the taxing district affected by the plan, but excluding claims owned, held, or controlled by a taxing district, and such plan has been accepted and approved by the taxing district in a writing filed in the proceeding, signed in its name by an authorized authority: *Provided, however*, That it shall not be requisite to the confirmation of the plan that there be such acceptance by any creditor or class of creditors (a) whose claims are not affected by the plan, or (b) if the plan makes provision for the payment of their claims in cash in full, or (c) if provision is made in the plan for the protection of the interests, claims, or liens of such creditors or class of creditors."

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.

Mr. BANKHEAD. Mr. Speaker, I understand this is about as far as it is possible to go on the calendar today because of conditions that exist on both sides, and I suggest that we suspend the call of the calendar at this point.

I do this, Mr. Speaker, because I understand that possibly some of the official objectors on the minority side are not prepared to go further with the calendar today on account of the short notice they have had of its calling.

NATIONAL DEFENSE AND NEUTRALITY LEGISLATION

Mr. O'CONNELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting an address delivered by the gentleman from Massachusetts [Mr. McCORMACK].

The SPEAKER. Is there objection?

There was no objection.

Mr. O'CONNELL. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following radio address of the gentleman from Massachusetts [Mr. McCORMACK], Saturday, December 28, 1935:

Ladies and gentlemen of the radio audience, we cannot escape the thought—nor should we—that the world is again faced with the probability of another war, the happening of which will bring greater destructiveness than that which occurred during the World War. We must face the facts honestly and fearlessly, with a determination to do all that we can to avert such a happening; and if unable to, to take that course which is for the best interests of our country. It is not my purpose to discuss in detail the destructiveness of war, nor to predict the disastrous effects to civilization of another world disaster. However, wars of the future will be conducted between peoples, not alone armies and navies, and every man, woman, and child, without regard to age or physical condition, will be involved therein. High-sounding words will be uttered about noncombatants being protected, but the war of the future will show no regard for them. Every effort will be made to win a quick decision—cities will be attacked; the machinery of warfare has so changed that the wars of the future will involve peoples, and not particularly armies or navies. No one can picture the result without a profound realization of the necessity of doing everything that can possibly and properly be done to avert such a possibility. Only within a few days His Holiness Pope Pius, the spiritual leader of many millions of persons of all races and nationalities, gave expression to his fears. Coming at this time of the year, this is very significant. With the opportunities that His Holiness has for obtaining reliable information that diplomats ordinarily keep secret, his utterances cannot be ignored. It is the best evidence of a dangerous situation confronting the world.

At the same time His Holiness expressed hope—and while his expression of fear is powerful evidence of the danger—his expres-

sion of hope is also equally powerful evidence that the dark clouds of war may pass by. Let us hope so. His appeal was to world-wide public opinion to wake up to the dangers and to express and assert itself in favor of peace. Public opinion, if capable of expression, is the most powerful weapon that exists in influencing the judgment and actions of rulers or leaders of a nation. There is no question as to the world-wide aversion to war. There is a question of this opinion being crystallized into action capable of producing the desired results—peace. The feeling against war is so repulsive that no nation wants to be placed in the position of being the aggressor. However, causes of war exist on all sides. Every factor that has led to past wars is existent today. What can be done to prevent those conditions from being consummated? An aroused public opinion is the best weapon to use. The appeal of His Holiness Pope Pius is an attempt to crystallize this existing opinion into a world-wide movement. If such existing opinion was capable of crystallization, I would have no fear of war. However, we cannot overlook the fact that it is only in a democracy that public opinion can be expressed and crystallized into immediate action.

If war in Europe comes again, the question that confronts us is, What should be the position of the United States? What should be our policies with reference to the warring nations and to our own people?

It must be borne in mind that we are living in a very practical world. Almost 2,000 years have gone by since Christ came to this world to redeem mankind, with his message of love and charity. If all mankind accepted his message of love, charity, and "peace on earth to men of good will", misunderstandings would be capable of easy adjustment. However, causes of strife among individuals and nations still exist, creating a condition which calls for action along many lines based on expediency and necessity, rather than on principle, which most of us would like to see exist. The law of self-preservation applies to nations just the same as to individuals. It is the duty of our Government to take such action and to adopt such policies as will assure to our people, in case of attack and war, a continuance of our institutions of government and protection of our shores and of our people. That calls for an Army and a Navy capable of protection in the event of attack; for an Army and a Navy that will command the respect of other nations.

While America stands for peace today—as it always has in the past—we must be assured of means of protection in the event that the selfishness of other nations is directed toward the United States. While some who advocate pacifism are sincere, I cannot agree with their premises that with an armed world the United States should scrap her Navy and reduce her already small Army, as a lesson to other nations of the course that they should take. If that situation should ever arise—and it will not—we would leave ourselves defenseless in an armed world and we would invite a war directed toward ourselves.

Our Navy should be built up to the strength allowed by existing treaties. Steps have already been taken in that direction during the past 2 years. They must be continued. Our Army should be built up to the strength intended by the National Defense Act of 1920. Steps have also been taken in this direction during the past 2 years. They should be continued. The world conditions existing at the present time, which are the basis for congressional consideration as to the size of our Army and Navy call for the building of our Navy to our treaty strength and the increasing of our Army to the strength, at least, allowed by the National Defense Act of 1920. Public opinion should demand of Congress such action.

President Roosevelt has ably performed his duty in this respect. Our people should continue to support him in his efforts. Such a policy is not an act of war—it is an act of peace.

In the event of war in Europe we will be presented with the question of neutrality, in order to remain outside of its sphere, and to do what we should do—mind our own business. The experience of the World War has taught us that we do not want to become involved in another European affair. Our education of that period has convinced practically all Americans that the warnings of Washington "to mind our own business" and "keep out of entangling alliances with foreign nations" still apply and are the best policy for us to follow.

The happenings of the past 2 years are the best evidence that we followed the right course in not becoming a member of the League of Nations. The United States should be, and is, a good neighbor; but we can and should conduct ourselves as a good neighbor in a manner in which we can mind our own business—refrain from taking any action which is likely to involve us in any conflict—to follow such policies, national and international, as will assure independence of American action, such as we consistently followed prior to the World War. A position of neutrality must have a regard for international law. In accordance with international law, we have passed, and can pass, legislation placing an embargo on the sale of munitions and implements or war to warring nations. Such legislation is recognized by all nations as the right of any particular nation.

When we go outside of munitions and implements of war, caution must be employed and international law must be respected. There is a difference between munitions and implements of war and commodities which can be used for war or for peace purposes. Again we are confronted with a condition and not a theory. The present neutrality legislation expires in February 1936. One of the first acts of the Congress will be the passage of additional legislation.

We must conduct ourselves in such a manner that no misunderstanding in this respect will exist in the minds of the peoples of other nations. We must act independently, and not in concert with the League of Nations, or with any other nations. We must adopt a course that will not permit of the feeling of discrimination against some nations and preference for others. Hostile acts, or acts which under existing international law will permit of such a construction by some nations, must be avoided if we are to keep out of war if one develops.

Every course consistent with the strong opinion of America—peace, not war—should be adopted and followed. At the present time every proper effort to avert war should be made; but in the event of war, without regard to what nations are involved therein, the United States should follow a course that will keep us out of war and not to be drawn in against our will. It is my opinion that Congress should state specifically the provisions of neutrality legislation, and that the delegation of broad powers would be unwise. The responsibility lies with the Congress. It should assume that duty. It should not pass the responsibility to the executive department.

Neutrality legislation must be carefully framed so that other nations will not feel that it is aimed adversely at them and favorably to other nations. It must be strictly American—fair and honest to all nations, expressing a clear position on our part that is not capable of misunderstanding—and that in the light of world conditions, determine the course for the United States to take to avert being drawn into any conflict.

While it probably will not happen, it seems to me that the best course for Congress to pursue, in absence of actual war, would be to provide for an immediate embargo on munitions and implements of war, and to leave other questions open for further consideration in the event of war occurring. That would leave us in a clear position, where no nation could feel that legislation was particularly directed at them. Sometime efforts of this kind, unless well thought out, are an exciting cause, creating embarrassing international conditions. In any event, the Congress should assume its responsibility in determining our neutrality legislation.

Our country is composed of people of all races, of all creeds, and of all nationalities. Naturally, every one of us has a love for the land of his birth, if abroad, or the land of the birth of his forebears. However, our first love is for the United States. In any crisis that may come—which we all hope and pray will be averted—all of us should keep in mind that our first duty is to our country. On the other hand, the Congress, in drafting neutrality legislation, must also keep in mind the duty of passing an act which has the best interests of the United States in mind, that will not involve us in a foreign conflict, and is not capable of attack or criticism on account of discrimination of or preference to some nations.

There is one more thought that I want to express. Prior to the World War some nations spent millions of dollars in the United States for propaganda purposes to influence the mind of our people. That is improper. It should not happen again. I have written to Secretary Hull, calling his attention to the fact that this effort might be made again and that the State Department should watch the same; and at the first sign of organized propaganda in which a foreign nation is directly or indirectly involved, stern and immediate action should be taken. The power of propaganda in forming public opinion cannot be underestimated. For a foreign nation to adopt such a course is an act of hostility and a violation of international law. It should not be permitted.

I conclude, my friends, by wishing each and every listener a happy new year, with the hope and prayer that the coming year will bring to troubled mankind peace and happiness, not war and misery.

R. S. V. P. DR. TOWNSEND

Mr. MAIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including some remarks made by myself in a radio address delivered in Chicago on December 28 last.

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

There was no objection.

Mr. MAIN. Mr. Speaker, under leave granted to extend my remarks in the RECORD, I include an address delivered by me from Chicago over the Columbia Broadcasting System, December 28, 1935, as follows:

Not many years ago a tall, lean young man with a pleasant smile and a determined jaw confided in some of his friends that he intended to make a solo flight across the Atlantic and land on Le Bourget at Paris. Some of those who heard of these plans shook their heads, shrugged their shoulders, and dubbed the whole idea of flying alone across the Atlantic in a heavier-than-air machine as fantastic, absurd, and impossible.

There was considerable pity and not a little open skepticism. There were even those who dared give voice, although perhaps not a very loud voice, to a belief that there was little intent on the part of this youth to fly to Paris, but that eventually he would give up, having made a gesture which had brought him wide attention. But shortly after the expression of those dire predictions and gloomy forebodings the name of Charles A. Lindbergh flashed around the world, and the world still marvels at the daring and simplicity of that young man's program.

"Darius Green and his flying machine" were the stock in trade of antiair skeptics for years. Colonel Lindbergh was captured by the magnificent obsession. But that which was regarded by many as fantastic, absurd, and impossible became the glorious reality for the inspiration and blessing of an admiring world.

Over in the Third Congressional District of Michigan we have just come through a special election to fill the unexpired term of the Honorable Henry M. Kimball, of Kalamazoo, who died in the midst of his first term as our Representative in Congress. During the 7 weeks' campaigning for the primary, held on November 19, and the special election, held on December 17, we heard those same words that I have referred to above—namely, fantastic crackbrained, absurd, and impossible—owing to the fact that early in the preprimary campaign I espoused the Townsend plan as one of the planks of my platform.

And at this particular time, in view of the auspices under which I am speaking, it will be only natural and proper for me to confine myself to the discussion of that particular plank. There were four other candidates for the Republican nomination, all of whom were capable men. None of the others adopted the Townsend plank. One of my opponents was particularly violent in his opposition to me and the Townsend plan. When the votes at the primary were counted he was fourth down on the list. I received a clear majority over the combined votes of my four opponents.

Following the primary my Democratic opponent chose to direct his campaign almost entirely against the Townsend plank in my platform. His publicity was high-powered and high-priced. We didn't spend much money, but we had a wonderful group of good speakers in the district promoting the Townsend clubs during the campaign. Dr. Townsend spoke at two mass meetings before the primary, and Mr. Clements addressed four meetings just prior to the election. The election resulted in a better than 2-to-1 majority for the Townsend-backed Republican candidate. I carried 191 out of 196 precincts; I carried every one of the five counties in the district. The margin of victory prevailed in the cities as well as in the rural sections.

Dr. Townsend would like to get your reaction to this broadcast. "R. S. V. P.", "respondez sil vous plais"; address Townsend headquarters, Washington, D. C. And now, in spite of a badly overworked alphabet, may I continue further use of the prevailing fad of the day and adopt an alphabetical arrangement to suggest the theme and the thesis of my address. In fact, I find that this familiar abbreviation just mentioned suggests some thoughts and their relative order of importance as they stand out in the Townsend plan. But in this connection, please forget the French, and just remember the letters "R. S. V. P." They stand for recovery, stabilization, vision, and pension.

In my opinion, a great part of the difficulty, opposition, and ridicule which has attended the campaign for the Townsend plan has arisen out of the fact that too much attention has been centered on the word "pension", whereas the fundamental and primary emphasis should have been placed on the thought of "recovery." Therefore, I am suggesting that we use these letters, "R. S. V. P.", as the keynote of this speech, and that the emphasis and importance of these symbols is in the following order: Recovery, stabilization, vision, and pension.

Therefore, may I now discuss the first three of these suggestions and ask you to banish the word "pension" from your mind for the next 10 minutes? Let us consider the thought of recovery and economic stabilization. Vice President Tom Marshall once said that what the country needed was a good 5-cent cigar. I submit that what this country needs is economic stability on a high level of production and consumption. Let us get back the level of gross dollar value of turn-over in business attained in 1928 and 1929 and wipe out the peaks and valleys of industrial fluctuation that have wrought such devastation among the once proud owners of farms and factories. Ninety percent of our businessmen will agree that restoration of real prosperity is contingent upon general and widely distributed purchasing power. What the country needs is consumers who are ready, willing, and able to purchase the goods on the merchants' shelves and to buy the products of our farms and factories.

Productive employment in private industry should be the real objective of the great mass of able-bodied citizens. But when we are confronted with the fact that literally millions of our young people who have recently graduated from high schools and colleges have never had the opportunity to engage in remunerative employment in private industry we are face to face with a solemn, significant, and serious disorder in our social system. The imperative need for additional employment in private industry for our millions of able-bodied citizens in their forties and fifties who are refused employment in our factories because of their age is a fact and not a theory. And this stark, gripping fact must challenge the earnest consideration of every citizen, rich or poor, of high or low estate, who has the welfare and security of his Nation at heart. This Nation cannot endure with millions of our young people in the late teens and early twenties unemployed and with other millions of our able-bodied sober men and women in their forties and fifties unable to secure work in our factories or in lines of service employment. Now, it seems to me that there is an obvious answer to this problem. It has been repeatedly said that this country is not suffering from overproduction but rather from underconsumption.

Capitalism has been guilty of many mistakes, but, notwithstanding the abuses and errors which have been allowed to develop under the capitalistic system, nevertheless, the benefits, blessings, and achievements of that system of society excel the objectives and accomplishments of any other order of society. American individualists are capitalists at heart. We are individualistic in our home-loving instincts. We are individualistic in our approach to the problems of religion and in our personal relations to the Creator. We are individualistic in our attitude toward the ownership of property, the obligations of personal industry, the incentive to thrift, and the sanctity of family ties.

We highly esteem traditional American individualism and its rugged search for security in old age. But we have had a depression which attained the dimensions of a national disaster. Investments in farms, homes, savings banks, life insurance, bank stock, and railroad bonds have been wiped out. Millions of our people are without property or prospect of income. The embarrassing alternatives of public relief, the poorhouse or chloroform, stare many of our people in the face.

Freedom and equality have been watchwords in the evolution of America. But there is no freedom when large groups of our people are in the clutches of economic serfdom. Equality is only an abstract political platitude. There is no such thing as absolute equality of talent or capacity. But there is one universal yardstick to determine equality, and that is on the basis of the number of years lived. By the very process of living, eating food, and wearing shoes our senior American citizens have contributed to the general wealth of society. And at the same time the increasingly progressive steps in technological processes have constantly increased the volume and value of our products. But the number of employed is constantly decreasing. Our older citizens do not have the ghost of a chance of securing employment. But technological improvement has made it possible for us to produce enough for everyone to have an abundance, provided we have general and widespread purchasing power.

At the outset the Townsend plan is a pump-priming process. Those of you who have had experience with the old-fashioned wooden pump over the old-fashioned dug well will recall that when the pump ran down you had no success in priming it, if you attempted to use a tablespoonful of water for the purpose. Usually you had no success if you used only a tin cup full of water; the chances are that a gallon pail was insufficient; but a 2-gallon pail of water, accompanied by vigorous application of elbow grease to the pump handle, brought results. Though there appeared to be some water wasted in the priming process, that which appeared to be wasted ran back into the well and was again available for the pumping process.

This country has been suffering from a downward spiral in the business cycle for the past 6 years. The Townsend plan would provide the stimulus and the means to start the upward spiral in the business cycle. It has been said that anyone who is asked to define a spiral staircase does it invariably by using his hands by way of demonstration. The desired upward spiral in the business cycle of the Nation can be started only by using our heads to lead the way in the direction the heart inclines. We are living in a land and age of plenty. We are no longer confronted with the problems of an economy of scarcity. Today we have an economy of plenty. Technological improvements in our mechanical development are such that our farms and factories can provide an abundance for all. The new agricultural implement known as a combine has revolutionized the production of wheat. And the new mechanical cotton picker is said to be capable of doing work equivalent to that of a hundred human cotton pickers.

The Brookings Institution says that there is a shortage of sixteen to nineteen billion dollars per year between our present consumption and our potential production. The Townsend plan fills that gap, as it proposes to force into circulation $19,000,000,000 yearly for the prompt purchase of commodities and services requiring the employment of the younger men and women.

We need no foreign market. We have sufficient purchasing market at home if our purchasing power is restored. Every time $200 is spent for goods and services it creates a job for another $100 per month more. Four million elders retiring make a place for an equal number of the unemployed; and if each of the 8,000,000 elders spend $200 per month, they create jobs for an equal number, thus wiping out the 12,000,000 now unemployed. Then, as these younger people are put to work and spend their pay checks, more work is created. Wages will increase when there is a demand for labor.

The money return from the proposed transaction tax will be equivalent to 2 percent on approximately six transactions from raw material to finished product. The proposed tax, therefore, will probably cause prices to rise from 10 to 12 percent. A $4 pair of shoes will probably cost from $4.40 to $4.50; but if the employee has $35 per week to pay for them instead of $20 as now, or none at all, the increase in cost of living will be more than compensated. Old man Competition will serve to keep prices down. Any manufacturer will tell you that he would rather pay a transaction tax of 2 percent and make money by spreading the overhead over 6 days' output than to have no transaction tax and lose money on an output of 2 days per week.

Now, may we revert to the place pensions play in the Townsend plan. If those of 60 years of age and over are induced to take permanent vacations, additional opportunity for employment will thereby accrue to the younger members of society. If a substantial group of our citizens have funds to enable them to live well, and are required to put those funds into circulation at once within the confines of our own territorial borders, increased markets will be created and increased employment will result, with increased wages for all who are employed. Money in circulation means business activity. Business activity creates opportunity. Opportunity provides individual incentive and stimulates personal industry. When there is work to do America insists upon the will to work—

at least upon a willingness to work. When there is no work to be done "made" works results in "made" paupers. Shall we have relief for the ragged, or pensions with prosperity? Shall we have sustenance support for mendicants, or an honorarium for a happy home? Shall we have the dole for the doleful or recognition for the retired? Shall we forever be thinking of "over the hills to the poor house" or shall it be "beyond the horizon to the rewards of useful living"? Shall we not take a genuinely advanced step in social reform for the benefit of all our unemployed citizens in progressive, humanitarian America?

"Where there is no vision the people perish." Humanitarian America will have the vision. We will reimburse our law-abiding older members of society sufficient funds to guarantee real social security. Incidentally and automatically, but most important of all, in the operation of the Townsend plan there will come revival of opportunity for the younger citizens and blessings for business and trade generally. In a very literal sense of the word, "America is on the march."

America is done with the logic of laissez faire. But America will insist upon the preservation of the profit principle. Our very atmosphere begets individualism, but we will put an end to the evils of exploitation. Selfishness is inherent in human nature. But modern circumstances and Christian sanity require that Americans must avail themselves of intelligent vision in their manifestations of self-interest. No longer shall it be said that one-half of the world doesn't know how the other half lives. And certainly we must not allow it to be said that one-half of the world doesn't care how the other half lives.

One great political party has long been engaged in educating our public along the ideas of the high standard of living. More recently the spokesmen of another great political organization have intrigued our attention and interest with promises of the more abundant life. Advocates of the Townsend plan believe that a substantial measure of both of these worthy objectives may be attained only by bringing about widespread distribution of purchasing power. That is what the Townsend plan proposes to accomplish. Have the critics any better plan? If so, let us hear about it.

Now, shall we revert to the alphabetical symbols indicated in our topic, R. S. V. P.? Recovery to a high standard of living; stabilization of industrial production along the lines of economic progress; vision to accomplish and make real a high standard of living with a fair chance for the more abundant life for all of our people; and a pension for the law-abiding citizens, eligible for honorable retirement, to become the widely scattered and efficient distributing agents of purchasing power for the benefit of the whole economic order. Recovery, stabilization, vision, pension—R. S. V. P.

STREAM POLLUTION IN UNITED STATES

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including therein a radio speech delivered by the senior Senator from Connecticut.

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

There was no objection.

Mr. SHANLEY. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following radio address of Hon. AUGUSTINE LONERGAN, Senator from Connecticut, December 23, 1935:

Stream pollution and its control represent an important problem of vital interest to our public health. Too often in times of stress and strain we tend toward measures for our economic and financial improvement and push into the background those problems related to our public welfare, our educational needs, and our public health—which, fundamentally, are of great importance to our stability and happiness.

As a young man I often heard it said that God made the rivers, but men made them sewers. I was not fully conscious of the significance of that statement until some time afterward, when I was appointed to a board which studied methods of treating sewage dumped into streams in Connecticut. What I learned then has since been the cause of growing interest in stream purification.

No person who has been in actual contact with a defiled stream, with its stench and discoloration, affecting both the nostril and the eye, or who has seen contagion spread by its germ-laden waters from one city to another, or who has seen the destruction of fish and aquatic life along its shores, will ever again turn a deaf ear toward proposals intended to remedy such conditions.

To understand just what the problem of stream pollution is you should know, first of all, what the causes of pollution are. First is the pollution by sewage from our increasing city populations. Second is the pollution from industries which use various chemical processes and discharge the residue into the streams. Third is the pollution by oil deposits thrown into our waters by industries or by craft used in navigation, and fourth is the pollution caused by acids flowing from abandoned coal mines. I shall illustrate a few cases.

In New York Harbor it is estimated that 5,000,000 gallons of sewage are discharged each day, carrying approximately 800 tons of organic matter, and its general effect is manifested in the reduced oxygen content, detrimental to maintenance of aquatic life and to the self-purification of streams.

Another example of sewage pollution is the Delaware River. Cities along its course discharge tremendous quantities of sewage into it hourly. It is estimated that Philadelphia alone pours from 150,000,000 to 200,000,000 gallons of sewage into the lower Delaware daily. Wind blows odors from vast quantities of undigested sewage in the river onto the New Jersey shores, making living conditions very uncomfortable, especially in warm weather. Ships are said to shun their docks at times because the gases arising from decomposition discolor the ship's paint, attack the caulking, open seams, and make occupation of ships by passengers and crew while in the docks almost unbearable.

Or take the case of a mine which pumps sulphuric acid drainage into a stream to save the cost of pumping it or of properly treating the sewage; or the case of a tannery putting an unbelievable amount of pollution into a stream which has very little pollution from other sources; or a paper-pulp or soda-ash mill which discharges chemical refuse; or an iron and steel processing company which uses pickling acid to take rust scales from iron and then dumps the acid into nearby streams.

Notable examples of pollution have been found in the Nation's Capital here in Washington, where the Potomac River for many miles is unsuitable for bathing and where someone recently discovered that a stream flowing through a large public golf course was carrying a high percentage of waste matter from a large hospital. Golf balls, driven into the stream, were often retrieved with bare hands by persons who had no knowledge of conditions and whose fingers soon afterward came into contact with the mouth through cigarettes or candies. Children, enjoying one of the Nation's best parks here in Washington, have been wading for years in the same stream.

These are common situations on every watershed in the country. Slowly but certainly the Nation is becoming aroused over it. People see not only the grave danger to public health but a vast destruction of fish and wildlife, and a serious effect upon real-estate values in areas where pollution odors or commercial disadvantages arising from pollution make the locations unattractive. In some instances communities have seen not only their fisheries but also their ice industries entirely disappear. There are few remaining streams in the country from which ice can safely be taken for use in the home.

States have attempted to solve these problems by passing pollution-control laws, but their enforcement has often been ineffective, first because of inadequate funds, and second because the States soon come to realize that neighboring States are dumping pollutants into streams so rapidly that regardless of their own house cleaning, pollution constantly increases. A drifting attitude has resulted, and the need for vigorous action becomes more apparent daily. Legal actions by one State against another for dumping pollution into interstate streams have been attempted, but have been discouraged by the Supreme Court for reasons convincingly set forth by the late Mr. Justice Holmes. Attempts to establish uniform laws against polluters, applicable to various States, have also been tried sporadically throughout the country, but with little or no success.

Formation of compacts between States on an interstate stream have been encouraged, but not successfully tested. Such compacts are permissible under the Constitution, and must be authorized and approved by Congress and also by the State legislatures. There are no such compacts in relation to pollution control alone in existence, but in some of the irrigation compacts in western arid regions pollution control enters into the agreements. In these districts the importance of water is emphasized by need for agriculture and human consumption. In less arid regions, where compacts or voluntary agreements have been attempted, they have failed of accomplishment or have not been entirely satisfactory.

New York, New Jersey, and Connecticut are now in the process of entering into a compact under authorization by the last session of Congress, but it remains to be seen just how successful this effort will be.

There is not a great deal of information from foreign countries on which we can base some new plan, with definite assurance of success, although England and Germany have gone much further than other countries in cleaning up their streams. Germany endeavors to prevent pollution with proper laws before the streams are actually defiled, stressing the importance of prevention, rather than cure. Once their streams have been contaminated, they are cleaned up by a procedure and financing whereby industries, municipalities, and waterworks associations become members of a sanitary water district. Industries and municipalities outside of the district and not members, may be compelled to pay their share of the costs if they receive benefits from the works of the district or contribute to the pollution. Moreover, Germany has made a scientific study of sewage treatment, so that waste matter which formerly was dumped into streams is now converted into useful byproducts. Some cities have installed equipment which changes sewage into gas for fuel, and into soaps and oils for other uses by the city governments, thus greatly curtailing their expenditures for these necessities. Many German industrialists who were formerly noted polluters have noted the results and have found that they can convert their plant wastes into byproducts which more than pay for the cost of necessary equipment in some cases.

More than a year ago I saw the problem of pollution control in the United States become somewhat of a national emergency. I called a conference of experts to meet in Washington with the Secretary of War. The conference selected a committee of five persons to draft a plan for transmittal to the President.

The committee divided its opinion on two plans, one of which favored a continuation of the present plan of encouraging cooperation between the States by compacts or agreements, and the other plan favoring a vigorous program by the Federal Government to supplement State activities. The Federal plan boldly asserted the supremacy of the Federal jurisdiction over the interstate navigable waters and of the tributaries thereof, from which pollution is carried or washed into the navigable portion of the stream. It contended that the control now exercised by the Federal Government over water pollution does not rest in the commerce clause of the Constitution alone, but is found also in the admiralty and maritime jurisdiction clause, the welfare clause, the migratory bird treaty, and the power to protect national fisheries. The report of the Federal plan also included a specific recommendation for necessary laws to make it effective.

Following our Washington conference, the National Resources Board, through its advisory committee on water pollution, made a detailed study of the subject and recently published a preliminary report which contains much useful information and many helpful recommendations. The report admits that "on the whole the settlement of interstate controversies relating to the use or control of water, including its pollution, is not handled on a satisfactory basis."

The report favors further tests by the Federal Government in the formation of compacts, in rendering financial assistance to the States, municipalities, and to cooperative industries, and in acting in an advisory and educational capacity by conducting research work into the subject. It also recommends an experimental program on the Potomac River and its headwaters in the vicinity of Washington to show the States what can be done in preventing pollution or in controlling or eliminating it in streams already polluted. Active coordination and stimulation of local measures of control was also recommended, and the committee set up an outline of specific steps which any State can adopt under its constitutional police power to attempt to control pollution on its own waters.

A significant statement in the report of the National Resources Committee is this: "There is no appreciable demand indicated by State agencies for an extension of Federal control over water pollution."

I understand that this statement was based largely upon questionnaires sent out to the various State agencies, and it no doubt reflects what those agencies honestly believe is the view of the people in their States. However, there has been such utter apathy on the part of many persons, including State enforcement officials themselves, as a result of years of unsuccessful attempts to control pollution at home, and particularly on the large interstate waterways, that I wonder whether the public has actually been interested enough to express itself through its State agencies.

Many persons who originally were vigorous in their demands for stream purification, having noted futile attempts to correct the situation, no longer go to the trouble even to complain about pollution to their State agencies, thus making it difficult for these agencies to judge exactly what the public wants.

Many of the militant individuals in the States who have had the courage to continue the fight have joined State and national organizations having stream purification as one of their chief objectives. It is these organizations whose opinions I believe more accurately reflect the views of the American people. These organizations have as their members thousands of men and women devoting themselves to a cause for the love and worthiness of it. They have no axes to grind, and are not seeking remuneration for their efforts. They are voluntary workers, coming from every corner of the country. The most enthusiastic of these are members of organizations such as the Izaak Walton League and various fish and game associations and sportsmen's clubs and conservation groups. Among their leaders are many of the persons who attended the Washington Conference a year ago, including Dr. D'Arcy Magee, vice president of the Izaak Walton League of America, and Grover C. Ladner, deputy attorney general of Pennsylvania, who is prominently affiliated with many conservation organizations and as counsel in river-pollution cases. Others who have been active include S. B. Locke, conservation director of the Izaak Walton League, and officials of the American Game Association and affiliated groups, and numerous officials in the Government service.

It may seem curious to some that sports and wildlife and conservation organizations seem to be taking the most active part. The likely reason is that they are the persons who see the results of pollution by personal contact. They wade the streams and see fish lying dead by hundreds and thousands. They have waded through streams so filthy and so nauseating that their love of nature, if nothing else, impels them to do something about the situation. People primarily interested in public health have a multitude of health problems to consider, and may not observe the same results unless contagion or certain diseases break out which accurately can be traced to pollution.

Now just what is it that these organizations and individuals propose to do? If, as I have suggested, they represent a fair cross-section of the American people, what is their plan?

I can answer that in a general way by stating that after completion of our Washington Conference the two plans formulated by our special committee were sent to all conferees for a vote. The majority of them favored the plan of vigorous Federal action. Since then the Federal plan has met with universal approval by all conservation organizations who have heard of it, including the Delaware River Tri-State Anti-Pollution Conference, the anti-pollution committee of the American Fisheries Society, the American Game Conference, the Pennsylvania Federation of Sportsmen's Clubs, the West Virginia Affiliated Sportsmen's Association, the Kanawha Game and Fish Association of West Virginia, the Norfolk (Va.) Chapter of the Izaak Walton League, and by the American Game Conference at its convention in New York.

Their plan, which I have described as the Federal plan, is based upon the following propositions:

First, that pure water, next to air, is the most absolute necessity of life. Stream-pollution abatement is not a mere luxury to be ranked with what might be called comfort improvements, such as new roads, bridges, public buildings, and the like, but it is so absolute a necessity that to temporize longer with the problem is to court national disaster.

Second, the very worst stream pollution is to be found in the great interstate waterways and their tributaries. Therefore it has ceased to be a mere matter of local interest. It has become a matter of national concern.

Third, that industrial pollution and municipal sewage pollution must be attacked as a single problem and at the same time. Taxpayers will spend no money to clean public streams which industries continue to use as private sewers.

Fourth, that the most effective argument that industrial polluters advance against enforcement of antipollution laws by their States is the plea that they should not be put at a competitive disadvantage with industries located in other States that fail to act. While this argument is more plausible than sound, it is very effective with the public. It causes confusion and hesitation, which weakens the drive for strict enforcement in any State.

Fifth, that both municipalities and industries very generally plead lack of funds.

Summarized, these propositions demand a new approach to the problem, and a plan which would meet the following requirements: (a) Provide uniformity of enforcement, bearing down equally on industries as well as municipalities irrespective of location; (b) provide for immediate installation of sewage-disposal plants and trade waste treatment works by furnishing funds for both; and (c) provide a watershed-pollution control irrespective of State boundaries.

Obviously these requirements can only be met through the intervention of the Federal Government. If it does intervene, a central authority must be set up or powers conferred upon some existing agency to conduct the following activities:

1. To attempt through State cooperation to obtain uniformity of State laws, procedures, and enforcement of water-pollution preventive and corrective measures.

2. To assist the proper State agency in the studies necessary to determine the extent of the pollution of any waters within the State, to establish standards of purity of these waters, and to determine the necessary corrective measures for attaining these standards.

3. To direct that studies be made by existing agencies of the Federal Government qualified to make such studies of such interstate watersheds as appear necessary and to finance these studies.

4. To determine from the studies the area of each interstate watershed to be established as a water-pollution-abatement district, to be known thereafter as the sanitary water district, and to set up for that district standards of purity and minimum requirements as to treatment of polluting material before the same is discharged into the waters thereof.

5. To create for each sanitary water district so established by the national board a sanitary water district board, the number to be determined by the national board; such boards to be given authority to require abatement and prevention of all water pollution within the area of the district, to require installation of such sewage-disposal plants and such treatment works for industrial works as may be necessary to cleanse, protect, and safeguard the purity of the waters within the district and to arrange for the necessary financing and construction of the required sewage-disposal plants and treatment works of industrial waste by offering Government loans.

Such a program should also specifically reserve the right of any individual or persons or corporation or any municipality or community suffering injury by reason of the pollution of his or its waters to bring action for damages or the abatement thereof which he or they may now have under the present law of the States concerned. Other provisions safeguarding the States and individuals in their existing rights would also be included, the main purpose of the whole plan being vigorous Federal action to supplement and stimulate State action, and not to interfere in any way with the States in their own efforts.

Amendments would also be submitted to existing laws to strengthen enforcement of the Deposits of Refuse Act and the Oil Pollution Act, by which the Federal Government already has limited powers of control over pollution on interstate waters.

I have been requested to inaugurate the Federal plan of these organizations. Thus far no definite legislation has been introduced in Congress, although there are indications that as a result of the report of the National Resources Committee the administration may now be drafting such legislation for the coming session.

Such a program of stream purification at this time would comply with the President's policy of providing unemployment relief by worth-while public works. Government loans and financial assistance would under the plan stimulate construction of adequate sewage-disposal plants and industrial trade waste treatment plants and would give employment to many now out of work.

But this is not the only benefit, nor the greatest. Following it would come the inestimable benefits of health protection, the return of millions of dollars' worth of food fish to our principal streams, the restoration of the natural-ice industry along some

waters, and the restoration of recreational and industrial use of waterways that are now an offense to the sight, a stench to the nostrils, and an excessive burden to navigation. Added to this would be the tremendous savings to the great cities of the Nation that must now or later spend hundreds of millions for new sources of water supply unless the pollution of their present sources is abated and the purity thereof forever protected.

The time has come when the public should express itself effectively upon this subject. If you believe in the Federal plan, notify your State agencies or your Representatives or Senators in Congress or the President or his National Resources Board. As Dr. Theobold Smith, eminent authority on public health, said not so long ago:

"The American people must destroy water pollution or it will destroy us."

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

Mr. THOM, for 2 weeks, on account of illness.

Mr. SCRUGHAM, for 4 days, on account of illness.

Mr. DUFFY of New York, for 3 days, on account of illness.

Mr. MAAS (at the request of Mr. PITTENGER), for 10 days, on account of death in family.

ADJOURNMENT

Mr. BANKHEAD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 31 minutes p. m.) the House adjourned until tomorrow, Tuesday, January 7, 1936, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

543. A letter from the Chairman of the United States Tariff Commission, transmitting the Nineteenth Annual Report of the United States Tariff Commission, in compliance with the provisions of section 332 of the act of Congress approved June 17, 1930 (H. Doc. No. 326); to the Committee on Ways and Means and ordered to be printed.

544. A letter from the Secretary of War, transmitting a report dated January 2, 1936, from the Chief of Engineers, United States Army, on Salt River, Mo., made under the provisions of section 10 of the Flood Control Act approved May 15, 1928, together with accompanying papers and illustrations; to the Committee on Flood Control.

545. A letter from the Archivist, transmitting the First Annual Report of the Archivist of the United States, covering the fiscal year ending June 30, 1935; to the Committee on the Library.

546. A letter from the Attorney General, transmitting a list of suits arising under the act of March 9, 1920 (41 Stat. 525), authorizing suits against the United States in admiralty involving merchant vessels, in which final decrees were entered against the United States, exclusive of cases on appeal; to the Committee on Claims.

547. A letter from the Attorney General, transmitting a list of suits arising under the Public Vessel Act of March 3, 1925 (43 Stat. 1112), in which final decrees were entered, exclusive of cases on appeal; to the Committee on Claims.

548. A letter from the Attorney General, transmitting the annual report of the Department of Justice for the fiscal year ended June 30, 1935 (H. Doc. No. 319); to the Committee on the Judiciary and ordered to be printed.

549. A letter from the Attorney General, transmitting, as required by the text of the appropriation "Pay of special assistant attorneys" contained in the Department of Justice Appropriation Act, 1936, approved March 22, 1935, a report showing the special assistants employed under said appropriation and pay or payable therefrom, the rate of compensation, the amounts paid, and a description of the duties; to the Committee on Expenditures in the Executive Departments.

550. A letter from the Secretary of War, transmitting the annual report of the activities of the National Board for the Promotion of Rifle Practice for the fiscal year 1935; to the Committee on Military Affairs.

551. A letter from the Administrator of Veterans' Affairs, transmitting a report of activities of the Veterans' Administration for the fiscal year ended June 30, 1935 (H. Doc. No. 322); to the Committee on World War Veterans' Legislation and ordered to be printed.

552. A letter from the Attorney General, transmitting a statement of the expenditures under appropriations for the United States Court of Patent Appeals for the fiscal year ended June 30, 1935; to the Committee on Expenditures in the Executive Departments.

553. A letter from the Secretary of Agriculture, transmitting reports of the Department of Agriculture for the fiscal year 1935 on Federal-aid road work and forest roads and trails as required by section 19 of the Federal Highway Act approved November 9, 1921 (42 Stat. 216); to the Committee on Roads.

554. A letter from the Chairman of the District of Columbia-Virginia Boundary Line Commission, transmitting a report of the Commission created by the act of Congress approved March 21, 1934, to determine the boundary line between the District of Columbia and the State of Virginia and to provide for the settlement of claims to property along or affected by said boundary line (H. Doc. No. 374); to the Committee on the Judiciary and ordered to be printed.

555. A letter from the Secretary of the Treasury, transmitting the annual report of the Secretary of the Treasury on the state of the finances for the fiscal year ended June 30, 1935 (H. Doc. No. 315); to the Committee on Ways and Means and ordered to be printed.

556. A letter from the Postmaster General, transmitting the report of operation of the Postal Savings System for the fiscal year ended June 30, 1935 (H. Doc. No. 327); to the Committee on the Post Office and Post Roads and ordered to be printed.

557. A letter from the Clerk of the House of Representatives, transmitting information in regards to the contest for a seat in the House of Representatives from the Twentieth District of New York (H. Doc. No. 383); to the Committee on Elections No. 1 and ordered to be printed.

558. A letter from the Clerk of the House of Representatives, transmitting information in regards to the contest for a seat in the House of Representatives from the Territory of Hawaii (H. Doc. No. 384); to the Committee on Elections No. 2 and ordered to be printed.

559. A letter from the Clerk of the House of Representatives, transmitting information in regards to the contest for a seat in the House of Representatives from the Nineteenth Congressional District of the State of Ohio (H. Doc. No. 385); to the Committee on Elections No. 3 and ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ELLENBOGEN: A bill (H. R. 9665) to repeal the Potato Act of 1935, and for other purposes; to the Committee on Agriculture.

By Mr. BOEHNE: A bill (H. R. 9666) to extend the times for commencing and completing the construction of a bridge across the Ohio River between Rockport, Ind., and Owensboro, Ky.; to the Committee on Interstate and Foreign Commerce.

By Mr. LUDLOW: A bill (H. R. 9667) to amend the Agricultural Adjustment Act; to the Committee on Agriculture.

By Mr. MAVERICK: A bill (H. R. 9668) to preserve and maintain peace between the United States and foreign nations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. PARKS: A bill (H. R. 9669) to establish the rank of general and lieutenant general for certain Army commands; to the Committee on Military Affairs.

By Mr. SMITH of Virginia: A bill (H. R. 9670) to define, survey, and mark the boundary between Virginia and the District of Columbia as laid down in the report of the District of Columbia-Virginia Boundary Commission and to authorize the expenditure necessary; to the Committee on the Judiciary.

By Mr. ANDREW of Massachusetts: A bill (H. R. 9671) to authorize the Secretary of the Treasury to dispose of mate-

rial to the sea scout department of the Boy Scouts of America; to the Committee on Merchant Marine and Fisheries.

By Mr. CULKIN: A bill (H. R. 9672) for the taxation of oleomargarine; to the Committee on Agriculture.

By Mr. BURNHAM: A bill (H. R. 9673) to authorize the recoinage of 50-cent pieces in connection with the California-Pacific International Exposition to be held in San Diego, Calif., in 1936; to the Committee on Coinage, Weights, and Measures.

By Mr. HOFFMAN: A bill (H. R. 9674) to repeal sections 311a, 316a, 316b, 405a, 448–448e, inclusive, 734a, and 734b of title 31 of the Silver Purchase Act of 1934; to the Committee on Ways and Means.

By Mr. LANHAM: A bill (H. R. 9675) relating to filing of petitions with the Board of Tax Appeals; to the Committee on Ways and Means.

By Mr. SMITH of Virginia: A bill (H. R. 9676) to repeal an act entitled "An act authorizing the Secretary of Agriculture to sell the Weather Bureau station known as "Mount Weather", in the counties of Loudoun and Clarke in the State of Virginia; to the Committee on Agriculture.

Also, a bill (H. R. 9677) to amend the act of March 4, 1915 (38 Stat. 1068–1069), authorizing the President to transfer to the active list of the Army certain officers on the retired list; to the Committee on Military Affairs.

By Mr. HILDEBRANDT: A bill (H. R. 9678) to extend for 1 year contracts covering existing star routes; to the Committee on the Post Office and Post Roads.

By Mr. STUBBS: A bill (H. R. 9679) to amend the immigration laws, and for other purposes; to the Committee on Immigration and Naturalization.

By Mr. LUNDEEN: A bill (H. R. 9680) to provide for the establishment of a Nation-wide system of social insurance; to the Committee on Labor.

By Mr. RAYBURN: A bill (H. R. 9681) to promote electrification in rural areas and to provide facilities for the financing thereof, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ZIONCHECK: Resolution (H. Res. 386) to authorize an investigation of old-age-pension schemes; to the Committee on Rules.

By Mr. DINGELL: Joint resolution (H. J. Res. 428) directing the President of the United States to proclaim October 11 of each year General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREWS of New York: A bill (H. R. 9682) for the relief of Walter L. Shelley; to the Committee on Military Affairs.

Also, a bill (H. R. 9683) for the relief of Clyde W. Snell; to the Committee on Naval Affairs.

By Mr. ALLEN: A bill (H. R. 9684) granting a pension to Lizzie May Schaber; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9685) granting a pension to Sarah A. King; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9686) granting a pension to Emma Wood; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9687) granting a pension to Ethel S. Ferguson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9688) granting an increase of pension to Ernestine Singer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9689) granting an increase of pension to Ada Plattenberger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9690) granting an increase of pension to Anna Flint; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9691) granting an increase of pension to Elizabeth Diehl; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9692) granting an increase of pension to Maria A. Houston; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9693) granting an increase of pension to Martha C. Howe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9694) granting an increase of pension to Elizabeth Snyder; to the Committee on Invalid Pensions.

By Mr. BLAND: A bill (H. R. 9695) granting a pension to William Turner; to the Committee on Pensions.

By Mr. BREWSTER: A bill (H. R. 9696) granting a pension to Maria B. Thompson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9697) granting a pension to Annie S. Nealley; to the Committee on Invalid Pensions.

By Mr. CLARK of Idaho: A bill (H. R. 9698) for the relief of Ned Williams; to the Committee on Naval Affairs.

Also, a bill (H. R. 9699) granting an honorable discharge to James B. Kilbourne; to the Committee on Military Affairs.

Also, a bill (H. R. 9700) granting a pension to Dean Larson; to the Committee on Pensions.

Also, a bill (H. R. 9701) granting a pension to Billy George; to the Committee on Pensions.

Also, a bill (H. R. 9702) granting a pension to William R. S. Lane; to the Committee on Pensions.

By Mr. CREAL: A bill (H. R. 9703) granting a pension to Louise F. Mansfield; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9704) granting a pension to Mary Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9705) granting a pension to Mattie L. Stults; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9706) granting a pension to Frances Vaughn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9707) granting a pension to Jim Merideth; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9708) granting a pension to Simpson Pennington; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9709) granting a pension to Julia Lyon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9710) granting a pension to Mary J. Logsdon; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9711) granting an increase of pension to Sallie Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9712) granting a pension to Nancy Ann Laird; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9713) granting an increase of pension to Winnie Hazard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9714) granting an increase of pension to Martha R. Henderson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9715) granting an increase of pension to Martha J. Blacketer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9716) granting an increase of pension to Mariah Buchanan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9717) granting a pension to Martha Kasinger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9718) granting a pension to Arthur Pate; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9719) granting a pension to Gorda James; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9720) granting a pension to William H. Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9721) granting a pension to George Merideth; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9722) granting a pension to Alwilda Brooks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9723) granting a pension to Mary E. Sutherland; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9724) granting a pension to Mattie Bumgardner; to the Committee on Invalid Pensions.

By Mr. DUFFEY of Ohio: A bill (H. R. 9725) granting a pension to Marie Brown; to the Committee on Invalid Pensions.

By Mr. FORD of California: A bill (H. R. 9726) for the relief of Frank Duffy; to the Committee on Military Affairs.

Also, a bill (H. R. 9727) for the relief of M. C. Carnicle; to the Committee on Naval Affairs.

By Mr. GILDEA: A bill (H. R. 9728) for the relief of Benjamin Lucas; to the Committee on Claims.

By Mr. GIFFORD: A bill (H. R. 9729) granting a pension to Fannie L. Leonard: to the Committee on Invalid Pensions.

Also, a bill (H. R. 9730) granting a pension to Mary Banks Fuller; to the Committee on Invalid Pensions.

By Mr. GRAY of Indiana: A bill (H. R. 9731) granting an increase of pension to Roy Smith; to the Committee on Pensions.

Also, a bill (H. R. 9732) granting a pension to Margaret Thurman; to the Committee on Invalid Pensions.

By Mr. GRISWOLD: A bill (H. R. 9733) granting a pension to Sarah E. Goine; to the Committee on Invalid Pensions.

By Mr. HALLECK: A bill (H. R. 9734) for the relief of John H. Sullivan; to the Committee on Military Affairs.

Also, a bill (H. R. 9735) for the relief of Merril M. Chenoweth; to the Committee on Military Affairs.

Also, a bill (H. R. 9736) granting an increase of pension to Mary E. Vigus; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9737) granting an increase of pension to John H. Sullivan; to the Committee on Pensions.

By Mr. HANCOCK of New York: A bill (H. R. 9738) granting a pension to Mary Metzger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9739) granting a pension to Minnie Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9740) granting a pension to Nettie J. Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9741) granting a pension to Catherine J. Hoyer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9742) granting an increase of pension to Caroline Appelt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9743) granting an increase of pension to Hattie J. Doolittle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9744) granting an increase of pension to Matilda A. Button; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9745) granting an increase of pension to Elizabeth Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9746) granting an increase of pension to Catherine B. McCarthy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9747) granting an increase of pension to Sarah Seward; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9748) granting an increase of pension to Bridget Haley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9749) granting an increase of pension to Jennie V. Myers; to the Committee on Invalid Pensions.

By Mr. HILDEBRANDT: A bill (H. R. 9750) for the relief of William C. Willahan; to the Committee on Claims.

By Mr. HOUSTON: A bill (H. R. 9751) granting a pension to Marth Ella Downing; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9752) for the relief of Zachara T. Edwards; to the Committee on Military Affairs.

Also, a bill (H. R. 9753) granting a pension to Lillie Z. Devin; to the Committee on Pensions.

Also, a bill (H. R. 9754) granting a pension to Hulda S. Dick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9755) granting a pension to Azelle V. Crawford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9756) granting an increase of pension to Mathilda Danielson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9757) granting a pension to Mary E. Carroll; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9758) granting an increase of pension to Marcha Ann Corkill; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9759) for the relief of Lewis H. Miller; to the Committee on Military Affairs.

Also, a bill (H. R. 9760) granting an increase of pension to Margaret A. Bradshaw; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9761) granting a pension to Georgiana Garthwaite; to the Committee on Pensions.

Also, a bill (H. R. 9762) granting a pension to Sarah Graves; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9763) granting a pension to Frances Engler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9764) granting a pension to Millard C. Helm; to the Committee on Pensions.

Also, a bill (H. R. 9765) granting an increase of pension to Florence I. Huss; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9766) granting an increase of pension to Emily J. McCready; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9767) granting an increase of pension to Susan I. Queen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9768) granting an increase of pension to Eliza Robinson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9769) granting a pension to Sarah Ann Thomas; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9770) granting a pension to Jessie M. Warner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9771) granting an increase of pension to Miriam A. Williams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9772) for the relief of Amos F. Westerfield; to the Committee on Military Affairs.

Also, a bill (H. R. 9773) for the relief of John I. Saunders; to the Committee on Claims.

Also, a bill (H. R. 9774) granting an increase of pension to Sarah P. Scott; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9775) granting an increase of pension to Mary C. Snyder; to the Committee on Invalid Pensions.

By Mr. KNUTSON: A bill (H. R. 9776) granting a pension to Loretta Kendrick; to the Committee on Pensions.

By Mr. LAMNECK: A bill (H. R. 9777) granting a pension to Julia A. Taylor; to the Committee on Invalid Pensions.

By Mr. LUDLOW: A bill (H. R. 9778) granting an increase of pension to Clara L. Waggoner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9779) granting an increase of pension to Sally J. Hendrix; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9780) granting an increase of pension to Martha Ferguson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9781) granting an increase of pension to Hannah Sims; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9782) granting an increase of pension to Sophia Huber; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9783) granting an increase of pension to Eliza A. Washington; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9784) granting an increase of pension to Florence S. McGinnis; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9785) granting a pension to Norah D. Neal; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9786) granting a pension to Flora Bailey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9787) granting a pension to Anna Brock; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9788) granting a pension to Jane Mitchell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9789) granting a pension to George E. Ryan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9790) granting a pension to Pearl Thomas; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9791) granting a pension to Annie Lewis; to the Committee on Invalid Pensions.

By Mr. McANDREWS: A bill (H. R. 9792) for the relief of Leo Stellwagen; to the Committee on Naval Affairs.

Also, a bill (H. R. 9793) for the relief of Carl Stador; to the Committee on Claims.

By Mr. MAPES: A bill (H. R. 9794) granting a pension to Maryette Sweet; to the Committee on Invalid Pensions.

By Mr. O'CONNOR: A bill (H. R. 9795) for the relief of Mary McCormack; to the Committee on World War Veterans' Legislation.

By Mr. O'BRIEN: A bill (H. R. 9796) for the relief of Edward J. Shuma, Barbara Michalek, and Robert Shuma, collectively; to the Committee on Claims.

By Mr. PARSONS: A bill (H. R. 9797) granting an increase of pension to Nancy C. Austin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9798) granting an increase of pension to Leroy Dunn; to the Committee on Pensions.

Also, a bill (H. R. 9799) granting an increase of pension to Maria O. Fowler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9800) granting an increase of pension to Nancy Fopay; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9801) granting an increase of pension to Susan B. Hill; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9802) granting an increase of pension to Mary E. Freeman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9803) granting an increase of pension to Sarah A. Morris; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9804) granting an increase of pension to Margaret J. Maiden; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9805) granting a pension to Robert T. Bland; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9806) granting a pension to Chester D. Green; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9807) granting a pension to Josie Greathouse; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9808) granting a pension to Mary A. Proudfit; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9809) granting a pension to James Edward Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9810) granting a pension to Claud Stine; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9811) granting a pension to Flossie M. Ramsey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9812) granting a pension to Ray Beal; to the Committee on Pensions.

Also, a bill (H. R. 9813) granting a pension to Hannah D. Warren; to the Committee on Invalid Pensions.

By Mr. REED of New York: A bill (H. R. 9814) granting a pension to Kittie Grace Bozard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9815) granting a pension to Alice Hultberg; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9816) granting a pension to Evelyn C. Devereaux; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9817) granting a pension to Addie J. Wheeler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9818) granting a pension to Lizzie S. Reed; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9819) granting an increase of pension to Augusta C. Bittmayer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9820) granting an increase of pension to Lucinda P. Ayers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9821) granting an increase of pension to Jenettie E. Evans; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9822) granting an increase of pension to Miriam E. Crampton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9823) granting an increase of pension to Lelia Walter Lee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9824) granting an increase of pension to Delphina Fox; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9825) granting an increase of pension to Ella G. Millspaugh; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9826) granting an increase of pension to Selena S. Luxford; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9827) granting an increase of pension to Emma Pierce; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9828) granting an increase of pension to Betsey A. Noble; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9829) granting an increase of pension to Susan C. Stanley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9830) granting an increase of pension to Martha F. Reynolds; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9831) granting an increase of pension to Grace L. Kelley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9832) granting an increase of pension to Mary L. Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9833) granting an increase of pension to Emily Turner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9834) granting an increase of pension to Amelia A. Owen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9835) granting an increase of pension to Emma A. Hibner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9836) granting an increase of pension to Elizabeth R. Wilson; to the Committee on Invalid Pensions.

By Mr. ROBSION of Kentucky: A bill (H. R. 9837) for the relief of Maude Hodge; to the Committee on Claims.

Also, a bill (H. R. 9838) granting a pension to Celia Ledford; to the Committee on Pensions.

Also, a bill (H. R. 9839) to extend the benefits of the Employees' Compensation Act of September 7, 1916, to Myrtle Dixon; to the Committee on Claims.

By Mrs. ROGERS of Massachusetts: A bill (H. R. 9840) for the relief of Michael J. Day; to the Committee on Military Affairs.

By Mr. TABER: A bill (H. R. 9841) granting a pension to Ida Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9842) granting an increase of pension to Martha E. H. Fisher; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9843) granting a pension to Sarah E. Schott; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9844) granting a pension to Anna L. Rumsey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9845) granting a pension to Julia Douglass; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9846) granting a pension to Lydia E. Perkins; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 9847) granting a pension to Phoebe Fite; to the Committee on Invalid Pensions.

By Mr. THOMAS: A bill (H. R. 9848) granting a pension to Isabelle H. Byrnes; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9849) granting a pension to Louise Stockwell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9850) granting an increase of pension to Sarah E. Barber; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9851) granting an increase of pension to Mary Maley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9852) granting an increase of pension to Jane Pelletier; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9853) granting an increase of pension to Mary A. Richmond; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9854) granting a pension to James C. Riley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9855) granting a pension to Margaret M. Crane; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9856) granting a pension to Addie L. Wright; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9857) granting an increase of pension to Mary I. Pingrey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9858) granting an increase of pension to Louise E. Van Norden; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9859) granting an increase of pension to Ella S. T. Witbeck; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9860) granting an increase of pension to Julia Peart; to the Committee on Invalid Pensions.

By Mr. THURSTON: A bill (H. R. 9861) for the relief of E. A. Caylor; to the Committee on Claims.

Also, a bill (H. R. 9862) for the relief of E. G. Banta, successor to the firm of Banta & Banta; 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:

9404. By Mr. CULLEN: Petition of the Pacific Canned Salmon Brokers Association, urging the passage of House bill 8055; to the Committee on Merchant Marine and Fisheries.

9405. Also, petition of the Grand Lodge of the State of New York, Order of Sons of Italy in America, urging adherence to the policy of noninterference in European affairs; to the Committee on Foreign Affairs.

9406. By Mr. DELANEY: Petition of San Donato Di Umbriatico and Sant' Antonio Di Scala Coili, of Brooklyn, N. Y., protesting against American association with the League of Nations' sanction activities; to the Committee on Foreign Affairs.

9407. By Mr. FORD of California: Resolution of the Sixty-eighth Convention of the California Fruit Growers and Farmers, calling upon Congress to do nothing which will weaken the cooperative marketing movement, or which will deprive it of any of its present legal recognition and protection, and asking that the Senators and Representatives from California support to maintain the full strength of law behind the cooperative marketing movement; to the Committee on Agriculture.

9408. By Mr. GILDEA: Petition concerning agriculture; to the Committee on Agriculture.

9409. By Mr. KRAMER: Resolution of the California Newspaper Publishers Association, Inc., relative to the United States postal laws prohibiting newspapers, magazines, and periodicals from printing any editorial or reading matter for which money or other valuable consideration is paid unless it is plainly marked "Advertising", etc.; to the Committee on the Post Office and Post Roads.

9410. By Mr. PFEIFER: Petition of the Society of St. Joseph Palo del Colle, Italy, Inc., Brooklyn, N. Y., concerning the neutrality law; to the Committee on Foreign Affairs.

9411. Also, telegram from the Italian Dress and Waist Makers Union, Local 89, New York City, concerning the Walsh bill (S. 3055); to the Committee on Labor.

9412. Also, petition of the Grand Lodge of the State of New York, Order Sons of Italy in America, New York City, concerning the neutrality law; to the Committee on Foreign Affairs.

9413. By Mr. RUDD: Petition of the United Textile Workers of America, concerning House bill 9072, National Textile Act; to the Committee on Agriculture.

9414. Also, petition of the Italian Dress and Waist Makers Union, Local 89, I. L. G. W. U., New York City, affiliated with American Federation of Labor, concerning the Walsh bill (S. 3055); to the Committee on Labor.

9415. Also, petition of the Grand Lodge of the State of New York, Order Sons of Italy in America, 225 Lafayette Street, New York City, concerning the neutrality law; to the Committee on Foreign Affairs.

9416. Also, petition of the Italian-American Democratic Club of the Twentieth Assembly District, Brooklyn, N. Y., Peter C. Giambalvo, executive member, concerning the neutrality law; to the Committee on Foreign Affairs.

9417. Also, petition of John J. Kearney, commander, Edward A. Cummings Post, American Legion, Kings County, N. Y., favoring the Vinson bill for the payment of the adjusted-service certificates; to the Committee on Ways and Means.

HOUSE OF REPRESENTATIVES

TUESDAY, JANUARY 7, 1936

The House met at 12 o'clock noon.

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

Our Heavenly Father, may we hear Thee saying in the stillness of our souls: "Fear God and keep My commandments, for this is the whole duty of man." In our needs and in our aspirations may we drink deeply of the spirit of our Master. Keep the vision of our understanding strong and clear, that we may vividly recognize the claims of high character, of duty, and of the public service. Blessed Lord God, in the face of this strange, tumultuous, and mysterious world, with its wealth of emotion and power, we entreat Thee to hold us as we beat a pathway through its forbidding tides. Help us to sing the morning song of temperance, endurance, and patience. With Thy Holy Spirit consecrate a shrine and sanctuary in our breasts and give us fortitude and wisdom that shall stand the shock of time. In our Savior's name. Amen.

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

PERMISSION TO ADDRESS THE HOUSE

Mr. PETERSON of Georgia. Mr. Speaker, I ask unanimous consent to proceed for 5 minutes.

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

Mr. BANKHEAD. Reserving the right to object, and I shall not object to these 5 minutes, and I shall not object to any gentleman on the other side having 5 minutes, but I want to reiterate a statement I made yesterday that this day has been set down for consideration of the Private Calendar. A great many gentlemen are interested in securing consideration of that calendar. Although it is very unpleasant, I feel that I shall have to object to any further remarks.

Mr. SNELL. Reserving the right to object, does the gentleman from Alabama object to the request of the gentleman from Georgia?

Mr. BANKHEAD. I do not object to this request nor shall I object to a statement from the gentleman on the other side, but I shall object to any further requests.

Mr. SNELL. Further reserving the right to object, I want to ask the majority leader a question. Will the program tomorrow be the independent offices bill, with an opportunity for general debate?

Mr. BANKHEAD. I will yield to the gentleman from Virginia to answer that question.

Mr. WOODRUM. The present intention is to call up the independent offices appropriation bill tomorrow, and an opportunity will be given in general debate for Members to make speeches.

Mr. TAYLOR of Colorado. Reserving the right to object, I want to make a statement on behalf of the Interior Appropriations Subcommittee. The committee has finished hearings as far as the executive officers are concerned, but if any Member of the House desires to come before the subcommittee tomorrow we shall be glad to hear them.

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

Mr. MAPES. Reserving the right to object, may I ask the majority leader a question?

Mr. BANKHEAD. I will yield to the gentleman.

Mr. MAPES. The morning paper speaks of a possibility that the bonus may be brought up tomorrow or Thursday. Can the gentleman give us any information in regard to that?

Mr. BANKHEAD. In reply to the gentleman's question, I will state that as far as I know this is the situation: I saw it stated in the papers that the Committee on Ways and Means yesterday afternoon had reported out the so-called "bonus" bill. Of course, before that bill can have consideration a special rule will have to be passed. I do not know whether the chairman of the Committee on Rules, the gentleman from New York [Mr. O'CONNOR], who is present, has been approached in connection with that matter or not. Nor do I know at this time what is in the mind of the chairman of the Committee on Ways and Means with reference to the consideration of the bonus bill, but there will be no disposition to delay its consideration. Of course, it is a matter that would have to be determined by the Committee on Rules. If the gentleman from New York would like to make a statement in that connection, I shall yield to him for that purpose.

Mr. O'CONNOR. Mr. Speaker, I might state that I have not been approached, and there has been no intimation to the Committee on Rules up to this moment of any request for a rule.

Mr. TREADWAY. Mr. Speaker, if the gentleman will permit, I do not see the chairman of the Committee on Ways and Means on the floor at the moment and I am not authorized to speak for him, but I think I can rightly refer to the way the matter was left in the Committee on Ways and Means last night. It was understood by the members of the committee that a rule would be asked for and there was some question whether we would go on with the Ways and Means bonus bill tomorrow or wait until the independent offices appropriation bill is disposed of.

Mr. O'CONNOR. Of course, the Committee on Rules is functioning.

Mr. BANKHEAD. I trust that answers the inquiry of the gentleman from Michigan.