as an addition to the school reserve of the Jicarilla Indian Reservation; without amendment (Rept. No. 2442). Referred to the Committee of the Whole House on the state of the Union.

Mr. WERNER: Committee on Indian Affairs. H. R. 12074. A bill to consolidate the Indian pueblos of Jemez and Pecos, N. Mex.; without amendment (Rept. No. 2447). Referred to the Committee of the Whole House on the state of the Union.

Mr. RYAN: Committee on Indian Affairs. S. 1494. An act to amend an act entitled "An act authorizing the Chippewa Indians of Minnesota to submit claims to the Court of Claims", approved May 14, 1926 (44 Stat. L. 555); without amendment (Rept. No. 2448). Referred to the Committee of the Whole House on the state of the Union.

Mr. DEMPSEY: Committee on Insular Affairs. H. R. 12298. A bill to provide a civil government for the Virgin Islands of the United States; without amendment (Rept. No. 2449). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. RYAN: Committee on Indian Affairs. H. R. 12182. A bill for the relief of J. L. Summers; without amendment (Rept. No. 2443). Referred to the Committee of the Whole House.

Mr. ROGERS of Oklahoma: Committee on Indian Affairs. H. R. 10376. A bill for the relief of Maizee Hamley; without amendment (Rept. No. 2444). Referred to the Committee of the Whole House.

Mr. BEITER: Committee on War Claims. H. R. 10436. A bill for the relief of the heirs of Margaretta D. Fenn, deceased; with amendment (Rept. No. 2445). Referred to the Committee of the Whole House.

Mr. BEITER: Committee on War Claims. H. R. 10729. A bill for the relief of Charles Augustus Lathrop; without amendment (Rept. No. 2446). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. COLE of New York: A bill (H. R. 12351) to amend the Federal Corrupt Practices Act, 1925, approved February 28, 1935, and acts amendatory and supplementary thereto; to the Committee on the Judiciary.

By Mr. BARRY: A bill (H. R. 12352) to provide for the local delivery rate on certain first-class mail matter; to the Committee on the Post Office and Post Roads.

By Mr. KELLER: A bill (H. R. 12353) to amend an act entitled "An act to create a Library of Congress Trust Fund Board, and for other purposes", approved March 3, 1925; to the Committee on the Library.

By Mr. MALONEY: A bill (H. R. 12354) to modify the basis for computing net income in case of the liquidation of a corporation following the sale of its business to another corporation, and for other purposes; to the Committee on Ways and Means.

By Mr. SCHULTE: A bill (H. R. 12355) to authorize wrestling in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. COCHRAN: A bill (H. R. 12356) to amend paragraph 5 of section 3244 of the Revised Statutes; to the Committee on Ways and Means.

By Mr. GASQUE: A bill (H. R. 12357) to prohibit expenditures for the members of the military and naval forces of the United States who are not citizens of the United States, and for other purposes; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOEHNE: A bill (H. R. 12358) granting an increase of pension to Melissa F. Proctor; to the Committee on Invalid Pensions.

By Mr. BOYKIN: A bill (H. R. 12359) for the relief of George Smith and Ketha Smith; to the Committee on Claims.

By Mr. CLARK of Idaho: A bill (H. R. 12360) for the relief of Mr. and Mrs. Lucius Clark; to the Committee on Claims.

Also, a bill (H. R. 12361) for the relief of Marian Stephens; to the Committee on Claims.

By Mr. HARLAN: A bill (H. R. 12362) for the relief of George E. Kinner; to the Committee on Military Affairs.

By Mr. HIGGINS of Massachusetts: A bill (H. R. 12363) for the relief of Esai Sak; to the Committee on Immigration and Naturalization.

By Mrs. KAHN: A bill (H. R. 12364) for the relief of Daniel Morgan Weldon; to the Committee on Naval Affairs.

By Mr. LUDLOW: A bill (H. R. 12365) to correct the military record of Edward W. Beyer; to the Committee on Military Affairs.

By Mrs. NORTON: A bill (H. R. 12366) for the relief of Vincent F. Leslie; to the Committee on Claims.

By Mr. SECREST: A bill (H. R. 12367) for the relief of John Stevens; to the Committee on Claims.

By Mr. SUTPHIN: A bill (H. R. 12368) for the relief of the city of New Brunswick, N. J.; to the Committee on Claims.

By Mr. WELCH: A bill (H. R. 12369) for the relief of George H. Hutchinson, deceased; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

10740. By Mr. CULLEN: Petition in the nature of a concurrent resolution of the Legislature of the State of New York, urging Congress to accept immediate responsibility for relief and employment of transients; to the Committee on Appropriations.

10741. By Mr. GOODWIN: Petition of 40 residents of the city of Kingston, N. Y., regarding the Townsend plan; to the Committee on Ways and Means.

10742. Also, petition of the New York State Legislature, memorializing Congress to place responsibility upon the Works Progress Administration for employment and relief of transients; to the Committee on Appropriations.

10743. By Mr. PFEIFER: Petition of the New York City Housing Authority, Langdon Post, chairman, New York City, concerning the Wagner-Ellenbogen housing bill; to the Committee on Banking and Currency.

10744. Also, petition of Thomas S. Holden, president, New York Building Congress, endorsing the Hayden-Beiter public-works bill; to the Committee on Appropriations.

10745. Also, petition of the Building Trades Employers Association of New York City, endorsing the Beiter public-works bill; to the Committee on Appropriations.

SENATE

MONDAY, APRIL 20, 1936

(Legislative day of Monday, Feb. 24, 1936)

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

THE JOURNAL

On request of Mr. ROBINSON, and by unanimous consent, the reading of the Journal of the legislative proceedings of the Senate for the calendar days April 9 to April 17, 1936, inclusive, 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.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

CALL OF THE ROLL

Mr. LEWIS. 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	Clark	Holt	O'Mahoney
Ashurst	Connally	Johnson	Overton
Austin	Coolidge	King	Pittman
Bachman	Copeland	La Follette	Pope
Bailey	Couzens	Lewis	Radcliffe
Barbour	Davis	Logan	Reynolds
Barkley	Dickinson	Lonergan	Robinson
Benson	Dieterich	Long	Russell
Bilbo	Donahey	McAdoo	Schwellenbach
Black	Duffy	McGill	Sheppard
Borah	Fletcher	McKellar	Shipstead
Brown	Frazier	McNary	Steiwer
Bulkley	George	Maloney	Thomas, Okla.
Bulow	Gibson	Metcalf	Thomas, Utah
Burke	Glass	Minton	Townsend
Byrd	Guffey	Moore	Tydings
Byrnes	Hale	Murphy	Vandenberg
Capper	Harrison	Murray	Van Nuys
Caraway	Hastings	Neely	Wagner
Carey	Hatch	Norris	Walsh
Chavez	Hayden	Nye	White

Mr. LEWIS. I announce the absence of the Senator from Alabama [Mr. BANKHEAD], the Senator from Colorado [Mr. COSTIGAN], the Senator from Nevada [Mr. McCARRAN], and the Senator from Florida [Mr. TRAMMELL], caused by illness.

I also announce that the Senator from Washington [Mr. BONE], the Senator from Rhode Island [Mr. GERRY], the Senator from Oklahoma [Mr. GORE], the Senator from South Carolina [Mr. SMITH], the Senator from Montana [Mr. WHEELER], and the Senator from Missouri [Mr. TRUMAN] are necessarily detained from the Senate. I ask that this announcement be entered of record for the day.

Mr. AUSTIN. I announce that the Senator from New Hampshire [Mr. KEYES] is unavoidably absent from the Senate.

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

INTERNAL REVENUE TAXATION—NOTICE OF FINANCE COMMITTEE MEETING

Mr. HARRISON. Mr. President, as I understand, the House Committee on Ways and Means will meet tomorrow morning, and will report the tax bill. That being in large measure the key to the adjournment situation, I desire to announce that, so far as the Senate Committee on Finance is concerned, I expect to call the committee together on Thursday morning next at 10 o'clock to consider the tax bill. The reports of the Ways and Means Committee will be printed and will be ready tomorrow afternoon or early Wednesday morning. The bill will be ready tomorrow morning.

IMPEACHMENT PROCEDURE—NOTICE BY SENATOR M'ADOO

Mr. McADOO. Mr. President, I should like to give notice that on Thursday next, as soon as it may be convenient after the Senate convenes, and when I can secure recognition, I wish to address the Senate on the subject of impeachments, and to discuss in that address an alternative method for trying judges of the inferior Federal courts for misbehavior within the meaning of the Constitution by some method other than impeachment.

OPINIONS OF SENATORS IN IMPEACHMENT CASE OF HALSTED L. RITTER

Pursuant to the order entered on the calendar day Thursday, April 16, 1936, allowing each Senator 4 days after final vote on the articles of impeachment against Halsted L. Ritter, United States district judge for the southern district of Florida, within which to file his individual opinion, the following opinions, one signed by Mr. BORAH, Mr. LA FOLLETTE, Mr. FRAZIER, and Mr. SHIPSTEAD, and one signed by Mr. THOMAS of Utah, were filed and ordered to be printed in the RECORD.

Mr. BORAH. Mr. President, I offer for the RECORD a statement touching the impeachment case on which the Senate voted last week, the statement being signed by myself as well as the Senator from Wisconsin [Mr. LA FOLLETTE], the Senator from North Dakota [Mr. FRAZIER], and the Senator from Minnesota [Mr. SHIPSTEAD].

STATEMENT OF SENATORS BORAH, LA FOLLETTE, FRAZIER, AND SHIPSTEAD IN THE MATTER OF THE IMPEACHMENT OF HALSTED L. RITTER

The Constitution of the United States provides:

"The President, the Vice President, and all civil officers of the United States shall be removed from office on impeachment for and conviction of treason, bribery, or other high crimes and misdemeanors" (art. II, sec. 4).

"The judicial power of the United States shall be vested in one supreme court and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the supreme and inferior courts, shall hold their offices during good behavior, and shall at stated times received for their services a compensation which shall not be diminished during their continuance in office" (art. III, sec. 1).

As early as 1688 the good-behavior standard for the judiciary was adopted by the English Parliament, nearly 100 years prior to the adoption of our Constitution. And as early as 1693 the English courts construed the meaning of good behavior in relation to its effect on the tenure of office of a judge.

In one of these decisions may be found the following language: "It is an estate for life determinable upon misbehavior; for 'during good behavior' is during life; it is so long as he doth behave himself well; i. e., if he behaves himself well in it so long as he lives he is to have it so long as he lives, during life and during good demeanor."

This principle was adopted by the framers of the Constitution, and is found is section 1, article III.

It is our view that a Federal judge may be removed from office if it is shown that he is wanting in that "good behavior" designated as a condition of his tenure of office by the Constitution, although such acts as disclose his want of "good behavior" may not amount to a crime.

Our Federal judges are appointed for life, conditioned upon their good behavior, and if they fail in this respect they may be impeached and removed from office. This, we feel, is a wise provision of the Constitution and that its enforcement is necessary in order to maintain respect for and the integrity of our courts. If a judge is guilty of such conduct as brings the court into disrepute, he is not to be exempt from removal simply because his conduct does not amount to a crime.

We therefore did not, in passing upon the facts presented to us in the matter of the impeachment proceedings against Judge Halsted L. Ritter, seek to satisfy ourselves as to whether technically a crime or crimes had been committed, or as to whether the acts charged and proved disclosed criminal intent or corrupt motive; we sought only to ascertain from these facts whether his conduct had been such as to amount to misbehavior, misconduct—as to whether he had conducted himself in a way that was calculated to undermine public confidence in the courts and to create a sense of scandal.

There are a great many things which one must readily admit would be wholly unbecoming, wholly intolerable, in the conduct of a judge, and yet these things might not amount to a crime.

If judges could not be removed from office for misbehavior or misconduct or the want of "good behavior", then, notwithstanding such conduct upon the part of the judge, he could continue indefinitely if he succeeded in avoiding those things which would amount to a crime, although the things less than a crime might make the administration of justice a matter of universal distrust.

Believing, therefore, that the evidence established beyond doubt the want of "good behavior", we felt constrained to so vote, without passing upon the question of whether his acts constituted a crime or crimes.

WM. E. BORAH.
ROBERT M. LA FOLLETTE, JR.
LYNN J. FRAZIER.
HENRIK SHIPSTEAD.

MEMORANDUM OPINION IN THE IMPEACHMENT TRIAL OF JUDGE HALSTED L. RITTER—SUBMITTED BY SENATOR ELBERT D. THOMAS

I disagree with those who maintain that the phrase "During good behavior" refers only to tenure. The phrase is not synonymous with "for life." Its expanded meaning is that a judge may serve for life, providing his behavior is good. Misbehavior, therefore, is a cause for removal, and in an impeachment trial that is all that need be proved, for conviction calls for only removal from office, which in turn may lead to a bar from future office holding. That is not a punishment for wrongdoing in the ordinary sense but mere removal from office because of unfitness. This is the only conclusion proper when one reads further in the Constitution that "The party convicted shall nevertheless be liable and subject to indictment, trial, judgment, and punishment according to law."

Fitness for office is the test, tenure for life is the result. Life tenure follows in the wake of good behavior. The aim of the fathers in setting up the Constitution was to create a Government by law; therefore those who were to be the custodians of the law, the judges, were to be granted every safeguard. Their compensation was not to be diminished, and later, by the interpretation of the judges themselves, not to be diminished even by an income tax. The guaranteed continued compensation was given that they might be free from the worries of ordinary citizens and other governmental officials as far as the world's goods were concerned and therefore economically independent of their fellow men. Their very appointment presupposed their fitness as to knowledge, ability, and civic virtue. Under our Constitution the judge is set apart in a class by himself with a tenure that is denied all other officials. But this tenure is not "for life"; it is "during good behavior." Tenure during good behavior means, so far as life is concerned,

only that it may extend through the period of the incumbent's lieftime. It is in no sense a guaranty of a life job, and misbehavior in the ordinary, dictionary sense of the term will cause it to be cut short on the vote, under special oath, of two-thirds of the Senate, if charges are first brought by the House of Representatives.

Can anyone imagine that the framers of the Constitution thought for a minute of giving anyone under the American system a life tenure as such? It must never be forgotten that the influences of Harrington and his theories about office holding, especially the theory of rotation, as expressed in his Oceana, were constantly in the minds of those who wrote our Constitution. The most casual study of the history of the fears of the founders of the new Government, fears of aristocracy, fears of heredity, fears of princes, fears of title, fears of life tenure, is convincing in this respect. The founders of this Government condemned the life idea, did they not? Did they not provide specifically that a republican form of government should be guaranteed to all the States? The whole theory of the Constitution denies the notion of life tenure.

To assume that good behavior means anything but good behavior would be to cast a reflection upon the ability of the fathers to express themselves in understandable language. Moreover, historically there can be no doubt of what the words "good behavior" meant in the minds of the framers of our Constitution, because historically they had the phrase not only from English law but also from colonial experience.

Under our Constitution, all civil officers may be impeached. If the aim is to remove from office because of infidelity to trust or to the oath of office, the standard of judgment is not the same in all cases. With administrative officers the idea of discretion may be very wide. Usually these are subject to removal by order of the Executive, who has himself a limited, definite term. In Congress each House is judge of its own Members, so the question as to whether a Senator or Representative is a "civil officer", as used in relation to impeachment, need not be raised. The Constitution prescribes quite clearly the method to be employed where a member of the judiciary, holding tenure "during good behavior", is concerned. The standard here is good behavior. It was no doubt felt that anything less than good behavior from one charged with upholding the sanctity of the bench is reprehensible, impeachable, and, yes, criminal if you will.

As there is no appeal from a conviction after impeachment, the House of Representatives has wide latitude in selection of reasons for impeachment. The Senate, too, makes its own rules, and the individual Senator votes in accordance with his own opinion, without instruction from the Court in the sense that an ordinary jury receives instructions. These provisions, too, stress the theory that the real question before the Senate in the trial of judges is their fitness to maintain the trust which the people must have in their courts.

In the case just considered a defense for an act in allowing a fee was advanced that as the fee was satisfactory to the attorneys for all parties concerned, that the judge felt that he need not be further interested. A judge is not a mere referee between litigants; he has a responsibility to the State and to the people. Thus we see that an attitude may constitute a serious misbehavior.

Civic virtue may be assumed as a qualification for all officeholders, the theory that public office is a public trust is universal, but in the case of judges it is made a matter of emphasis in written law by the use of the phrase "good behavior."

In a recent opinion of the Supreme Court, these words are used: "Arbitrary power and the rule of the Constitution cannot both exist. They are antagonistic and incompatible forces, and one or the other must of necessity perish wherever they are brought into conflict." Accepting this theory of our Constitution, the high Court struck down the action of an administrative officer. If arbitrariness, which is merely a characteristic of behavior, is fatal to our Constitution when exercised by an administrative officer, who can be removed from office by his superior, how much more fatal would it be to our Constitution if exercised by a judge who is protected from removal excepting upon conviction after impeachment. If arbitrariness in an administrative officer is incompatible with the Constitution and citizens are to be protected from it by the judges, the arbitrariness on the part of a judge must be considered doubly reprehensible. Incompatible with the Constitution and also reprehensible, yet it could hardly be called criminal in the legal sense. Thus misbehavior must be considered as a justifiable reason for conviction after impeachment.

The constitutional expression, "shall be removed from office on impeachment for and conviction of treason, bribery, or other high crimes and misdemeanors", gives rise to the theory that conviction should follow only after proof of crime committed. The expression quoted seems to be a limitation upon the phrase, "during good behavior." But this does not follow. Crime is a matter of degree. Crime, too, depends upon time, place, circumstance, effect, and the persons party to it. Conspiracy is always hard of proof. In a judge, a nod from the bench or a gesture in the chamber may constitute a crime. Crime by those who are the guardians of the law need not be measured on the score of indictability. Furthermore, in the case of judges an impeachable crime need not be an indictable one.

Impeachment, though, must be considered as a criminal proceeding. Under the American Constitution an impeachment trial comes only after long investigation, condemnation, and after formal vote of the House of Representatives. Serious as is the impeachment and the consequent trial there are definite limitations upon the Senate's power to punish after guilt has been established. Thus while the proceeding is criminal the decision does not have the usual resultant punishment which ordinarily follows conviction for crime. That is left to the courts after indictment. This, as mentioned above, emphasizes the fact that the trial is primarily to pass upon the fitness of the person impeached to continue in office.

Impeachment is by definition a criminal accusation brought in a legislative body. The idea is old. It was used in the Greek city states, where a Greek citizen could be impeached before a political assembly, and public officers were in this way tried for misconduct in public service. Impeachment, though, as we know it today, is a modern institution. While its use is not general, provisions for its use are found in the constitutions of several European states and in most of those of Latin America. That it is still considered an effective institution is proved by the fact that it found a place in the Weimar Constitution of Germany in 1919.

Impeachment as we have it in our American Constitution is American in origin. One need not go outside the constitutional experiences of our own land for an interpretation of the intents of the fathers in inserting the impeachment provision in the Constitution. Impeachment in America is limited to the President, Vice President, and civil officers of the United States. In England, according to English law at the time our Constitution was brought into being, "All the King's subjects were liable to impeachment, whether officials or not, and for any offense." (See Thomas, The Law of Impeachment in the United States, American Political Science Review, vol. 2, p. 378.) The history of impeachment in England, though, shows that it was used mostly to enforce the theory of the responsibility of the higher officers of the Crown to Parliament. Its use as we have it expressed in the American Constitution had become discredited and almost discontinued in England at the time our Constitution was formulated. That American impeachment theory had its origin in America need not be questioned. To illustrate, we find the immediate antecedents to the theory of impeachment as we have it in the Constitution in Thomas Jefferson's proposal in 1783 for the constitution of Virginia: "There shall be a court of impeachments * * *. Before this court any member of the three branches of government * * * may be impeached * * * for such misbehavior in office as would be sufficient to remove him therefrom; and the only sentence they shall have authority to pass shall be that of deprivation and future incapacity of office, * * two-thirds of those present must concur in the sentence * * *." That impeachment of officials to correct their misbehavior was the prevailing American thought is reflected in another quotation from Jefferson written in the same year as the Declaration of Independence, "For misbehavior, the grand inquest of the Colony, the House of Representatives, should impeach them before the Governor and the council * * * and if convicted, should be removed from their offices" (from a letter to George Wythe written in 1776).

That good behavior should be the prevailing test of fitness is questioned by those who claim that if the charges are not specifically for "treason, bribery, or other high crimes and misdemeanors" impeachment might be used for political purposes. If the English thought had been the prevailing one in America in 1787, this might be a proper deduction. For British law made it possible to impeach a minister for being guilty of bad judgment in that he had ill-advised his King. But, as stated above, the Constitution makers did not follow English law; they followed American theory, and it was proper that they should, for such British text writers as Blackstone and Woodeson, who were both extensively read by the Colonists, had taken stands in advance of English law and even then maintained that impeachment proceedings must be for serious offenses and the trial in the nature of criminal proceedings, and not for political purposes. In the American Constitution the two-thirds vote required for conviction is a sufficient safeguard against a political abuse.

American history has proved this to be true in that the inability to obtain an impeachment conviction even for serious offense caused Americans in the first quarter of the nineteenth century to assert that, so far as the judges were concerned, "impeachment is scarcely a scarecrow."

That Americans considered the institution of impeachment as being an insufficient protection, especially against misbehavior of judges is proved by their State constitutional provisions in regard to the tenure of judges. As a result American State constitutional writers turned from the theory of indefinite terms during good behavior to short terms of definite limits. Had the early tendencies in impeachment trials not proved the extreme difficulty in gaining conviction, the "scarecrow" criticism would not have developed, and the appointment of judges for indefinite tenure might have become the common practice as newly created States were set up and their constitutions adopted.

ELBERT D. THOMAS.

BOARD OF VISITORS TO UNITED STATES MILITARY ACADEMY

Mr. SHEPPARD. Mr. President, I ask that the two communications which I send to the desk be read.

The VICE PRESIDENT. In the absence of objection, the clerk will read, as requested.

The Chief Clerk read as follows:

UNITED STATES SENATE,
COMMITTEE ON APPROPRIATIONS,
Washington, D. C., April 20, 1936.

To the Senate:

By virtue of the authority vested in me by the act approved May 17, 1928, I hereby appoint Senators COOLIDGE and CAREY to represent the Senate Committee on Appropriations on the Board of

Visitors to the United States Military Academy during the remainder of the second session of the Seventy-fourth Congress.

CARTER GLASS,
Chairman, Senate Appropriations Committee.

UNITED STATES SENATE,
COMMITTEE ON MILITARY AFFAIRS,
Washington, D. C., April 20, 1936.

To the Senate:

By virtue of the authority vested in me by the act approved May 17, 1928, I hereby appoint Senators DUFFY, THOMAS of Utah, MINTON, AUSTIN, and BARBOUR to represent the Senate Committee on Military Affairs on the Board of Visitors to the United States Military Academy during the remainder of the second session of the Seventy-fourth Congress.

MORRIS SHEPPARD,
Chairman, Senate Military Affairs Committee.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a resolution of the Council of the City of Portland, Oreg., favoring the enactment of legislation to establish procedure for the construction of power and transmission facilities in connection with the Bonneville, Oreg., development and the marketing of power therefrom, which was referred to the Committee on Commerce.

He also laid before the Senate a petition of sundry citizens of the United States, praying for the enactment of the bill (H. R. 10189) to provide vocational training and employment for youth between the ages of 16 and 25; to provide for full educational opportunities for high-school, college, and postgraduate students, and for other purposes, which was referred to the Committee on Education and Labor.

He also laid before the Senate resolutions adopted by the Board of Estimate and Apportionment of the City of New York and the New York State Board of Housing, favoring the prompt enactment of the bill (S. 4424) to provide financial assistance to the States and political subdivisions thereof for the elimination of unsafe and insanitary housing conditions, for the development of decent, safe, and sanitary dwellings for families of low income, and for the reduction of unemployment and the stimulation of business activity, to create a United States Housing Authority, and for other purposes, which were referred to the Committee on Education and Labor.

He also laid before the Senate a telegram in the nature of a memorial from the National Council Junior Order United American Mechanics, Philadelphia, Pa., remonstrating against the enactment of the bill (S. 2969) to authorize the deportation of criminals, to guard against the separation from their families of aliens of the noncriminal classes, to provide for legalizing the residence in the United States of certain classes of aliens, and for other purposes, which was ordered to lie on the table.

Mr. GIBSON presented the petition of the directors of the Vermont Farm Bureau, praying for currency reform and the establishment of a monetary commission (whose members shall be appointed for life) to raise the price of gold and maintain a stable price level, which was referred to the Committee on Banking and Currency.

Mr. COPELAND presented a concurrent resolution of the Legislature of the State of New York, memorializing Congress and the Works Progress Administration to accept immediate responsibility for the relief and employment of transients, etc., which was referred to the Committee on Appropriations.

(See concurrent resolution printed in full when laid before the Senate by the President pro tempore on the 17th instant, pp. 5609–5610, CONGRESSIONAL RECORD.)

He also presented a resolution of the board of directors of the metropolitan section, American Society of Civil Engineers, New York, N. Y., favoring the present continuance of Federal aid to cities, towns, and other subdivisions for public-works construction under the relief or work-relief programs, which was referred to the Committee on Appropriations.

He also presented a resolution adopted by the New York City Housing Authority, endorsing the so-called Wagner-Ellenbogen low-cost housing bill, which was referred to the Committee on Education and Labor.

He also presented a resolution of the Board of Supervisors of Niagara County, N. Y., favoring the rescinding of an order of the Labor Department limiting enrollment in the Civilian Conservation Corps to families on the public-relief rolls, so that an opportunity may be given to unemployed youths of parents of limited means to enroll in the corps, which was referred to the Committee on Education and Labor.

Mr. WALSH presented a resolution of the Taunton (Mass.) Poultry Protective Association, favoring the making of an appropriation of $25,000 for publication of poultry statistics, which was referred to the Committee on Agriculture and Forestry.

He also presented a resolution adopted by the Commandery of the State of Massachusetts, Military Order of the Loyal Legion of the United States, Boston, Mass., protesting against the enactment of Senate bills 3391 and 3392, to authorize the Secretary of the Treasury to prepare medals with appropriate emblems and inscriptions commemorative of Jefferson Davis and Gen. Robert Edward Lee, which was referred to the Committee on Banking and Currency.

He also presented a resolution of the Central Labor Unicn of Boston (Mass.) and vicinity, favoring the enactment of House bill 11770, the so-called Ellenbogen national textile bill, which was referred to the Committee on Education and Labor.

He also presented letters in the nature of petitions from Local No. 2362, of Farnumsville; Local Union No. 2178, of Millbury; and Local No. 2484, of Worcester, all of the United Textile Workers of America, and United Textile Workers Union, of Warren, all in the State of Massachusetts, praying for the enactment of House bill 11770, the so-called Ellenbogen national textile bill, which were referred to the Committee on Education and Labor.

He also presented a letter in the nature of a petition from Local No. 38, United Shoe and Leather Workers Union, of Lowell, Mass., praying for the enactment of the so-called Marcantonio bill, being the bill (H. R. 11186) to provide for cooperation by the Federal Government with the several States and the District of Columbia in relieving the hardship and suffering caused by unemployment, and for other purposes, which were referred to the Committee on Education and Labor.

He also presented petitions and letters in the nature of petitions from Dan J. Collins, general vice president, Brotherhood Railway Carmen of America, of Norwood; members of Old Colony Lodge, No. 143, Brotherhood of Railroad and Steamship Clerks, of West Roxbury; L. W. Hutchins, general chairman (Boston Terminal Co.), Order of Railroad Telegraphers (New York, New Haven & Hartford Railroad), of Boston; A. Bollinger, general chairman, New England district, Board of Adjustment Express Division, Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees, of Boston; Local No. 68, Brotherhood of Railway and Steamship Clerks, of New Bedford; M. J. O'Brien, general chairman, Boston Terminal Board of Adjustment, B. R. C., of Boston; Lodge No. 319, of Lowell, and Lodge No. 1441, of Auburn, both of the International Association of Machinists; Bay State Division No. 413, Order of Railway Conductors, of Salem; David M. Wright, Lodge No. 549, Brotherhood of Locomotive Firemen and Enginemen, of Greenfield; members of the Order of Railway Conductors of America (Boston & Maine Railroad), of Melrose; the legislative board of Brotherhood of Railroad Trainmen; Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees (Boston & Albany Railroad System); Memorial Lodge, No. 460, of Springfield; Commonwealth Lodge, No. 229, of Worcester, and Fort Point Lodge, No. 117, of Newton Upper Falls, all of the Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees, all in the State of Massachusetts, praying for the enactment of the bill (S. 4174) to foster and protect interstate commerce by authorizing the Interstate Commerce Commission to approve or disapprove of the consolidation or abandonment of carrier facilities of public service, which were referred to the Committee on Interstate Commerce.

He also presented a letter in the nature of a petition from the Central Labor Union, of Boston, Mass., and vicinity, praying for the enactment of the bill (S. 2791) to amend the Longshoremen's and Harbor Workers' Compensation Act, which was referred to the Committee on the Judiciary.

He also presented the petition of the Paul Revere Chapter, No. 46, of the Military Order of the Purple Heart, of Boston, Mass., praying for the enactment of the bill (H. R. 11334) to incorporate the Military Order of the Purple Heart, which was referred to the Committee on Military Affairs.

He also presented a resolution of the board of directors of the Boston (Mass.) Shoe Travelers' Association, protesting against the enactment of Senate bill 3154, the so-called anti-price-discrimination bill, which was ordered to lie on the table.

He also presented a resolution adopted by the Chicopee (Mass.) Polish Business Men's Association, favoring the enactment of Senate bill 3154, the so-called anti-price-discrimination bill, which was ordered to lie on the table.

DEPORTATION OF CRIMINAL ALIENS

Mr. REYNOLDS presented a resolution of the House of Representatives of the State of South Carolina, which was referred to the Committee on Immigration and ordered to be printed in the RECORD, as follows:

A resolution approving the action of United States Senator REYNOLDS and Representative STARNES in introducing their alien deportation bill

Whereas it has come to our attention that United States Senator REYNOLDS and Representative STARNES have introduced in the Congress of the United States a bill to the effect that aliens convicted of crime in the United States, aliens belonging to any organization having as its object the destruction of the American Government, and aliens afflicted with certain diseases, be deported and returned to the country from which they came; and

Whereas it is the thought of this House that the enactment of such a bill into law would be of great benefit to the United States and its citizens: Now, therefore, be it

Resolved by the house of representatives, That it heartily endorses the action of Senator REYNOLDS and Representative STARNES in proposing such a law and earnestly urges all Members of Congress to vote for said bill; be it further

Resolved, That copies of this resolution be forwarded to the said authors of the bill and to each Member of Congress from South Carolina.

LOW-COST HOUSING

Mr. WAGNER presented a resolution of the New York City Housing Authority, which was referred to the Committee on Education and Labor and ordered to be printed in the RECORD, as follows:

Whereas it has been proven that bad housing is detrimental to the health of the people in a community and that slums constitute an economic waste; and

Whereas it is an acknowledged fact that good housing for persons of low income cannot be provided through the ordinary channels of private enterprise; and

Whereas city, State, and National Governments have accepted the principles and acknowledged the obligation of governmental responsibility for the housing of persons who cannot be reached through private enterprise; and

Whereas it is necessary for the Government to bear a certain portion of the burden of financing the clearance of slums and the construction of low-rent housing: Therefore be it

Resolved, That the New York City Housing Authority endorses a bill introduced in the Senate by the Honorable ROBERT F. WAGNER, United States Senator from New York, and in the House of Representatives by the Honorable HENRY ELLENBOGEN, Congressman from Pennsylvania, which reads as follows:

"A bill to provide financial assistance to the States and political subdivisions thereof for the elimination of unsafe and insanitary housing conditions, for the development of decent, safe, and sanitary dwellings for families of low income, and for the reduction of unemployment and the stimulation of business activity, to create a United States Housing Authority, and for other purposes."

And be it further

Resolved, That a copy of this resolution be forwarded to Hon. ROBERT F. WAGNER and Hon. ROYAL S. COPELAND, Senators from New York, and the following Representatives: Hon. MATTHEW J. MERRITT, Hon. ROBERT L. BACON, Hon. WILLIAM F. BRUNNER, Hon. JOSEPH L. PFEIFER, Hon. THOMAS H. CULLEN, Hon. MARCELLUS H. EVANS, Hon. ANDREW L. SOMERS, Hon. JOHN J. DELANEY, Hon. RICHARD J. TONRY, Hon. STEPHEN A. RUDD, Hon. EMANUEL L. CELLER, Hon. JAMES A. O'LEARY, Hon. SAMUEL DICKSTEIN, Hon. CHRISTOPHER D. SULLIVAN, Hon. WILLIAM I. SIROVICH, Hon. JOHN J. BOYLAN, Hon. JOHN J. O'CONNOR, Hon. THEODORE A. PEYSER, Hon. MARTIN J. KENNEDY, Hon. SOL BLOOM, Hon. VITO MARCANTONIO, Hon. JOSEPH A. GAVAGAN, Hon. EDWARD W. CURLEY, Hon. CHARLES A. BUCKLEY, and Hon. JAMES M. FITZPATRICK.

REPORTS OF COMMITTEES

Mr. LOGAN, from the Committee on Claims, to which was referred the bill (S. 3769) for the relief of Marcellus E. Wright and Lee, Smith & Vandervoort, Inc., reported it with amendments and submitted a report (No. 1886) thereon.

Mr. BURKE, from the Committee on Claims, to which was referred the bill (S. 1435) for the relief of Elizabeth Kurau, reported it with amendments and submitted a report (No. 1887) thereon.

Mr. GIBSON, from the Committee on Claims, to which was referred the joint resolution (S. J. Res. 61) to repeal an act approved February 17, 1933, entitled "An act for the relief of Tampico Marine Iron Works", and to provide for the relief of William Saenger, chairman, liquidating committee of the Beaumont Export & Import Co., of Beaumont, Tex., reported it without amendment and submitted a report (No. 1888) thereon.

Mr. BAILEY, from the Committee on Claims, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

S. 3544. A bill authorizing adjustment of the claim of the Texas Pacific-Missouri Pacific Terminal Railroad of New Orleans (Rept. No. 1889);

S. 3818. A bill authorizing the Secretary of the Treasury to consider, ascertain, adjust, and determine certain claims for damages resulting from the operation of vessels of the Coast Guard and Public Health Service (Rept. No. 1890);

S. 4358. A bill for the relief of Harry L. Parker (Rept. No. 1891);

S. 4359. A bill for the relief of W. D. Reed (Rept. No. 1892);

H. R. 1440. A bill for the relief of Arthur W. Bradshaw (Rept. No. 1893);

H. R. 4951. A bill for the relief of the Moffat Coal Co. (Rept. No. 1894); and

H. R. 11486. A bill for the relief of Mary Hemke (Rept. No. 1895).

Mr. BAILEY also, from the Committee on Claims, to which were referred the following bills, reported them severally with an amendment and submitted reports thereon:

S. 3600. A bill for the relief of S. C. Eastvold (Rept. No. 1896);

S. 3861. A bill for the relief of the Alaska Commercial Co., of San Francisco, Calif. (Rept. No. 1897);

S. 4116. A bill for the relief of Grant Anderson (Rept. No. 1898); and

S. 4379. A bill for the relief of the Indiana Limestone Corporation (Rept. No. 1899).

Mr. BAILEY also, from the Committee on Claims, to which were referred the following bills, reported them severally with amendments and submitted reports thereon:

S. 3607. A bill for the relief of T. H. Wagner (Rept. No. 1900);

S. 3608. A bill for the relief of L. G. Vinson (Rept. No. 1901);

S. 4360. A bill for the relief of Melba Kuehl (Rept. No. 1902); and

S. 4052. A bill for the relief of W. D. Gann (Rept. No. 1903).

Mr. McNARY, from the Committee on Commerce, to which was referred the bill (S. 4228) to authorize a preliminary examination of the Salmon River in the State of Oregon with a view to the control of its floods, reported it without amendment and submitted a report (No. 1904) thereon.

REPORTS OF SPECIAL COMMITTEE ON INVESTIGATION OF MUNITIONS INDUSTRY

Mr. NYE. Mr. President, I ask leave to submit a report from the Special Committee on Investigation of the Munitions Industry (Rept. No. 944, pt. 3). After extended hearings the committee is in process of completing its report for submission to the Senate. Two reports already have been made to the Senate, one concerning war profits and the second relating to the shipbuilding industry. I am about to submit a report on the munitions industry generally. There will be immediately forthcoming from the committee two additional reports, one concerning the War Department

mobilization plan and the second having to do with existing legislation dealing, of course, with embargoes and neutrality. The committee will hope to have before the Senate not later than the end of this month three additional reports. These three reports will deal, first, with banking relationships; a second report will cover the question of cost nationalization, and a final report will be in the form of a summary of all the foregoing reports.

There has been, Mr. President, a tremendous request for copies of these reports when they shall be printed. The committee thought it advisable to make inquiry of every Member of Congress concerning the demands which were upon them for copies of the reports.

The response by Members of Congress has been rather amazing, revealing requests from Members of the House of Representatives for 18,000 copies, and from Members of the Senate for something over 13,000 copies. This means a total of at least 31,000 copies. Additional requests are coming in each morning. Obviously there will need to be action by joint resolution to accomplish the printing of the large number of copies which is going to be necessary to meet this demand. As soon as it shall have been ascertained what the cost of the additional printing will be a joint resolution to accomplish the purpose will be introduced.

Mr. President, I ask leave to report to the Senate at this time the findings of the committee on the munitions industry.

The VICE PRESIDENT. The report will be received and printed, with illustrations.

BILLS INTRODUCED

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

By Mr. McADOO:

A bill (S. 4497) granting a pension to Daniel Edwin Cofield; to the Committee on Pensions.

A bill (S. 4498) relating to the appointment of receivers in equity by courts of the United States; and

A bill (S. 4499) to amend the act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, as amended; to the Committee on the Judiciary.

By Mr. SCHWELLENBACH:

A bill (S. 4500) for the relief of John Howard Smith; to the Committee on Military Affairs.

A bill (S. 4501) amending acts fixing the rate of payment of irrigation construction costs on the Wapato Indian irrigation project, Yakima, Wash., and for other purposes; to the Committee on Indian Affairs.

By Mr. CHAVEZ:

A bill (S. 4502) to provide for the issuance to Perfecto Gallegos, of Las Vegas, N. Mex., of a patent to certain public land; to the Committee on Public Lands and Surveys.

By Mr. WAGNER:

A bill (S. 4503) revising the boundary of the Grand Canyon National Park in the State of Arizona, abolishing the Grand Canyon National Monument, restoring certain lands to the public domain, and for other purposes; to the Committee on Public Lands and Surveys.

GRAZING ON THE PUBLIC RANGE—AMENDMENT

Mr. PITTMAN and Mr. HAYDEN submitted an amendment intended to be proposed by them, jointly, to the bill (H. R. 10094) to amend section 1 of the act entitled "An act to stop injury to the public grazing lands by preventing overgrazing and soil deterioration; to provide for their orderly use, improvement, and development; to stabilize the livestock industry dependent upon the public range; and for other purposes", approved June 28, 1934 (48 Stat. 1269), which was referred to the Committee on Public Lands and Surveys, and ordered to be printed.

AMENDMENTS OF FEDERAL HIGHWAY ACT

Mr. LONERGAN submitted an amendment intended to be proposed by him to the bill (S. 4213) to amend the Federal Aid Highway Act, approved July 11, 1916, as amended and supplemented, and for other purposes, which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

He also submitted an amendment intended to be proposed by him to the bill (H. R. 11687) to amend the Federal Aid Highway Act, approved July 11, 1916, as amended and supplemented, and for other purposes, which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

EXPANSION OF FOREIGN TRADE—LETTERS FROM SECRETARY HULL

Mr. SHEPPARD. Mr. President, I present for publication in the RECORD two letters addressed to me by the Secretary of State on the subject of the measure for a Federal board of foreign trade, and ask that they be inserted in the RECORD at this point and appropriately referred.

There being no objection, the letters were referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
Washington, March 11, 1936.

The Honorable MORRIS SHEPPARD,
United States Senate.

MY DEAR SENATOR SHEPPARD: In my letter dated March 10, I endeavored to indicate the steps which the administration has taken under the direction of the President to protect and promote the national interest in the expansion of our foreign trade, and I also pointed out the success which has followed this policy and the unqualified nature of the endorsement given to it by the organization primarily interested in the expansion of our foreign trade, the National Foreign Trade Council, at its convention at Houston, Tex., in November last.

In response to your request, I now make the following comment concerning the list of Government offices interested in foreign trade included in the report of the Senate Committee on Foreign Relations, which accompanies Senate bill 3393, creating a Federal board of foreign trade.

First, let me invite your attention to the list contained in the report of the Senate committee of the Government offices alleged to be interested in foreign trade as of January 25, 1935. Although it appears from the report of the Foreign Relations Committee that this list was prepared by the Department of Commerce, it would seem to be reiteration of a statement made by George N. Peek, then special adviser to the President on foreign trade, in an address which he made at the Twenty-first National Foreign Trade Convention on November 2, 1934, in which he repeated certain recommendations made in his Chicago speech of October 17, 1934, the second of which reads as follows:

"That in order to develop consistent and effective foreign-trade policies, the present 50 or more independent jurisdictions over foreign trade activities in our governmental set-up should be tied together and should function under unified direction."

Adverting, therefore, to the list of the 50 or more Government offices interested in foreign trade included in the report of the Senate Committee on Foreign Relations, it would appear that a high degree of confusion exists in this list, since no attempt is made to discriminate between subordinate organizations having incidental knowledge or administrative functions in connection with foreign commerce and those Cabinet executives who are responsible for and with the President shape our national policy in the expansion of our foreign commerce. I may illustrate this by stating that under the Secretary of State 18 separate organizations are listed as having independent authority in connection with foreign trade. This, of course, is erroneous. The various divisions and organizations of the Department of State, insofar as their activities may touch upon our foreign trade, function as a part of a coordinated whole under the authority and direction of the Secretary of State. These separate geographic divisions and other integral parts of his organization have in themselves no direct authority in connection with foreign trade policy, and it is the Secretary of State only who speaks for the Department of State in foreign-trade policy.

This confusion as to policy-making organizations and subordinate administrative bodies that may deal with foreign trade in some of its ramifications is further apparent when note is taken of the inclusion of the Bureau of Narcotics under the Treasury Department. It is submitted that the Bureau of Narcotics has purely a negative function in connection with restraining illicit narcotic trade. Its primary purpose is to prevent the smuggling of narcotics into the United States in order to protect the health and habits of our people. The same comment is pertinent with regard to the Bureau of Public Health Service; and the Bureau of Customs is purely an administrative unit whose primary function is the collection of revenue from imports into the United States.

When we examine the organizations listed under the War Department, it is difficult to see what relation the Quartermaster Corps of the Army has to do with foreign-trade policy unless from time to time it may purchase some foreign merchandise. In any event, these activities would not involve any control of policy relating to our foreign commerce.

Again, this confusion between administrative organizations of the Government, dealing only remotely with foreign trade, and the Cabinet officers responsible for the shaping of policy, is obvious when the Department of Justice is considered; the Office of the

Chief of Naval Operations of the Navy Department; the Bureau of Plant Quarantine of the Department of Agriculture; the Bureau of the Census of the Department of Commerce; the Bureau of Labor Statistics of the Department of Labor; and the Federal Communications Commission. The Agricultural Adjustment Administration of the Department of Agriculture and the various organizations listed as a part of the National Recovery Administration are not considered at this time in the light of decisions of the Supreme Court.

It would therefore seem that the organizations listed in the President's letter of November 11, 1933, and confirmed subsequently in the Executive orders of March 27, 1934, and December 31, 1935, constitute those governmental bodies that by their very nature are equipped and properly competent to initiate policy in respect to the national interest in foreign trade.

I think it is also important to invite your attention to the letter of Mr. E. P. Thomas, president, the National Foreign Trade Council, included in the report of the Senate Committee on Foreign Relations, since it is obvious that the National Foreign Trade Council by the action taken at its twenty-second annual convention in Houston, Tex., on November 18, 19, and 20, 1935, indicated in the most striking manner its unqualified endorsement of the present policy of the administration relating to foreign trade and departed from the position announced by Mr. Thomas in his letter of August 20, 1935, as will be seen by the following statement from the final declaration of the convention:

"Effective coordination of the different governmental agencies concerned with foreign trade has been necessary to the success of the reciprocal trade agreement program. Similar unified endeavor should be permanently maintained in all other phases of the Government's foreign-trade promotion. The convention recommends that such steps be taken by the interested department under the guidance, particularly, of the Department of State and the Department of Commerce, as will assure that the coordinated foreign commercial services of the Government may contribute in the fullest measure to the work of exporters and importers."

To summarize: First, in view of the many inexactitudes in the list under comment, the last of proportion or discrimination in the analysis of the duties and powers of each organization that is mentioned, and the absence of apparent understanding as to which of these agencies are merely administrative agencies in limited fields and which are policy-making agencies, I suggest that the list gives a wholly misleading picture; second, the actual governmental organizations having the duty and power to shape policies in this field are few, and they are represented upon the executive committee on commercial policy. Through that committee they are in active and constant consultation with each other, and in that committee a habitual satisfactory procedure of consultation has developed. I therefore suggest that this is an adequate agency for effecting the purposes of the bill, and may be trusted to continue to develop that work.

I am, of course, sending a copy of this letter to Senator PITTMAN, chairman of the Committee on Foreign Relations, for his information.

Sincerely yours,

CORDELL HULL.

DEPARTMENT OF STATE,
Washington, March 26, 1936.

The Honorable MORRIS SHEPPARD,
United States Senate.

MY DEAR SENATOR SHEPPARD: I believe it may be helpful, in continuance of the discussion begun in my letter of March 10, 1936, and in further reference to the bill (S. 3393) to create a Federal Board of Foreign Trade, which you introduced on July 29, 1935, to give you this somewhat more extensive statement regarding what has already been done, at the direction of the President, to coordinate the Government activities in relation to foreign-trade policies from the point of view of our international interest.

In a letter of November 11, 1933, to the heads of several branches of the Government having to do with foreign-trade policy, the President called attention to the changing policies of other governments and the changing methods of regulating international trade which have greatly complicated the Government's task of proper direction of American trade and directed that an officer of the Department of State should carry the primary responsibility of supervising the international commercial policy of this Government into a coherent whole and should be the chairman of an executive committee for the coordination of commercial policy and the negotiation of commercial treaties and trade agreements. This was confirmed in Executive Order No. 6656, dated March 27, 1934, and again in Executive Order No. 7260, dated December 31, 1935. In the latter order the President directed:

(1) The permanent membership of the executive committee on commercial policy shall be composed of representatives of each of the following member departments and agencies: The Department of State, the Department of the Treasury, the Department of Agriculture, the Department of Commerce, the United States Tariff Commission, and the Agricultural Adjustment Administration.

The committee may, with the approval of the President, from time to time add representatives of other governmental departments or agencies to its membership for such periods and purposes and with such rights and privileges as to the committee seem desirable.

(2) The chairman of the committee shall be a representative of the Department of State, who shall be appointed by the Secretary of State. The representatives of the member departments and agencies shall be designated by the respective heads of such departments and agencies.

(3) The committee shall continue to exercise its present functions for the purpose of coordinating the commercial policy of the United States.

The practical effect of these Executive orders has been to set up a working organization which has operated smoothly for over 2 years and fulfills the following functions:

(1) Centralizing in the hands of one agency supervision of all governmental activities affecting our export and import trade and, through exchanges of views, coordinating the policy between the various departments and agencies;

(2) Studying the prospects for improving foreign trade, especially through the negotiation of reciprocal-trade agreements with other countries as authorized by the Trade Agreements Act of June 12, 1934, which has for its primary object the expansion of foreign markets for products of the United States; and clearing on matters of policy which arise at all stages of the work of the other interdepartmental committees engaged in the preparation for the negotiation of such agreements.

(3) Acting in an advisory capacity to the President on matters of commercial policy, preparing or directing the preparation of factual reports and opinions upon matters referred to the committee for advice by the President and reporting to the President the committee's analyses and recommendations concerning problems and suggestions which have come to the attention of the committee through its contacts with all sections of the Government dealing with commercial relations.

The executive committee on commercial policy holds meetings weekly or as frequently as necessary and appears to me to attain with a high degree of success the objective which was the purpose of the bill, S. 3393. So far as I am aware, the arrangement is entirely satisfactory to all of the departments having in any way to do with foreign trade and it has the desirable quality of elasticity which the bill does not appear to possess.

You may be interested in some of the typical activities of the committee under each of the foregoing functions.

1. The executive committee on commercial policy has given frequent attention to problems arising in connection with foreign exchange and the financing and payment for commodities entering into the foreign trade of the United States and it has made a special study of the international debtor-creditor position of the United States. In addition to the consideration which it gives to important matters of policy relating to the trade-agreements program, the committee has directed the preparation of special studies and has given frequent consideration to other existing or proposed means of controlling or directing the course of international trade, such as tariffs, quotas, subsidies, and bounties. It has considered broad aspects of the policy of the Government concerning merchant shipping. It has studied also the effect upon the interests of the United States of international agreements for the control of the production and marketing of certain commodities and has given consideration to the safeguarding of supplies of commodities and materials of strategic importance in connection with preparedness for national emergencies.

By direction of the President, comments of departments and other agencies of the Government upon proposed legislation before Congress have been cleared through the executive committee on commercial policy. The committee also is kept informed by the various departments and agencies of the Government of action or contemplated action affecting or relating to commercial policy, including the administration of laws and the preparation and publication of statistical material and other factual information. A number of standing and special interdepartmental subcommittees of experts function under and at the direction of the executive committee on commercial policy.

2. As you are undoubtedly aware, in the process of carrying out the purposes of the Trade Agreements Act of June 12, 1934, every step, from the preliminary study to the final recommendation to the President of terms to be requested and granted, is taken by interdepartmental action through the committee for reciprocity information, the trade-agreements committee, and its subcommittees. The executive committee on commercial policy does not participate directly in these stages, but it does keep constant contact with the progress of the various agreements and the initiation of negotiations, and throughout all these proceedings important matters of policy are discussed by and cleared through this committee. In addition, the committee conducts many studies on the relation of other activities and policies of the Government to the trade-agreements program. Among these may be mentioned an extensive study of the relation of the trade-agreements program to the balance of international payments of the United States and the bearing of the program on agriculture.

3. Upon the request of the President, the executive committee on commercial policy frequently considers and recommends action to be taken upon reports rendered to the President by individual agencies of the Government, either with respect to the administration of provisions of law or concerning changes in policy or the initiation of action by the Executive. The committee also serves as a channel for the discussion of new and pressing problems in the field of commercial policy and recommends action to the appropriate agencies. For example, the committee has concerned itself with problems arising out of the competition in the United States of certain commodities imported from Japan and has recommended means of dealing with these problems.

I believe that the foregoing sample of the activities of the committee will indicate that the committee is functioning in a manner which insures that there will be a high degree of consistency and coordination in the executive branch of the Government in activities affecting the foreign commercial policy of the United States, and does, I believe, attain the object of the bill, S. 3393.

I am sending a copy of this letter to Senator PITTMAN, chairman of the Committee on Foreign Relations, for his information.

Sincerely yours,

CORDELL HULL.

REGISTRATION OF VOTERS IN PITTSBURGH, PA.

Mr. GUFFEY. Mr. President, for the information of my colleague, the senior Senator from Pennsylvania [Mr. DAVIS] and also for the benefit of other Members of the Senate, I should like to have introduced into the RECORD a clipping from the Pittsburgh Press of last Tuesday, showing that the Democratic Party is now the majority party in the city of Pittsburgh for the first time since the Civil War. It also shows that in Allegheny County how the Republican lead in registration has been reduced to 50,000 and that during the last 4 years the registration of Democratic voters has increased from 49,000 to 275,000.

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

[From the Pittsburgh Press of Apr. 14, 1936]

VOTE CHANGES INCREASE LEAD OF DEMOCRATS—BOOKS FOR PRIMARY ELECTION CLOSED, WITH G. O. P. BEHIND BY 4,173—1,600 SWITCH PARTIES—MCNAIR CAMPAIGN GIVEN AS REASON FOR MANY POLITICAL SHIFTS

The Democratic lead in the registration of Pittsburgh voters was 4,173 when the books for the primary election were closed last night. No additional registrations or changes in enrollment from one party to another can take place in the city until after the primary.

The final totals of the major parties were:

Democratic, 130,285.

Republican, 126,112.

The score for yesterday was 1,562 changes from Republican to Democratic registration and only 101 from Democratic to Republican.

HUGE GAIN MADE

The Democratic registration of 1932 in Pittsburgh, the year President Roosevelt was elected, was only 19,702. The Republican registration was 208,161 in that year.

Democrats, therefore, have gained 110,583 in Pittsburgh registration in 4 years and Republicans have lost 82,049.

The Republican lead in registration in the entire county has been cut to 50,906. Four years ago Republicans topped the Democrats by 375,467. County registrations then were: Republicans, 425,121; Democratic, 49,654.

The registration for the entire county now is divided as follows: Republican, 325,964; Democratic, 275,058.

ADDRESS BY HON. JAMES A. FARLEY BEFORE DEMOCRATIC STATE COMMITTEE AT ALBANY, N. Y.

Mr. COPELAND. Mr. President, I ask unanimous consent to insert in the RECORD an address delivered by the Honorable James A. Farley, chairman of the Democratic National Committee, at a meeting of the Democratic State committee held at Albany, N. Y., on April 15, 1936.

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

I am very happy, indeed, to be back here in Albany and to greet once more so many of my old friends. We meet in a spirit of fine achievement, both in the State and the Nation. As a party, we have been given the trust and confidence of the people, and we have fulfilled that trust.

Anyone can be a member of an opposition party. All that requires is the ability to criticize. But when, as in our case, overwhelming support at the polls has imposed upon us the greater tasks of government, the weight of responsibility is very great. We have assumed that obligation and we have discharged it with efficiency, with courage, and with a progressive sense of the changing needs of the people. Loyal party teamwork has played no small part in this task, and for what you have done I thank you.

In the State of New York we have been fortunate in having in our chief executive leadership of the highest order. For business ability, for devotion to the pressing duties of public office, for a sense of the humane values in government, and for courage in putting humane ideals into practice, the State of New York owes a debt of immeasurable gratitude to its devoted and beloved Governor, Herbert H. Lehman.

The people of this State recognize these qualities and they await the opportunity to express their endorsement at the polls. In the face of the popularity of Governor Lehman and his Democratic administration, the Republicans are finding it no easy task to find another victim to lead to the slaughter. Looking back over the past, they are not anxious to join that growing club of forgotten men, the ancient order of defeated Republican candidates for Governor of New York.

Meanwhile in the Nation overwhelming evidence is piling up that President Roosevelt will be reelected. Impartial observers, honest and fair polls of sentiment, all tell the same story. His popularity has grown by leaps and bounds. Unfriendly critics have been telling us of the dreadful things that were going to happen this winter, that this or that or the other of the measures constituting the New Deal would collapse. They even said at times that the New Deal had collapsed, that business could not recover under his administration. But the irresistible march of facts has continued without interruption; recovery has proceeded, and at a pace unparalleled in history. In the Nation, as in New York, the voters are waiting for the chance to say in November, "Well done, good and faithful servant."

With this challenging situation before them, Republican leaders have decided that maybe the New Deal is all right after all. Having decided that they cannot fight the principles behind the New Deal, they have decided to accept them. That is always the way when an adversary is confronted that cannot be overthrown. If you cannot beat him, join him! And so, one by one, the principles and policies of the Roosevelt administration are being embraced by leaders of the opposition.

First, Mr. Hoover, in his farm speech, practically accepted the principles of the Democratic farm program. He had said for many years that certain things could not be done in sustaining farm prices. Now he says they can be done. To hear his discussion of how agricultural surpluses can be controlled, one would think that he had invented our program. In fact, he said at Fort Wayne that he did invent it. But the hard fact is that he fought it with all his might for 12 years. A little later, Governor Landon accepted and adopted as his own the principles of the Democratic farm program. He even implied that the Democrats had not gone far enough in raising farm prices. This is a virtual acceptance of the principles upon which Mr. Roosevelt conducted his campaign in 1932. These converts to Democratic principles are coming late in life, but we will, in the spirit of charity, be glad to take them in.

While there is much discussion about sound money and the danger of inflation, Republicans everywhere are maintaining a strict silence as to the monetary program of this administration. No one dares to claim that the policies pursued in the early days of this administration to restore our monetary system to a sound and healthy condition have not had a sound and salutary influence upon the revival of business and trade. With respect to banking no one would have us go back to the old unstable days before 1933. Under the policies pursued by this Democratic administration, the banking system has been restored; and if any of the Republican candidates would suggest that these salutary laws should be repealed, they have not yet had the courage to state their purpose. In the industrial field the efforts of this administration toward the protection of workmen in their right to bargain collectively and its efforts to stamp out child labor and sweatshop wages have not been questioned. Not a word of criticism is uttered against the Securities Act and the Securities Exchange Act, which have brought order into the securities' markets of this country and have gone so far to protect honest dealing in this great field. Republicans are not claiming that farmers should not have been saved from foreclosures and bankruptcy by the agricultural credit administration, and that small-home owners should not have been protected in their homes.

If the party that was in power in 1932 was right in saying that such things should not and could not be done, then why are they willing to accept them now? If they were right then, they are wrong now. The trouble with the Republicans is that when they have a good idea they are afraid to act upon it, and when they do act it is upon something they haven't thought through.

We advocated these policies in 1932 and we were right. We have put these measures into effect and we were right in doing so. We stand on the record of these accomplishments—and we are still right and we are still consistent.

These Republican leaders are, in effect, like the men who stood on the sidelines 30 or 40 years ago and told the early automobile manufacturers that they could not build an automobile. Then, when they saw the automobile being built, they said it would not run when it was finished. But after it had been built and proved that it would run, and after it had revolutionized the lives of those for whom it had been built, these men were willing to accept it, to utilize it, and to enjoy its benefits. These people lived and learned. But our critics have just lived—they have not learned. In 1932 they said that their old "horse and cart" method of government was the only one that would work. Then the Democratic Party came into power and began to build a better kind of governmental machine. And again these critics said that it could not be built. Then, when it was built, they said it would not run. And when it did run, they said it would stop. Finally, when it did not stop, they said that they ought to be permitted to run it themselves.

Now, that is about as absurd an argument as can be imagined. Certainly the people of the United States are quite able to see the absurdity of it. The Republicans would tell us that they, who have been wrong at every stage in the process of recovery, should, when recovery is well on the way, be brought back into power and trusted with the administration of the very policies they attempted to destroy.

The trouble is that there is not a real Republican Party. Those who call themselves the leaders of the Republican Party are just a group of discredited and disappointed men. They cannot agree upon what they want, or whom they want as leaders. One group cries out that it is the authentic Republican Party; another group, with an equal record of voting the Republican ticket, claims that it is the Republican Party. Each says that the other group is false,

a counterfeit of the party. With this situation before us, it is hard to see how we can recognize or even find our opposition. We cannot fight with a ghost, and the Republican Party is the nearest thing to a ghost that we have seen since Shakespeare wrote Hamlet. Anyway, I think this particular ghost is going west in November 1936.

On the other hand, we have had opposition and criticism from a little group of selfish and disappointed men who formed a new political party and called it the American Liberty League, now known as the Cellophane League. This group is loud in its assertions that it is an educational institution, that it is nonpartisan, and that it bears no real ill will toward either party. Well, if it is not a political party, then it is the strangest educational institution that this country has ever seen since the Anti-Saloon League. I don't believe the board of regents would recognize it as a school.

Of course, no one has ever believed that the American Liberty League was an educational institution. They must have had a poor idea of American intelligence if they expected us to believe that one.

The league was organized for the purpose of fighting President Roosevelt and the Democratic Congress. But the harder it fought and the louder its leaders talked, the more their motives were suspected. And now that they have found they cannot much longer carry on by themselves, they want to hitchhike on the Republican band wagon. But the Republican leaders seem very cold to them, for they realize that if they are found consorting with the American Liberty League the American people will think even less of the Republicans than they do now. And so the American Liberty League is making it more embarrassing for the Republicans every day. Republican leaders are asking each other how they can get rid of the American Liberty League. They do not dare to repudiate it because they probably want the support of large contributors who have given money to the Liberty League. They cannot take over the league because that would be a repudiation of everything the league has pretended to do. And they cannot ignore the league because they will apparently have to depend on the ideas the league has developed for them. The fact is that whether they like it or not, the Republican leaders represent the same forces of reaction that the American Liberty League represents. They would go back to the Old Deal and let those people run the country who presided over its downfall.

As we turn from this dark picture of the opposition to the administration that is responsible for the government of this country the contrast is sharp and inspiring. Three years have passed since, in the dark days of March 1933, President Roosevelt assumed the great office to which he had been elected. A former President, who is speaking often these days, would have you believe a most extraordinary thing. He says that the economic collapse that continued through 1932 and ended in March 1933 was brought about by the Democrats, and that the recovery which took place after 1933 was due to the Republicans. This is strange reasoning, indeed, but it is Hoover reasoning and it is no worse than the kind of reasoning that he used in governing the country when he was President. He says that while he was President the Democrats did not help him, and for that reason he failed; that after the Democrats took over the country they did everything they could to injure business, but that business recovered despite them. He then goes on to say that the country ought to return the Republicans to power. This, again, is strange reasoning. But Mr. Hoover must think that in political campaigns people lose the habit of reasoning or of listening to reason.

Many people have noted various improvements in Mr. Hoover's speeches. He is becoming much more light-hearted. He even inserts gentle little jokes into his utterances. The only explanation that I can give for this proposition he is making to the American people is that he has gone so far in becoming a master of humorous writings that the whole thing is a joke. And I want to compliment him on it, because as a maker of jokes he is apparently much better than as a guide of the economic destiny of this Nation.

But, leaving aside Mr. Hoover and his jokes, let us turn to the realities of the past 3 years. Reduced to simple terms, President Roosevelt's policies conceived of this country as a great unit. He set out to help not just a few in the hope that the prosperity of these few would help others, but to help all groups and all interests—agriculture, labor, industry, finance. He is a great American and his policies were American in scope.

I shall not repeat the long story of how President Roosevelt's policies have achieved the measure of improvement that we all now see. We are not going to be judged by our explanation of why or how we did this or that. We are going to be judged by results. Have we made this Nation a better place for the average man? Have we increased his material well-being? Have we protected his rights, added to his security, increased his happiness? I believe that we have, and in expressing this belief I merely echo the belief of millions of others.

Let us look at the results of President Roosevelt's policies from two points of view: First, as to material values; second, as to human values. In the last analysis these two depend upon each other, for where the weak are exploited, prosperity cannot long endure for anyone. But for the moment let us look at the two separately.

On the material side there has been improvement in every line of activity. The banks are stronger than they ever were before. Our monetary system is the strongest in the world. Our national credit is sure and certain. The issuance and marketing of securities are on a higher plane of soundness and honesty than ever in our history. Industry is finding a growing market for its products. Agriculture has been saved from ruin. The burden of debt upon all groups has been relieved.

All of this is reflected in the vast improvement of business conditions that we see on every side. Every financial journal, every newspaper, every economic service tells us the same story. I need not repeat what you all know.

And now for the human values, so important to a sound and healthy nation. We have, despite criticism and despite occasional mistakes, courageously fulfilled the obligation to relieve the needy and support the weak in this great depression. We have insisted upon the rights of honest labor, the right of a living wage, fair hours, collective bargaining, and the freedom of children from premature employment. We have enacted the first genuine social-security system in our history, building toward sound and adequate protection for old age and for the unemployed.

We have freed the Nation from the curse of a million spies and an army of corruptionists by destroying the unsound and unworkable eighteenth amendment. We have made America a safer place, a saner place, a more humane place in which to live our lives.

All of this achievement was possible only because of the enlightened leadership of one man. The world is full of ideas and full of possibilities for improvement. But courage is necessary to give these ideas life and meaning. It is that kind of courage that President Roosevelt has shown. For 3 hard years he has faced problems more trying than any of us can imagine. But he has never faltered in his courage, never doubted the wisdom of the American people, never lost his sense of responsibility to the average man and woman.

With that leadership we face the coming months with confidence. The American people will not and cannot retreat.

THE SUPREME COURT—ADDRESS BY HON. SIMEON D. FESS

Mr. HASTINGS. Mr. President, I ask unanimous consent to have printed in the RECORD an address delivered at Harrisburg, Pa., on February 13 last, by Hon. Simeon D. Fess, former United States Senator from Ohio. The subject of the address is the Supreme Court and the attacks made on it.

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

THE SUPREME COURT UNDER FIRE OF BIG GUNS

While the Constitution, the supreme law of the land, has been assaulted at other times, at no time has it come in for the sharp firing of the last 9 months.

The N. R. A. decision provoked the President to charge that the Court was taking the country back to the "horse and buggy" days. The A. A. A. decision was attacked by a Cabinet officer as "the greatest legalized steal in history."

Senator NORRIS proposes by an amendment to compel minority control of the Court in the interest of progressive legislation. The head of the American Federation of Labor and the president of the United Mine Workers call for a curb upon the Court. The president of an important farm organization demands modernizing the Constitution. These cumulating attacks are due to the sweeping decisions of the Court upon the New Deal legislation, in which two or three of the major items of the program thus far considered are already invalidated, one by unanimous and the other by a two-thirds decision, with prospect of others which may soon follow the same course. The most recent attack is by the Democratic leader of the Senate, JOSEPH ROBINSON.

This is not the first time the Court's power has been attacked. The opposition first arose after successive decisions had been handed down by Chief Justice Marshall touching the validity mainly of State statutes. In 1819 the Court, in the famous McCullough against Maryland case, upheld the Federal statute creating the Second United States Bank. Two years later another decision, Cohen against Virginia, was handed down holding constitutional the statute authorizing writs of error to the judgments of State courts. Three years later by unanimous decision read by Marshall in the case of Gibbons against Ogden, the Court defined the term "commerce" so broad that Jefferson declared such decisions were tending to usurpation of power. His objection was not that the Court had not the authority, but rather he complained that it did not invalidate the Federal statutes that had conflicted with State rights. This opposition took shape in proposed legislation to curb the power of the Supreme Court. Bills for this purpose were introduced in each year from 1823 to 1829, inclusive, except 1828. These proposals required more than a majority of the Court to hold a statute unconstitutional. It will be noted that the source of this contention was the failure of the Court to declare certain Federal statutes unconstitutional, statutes that had operated to invalidate the States statutes. That was the real basis of opposition voiced by Jefferson and his followers. This is clearly shown by Jefferson's contention against specific acts of Congress and especially in his correspondence from 1819 to 1826.

Back in 1798, when the alien and sedition laws were enacted, Jefferson expressed keen disappointment and freely criticized the Supreme Court because it failed to hold these laws unconstitutional, as he declared them to be unlawful aggression. His uncompromising opposition to the bank recommended by Hamilton

led him to look with hope to the Supreme Court to invalidate the law creating it by declaring it unconstitutional. As he criticized the Court in these cases for failure to invalidate Federal statutes, he was highly pleased over its decision holding the embargo acts of his administration as constitutional.

A judiciary, and especially an independent judiciary, is necessary in a popular government where powers are limited by a written constitution. The American system of double sovereignty is unique. It is a central Government made up of confederated States. It is planned to insure in the central Government that power and authority necessary to secure law and order without a surrender of the rights of the States which were designed to insure necessary liberty and rights to citizen and State. The central Government is recognized as sovereign in those matters of general interest to all people, while the State government is sovereign in those matters whose interests are limited to the State. For example, a currency system being of national interest, rather than State, would be under the sovereignty of the central Government. Likewise, commerce between the States, or interstate, would be under national authority; while commerce within the State, or intrastate commerce, would be under State authority.

A Government of 13 sovereignties, to be increased in time to 48 such sovereignties, the component parts of the National Government of one sovereignty over matters of general character, will inevitably be confronted with conflicts of authority between the two sovereignties—the Central Government, on the one hand, and the State government, on the other. The delegates of the Constitutional Convention were well aware of this situation. They freely discussed it; compromises were proposed and fully debated. It was finally decided that powers of the Central Government must be limited in whatever instrument to be adopted. Those delegates fearing too much aggression, with our experience with arbitrary government under George III fresh in their minds, admirably set out by Thomas Jefferson in the Declaration of Independence, were most insistent upon placing limits upon the power of the general Government.

The first article of the Constitution, therefore, limited the legislative power by stating what the body could do. It is an article listing the legislative powers to be exercised by the Government. The second article lists the powers and duties as well as the limitations of the Executive, while the third article performs the same function for the judiciary. Article IV specifies what cannot be done by Congress, and article VI designates what is the supreme law of the land—the Constitution—and the laws made in pursuance thereof. Even with all these precautions to insure against Federal aggression over the rights of the States, such fear and determined opposition prevailed as to endanger ratification, the failure of which would have prevented the establishment of the great Republic; whereupon it was decided that a bill of rights, such as had been unsuccessfully urged in the Convention, to be a part of the organic law, should be submitted in the form of amendments, which, when ratified by the necessary number of States, should be made a part of the instrument. This was agreed to, and consequently the first 10 amendments constitute those rights which, taken together, are known as the national Bill of Rights. The first eight of these deal with individual rights. They include freedom of religion, of the press, of petition, trial by jury, due process of law, protection against unreasonable search and seizure, right to be represented by counsel when indicted, right to be confronted by witnesses, right of compulsory process to obtain witnesses, exemption from trial a second time for the same offense, etc. The ninth and tenth amendments refer to the rights of the States; the ninth states that enumeration of certain rights shall not be construed to deny other rights retained by the people; and the tenth further limits Federal power by declaring "Powers not delegated to the United States by the Constitution nor prohibited by it to the States are reserved to the States or to the people." Whatever else might be said about the purpose of the framers of the Constitution, it will not be denied that while it supplied the sanction for legislative enactment, it is strictly limited to the powers prescribed in the instrument proper and the Bill of Rights. The Supreme Court was made the final arbiter of questions arising out of these powers.

Without this full understanding of the purpose, clearly conveyed by the words of the instrument, the Constitution would not and could not have been ratified. Even as it was, doubts and fears were expressed that the rights of the States and the liberties of individuals may be in jeopardy. This was the basis of the opposition in the ratifying conventions of the various States. It was the ground for Patrick Henry's intense opposition in the Virginia convention. It was the basis of Samuel Adams' opposition in Massachusetts; of the powerful resistance in New York. It was the reason why Mason and Randolph, of Virginia; Gerry, of Massachusetts; and possibly Lansing and Yates, of New York, refused to sign the Constitution.

Since it was inevitable that conflicts would arise between these two sovereignties, it was highly necessary to provide for adjustment. For this as the chief reason the Supreme Court was universally conceded to be the final arbiter, both by supporters of central authority and by the defenders of the liberties of the citizens and the rights of the States. This dual system of sovereignty made necessary the existence of an independent judiciary with power of final decision from which there was to be no appeal save to the people themselves. Were this dual sovereignty absent, the necessity of such power might have largely been removed. England, for example, knows no such conflict between central authority and State authority, simply because there is no such division recognized in the English Government, hence no such thing in England proper as an unconstitutional law. Law in England remains the law until the power that made it unmakes it. Hence there is no independent judiciary such as we know it in our American system. In Australia, a component part of the British Empire, and a federated government somewhat like our own, the high court employs our practice of declaring the law of the central government unconstitutional if the legislation was within the sole powers of the States rather than the Federal Government; likewise in Canada, another country of double sovereignty, our practice of disallowing laws prevails.

The authority of the American court to declare a law void if not within constitutional limits did not appear for the first time under the Constitution. It was well understood before 1789, having been exercised by the several States, most of which had adopted new constitutions soon after the adoption of the Declaration of Independence and before 1789. During the period of the Articles of Confederation, 1781 to 1789, prior to the inauguration of the National Government under the present Constitution, at least in seven different cases in as many different States acts of the State legislatures were declared unconstitutional by the State judiciary. This was done in Rhode Island, Pennsylvania, North Carolina, New Hampshire, New York, Massachusetts, and Connecticut. With this practice in the States the delegates of the Constitutional Convention were familiar, as evidenced by the numerous references to the judicial function and procedure by the delegates. In drafting the Constitution the delegates were conversant with the various State constitutions. In many cases, in fact, they adopted the precise language of some of the State constitutions. At least half of these delegates had served their respective States either as Governors, judges, or legislators. The function and power of the Federal judiciary which they provided was not unlike that of their States, with which they were familiar.

When they provided in article VI that the "Constitution and the laws made in pursuance thereof" constituted the supreme law of the land, they had already provided for the agency with necessary authority headed by a supreme court to construe the laws, to ascertain whether they were in pursuance of the Constitution. In case they were not, such legislation would not be law but would be null and void, when so declared by that Court. This was in keeping with the practice of the various States from which the delegates came.

The record abounds in excerpts from speeches and letters of delegates showing this to be the understanding of the Convention when the Constitution was considered and adopted.

Many such utterances of statesmen outside of the Convention, while these delegates were still alive, leave no doubt of the truth of this statement. The Federalist, the work of Hamilton, Madison, and Jay, pronounced by history "for comprehensiveness of design, strength, clearness, and simplicity, the book has no parallel among the writings of man, not even excepting or overlooking those of Montesquieu and Aristotle"—the Federalist leaves no doubt that the power and duty of the Supreme Court obliged it to hold Congress within the confines of powers delegated to it by the Constitution. Judge George Wythe, the great jurist and a former teacher of Marshall, Madison, and later Henry Clay, said, referring to the power of the Court: "If the whole Legislature * * * an event to be deprecated * * * should attempt to overleap the boundaries prescribed to them by the people, I, in administering the justice of the country, will meet the united powers at my seat in this tribunal and, pointing to the Constitution, will say to them, 'Here is the limit of your authority, hither shall you go, but no further.'" Gouverneur Morris, a Member of the Constitutional Convention, said: "A law was once passed in New Jersey which the judges pronounced unconstitutional and, therefore, void. Such power in judges is dangerous; but unless it somewhere exists, the time employed in framing a bill of rights and form of government was money thrown away." Patrick Henry, a brilliant opponent of the Constitution, assured his hearers that if unconstitutional laws were enacted, the courts would oppose them. This was one source of his powerful opposition. Luther Martin, of Maryland, another opponent of the Constitution, warned that acts of Congress not warranted by the Constitution rests with the courts, by whose determination every State must be bound. John Marshall, who in time became known as the country's greatest Chief Justice, said: "If Congress were to make a law not warranted by any of the powers enumerated, it would be considered by the judges as an infringement of the Constitution, which they are to guard. They would declare it void." Oliver Ellsworth said: "If they (United States Government) made a law which the Constitution does not authorize, it is void. The judges will declare it to be void." The Eliot Debates record the debates of the ratifying conventions of the States called for that purpose, and show unmistakably the understanding that the Supreme Court would declare unconstitutional law null and void. This position was taken both by those who favored ratification and those who opposed it.

During the first quarter century under the Constitution the only criticism of importance was made by Jefferson and his friends, not because the Supreme Court declared obnoxious laws unconstitutional, on the ground that the power to invalidate did not exist, but because it did not exercise its power against the Bank Act and the alien and sedition laws in declaring them unconstitutional.

When Marshall handed down the decision in Marbury against Madison in 1803 there was some adverse comment, but not on the power of the Supreme Court, but rather because Jefferson declared the judge had gone beyond the terms of the case not justified by the facts. On the other hand, the record shows a general agreement

among contemporary statesmen that the power of the courts extended to the invalidation of an unconstitutional law or a law not in pursuance of the Constitution. In Fletcher against Peck (1810) the Court said: "The question whether a law be void for its repugnance to the Constitution is at all times a question of much delicacy, which ought seldom, if ever, to be decided in the affirmative in a doubtful case. The opposition between the Constitution and the law should be such that the judge feels a clear and strong conviction of their incompatibility with each other."

In the first 75 years of national existence under the Constitution only two Federal laws were pronounced unconstitutional—Marbury against Madison, in 1803, and the Dred Scott decision, in 1857. This was due to two facts: First, the early Congresses contained, both in the House and Senate, the greatest constitutional lawyers of the day. Down to comparatively recent date service in the House or Senate did not preclude practice at the bar. Upon the other hand, the greatest oratorical achievements of Senators were on constitutional issues that came before the Supreme Court, rather than upon the floor of the Senate. Likewise, Members of the House appeared before the Court, where many won great renown on constitutional issues. As before the Court, so in both Chambers of Congress the greatest oratorical efforts were on constitutional issues. Occasions like the Webster-Hayne debates of 1830 involved the nature and character of the Union under the Constitution.

History shows that the most brilliant forensic efforts in the annals of Congress down to and some years after the Civil War were on issues involving the constitutional authority of the proposal. The constitutional requirement of the oath and the signing of the Constitution by Members of Congress, as well as all officers of the Government, was not a mere form. It was a solemn pledge not only to support the Constitution, but to oppose any and all measures contrary to it. In those days no Member of either body would excuse his vote on a doubtful constitutional question on the ground that its constitutionality was a matter of the court and did not concern him. The oath to which he had subscribed and to which he had solemnly pledged himself "without reservation or purpose of evasion" forbade such an attitude toward the organic law.

Strict regard for the sanctity of the organic law by the legislative department is the basis of the rule of all judicial bodies to respect what Lord Haldane termed the "mind of the legislature", in which the court invariably considers what the lawmaking body had in mind when it enacted the statute.

Congress in the New Deal program attempted to meet this requirement. In each case it pronounced the proposal as emergency legislation and set it out in the preamble by a declaration that it is in the public interest.

The emergency factor is borrowed from wartime legislation, where the law of necessity is given force, in spite of the Court's refusal to recognize emergency as an excuse for violation of the Constitution.

The declaration of public interest is to meet the rule of the Court to ascertain the "mind of the legislature", by expressly declaring in the enacting clause the purpose and end of the legislation. Mere legislative declaration, however, does not waive constitutional limitation.

While the Court weighs legislative purpose, it is not conclusive. The A. A. A. decision declared: "Congress has no power to enforce its commands on the farmer to the end sought by the Agricultural Adjustment Act. * * * The act invades the reserved rights of the States."

The lack of weight of congressional purpose in modern times is largely due to the trend to ignore the constitutionality of proposed legislation as indicated by official attitude both by the legislator and the Executive.

The advice of a responsible executive officer 20 years ago to a Member of the lawmaking body to vote for the pending measure "in spite of a reasonable doubt of its constitutionality" would have been an unpardonable offense that would not have escaped the impeachment power of the House of Representatives. Contrast the position of Franklin Roosevelt with that of Abraham Lincoln, who, when urged on the slavery question, he said, "No one who has sworn to support the Constitution can conscientiously vote for what he understands to be an unconstitutional measure, however expedient he may think it."

The second reason why there were only two Federal laws pronounced unconstitutional in 75 years was that it was before the period of the multiplicity of laws. During that first three-quarters of a century of our history we had not yet reached the reign of the politician who proposes to cure all the ills, economic and human, by laws and Executive orders out of Washington. It was not until after the Civil War that Congress became the legislative mill to grind out new laws. Prior to that a single Congress would not enact more than about 100, including both private and public laws, and resolutions. In fact, during the three sessions of the First Congress, called upon to put the Constitution into effect, there were only 102 such laws and resolutions enacted, while in the Second there were less than 75 such laws. In contrast to that, in the Seventy-first Congress 17,073 bills were introduced, 2,946 reports received, and 1,009 public laws and 515 private laws were enacted. Such Congresses, like the Fifty-ninth, acted upon 6,940 laws and resolutions. In the last 3 years the new Government agencies, with powers to make and execute rules and orders with the force of law, have exhausted the permutations of the alphabet of three letters to the agency. The citizen is smothered under a maze of regulatory legislative law, bureau law, code law, and Executive orders that will number not less than 25,000, all of which are to be obeyed. In the face of such a situation there need be no surprise that the Supreme Court in a single day hands down four decisions invalidating laws and regulations deemed as important, while in 75 years, prior to the time we began to look to Washington, only two laws were found unconstitutional.

In the next 72 years there were 72 Federal laws invalidated by the Supreme Court. Ten of these went to the illegal administration rather than the legality of the enactment; so that the actual number of statutes declared unconstitutional in the latter period was 62. Of this number about one-third grew out of the new situations created by the Civil War. A study of these cases will show the importance of the stabilizing powers of the Supreme Court in times of stress and storm induced by war.

The historian of the Supreme Court lists the unconstitutional laws as declared by the Court, as follows: From 1789 to 1864, 2; from 1864 to 1886, 16; from 1886 to 1906, 13; from 1906 to 1924, 24; from 1924 to 1936, 19. During the 38 years from 1886 to 1924, 37 decisions were handed down, holding unconstitutional laws submitted for consideration. These generally grew out of the commerce clause of the Constitution involving elements of what more recently has been termed "social justice." Some of the decisions grew out of what are termed the insular cases, in some of which labor rights were involved. These factors also figured in the 19 decisions handed down from 1924 to 1936, holding unconstitutional Federal enactments submitted for adjudication.

Of these 72 cases, the decisions were unanimous in at least 30; while in 11 cases there was the 5 to 4 decision. It is well to remember that in at least 17 cases where the statutes were declared constitutional, the decisions were 5 to 4. Other decisions were, some by one dissenting, others by two, and still others by three dissenting judges. Of the entire 74 laws invalidated by judicial decision, but a small fraction, only 15 cases, developed any public interest whatever. Those dealing with fraud, general principles of public policy, are not more than eight, as follows: Dred Scott, 1857; legal-tender case, 1870; the Monongahela case, 1893; the income-tax case, 1895; the stock-dividend case, 1920; the Schechter (N. R. A.) case, 1935; Louisville Land Bank (Frazier-Lemke) case, 1935; the A. A. A. case, 1936. The cases involving capital and labor would include the following seven: the employers' liability case, 1908; the Adair case, 1908; the child-labor law case, 1918; the workmen's compensation law case, 1919; the second child-labor law case, 1923; the minimum wage case, 1923; and the Railroad Retirement Act, 1935. Of this entire group, no more than a dozen would be regarded of sufficient interest to create any dispute.

The greatest value of the Supreme Court lies in its independence; its superior ability is universally conceded. This high rank was set by Washington, who exercised great care as "proof against unjust criticism." To the judges he wrote that he considered the judicial system as the chief pillar upon which our National Government must rest. In his selections he sought men who would add dignity and luster to our national life, and expressed the hope that the love of country and their desire for the general welfare would induce them to accept the appointment.

It can be truly stated that never in the history of the Nation has any President crippled the Court by appointment of inferior talent. The rank established by the first President has been generally continued. It has truthfully been asserted that it is a Court "independent of party, independent of power, and independent of popularity", to which the historian has added "independent of the President and independent of politics." It is the one American institution that does not yield to influence of whatever character, to manufactured clamor from whatever source. No one has better stated the procedure of the Court than the great jurist, Joseph Story: "It stands in the midst of jealousies and rivalries of conflicting parties, with the most momentous interests confided to its care. Under such circumstances it never can have a motive to do more than its duty; and I trust it will always be found to possess firmness enough to do that. It is not for the judges to listen to the voice of persuasive eloquence or popular appeal; we have nothing to do but pronounce the law as we find it; and, having done this, our justification must be left to the impartial judgment of the country."

Another tribute to this highest Court of the land is its complete freedom from partisan bias. In the days before Marshall headed it the practice of instructing the grand jury offered an opportunity of harangue, which, too often, took on a political coloring. Marshall discontinued this practice as soon as he took office, and for the reason that the Court should know no partisan politics. This position was made clear in the decision in the case of *Luther* v. *Borden* (1849), handed down by the then Chief Justice, Roger B. Taney, in which he said: "Much of the argument upon the part of the plaintiff turned upon political rights and political questions upon which the Court has been urged to express an opinion. We decline doing so. The high power that has been conferred upon this Court of passing judgments upon the acts of the State sovereignties and of the legislative and executive branches of the Federal Government, and of determining whether they are beyond the limits of power marked out for them, respectively, by the Constitution of the United States. This tribunal, therefore, should be the last to overstep the boundaries which limit its own jurisdiction; and it should always be ready to meet any question confided to it by the Constitution; it is equally its duty not to pass beyond its appropriate sphere of action and to take care not to involve itself in discussion which properly belong to other forums."

Not in the entire history of the Court has its decisions been dictated by political considerations. Twice such a charge has been made with some semblance of fact to support it; the Dred Scott and the Legal Tender cases; the former invalidated the Missouri

compromise on which there had been a bitter political struggle; the latter grew out of the emergency of war, became a political issue, and later the basic plank in the platform of a new political party. Under such situation it would be natural to charge political influence in the Court, especially by the disappointed litigants. The deferring of the Scott decision until after the election was charged by Lincoln as yielding to the influence of Pierce, Douglass, Buchana, and Taney as against the urgency of McLean and Curtis, of the Court, and other Democratic leaders of the country. The decision declaring the Legal Tender Act, first, unconstitutional, and, later, constitutional, cannot rightly be regarded a political decision, if for no other reason than that the Chief Justice declaring it unconstitutional had, as Lincoln's Secretary of the Treasury, been the author of the act. He was joined in the decision by Nelson, Field, and Clifford, who dissented from the majority judges.

The following facts will clearly show that the Court does not hand down decisions on partisan grounds or by a political classification. In the 34 years of Chief Justice Marshall, from 1801 to 1835, but one Federal act was pronounced unconstitutional. In the 29 years of Chief Justice Taney, from 1835 to 1864, but one act was invalidated by the Court. In the 10 years of Chief Justice Chase, from 1864 to 1874, 10 Federal acts were invalidated; 4 by unanimous, 2 by 5-to-4, 3 by 7-to-2, and 1 by an 8-to-1 decision. In the 14 years of Chief Justice Waite, 1874 to 1886, 8 acts were declared unconstitutional and void; 3 by unanimous, 2 by a 7-to-2, and 3 by an 8-to-1 vote. Nearly all of the judges sitting on the 18 cases mentioned were appointed by Republican Presidents who had favored the legislation. In the 22 years of Chief Justice Fuller, 1888 to 1910, 15 Federal acts were invalidated; 4 by unanimous, 3 by 5-to-4, 1 by 6-to-3, 3 by 7-to-2, and the others by an 8-to-1 decision. In the 11 years of Chief Justice White, 1910 to 1921, 12 such acts were invalidated, 6 by unanimous, 4 by 5-to-4, 1 by 7-to-2, and 1 by an 8-to-1 vote. In the next 15 years 27 such acts were invalidated; 12 by unanimous, 3 by 5-to-4, 5 by 6-to-3, 3 by 7-to-2, and 4 by 8-to-1 decisions. These facts demonstrate the Court's complete freedom from party prejudice. The theory that an appointee must reflect the politics of the appointing power has never held. Its history (that of the Court) supplies examples of the complete impotence of such influence. The most oustanding examples are William Johnson, of South Carolina, appointed by Jefferson; Joseph Story, appointed by Madison; Baldwin, of Pennsylvania; and McLean, of Ohio, appointed by Jackson; David Davis, appointed by Lincoln; McReynolds, appointed by Wilson; Taft, appointed by Harding; Hughes and Cardozo, appointed by Hoover; and Stone, appointed by Coolidge; all of these men handed down decisions, or voted on decisions, adverse to the views of the Presidents who appointed them. Some of them, such as Johnson, Story, and McLean, came into strained relations with their chiefs, but this freedom in the exercise of best judgment even in conflict with the President is the highest test of a valuable tribunal for the adjudication of disputed rights.

David Davis, the close personal friend of Lincoln, when deciding adversely to what he felt would have pleased his great chief, said: "We are not unconscious of the fact that the decision which we are obliged to make * * * attributes to our late lamented President the unlawful exercise of power, and, therefore, implies a certain degree of censure. * * * If he exercised a power not given by the Constitution, he undoubtedly did so under a free conviction of its necessity in the extraordinary emergencies wherein he was called to act, but neither our honor for his memory nor our confidence in his honesty can be permitted to sway our judgment here. * * * If, when our convictions are clear, we should hesitate to declare them without reference to what party it may please or what offend, we should betray the solemn trust which the people have committed to this Court and bring dishonor on the administration of justice."

The history of the Supreme Court shows that a court, the majority of which were appointed by Democratic Presidents, have decided against the wishes of the Democratic Party, while others where the majority were appointed by Republican Presidents, have decided against the wishes of the Republican Party. This is the one body in political America that is not influenced by partisan grounds. In fact it refuses to take jurisdiction of purely political issues and confines itself to judicial questions. This has been true from the beginning. In the Constitutional Convention the proposal to give the Court a veto power with the President was four times rejected because that would have made it a quasi-legislative body involving a political function instead of a purely judicial body limited to judicial functions.

The Court, therefore, does not reflect a political angle and does not raise the question of the goodness or badness of a law. In fact, it does not consider the merits at all. It leaves that to the Congress and to the people. Justice Roberts, in the recent decision upon the A. A. A. case, admirably stated the province of the Court: "There should be no misunderstanding of the function of this Court in such a case. It is sometimes said that the Court assumes the power to overrule or control the action of the people's representatives. This is a misconception. The Constitution is the supreme law of the people. All legislation must conform to the principles it lays down. When an act of Congress is appropriately challenged in the courts as not conforming to the constitutional mandate, the judicial branch of the Government has only one duty—to lay the article of the Constitution which is invoked beside the statute which is challenged, and to decide whether the latter squares with the former. All the Court does or can do is to announce its considered judgment upon the question. The only power it has, if such it may be called, is the power of judgment. This Court neither approves nor condemns any legislative policy. Its delicate and difficult office is to ascertain and declare whether the legislation is in accordance with or in contravention of the provisions of the Constitution; and having done that, its duty ends."

Our history presents no other institution existing in the midst of turmoil and confusion arising out of bitter partisan strife and controversy whose duty is to render impartial judgment that has proceeded as free from political bias to build up a body of precedents dealing with rights under the law, made in pursuance of the Constitution, throughout the period of our national life, as has the Supreme Court of the United States. Its freedom from undue influence without regard to possible consequences is notable. Big business, designated by high authority as "entrenched wealth", has experienced the Court's freedom of powerful influence in such cases as the railroad rate case, the antitrust case, the Adamson law and numerous other cases in which great financial interests were involved.

Labor in its collective influence has likewise experienced the impotence of numbers to dictate decisions such as the numerous cases construing the Clayton and Sherman Acts, as well as other enactments involving the general principles of law, the several cases testing the constitutionality of both Federal and State laws. An analysis of about 100 such cases, one-fifth of which were invalidated, while the decisions of four-fifths were favorable to labor, shows the tendency to criticize the Court for the few adverse decisions rather than commend it for the large number favorable. However, criticism for or against, either of labor or of capital, never entered the decision of a case.

The Court finds against the N. R. A. by unanimous decision, with no reference to the New Deal interest, nor any anticipated dictum of the "horse and buggy" indictment. The same Court finds against the A. A. A. without taking care to consider the wishes of the proponents of a new philosophy, or time to count the number of farmers' votes that might be involved. It found against the original child-labor law in spite of the wide and militant interest of the women of America. The politician's basis of decision does not reach these chambers. History will pronounce this irresponsiveness to public clamor as the most important fact in the evolution of the Court. And yet, that fact is the one basis for the present attack upon the Supreme Court.

This opposition comes from many sources. There is the advocate of direct legislation, which is responsible for the initiative and referendum in the various States. This class, not insignificant in number, resents the suggestion that an appointive court be permitted to set aside an act of legislation. The second class, while it believes in representative government, would make the legislative body, which is responsive to the people, supreme. The third class believes in the coordination of independent departments, and denies the power of the judicial to invalidate the acts of the legislative department. Even though a highly controverted proposal, after an exhaustive discussion, or on the other hand a proposal of small interest with little concern should become a law by a majority of but one vote in House and Senate or both these advocates of curbing the Court declare otherwise, the independence of the departments is destroyed.

This opposition seems to be based upon error. The three departments under the Constitution are not independent of each other in organization, but interdependent, as each has a check upon the other. The legislative is dependent upon the executive for signing or vetoing bills, enforcement of laws; and upon the judicial for interpretation of laws. The executive depends upon the legislative for financial support, removal by impeachment, confirmation or rejection of appointments, and treaties; and upon the judicial for setting aside unconstitutional acts. The judicial department is subject to the legislative and executive departments for its constitution, its financial support, and removal from office by impeachment.

But in the exercise of the function of each, it is essential that freedom from interference by others must be assured. Each performs its duty within the Constitution, without the necessity of consulting with the others. As Congress does not, and should not, confer with the Court upon legislation, so the Court does not and should not confer with Congress upon interpretation. If the Court declared that Congress could not or should not enact laws short of a two-thirds or unanimous vote without first consulting the Court, Congress would ignore it as beyond the powers of the Court under the Constitution. So, likewise, if Congress enacts a law forbidding the Court, short of a unanimous or two-thirds vote, to declare void an act not within the Constitution, the Court would declare such law unconstitutional and void. Such drastic change could come only through the channel of constitutional amendment by the people. Such amendment would involve serious results growing out of minority control.

Suppose the N. R. A. had succeeded in its efforts to secure and enforce a code law to govern the press of the country. A unanimous requirement for Court review would make it law, though eight of the nine judges declared it unconstitutional, giving to eight judges less power than to one whose vote was controlling. Such rulings would destroy the faith of our people in the institutions of government, and tend to the break-down of the law of the land.

Suppose upon some issue on which the Nation is keenly divided, such as the fugitive slave law of 1850, an antilynching law, the prohibition legislation, the resolution to join the League of Nations, or the adoption of the New Deal philosophy, and one or all of

these reach the Supreme Court, where a unanimous vote is necessary, under the proposals to curb the Court, to declare a law unconstitutional, what effect upon the public mind would a rule have where the vote of one judge could overbalance the votes of eight judges? In which case the New Deal philosophy could be thrust upon the country by one vote of the Court against eight.

This criticism of the Court, it is alleged by the critics, is justified upon the ground that they are following, in this regard, Jackson and Lincoln. This is an error. Roger B. Taney, the Chief Justice appointed by Jackson, denies the charge against Jackson. He declared: "No intelligent man who reads the message can misunderstand the President", referring to the charge that Jackson felt not bound to carry out a decision of the Court that the law is unconstitutional, if he believed it constitutional. Taney continued: "It is true that he may very probably yield up his preconceived opinion in deference to that of the Court, because it is the tribunal especially constituted to decide questions in all cases wherein it may arise, and from its organization and character is peculiarly fitted for such inquiries."

As to Lincoln's attitude on the Court, his utterances are the best evidence.

In 1856, a year before the Dred Scott decision, he said at Freeport, Ill.: "I grant you that an unconstitutional act is not law; but I do not ask and will not take your construction of the Constitution. The Supreme Court of the United States is the tribunal to decide such questions, and we will submit to its decisions." Whatever influence the manner in which the Dred Scott decision was delayed until after the election had upon Lincoln, who had denounced the delay, his position on the Court's decisions was fully and clearly stated in his address at Springfield, Ill., June 26, 1857, when the public mind was at the height of excitement. He said: "We think its (Court) decisions on constitutional questions, when fully settled, should not only control the particular questions decided, but the general policy of the country subject to be disturbed only by amendments to the Constitution as provided in that instrument itself. More than this would be revolution." He added, "But we think the Dred Scott decision is erroneous. We know that the Court that made it has often overruled its own decisions, and we shall do what we can to overrule this. We offer no resistance to it." [In the first inaugural.] After declaring that the Court's decision must be binding in any case, he continued: "And while it is obviously possible that such decision may be erroneous in any given case, still the evil effect following it being limited to that particular case with the chance that it may be overridden and never become a precedent for other cases can better be borne than could the evils of a different practice." So spoke Lincoln, who has been quoted by advocates to curb the Supreme Court. Even in the campaign when public excitement was whipped into fury over the Dred Scott decision, he said we will not resist it. When he took the oath as President, he said an erroneous decision could better be borne than the evils of a different practice.

Whether the assaults against the Court are to deny the authority to invalidate an unconstitutional law, or merely to curb the Court by a minority rule, limiting the power, to declare a law unconstitutional, to a two-thirds vote or a unanimous decision, it would in either case be fatal, in that it would make Congress supreme. These advocates demand that the makers of illegal laws must be the interpreters of the legality of their own acts, a violation of the most elemental principle of a judicial system.

In that light, suppose Congress should enact laws denying one or all of the rights specified in the Bill of Rights. Suppose it denies the freedom of speech, or the freedom of the press, or of religion; suppose it denies trial by jury, or the right to have counsel. Suppose it allows property to be taken without due process of law. Suppose it authorizes unreasonable search or seizure, or compels a citizen to be twice placed in jeopardy of life and limb. Suppose it denies all of these rights. Is the citizen to be refused his constitutional right specified in the Bill of Rights to take his case to a tribunal? That tribunal which interprets law under the Constitution which is the supreme law of the land? Is it proposed to deny him the authority of protection of his rights prescribed in the expressed words of the Constitution? That is the issue which the New Deal is about to submit to the American people. This attitude is in sharp contrast with the judgment of the historian: "The establishment of the Supreme Court of the United States was the crowning marvel of the wonders wrought by the statesmanship of America. The creation of the Supreme Court with its appellant powers was the greatest conception of the Constitution. No product of government, either here or elsewhere, has ever approached it in grandeur. Amid the din of conflict, between personal interests, and above the deep-mouthed thunder of the combat, between contending sovereignties, the calm tones of our great tribunal have been distinctively heard, commanding States as well as citizens to submit without the spilling of blood to a legal settlement of differences. In this respect the Court is the conservator of the peace of the Nation and her voice is the harmony of the Union."

KEYNOTE ADDRESS AT THE REPUBLICAN STATE CONVENTION OF VIRGINIA

Mr. HASTINGS. Mr. President, I ask unanimous consent to have printed in the RECORD an address delivered by Mr. T. X. Parsons, of Roanoke, Va., before the Virginia Republican convention on the 11th instant.

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

Mr. Chairman, ladies and gentlemen of the convention, I first want to extend to you a few words of greeting and welcome from the Republicans of the city of Roanoke. We regard ourselves as extremely fortunate in having this opportunity to entertain what is perhaps the largest Republican convention that has ever been held in Virginia. We have long regarded Roanoke city as the Republican capital of Virginia, and we sincerely hope your stay with us will be a pleasant one, and that we will, at an early date, have an opportunity of again welcoming the Republicans from the various sections of the State to our city.

In beginning this speech I fully realize my limitations, and I believe that you appreciate the difficulties which face any speaker who undertakes to define the issues and principles on which our party should stand in the coming election.

During the past 3 years we have witnessed an almost unbelievable spectacle. It is doubtful if there is a person in the country outside of the inner circle of the so-called "brain trust" who would have dared predict what has taken place since the inauguration of Mr. Roosevelt in March 1933.

It is unquestionably true that millions of citizens cast their votes for the Democratic nominee in 1932 without an inkling, or even the slightest intimation, of what the nominee of the Democratic Party intended to do once he assumed the roles of his office.

SOME OF PLEDGES

Some 23,000,000 people cast their votes for Mr. Roosevelt after he had solemnly promised to drastically reduce the cost of government—to abolish useless bureaus and offices, to take government out of business, to do away with the policies of restricting agricultural production, which had made some slight headway prior to his inauguration; to impartially enforce the antitrust laws, so as to prevent monopoly and unfair trade practices and to preserve a sound currency at all hazards.

And never in the history of our political parties has a candidate so unqualifiedly adopted the platform of this party as did Mr. Roosevelt during the summer and fall of 1932. Time and again he emphasized the fact that the platform of the party would be strictly adhered to and that he regarded it as a solemn covenant with the people. He specifically called attention to the fact that it had been the practice in the past for candidates for office to disregard the platform on which they were elected, once they had assumed their duties; and in 1932 he went so far as to publicly declare that before any man could enter his Cabinet he must first pledge absolute loyalty to the Democratic platform and especially the economy plank, and, second, he must pledge his complete cooperation with the President looking to economy and the reorganization of his department.

It would be interesting to know what Mr. Ickes and Mr. Wallace would say if they were now confronted with this statement.

TWO CHIEF PLANKS

Two of the outstanding planks in the Democratic platform, on which Mr. Roosevelt polled almost 23,000,000 votes, read as follows:

"An immediate and drastic reduction of governmental expenditures by abolishing useless commissions and offices, consolidating departments and bureaus, and eliminating extravagance, to accomplish a saving of not less than 25 percent in the cost of Federal Government; and we call upon the Democratic Party in the States to make a zealous effort to achieve a proportionate result.

"2. Maintenance of the national credit by a Federal Budget annually balanced on the basis of accurate executive estimates within revenues, raised by a system of taxation levied on the principle of ability to pay."

In discussing the economy plank in the platform, Mr. Roosevelt, in Pittsburgh, on October 29, 1932, said:

"I shall carry out the plain precept of our party, which is to reduce the cost of the current Federal Government operations by 25 percent. Of course, that means a complete realinement of the unprecedented bureaucracy that has assembled in Washington in the last 4 years."

In the same connection, at Sioux City, Iowa, on September 29, 1932, the President said:

"I accuse the present administration of being the greatest spending administration in peacetimes in all our history, and which has piled bureau on bureau, commission on commission, and has failed to anticipate the dire needs of reduced earning power of our people."

Merely to repeat the platform and some of Mr. Roosevelt's declarations during his candidacy for the Presidency, strikingly illustrates the manner in which, not only the country, but his own party has been betrayed. It seems hardly necessary to recount the many ways in which the platform has been violated, and the solemn promises of the candidate have been shamelessly disregarded. Instead of reducing the cost of Government by 25 percent, it has more than doubled in the short period of 3 years; instead of eliminating deficits, as he promised to do, we are facing the greatest deficit ever incurred by any government since the beginning of recorded history, except during war times.

BUREAUS INCREASED

Instead of eliminating useless bureaus and commissions, they have been increased to such an extent that it is hardly an exaggeration to say that probably not a person in the Nation knows how many there are, or what they are for.

Instead of cutting down the pay roll, almost countless thousands have been added thereto, until it is estimated that at this time

there are almost 9,000,000 people on the pay roll of the Federal Government, not counting the millions who are on relief.

Contrasted with the 23,000,000 votes received by Mr. Roosevelt, the Socialist candidate for the Presidency, Mr. Norman Thomas, received less than 1,000,000 votes, and yet an examination of the actions of the administration reveals the startling fact that the first 12 planks in the Socialist platform, upon which Mr. Thomas received 900,000 votes, have been put into effect almost word for word by this administration, and in calling attention to this fact, I am not doing so merely for the purpose of criticizing the philosophy of the Socialistic Party.

I hope the time will never come when American citizens may not cast their vote for the party of their choice—whether it be the Republican, the Democratic, the Socialistic, or any other party.

But I do condemn, and I think all right-thinking citizens should condemn, the putting into practice of the policies of the Socialist Party, until the people have, by a majority of votes cast, elected a Socialist President, running on a Socialist platform. The stunning betrayal of the Democratic Party—the oldest political party in this Nation, by the so-called New Dealers, has called forth not one word of excuse or explanation from Mr. Roosevelt or any of his subordinates.

SPENDING BILLIONS

I think it fair to say that not a single citizen in the United States cast his vote for the N. R. A., the A. A. A., the N. Y. A., the T. V. A., and other alphabetical combinations which are spending billions of dollars of the hard-earned money and savings of the American people. No one even dreamed of the fact that an ex-Army officer would be given the authority to promulgate 10,000 pages of laws—many of which provided fines and imprisonments for their violation. Not a farmer in the United States cast his vote for an agricultural policy which resulted in the destruction of 6,000,000 pigs; the taking out of cultivation of millions of acres of land, and the destruction of untold amounts of wheat and cotton.

Who, in 1932, ever imagined that in the short period of 3 years this country, long regarded as the granary of the world, would be annually importing hundreds of millions of dollars worth of foodstuff. Think of it, and at the same time, we spent a billion dollars to restrict the production of our own farm products. The absurdity of the whole agricultural policy is made apparent when it is realized that, when all of this was being done, there were other millions of dollars being spent for the purpose of reclaiming waste and submarginal lands. While the western farmer was plowing under his wheat and the southern planter was destroying his cotton, other agencies of the Federal Government were busy irrigating and reclaiming lands in Tennessee and Washington, and other States throughout the Union. The enormous amount of money that has been wasted is appalling to the millions of people who have struggled a lifetime to save a few hundred dollars to care for them in their old age.

Hardly giving the matter a second thought, the administration embarked on an undertaking in Florida which will eventually cost the taxpayers $200,000,000, building a canal from the Atlantic Ocean to the Gulf of Mexico. When this undertaking was started, every competent engineer who had made a study of it, condemned it as being impracticable. In Maine $36,000,000 is being spent to harness the tides of the Bay of Fundy, and in Washington, $30,000,000 or $40,000,000 are being spent for the purpose of building what is known as the Grand Coulee Dam, for the purpose of furnishing power in a region where they already have 50 percent more power than can be consumed.

ICKES GREAT SPENDER

Hardly a project of any consequence has been started that has received the approval of experienced engineers. Even Mr. Ickes, the great spender of the Department of the Interior, turned down a number of them as being wholly impractical. Some of them were so farfetched that no department of the Government would volunteer to undertake their construction, making it necessary to call upon the Army, whose engineers know only how to take orders.

And what have we gotten for all of this enormous expenditure of money? We still have 12,000,000 people walking the streets without employment, if the figures of the American Federation of Labor and the United States Department of Labor can be relied upon. We have over 20,000,000 people drawing relief from the Government, and the end is not in sight.

And we have the New Deal. And what a new deal it has turned out to be. For a moment let us examine its so-called accomplishments.

I suppose its first claim to fame is based on an alleged industrial recovery produced by the National Industrial Recovery Act. An impartial examination of the record fails to substantiate this claim, but on the contrary, the evidence is overwhelming to the effect that it actually hindered rather than helped recovery. It is true that there was a spurt of business and industrial recovery extending from April 1933 to August 1933, but this was under what the New Dealers choose to term the "old order", or what I would refer to as the American economic system. During this period prices of farm products and the purchasing power of the farmer's dollar went up, industrial employment, production, and wages increased, building construction increased, and freight-car loadings increased to a marked extent. All of this, however, was before the blue eagle had even left his nest. The N. R. A. did not go into effect until the latter part of July or the 1st of August, and it certainly had no material effect on business until the early fall. Beginning with September 1933 and continuing until June 1935, there was a decided business reaction throughout the country, and during this period every branch of the New Deal was in full bloom; the N. R. A. had reached its maximum of regimentation and the A. A. A. was putting into practice its theory of destruction as a means of attaining a condition of plenty. During this same time the Government entered into every conceivable field of private enterprise. It abandoned all pretense of attempting to reduce public expenditures, or even to keep them within reasonable bounds. Our sound currency was abandoned, and we began experimenting with the managed dollar.

SECOND RECOVERY

The next period of recovery began immediately after the Supreme Court had unanimously held the N. I. R. A. to be unconstitutional. Despite the fact that Mr. Roosevelt and all of his satellites had made dire predictions as to what would happen as a result of the N. I. R. A. being held unconstitutional, business continued to pick up, and it is unquestionably true that our present era of recovery dates from May 27, 1935.

One of the outstanding economists of the country—Professor Cox, of the University of Chicago—after making a thorough study of employment, wages, and hours of labor as affected by the N. R. A., reported as follows:

"The 4-month drop which followed the introduction of the N. I. R. A. has never been equaled except in the panic collapses of 1893 and 1907. On the other hand, the advances which followed the United States Supreme Court decision against the N. I. R. A. is the broadest and most sustained rise to recovery to date."

So much for the N. R. A.

I suppose it is fair to say that the Agricultural Adjustment Act is the second accomplishment in the order of the importance of the new order. It was passed in the late summer of 1933, and had little, if any, effect on the crops produced and harvested in that year. And what has it accomplished in the short period of 2½ years? Assuming for the sake of argument that it has brought about a rise in the price of farm products, although most economists assert that the rise would have occurred as a consequence of the general improvement in business conditions regardless of the Triple A. But be that as it may, here is what has happened to agriculture, in the Nation that was at one time known as the granary of the world. In 1933 we had an exportable surplus of 53,000,000 bushels of wheat, and imported none. In 1935 we had no exportable surplus, and imported 28,000,000 bushels. In 1933 we had an exportable surplus of 144,000,000 bushels of corn, and imported none. In 1935 we had no exportable surplus, and imported 34,000,000 bushels. In 1933 we had an exportable surplus of 1,800,000 bushels of rye, and imported none. In 1935 we had no exportable surplus, and imported 12,000,000 bushels. In 1933 we had an exportable surplus of 675,000,000 pounds of lard, and imported none. In 1935 we had no exportable surplus, and imported 12,000,000 pounds. In 1933 we had an exportable surplus of 300,000,000 pounds of pork, and imported none. In 1935 we had no exportable surplus, and imported 6,000,000 pounds.

MARKET DESTROYED

Thus 2½ years of the Triple A has not only destroyed our export market, but it has placed agriculture in such a position that it cannot supply the home demand, and it has cost us a billion dollars to bring this about. And who got the money. The average benefit payment throughout the United States has been something like $140 per person. But some of our citizens and corporations, and some foreign citizens and corporations, were much more fortunate. Senator VANDENBERG recently called on Mr. Wallace to make a list of all persons who received more than $10,000 under the Triple A. He at first demurred, contending that it would require the undivided attention of the entire comptroller division for about 6 weeks. The Comptroller, however, who has a staff of 4,500, states that the list could be compiled by 10 operators working 17 days. Finally, however, a few figures were reluctantly given out. And this is what a startled country learned. One farmer received $219,000 for not raising 14,000 hogs, and one cotton planter received $168,000 for not planting 7,000 acres of cotton. And on Wednesday of this week we received the very interesting news through the press that a British concern had received a Government check for $200,000 for restricting its cotton crop on some land which it owned in Mississippi.

And that isn't all. It has now developed that a New York bank financially interested in a Puerto Rican sugar property had received a benefit check in the sum of $705,000, while another Puerto Rican sugar company had received $961,000 for restricting its planting of sugarcane. I suppose these figures probably come under the head of the "More abundant life."

AGRICULTURAL TARIFFS

And here is some more of the "more abundant life." The tariff on agricultural products is necessarily closely linked with any agricultural policy which might be adopted. And Mr. KNUTSON recently stated in Congress that under what is known as the Cuban trade agreement, whereby the tariff on sugar was reduced from 2 cents per pound to nine-tenths of a cent per pound, the Cuban sugar interests, which are largely owned by National City Bank, the Chase National Bank, and Vincent Astor—the latter being a very dear friend of the President—received an outright annual gift of $42,000,000, and, in addition to this outright gift, the Cuban crowd raised the price of sugar 1 cent per pound, which amounted to an additional profit to this same group of $15,000,000 per year, or a grand total of $57,000,000. While all of this was going on, the President and all of his satellites were shedding tears for the "common man" and the "forgotten man", and the Government was spending money to restrict the production of beet sugar.

RELIEF

The next in order for which the New Deal claims credit comes the question of relief, which I shall now deal with briefly.

One of the most appalling aspects of the whole relief situation is the enormous increase in the cost of administering relief. During the last year of the Hoover administration a total of a little over $1,000,000,000 was spent on relief, and, if the prophets of the new order are to be believed, there was more unemployment then than there is now. And yet the last Congress appropriated $4,880,000,000 for the relief of the unemployed. What is the answer? Undoubtedly a great part of the increase is due to the fact that the administration has been more interested in building up a political machine than it has in relieving suffering. During the Hoover administration relief was administered almost entirely by local volunteer agencies, with only a scant 250 Federal employees, whose principal duty was to distribute the money to the various States and localities. Now we have a stupendous bureau, employing 140,000 people, a great majority of whom are not familiar with the location in which they work and are, therefore, not familiar with the needs and the problems of the beneficiaries of this relief. It is to the lasting credit of the Hoover administration that politics was completely eliminated from the work of administering relief. And, although during the latter part of the administration the Government had many new emergency tasks, the total number of all Government officials decreased by more than 10,000. All of us remember how it was handled in Virginia. The money was loaned by the Reconstruction Finance Corporation, and it was placed directly in the hands of State and local officials, a great majority of whom were members of the opposite political party. Until this administration came into power, no one had ever claimed that a party was entitled to votes because of what it did to relieve persons in need and distress. The very idea was repugnant to every decent sense of Americanism.

But all of this was forgotten after March 4, 1933. The whole relief work was promptly centralized in Washington, and a paid bureaucracy was spread over the land, the result being too well known to merit further comment.

To illustrate what has happened, let me read you a few figures that strikingly show how relief funds have been diverted from the needy into the pockets of machine-picked politicians, who make up the West Virginia relief organization:

Received in private employment:	*Paid by W. P. A., per year*
$150 per month	$3,000
$40 per week	3,400
$1,000 per year	3,200
$5 per day	3,400
$175 per month	3,000
$30 per week	2,400
$1,800 per year	3,000
$35 per week	2,400
$120 per month	2,700
$2,100 per year	3,600
$125 per month	3,100
Housewife	2,400
$45 per week	4,500
$5 per day	3,400
$40 per week	3,300

And now, having considered some of the alleged accomplishments of the New Deal, let us see what it has cost us.

THRIFT DISAPPEARS

Besides the billions of dollars which have been thrown to the winds, we have lost something else which it will take generations to regain. The habit of thrift, taught most of us from childhood, is about to disappear from our national life. Our very system of constitutional government is in grave danger of extinction, and precious rights which have been established by centuries of suffering and sacrifice are threatened. In the short period of 150 years this Nation has grown from a few straggling Colonies, scattered along the Atlantic seaboard, to the position which it now occupies, as one of the greatest, if not the greatest nation. the world has ever known.

Certainly, under this system of government, a greater number of people have, for a greater length of time, enjoyed more prosperity and more liberty than any government of which there is any record.

Class has been arrayed against class on a scale never before dreamed of in this country. The President of the United States has indirectly encouraged this, and a number of his subordinates—Hopkins, Tugwell, and Wallace—have openly advocated it. The dual weapons of fear and intimidation have been used unceasingly by the leaders of the administration to accomplish their purpose.

The civil service has been dealt a blow, the effects of which will be felt for half a century, and the land has been overrun with Government agents, many of whom don't know themselves for what they are employed. We are paying out hard-earned American dollars to people engaged in counting caterpillars and pulling jimsonweed. We are hiring people to teach esthetic dancing and paying for it in taxes collected from the American people. We are spending the Government's money on polo fields in Pennsylvania and in the sprinkling of golf courses in Florida. And last, but not least, this administration, striking at the very roots of our constitutional government, has seriously endangered our most precious liberties.

LIBERTIES IN JEOPARDY

The administration supporters seek to make light of the charge that the fundamental liberties of the people are in jeopardy; and, in attempting to answer this charge, they ask the question, "In what way have the people's liberties been jeopardized?" Let's not be misled in this respect, and let's not be deceived by false promises. The individual rights and liberties of the people have been destroyed since time immemorial in the same manner and by the same methods that are now being practiced by the leaders of the New Deal. The approach is always the same. Using an emergency as an excuse, a beginning in this direction is made, and, before the people realize what is taking place, our most cherished liberties are gone forever. We can easily, in a short space of 4 years, surrender rights which have taken 700 years of sacrifice and suffering to establish. A number of these rights are so commonplace that they are taken for granted; some of them which are today treated so lightly have been produced through the blood and the lives of thousands of men and women. Most of them are guaranteed to us today in the first 10 amendments to the Constitution, commonly called the Bill of Rights. We are frequently assured by the prophets of the new order that no attempt will be made to deprive the citizens of this country of their individual rights and liberties, but I say to you that if this administration will disregard one provision of the Constitution it will disregard another.

In the past 2 weeks we have witnessed a committee of the United States Senate flagrantly violating the fourth amendment to the Constitution, which guarantees to every individual protection against unreasonable search and seizure. It will probably be difficult to engender much sympathy for the persons and corporations now being investigated by this committee, but if the private papers and telegrams of the American Telephone & Telegraph Co. can be seized without warrant of law, then your papers and my papers are no longer protected from the prying eyes of any congressional committee that might desire to seize them; and a man's home—which, for over 400 years, in all English-speaking countries, has been regarded as his castle—can be searched by officers of the law with utter impunity.

OTHER RIGHTS

If this amendment to the Constitution can thus be destroyed, the administration can just as easily disregard the provision of the Constitution which guarantees to every citizen the right of trial by jury, and throw into the discard that provision of the Constitution which guarantees the freedom of the press. When this happens, our cherished liberties are gone forever.

Is there danger of this coming to pass? Our opponents say "No." Let us see what the President has to say in this connection. In his recent political broadcast in the halls of Congress, sometimes facetiously referred to as his speech on the state of the Nation—the latter being a duty imposed on him by law, Mr. Roosevelt said:

"They realize that in 34 months we have built up a new instrument of public power. In the hands of a people's Government this power is wholesome and proper. But in the hands of political puppets of an economic autocracy such a power would provide shackles for the liberties of the people."

Think of the implications contained in this statement. The President admits that during his administration there has been established the very thing that the Constitution was set up to guard against. This generation would not be true to its trust if it willingly, and without a struggle, surrendered their rights and liberties, regardless of the inducements held out by those in power. The least we can do is preserve what our ancestors bled and gave their lives for. The Constitution of the United States is the only written instrument in existence today guaranteeing to any citizen individual liberty. It must not be destroyed for the sake of temporary gain.

The least we can do is that which every President, from Washington to Roosevelt, has sworn to do—preserve, protect, and defend it.

THE SUPREME COURT

Closely related to the attacks which have been made on the Constitution are those aimed at the Supreme Court, and I wish to say at this point that every real American should thank his God for the Supreme Court of the United States.

An effort has recently been made to convince the people that the Supreme Court has no authority to declare a law of the United States unconstitutional. Such a position is wholly untenable. It has been a well-recognized fact in every country which has ever had a written constitution that the constitution was the supreme law of the land and that any law passed by any legislative body in conflict therewith was null and void. This was recognized in America long before the Constitution was ever adopted. Hundreds of laws passed by the colonial legislatures and the Houses of Burgesses were held to be void and of no effect because they were in conflict with the charters of the various Colonies. This right has been recognized by every Justice who has ever sat on the Supreme Court bench, whether he be Democrat or Republican. To hold otherwise would be to nullify the Constitution itself.

One of the objects, and I might say the main object, of the Constitution is that it guarantees to the citizens certain inalienable rights which cannot be taken away from them by any body or group of citizens, whether they be executive, legislative, or judicial. I don't mean to say that the Supreme Court is sacred or that it should not be subject to criticism, but I do say in all sincerity that once that Court has placed its construction upon a law, declaring it either constitutional or unconstitutional, that

then that construction becomes the law of the land, and it becomes the duty of every law-abiding citizen to abide by the decision.

HUMAN RIGHTS

It has been charged that the Supreme Court and the Constitution protect property rights as distinguished from human rights. This charge is not true. The Constitution does protect property rights, but it also protects human rights. In what other country of the world do the people enjoy free speech or a free press?

Religious liberty—the right of trial by jury—and personal liberty—to the same extent as we enjoy it in this country, and they enjoy these rights, not because some benevolent ruler is kind enough to bestow them upon us, but because of a written Constitution which in plain words says that these rights shall not be abridged. And with reference to property rights, is not the right to acquire, own, and enjoy property a part of human rights? When the framers of our Constitution made property rights secure they also added immeasurably to human rights and to human liberty. If the Constitution is to be preserved we must also preserve the Supreme Court. It has been the refuge of both the low and the high from the very beginning of the Nation—whether it has been an ignorant and condemned Negro, charged with the most heinous crime, or the combined prestige of Congress and the Executive, exerting powers beyond the terms of the Constitution, the Supreme Court has been a tribunal to which a citizen, in his last appeal, has gone for that protection given him by the terms of the Constitution.

And now, just a word about the "old order", which the New Dealers profess to despise and hold in contempt. And in defending it, I make no contention that it is perfect or that reform and change is not advisable. I do think it well, however, to recall a few facts which we should think over carefully before deciding to discard the old for the new. In 1933, before the New Dealers had gotten started, our accomplishments were the marvel of the rest of the civilized world. Let me briefly call your attention to some statistics, which most strikingly illustrate what we had done before Mr. Roosevelt, Mr. Hopkins, Mr. Tugwell, Mr. Ickes, Mr. Wallace, and Mr. Frankfurter appeared on the scene. All of these figures are matters of record and cannot be disputed:

PROGRESS IN PAST

With only 7 percent of the world's population we own 76 percent of the automobiles, 58 percent of the world's telephones, 32 percent of the railroads, and 36 percent of the developed water power; in 1933 this country spent three billions for education, more than all the rest of the world combined. We produced 60 percent of the world's supply of oil, 48 percent of the copper, 47 percent of the steel, and 58 percent of the corn. The people in America enjoy the highest standard of living in the world and consume one-half of the world's coffee, one-half of its rubber, one-half of its sugar, three-fourths of its silk, and two-thirds of its petroleum products. This country leads the world in the number of farmers who own their farms, the number of people who own their homes, the number and amount of savings accounts and the amount of ordinary life insurance in force. In the face of all this evidence, is it not a little ridiculous to insist that we need a new form of government and that the old system is worn out?

And to take the place of the system of government under which all of this has been accomplished we are asked to place our stamp of approval upon an administration which, without excuse or explanation, has violated its most solemn promises. We are asked to return to power an administration that has increased our national debt by over $10,000,000,000 and has in a period of 3 years, spent more money than has been spent by the Federal Government in the first 124 years of its existence.

We are asked to place our stamp of approval on a socialistic and a near-communistic policy, for which no one has ever cast his vote. We are asked to vote for a system of government which was bitterly described by Senator GLASS of Virginia in the following words:

"The whole New Deal is not only a mistake, but it is a disgrace to the Nation, and the time is not far distant when we shall be ashamed of having wandered so far from the dictates of commonsense and of common honesty."

A PROPOSED PROGRAM

Critics of the New Deal are frequently asked what they would do and what they would propose to take the place of the New Deal.

In the first place the American electorate would be fully justified in turning out the present administration if no program of any kind was offered to take the place of the conglomeration of conflicting and contradictory laws which have been put on the statute books during the past 3 years.

If a person sees another about to run his automobile over a cliff, he would not wait to warn the driver of another route he might take before calling his attention to the danger ahead. And to illustrate the point further—if you saw a child sawing up the furniture in your home, it would not be incumbent upon you to give him something else to saw on before you ordered him to stop destroying your furniture. However, a program will be offered the American people in the platform to be adopted in Cleveland, and I venture to say it will be a constructive one of which the great body of the American people will approve. Without attempting to forecast what the platform will be or what the platform to be adopted by this convention will contain, I will venture to make a few suggestions, many of which were made by our distinguished fellow citizen, Col. Henry W. Anderson, in an address recently made at Richmond, Va., before the State committee and the State executive committee.

In the first place, we should wholly repudiate the entire social and economic theories of the New Deal; we should pledge ourselves to stop the concentration of power in the bureaucracy at Washington and to restore the American system of Federal Government based upon a constitutional union of independent States. The expenditures of the Federal Government should be and must be radically reduced. The hundreds of thousands of politicians who, without any regard to their fitness, have been given "boondoggling" jobs within the past 2 years should be removed from the Federal pay roll. We should pledge ourselves to stop tampering with the currency and to place the fiscal affairs of the Government upon a sound basis. We should take constructive action to bring about economic equality between agriculture and industry, not by destroying wealth and reducing the supply of food and necessities, with resulting increase in the cost of living, but by the legitimate aid and diversification of farm activities and the development of our domestic and export markets. And in this connection we should stand foursquare for a tariff sufficiently high to protect all products which can be produced within the bounds of the United States.

ABOLISH MACHINE

We should immediately abolish the political machine which has been established for the purpose of administering relief throughout the Nation. I sincerely believe that if this were done, and the question of relief was turned back to the localities and the States, with the Federal Government providing the necessary financial assistance, not only would the cost of relief be cut in half but the beneficiaries thereof would be far better taken care of than they have been under the present system.

We should pledge ourselves to a sane and progressive policy with respect to social security, such as pensions and unemployment insurance.

We should pledge ourselves to protect the right of labor, in industry which is subject to Federal jurisdiction, to bargain collectively through agencies of its choice, and, finally, we should pledge ourselves to reestablish the principle which lies at the base of our entire constitutional system, that the Government, and those who conduct it, are agents and servants, not masters of the people.

We should unqualifiedly declare ourselves in favor of the complete separation and the complete independence each of the other of the three great divisions of our Government—the executive, the legislative, and the judicial. We should affirm our faith in the Supreme Court and in the Constitution of the United States.

CONCLUSION

The issues are clear-cut. The Republican Party should, with courage and without compromise, clearly place them before the American people. We have two roads to travel—one lies in the direction of constitutional government, and the other in the direction of dictatorship. In the last 3 years we have trod the same path by which 40,000,000 Italians, 66,000,000 Germans, and 180,000,000 Russians lost their liberty. It is idle to hope for a change in direction if the present administration is returned to power. We have learned, by bitter experience, that their promises cannot be relied upon. If Mr. Roosevelt is elected in November of this year, he will be justified in concluding that the American people have placed their stamp of approval upon what he has done, and he will naturally take his reelection as a mandate to continue on the road we are now traveling. By his reelection we will ratify the action of Congress in abdicating its constitutional powers to the Executive, and we will thus have taken a long step toward that absolute form of government against which English-speaking people have struggled for a thousand years. Our liberties will be lost in identically the same manner by which they have been lost in all of the other great democracies of the world since the early days of the Roman Republic. The first Caesar rose to power as a popular idol, as a representative of the "common people"; Napoleon gained his mastery first over France and then over Europe from a small and popular beginning as the "armed soldier of democracy"; Lenin set up his iron rule under the guise of the "rule of the proletariat"; Mussolini, once a Communist agitator, got his grip upon Italy under the cloak of a popular movement against monarchy; Hitler got his start by his promise to save the common people from their oppressors; and Roosevelt started on the same road by his demagogic appeal on behalf of the "forgotten man."

And now, in conclusion, what can we do: They tell us that we cannot beat $5,000,000,000. Our reply is, that the American electorate is not for sale and cannot be bought for $5,000,000,000, or any other sum. They tell us that they are against the policies of the New Deal, but that they will still vote for the election of Mr. Roosevelt, because he has been sincere and conscientious in what he is trying to do. Our reply is that the sincerity of the President is not an issue in this campaign. The fate of one man is inconsequential, in comparison with the liberty and happiness of 130,000,000 people. Whether or not he has been sincere and conscientious in what he has done, is utterly immaterial. The sole question for the American people to decide is whether or not they are in favor of a continuation of his policies.

If the Republican Party voluntarily surrenders and refuses to fight to preserve what has been handed down to us by our ancestors, then we do not deserve the victory, and we should pass from the political stage, and let another party take our place. But I have too much faith in this great party of ours to believe for a moment that such a thing is going to happen. The Republican Party should, and I believe will, lead the way. It is the only instrumentality through which opposition to the New Deal can be made effective.

If we come out boldly for the right as we see it, without fear or compromise, and stand on the Constitution, victory assuredly will be ours.

Let's make this fight without any hope or thought of selfish gain. Let us enter this battle, not for the sake of the Republican Party, and not for the purpose of destroying the Democratic Party, but for the purpose of saving America.

THE GULF-ATLANTIC SHIP CANAL ACROSS FLORIDA

Mr. FLETCHER. Mr. President, I ask unanimous consent to have printed in the RECORD two editorials relating to the Gulf-Atlantic ship canal across Florida. One editorial is from the Winter Park Herald and the other from the Ocala Morning Banner.

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

[From the Winter Park (Fla.) Herald of Apr. 17, 1936]

MUCH ADO ABOUT NOTHING

Severe and unjustified criticism has been leveled against Florida's senior Senator, DUNCAN U. FLETCHER, because he has made an earnest and conscientious effort in behalf of the Gulf-Atlantic Ship Canal across Florida. Senator FLETCHER has not done this to please any faction in the State. On the contrary, he has supported the project because he believes in its feasibility and that it will not work injury to the water supply of Florida. After exhaustive engineering and geological surveys, expert engineers and geologists in the Federal service have definitely stated that no harm will result, and the War Department Engineers, who are in sole charge of the project, have stated that full protection will be afforded against any adverse effect upon the water supply of Florida.

Senator FLETCHER has done his simple duty in working for a project which he believes will benefit a large portion of this State, just as he has conscientiously worked in the past to secure Federal appropriations for innumerable projects of a public nature in every section of Florida.

To some extent the President has been criticized because he advanced sufficient money from the public-works funds to start the project. His action was undoubtedly taken after careful study of the reports upon the project made by the Army Engineers and other Federal authorities. It was doubtless influenced to some degree by the additional fact that the project was one which would and did give employment to thousands of men over a considerable period of time.

It is true that Senator VANDENBERG, of Michigan, regards the canal unfavorably and, through misunderstanding or misrepresentation, has temporarily checked a congressional appropriation for the project in the Senate. Senator VANDENBERG, however, is one of the Republican candidates for President, and he may personally oppose President Roosevelt before the national electorate next November. Therefore his views and statements may be regarded with mild suspicion at least.

Another well-known Floridian who has been the butt of much unfair criticism in connection with the project is George B. Hills, of the engineering firm of Hills & Youngberg. Lack of knowledge of the real facts and, probably, the fact that Hills lives in Jacksonville has resulted in his being bitterly criticized in some sections as an active canal proponent who has used his political influence in behalf of the project. His critics have even stated publicly that he has made an engineering survey for the canal, that he influenced the Federal engineers in making a favorable report, and that he had much to do with selecting a route that would carry the big waterway through Jacksonville. The following brief history indicates that there is not an iota of truth in the foregoing, and that Hills has not been involved personally, professionally, nor politically as stated:

The idea of a ship and barge canal across Florida is not new, nor did it originate in Jacksonville. An examination of such a project was first provided for by an act of Congress in March 1826. Again, in 1876, a United States Army officer made a report on a barge canal, and in 1880 the same officer submitted a further report to Congress on the subject. Advocation of a canal across the State has been practically continuous for the past 10 years. Finally, the Congress passed a river and harbor bill, and President Hoover signed it in July 1930. That bill contained not less than six separate items providing for the examination, by United States Army Engineers, of a waterway from one side of the Florida Peninsula to the other. That act was sponsored in Congress by the Florida delegation and by others from outside of the State. It included one item instructing an investigation by the United States War Department Engineers of a waterway across northern Florida to connect the Atlantic Intracoastal Waterway with the proposed Gulf intracoastal waterway by the most practicable route.

Following its universal practice, the War Department called on local interests to submit data for its consideration in the study. As a means of securing the information requested by the War Department, the city of Jacksonville employed Hills and Youngberg, engineers, to make an analysis of the shipping which had moved in the Gulf trade in the latest available year and to determine whether a canal would be of benefit to such shipping. Their report on the subject was submitted in October 1931, during the administration of former President Hoover. It was exclusively an economic study. It was the only report concerning the canal ever made by Hills and Youngberg, and they did not then nor have they at any time since made engineering studies or plans or estimates of cost of the project, nor have they made any recommendation whatsoever as to the route or location of the canal. They did report that the potential benefits as found were sufficient to justify the United States in making a complete physical and economic survey to determine full facts bearing upon the possible construction of the project.

Hills' connection with the project ended with the filing of the report referred to. He has not identified himself with nor has he been a member of any of the several organizations created to sponsor the canal project.

All subsequent studies, including physical surveys, preparation of plans and estimates of cost have been made by Federal agencies and the actual work of planning, locating, and supervising construction of the canal has been under the sole jurisdiction of the United States War Department. It may properly be added that no one, regardless of politics, can cause a favorable decision on any project from the United States War Department Engineers. They report facts as they find them, and that ends it. Incidentally, their investigations are more thorough and comprehensive than can usually be undertaken by State or local authorities, for the War Department has available the funds with which to carry out the mandates of Congress and their work is supported by an extensive background of experience in engineering, geologic and economic research.

The foregoing, which is the result of our careful check, indicates that neither Senator FLETCHER nor President Roosevelt has damaged Florida through their consideration of the canal, and that George B. Hills' identification with the project has been limited to the commercial analysis of Gulf trade shipping made by his firm in 1931.

If the canal opposition must put a finger on someone, let it be placed upon the War Department for reporting the project favorably after its searching investigation and studies. But then the War Department does things like that. It reports what it finds—not what people would like to have it find.

[From the Ocala (Fla.) Morning Banner, Apr. 19, 1936]

BACKGROUND OF CANAL

Great undertakings demand extensive preparation. As the greatest construction job in history, it is to be expected that the engineering studies preceding the start of work on the Florida ship canal were exceedingly thorough and extensive. The Chief of Engineers, War Department, has expressed it thus: "This Department has realized from the inception of this examination that the magnitude of the project required a comprehensive study and its investigations undertaken over a period of 6 years were conducted in scope and detail sufficient to establish construction costs with reasonable accuracy."

To supplement the surveys conducted by the Corps of Engineers since 1826, a special board of Army Engineers began in 1927 to examine 28 possible routes for the proposed waterway. Extensive subsurface explorations were carried out on the selected route, core drillings being made at 1-mile intervals, and some 400 wells, sinks, lakes, and drill holes being measured at regular intervals over a period of about 16 months. This is only an indication of the thoroughness with which the Army Engineers understood the job.

Further exhaustive studies were made of the economic aspects of the canal's construction. The United States Shipping Board Bureau and the Bureau of Foreign and Domestic Commerce of the Department of Commerce assisted the Corps of Engineers in this work. In addition, the Transportation Division of the Department of Commerce undertook an independent economic survey which substantiated the findings of the special board.

In October 1933 the Engineering Division of the Public Works Administration reported that "the project covered herein constitutes a public necessity and is of real social value. The project will afford much employment to many classes of skilled and unskilled labor, that the design is in accord with sound engineering practice, and that the project is economically sound."

In 1934 an intensive examination of the engineering problems involved was made by the board of review, composed of picked representatives of the Corps of Engineers and the Public Works Administration plus an outstanding private consulting engineer. The plans and estimates submitted by this board, which had the benefit of all previous surveys, were adopted under the initial allotment for start of construction of the project.

The four railroads serving Florida had raised in 1933 the question of possible depletion of the State's water supplies by drainage through the canal. In order to determine the reasonableness of such fears the board of review investigated the question with the assistance of an expert water-supply engineer who has designed extensive water systems for Florida cities. Their conclusion was that the canal's effect on the ground water reservoir would be negligible.

As this conclusion apparently failed to quiet the fears of certain sections of Florida, the chief engineer directed the appointment of a special board of engineers and geologists, who reported under date of December 18 that the effects of the sea-level canal on the underground water supply will not be serious, will be local in nature, and capable of control with reasonable expenditures for remedial works.

When the Corps of Engineers, with an unblemished record of 150 years of efficient engineering practice in the public behalf, states that there is no necessity for fearing that Florida will be damaged in any way, and certain elements persist in their public wailing and in denunciation of the Corps for turning in a favorable report, it is reasonable to assume that something other than honest doubts are involved. The engineering background of the

canal is one of the most extensive ever presented, and the conclusion unanimously reached by all investigatory bodies is that the canal is entirely feasible from an engineering standpoint. It would seem that such a preponderance of competent opinion is sufficient to determine conclusively the practicability of construction of the world's greatest waterway.

The board of review found that, based upon the economic survey of the special board of survey, which the board of review had before it, along with the report of the P. W. A. engineers, such a sea-level canal would be economically justified on a 4-percent basis up to a cost of $160,000,000.

The economic figures do not include any benefits resulting from stimulation from commerce and shipping, adjustment of freight rates and ship subsidies, reduction in hazards to shipping during the hurricane season, increased earning power of ships due to shorter time required to make the voyage, the very real value of the project as a factor in national defense, the advantage to large numbers of pleasure craft, the importance of having a link which will connect the inland waterway systems of the United States.

May there be on the part of Florida and the National Congress the spirit of him who wrote, "Now is the time for all good men to come to the aid of their party."

INTERNAL REVENUE COLLECTIONS BY STATES AND PER-CAPITA EXPENDITURES FOR FEDERAL AID

Mr. LONERGAN. Mr. President, I ask unanimous consent to insert in the RECORD tabulations prepared for me by the Secretary of the Treasury showing per-capita internal-revenue collections by States and Territories as compared with per-capita expenditures for Federal aid by States and Territories for the fiscal year ending June 30, 1935.

The report is also supplemented by a statement of the amount of internal revenue and customs receipts applicable to the State of Connecticut from 1926 to 1935.

(NOTE.—In presenting the tabulations I desire to point out the statement of the Treasury that data representing Federal tax collections in particular States have very serious limitations, and in the interest of accuracy great care must be exercised in their use. Receipts from customs and internal revenue collected in a particular State, for example, do not necessarily correspond with the amounts which the people of that State ultimately pay toward the expense of the Government. While the individual reporting income in a certain State is usually a resident of that State, his income is often derived from sources in another State. Also corporations, particularly the larger ones, pay their income taxes in the States in which their principal offices are maintained, although their physical properties may be located in other States or sections of the country, and the greater part of their profits may be derived from sales in many States. Customs duties are usually collected at the port of entry, regardless of the destination of the imported merchandise, the consumers of which ultimately pay a part or all of the duty.)

Statement showing per-capita internal-revenue collections, by States and Territories, as compared with per-capita expenditures for Federal aid, by States and Territories, fiscal year 1935

States and Territories	Population as of July 1, 1934 (Bureau of the Census estimate)	Total internal-revenue collections, including agricultural adjustment taxes [1]	Per-capita internal-revenue collections	Expenditures for Federal aid [2]	Per-capita Federal aid expenditures	Ratio of per-capita internal-revenue collections to per capita Federal-aid expenditures
Alabama	2,710,000	12,709,165	$4.69	39,450,166	$14.56	1- 3.10
Alaska	61,000	368,661	6.04	936,220	15.35	1- 2.54
Arizona	457,000	1,745,295	3.82	13,085,788	28.63	1- 7.49
Arkansas	1,876,000	3,178,318	1.69	35,444,357	18.89	1-11.18
California	6,158,000	176,844,847	28.72	107,555,783	17.47	1- .61
Colorado	1,056,000	26,326,156	24.93	33,193,665	31.43	1- 1.26
Connecticut	1,655,000	36,726,093	22.19	18,019,760	10.89	1- .49
Delaware	242,000	27,946,267	115.48	3,202,677	13.23	1- .11
District of Columbia	497,000	12,784,920	25.72	10,386,722	20.90	1- .81
Florida	1,575,000	15,205,782	9.65	30,247,845	19.20	1- 1.99
Georgia	2,911,000	32,543,245	11.18	40,863,491	14.04	1- 1.26
Hawaii	415,000	5,692,097	13.72	4,534,747	10.93	1- .80
Idaho	448,000	1,870,266	4.17	15,202,367	33.93	1- 8.14
Illinois	7,876,000	323,138,934	41.03	130,386,521	16.55	1- .40
Indiana	3,304,000	67,015,807	20.28	45,567,672	13.79	1- .68
Iowa	2,485,000	30,977,064	12.47	26,534.666	10.68	1- .86
Kansas	1,905,000	24,039,188	12.62	42,095,526	22.10	1- 1.75
Kentucky	2,657,000	89,623,094	33.73	26,119,811	9.83	1- .29
Louisiana	2,166,000	25,057,899	11.57	30,952,821	14.29	1- 1.24
Maine	804,000	6,670,401	8.30	12,278,157	15.27	1- 1.84
Maryland	1,671,000	52,921,028	31.67	22,212,646	13.29	1- .42
Massachusetts	4,335,000	114,143,799	26.33	77,848,642	17.96	1- .68
Michigan	5,093,000	135,853,971	26.67	78,196,590	15.35	1- .58
Minnesota	2,602,000	57,511,212	22.10	62,448,564	24.00	1- 1.09
Mississippi	2,057,000	2,533,880	1.23	27,377,332	13.31	1-10.82
Missouri	3,678,000	86,502,128	23.52	58,499,052	15.91	1- .68
Montana	538,000	6,165,174	11.46	23,117,927	42.97	1- 3.75
Nebraska	1,395,000	12,454,094	8.93	26,517,685	19.01	1- 2.13
Nevada	94,000	2,126,621	22.62	7,278,506	77.43	1- 3.42
New Hampshire	470,000	5,272,947	11.22	6,336,232	13.48	1- 1.20
New Jersey	4,231,000	114,428,594	27.05	66,946,764	15.82	1- .58
New Mexico	437,000	1,038,464	2.38	19,262,822	44.08	1-18.52
New York	13,059,000	672,473,494	51.50	285,378,466	21.85	1- .42
North Carolina	3,301,000	283,759,340	85.96	32,994,766	10.00	1- .12
North Dakota	688,000	1,748,658	2.54	29,676,263	43.13	1-16.98
Ohio	6,836,000	164,079,273	24.00	123,112,513	18.01	1- .75
Oklahoma	2,475,000	43,377,494	17.53	39,183,391	15.83	1- .90
Oregon	990,000	9,159,734	9.25	17,385,595	17.56	1- 1.90
Pennsylvania	9,826,000	244,355,727	24.87	192,025,667	19.54	1- .79
Rhode Island	705,000	15,450,061	21.91	5,976,177	8.48	1- .39
South Carolina	1,750,000	21,498,116	12.28	23,736,874	13.56	1- 1.10
South Dakota	705,000	1,540,795	2.19	32,447,403	46.02	1-21.01
Tennessee	2,676,000	21,488,163	8.03	30,390,269	11.36	1- 1.41
Texas	6,073,000	74,210,805	12.22	88,682,605	14.60	1- 1.19
Utah	520,000	6,304,221	12.12	17,006,358	32.70	1- .70
Vermont	361,000	1,789,732	4.96	4,379,912	12.13	1- 2.45
Virginia	2,446,000	141,348,600	57.79	23,073,115	9.43	1- .16
Washington	1,608,000	18,943,571	11.78	27,649,248	17.19	1- 1.46
West Virginia	1,786,000	10,605,166	5.94	26,844,255	15.03	1- 2.53
Wisconsin	3,005,000	51,558,703	17.16	54,317,991	18.08	1- 1.05
Wyoming	232,000	1,540,447	6.64	12,056,604	51.97	1- 7.83
Philippine Islands	12,927,000	1,270,918	.10	297	-----	----------
Puerto Rico	1,645,000	1,517,143	.92	12,396,221	7.54	1- 8.20
Virgin Islands	[3] 22,000	----------	----------	497,700	22.62	----------
Total	141,495,000	3,299,435,572	----------	2,221,313,214	----------	----------

[1] Details contained in Annual Report of the Commissioner of Internal Revenue for 1935, tables 1, 1A, and 1B.
[2] Details contained in Annual Report of the Secretary of the Treasury, fiscal year 1935, table 48.
[3] Population Apr. 1, 1930.

Division of Bookkeeping and Warrants, Apr. 15, 1936.

Federal internal-revenue tax collections and Federal-aid payments

[Division on Bookkeeping and Warrants, Feb. 4, 1936]

State or Territory	Federal internal revenue tax collections—Statement showing by States (1) the amounts and percentages of income taxes collected, and (2) the amounts and percentages of total internal revnue taxes collected, during the fiscal year ended June 30, 1935 (on a basis of collections)				Federal-aid payments—Statement showing by States amounts and percentages of total expenditures made by the Government as direct payments to States under cooperative arrangements during the fiscal year 1935	
	Income taxes	Percent of total	Total internal revenue receipts	Percent of total	Amount of expenditures	Percent of total
Alabama	$3,149,562.37	0.29	$12,709,165.16	0.39	$39,450,166.46	1.78
Alaska	281,165.82	.02	368,660.56	.01	936,220.05	.04
Arizona	711,230.67	.06	1,745,295.09	.05	13,085,787.77	.59
Arkansas	1,536,006.04	.14	3,178,317.93	.10	35,444,356.52	1.60
California	69,350,379.64	6.31	176,844,846.77	5.36	107,555,783.21	4.84
Colorado	7,199,016.05	.65	26,326,155.79	.80	33,193,664.85	1.50
Connecticut	20,637,181.18	1.88	36,726,093.09	1.11	18,019,760.26	.81
Delaware	19,864,154.94	1.81	27,946,266.65	.85	3,202,676.50	.14
Dist. of Col	8,195,647.23	.74	12,784,920.49	.39	10,386,721.74	.47
Florida	7,610,060.07	.69	15,205,781.80	.46	30,247,845.05	1.36
Georgia	7,866,999.49	.72	32,543,245.06	.99	40,863,490.67	1.84
Hawaii	4,253,875.56	.39	5,692,096.80	.17	4,534,747.06	.20
Idaho	712,492.26	.06	1,870,265.61	.06	15,202,367.08	.68
Illinois	90,382,682.74	8.22	323,138,933.65	9.79	130,386,521.06	5.87
Indiana	13,849,381.60	1.26	67,015,806.61	2.03	45,567,671.56	2.05
Iowa	6,005,405.63	.55	30,977,064.02	.94	26,534,665.73	1.20
Kansas	3,815,447.12	.35	24,039,187.92	.73	42,095,526.39	1.90
Kentucky	8,571,512.95	.78	89,623,093.90	2.72	26,119,811.10	1.18
Louisiana	7,155,175.60	.65	25,057,899.13	.76	30,952,820.58	1.39
Maine	3,764,511.27	.34	6,670,401.42	.20	12,278,156.68	.55
Maryland	22,055,364.36	2.01	52,921,027.52	1.60	22,212,645.68	1.00
Mass	50,882,728.01	4.63	114,143,798.97	3.46	77,848,641.50	3.50
Michigan	49,435,227.07	4.50	135,853,971.41	4.12	78,196,590.13	3.52
Minnesota	13,105,321.84	1.19	57,511,212.40	1.74	62,448,564.10	2.81
Mississippi	1,101,835.32	.10	2,533,879.87	.08	27,377,332.13	1.23
Missouri	28,586,921.85	2.60	86,502,128.45	2.62	58,499,052.27	2.63
Montana	1,211,068.07	.11	6,165,173.65	.19	23,117,926.90	1.04
Nebraska	3,905,469.84	.36	12,454,094.33	.38	26,517,685.44	1.19
Nevada	1,711,749.90	.16	2,126,621.31	.06	7,278,506.27	.33
N. H	2,196,853.96	.20	5,272,947.34	.16	6,336,232.14	.29
New Jersey	50,028,893.81	4.55	114,428,594.20	3.47	66,946,763.57	3.01
New Mexico	482,419.34	.04	1,038,463.97	.03	19,262,821.92	.87
New York	337,866,880.88	30.74	672,473,493.97	20.38	285,378,465.91	12.85
N. Carolina	14,647,490.43	1.33	283,759,339.83	8.60	32,994,765.72	1.49
N. Dakota	489,532.19	.04	1,748,657.69	.05	29,676,262.71	1.34
Ohio	52,643,766.48	4.79	164,079,273.17	4.97	123,112,512.80	5.54
Oklahoma	9,478,969.08	.86	43,377,493.63	1.31	39,183,391.37	1.76
Oregon	2,625,211.43	.24	9,159,733.63	.28	17,385,595.41	.78
Pennsylvania	89,542,324.84	8.15	244,355,727.32	7.41	192,025,666.83	8.64
Rhode Island	7,804,085.11	.71	15,450,061.46	.47	5,976,176.94	.27
South Carolina	3,090,228.81	.28	21,498,115.87	.65	23,736,874.09	1.07
South Dakota	495,536.52	.05	1,540,795.49	.05	32,447,402.83	1.46
Tennessee	8,303,599.99	.76	21,488,163.12	.65	30,390,269.37	1.37
Texas	24,944,952.54	2.27	74,210,805.18	2.25	88,682,605.48	3.99
Utah	1,750,246.63	.16	6,304,221.23	.19	17,006,357.81	.77
Vermont	933,816.13	.08	1,789,731.92	.05	4,379,912.41	.20
Virginia	10,792,203.15	.98	141,348,599.66	4.28	23,073,115.39	1.04
Washington	5,847,749.98	.53	18,943,571.25	.57	27,649,248.45	1.24
West Virginia	5,305,394.59	.48	10,605,166.22	.32	26,844,255.14	1.21
Wisconsin	12,306,618.72	1.12	51,558,702.60	1.56	54,317,990.90	2.45
Wyoming	746,033.60	.07	1,540,446.78	.05	12,056,603.92	.54
Philippine Islands			1,270,918.26	.04	297.43	
Puerto Rico			1,517,142.94	.05	12,396,221.06	.56
Virgin Islands					497,700.00	.02
Total	1,099,230,382.70	100.00	3,299,435,572.18	100.00	2,221,313,214.34	100.00

Internal revenue and customs receipts applicable to the State of Connecticut from 1926–35

[Division of Bookkeeping and Warrants, Apr. 15, 1936]

Year	Internal revenue receipts	Customs recepits [1]	Total [2]
1926	$35,536,825.43	$784,909.12	$36,321,734.55
1927	36,110,447.88	921,800.07	37,032,247.95
1928	36,114,139.76	951,679.01	37,065,818.77
1929	42,215,118.85	1,223,223.48	43,438,342.33
1930	48,391,389.35	1,032,562.81	49,423,952.16
1931	37,886,348.65	628,573.24	38,514,921.89
1932	20,406,345.03	497,928.75	20,904,273.78
1933	18,414,424.85	356,153.40	18,770,578.25
1934	29,155,837.74	566,804.12	29,722,641.86
1935	36,726,093.09	666,084.06	37,392,177.15
Total	340,956,970.63	7,629,718.06	348,586,688.69

[1] Figures from 1926 to 1931, inclusive, embrace tonnage tax collected for the Department of Commerce and miscellaneous taxes collected for other bureaus, etc. Figures from 1932 to 1935, inclusive, embrace customs duties only.

[2] It is not practicable to segregate miscellaneous receipts of the Government applicable to Connecticut.

THE PHILIPPINE ISLANDS—LETTERS OF GEN. WILLIAM C. RIVERS

Mr. FRAZIER. Mr. President, I ask unanimous consent to have printed in the RECORD an article appearing in the Washington Post on the neutralization of the Philippines and an article appearing in the New York Herald Tribune on home rule for the Moros.

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

[From the Washington Post of Mar. 26, 1936]

NEUTRALIZATION OF THE PHILIPPINES

To the EDITOR OF THE POST.

SIR: May a retired officer, for a decade a civil servant of the Philippine government when loaned for constabulary police work in all parts of the archipelago, say a word about the letter from a Filipino resident of Manila in the Post of the 24th instant?

Mr. De Los Reyes says that hundreds of Filipinos do not desire independence. He fears economic difficulties and apprehends Japanese annexation of the Philippines—after the 10-year interim. His plea is in effect one for a continuance of the present status. Mr. De Los Reyes expresses gratitude for what the United States has done for the Filipino people. I wonder if he realizes what further sacrifices he asks of the American people.

Our Government would be responsible—single-handed—for the condition and the defense of the islands, while the autonomous Philippine government would have all power over local affairs and administration. This would involve a permanent division of our fleet—a weakness. We would be faced with a permanent extension of the annual expenditure of some $12,000,000 our people now bear for the cost of the American naval and military forces kept in the Philippines. Such a dominion status for a people 8,000 miles from a capital, who have been given complete autonomy, including the suffrage, habeas corpus, and so on, has existed only where the people were of the same race as those of the controlling state.

Where are the Filipino Patrick Henrys who fought two long wars against Spain and America for independence? I believe the masses in the Philippines earnestly desire the independence we promised them. There is no evidence that the Japanese Empire will destroy the Philippine Republic. For some decades to come the Japanese will have other fish to fry—will be fully occupied about Russia and matters in China. Japan would not take on tasks in the Philippines that would require a permanent division of her fleet.

Always free to settle in the Philippines, there are but 20,078 Japanese among the 12,000,000 Filipinos. The latest reports show a decrease in the Japanese in the islands of some 1,438 the last 5 years. The neutralization of the Philippines would be to the selfish or national interests of the six nations with great interests in the Far East. Therefore such a course as is prescribed in the independence act of our Congress would seem wise and practicable.

WILLIAM C. RIVERS,
Major General, United States Army (Retired).

NEW YORK, *March 24.*

[From the New York Herald Tribune of Apr. 10, 1936]

HOME RULE FOR MOROS SUGGESTED AS A MEANS OF ENDING TURBULENCE

To the NEW YORK HERALD TRIBUNE:

Your interesting editorial article of the 5th instant is, I believe, a correct estimate of the principal cause of the continued trouble with the Moros in the south Philippines. You state that the Moro people are unwilling to be Filipinized—or Americanized, or Christianized.

I feel that the Philippine Commonwealth government would be wise to follow a common practice in the rule of minorities of a different faith and grant home rule to the Moro Provinces. There might be some difficulties in such a course, as the Moros are at present unable to pay their own way. The Filipino people have defrayed the cost of their own government and of the sundry improvements carried out in the islands. They have also borne the larger share of the expense of government and education in the extreme southern islands.

However, there would be no great difficulty involved in gradually giving the Moro Provinces at least a government by Moro officials, with a constabulary police force composed of Moro officers and Moro soldiers. Such a measure of home rule would stimulate Moro progress and benefit the Commonwealth by decreasing the racial friction. It would also lower the cost of government in the southern Provinces. The American Government gave home rule to the Filipinos as soon as possible. The result was general good feeling and cooperation between the two peoples.

I served the Philippine government for a decade and resided in and worked in many parts of the Archipelago, including the Moro country.

WILLIAM C. RIVERS,
Major General, United States Army (Retired).

NEW YORK, *April 8, 1936.*

MISSISSIPPI RIVER FLOOD CONTROL

The Senate resumed the consideration of the bill (S. 3531) to amend the act entitled "An act for the control of floods on the Mississippi River and its tributaries, and for other purposes", approved May 15, 1928.

The VICE PRESIDENT. The question is on agreeing to the first amendment reported by the Committee on Commerce.

When the Senate concluded its session on Friday last the Senator from Louisiana [Mr. OVERTON] had the floor and had not concluded his remarks, the RECORD showing that he yielded to the Senator from Arkansas to move a recess. The Senator from Louisiana is now entitled to the floor.

Mr. OVERTON. Mr. President, when the Senate recessed Friday afternoon I had proceeded in the discussion of the pending bill to the point where I was presenting to the Senate what had been done under the adopted plan and the modifications thereto proposed in the Markham report. In yielding to various Senators who desired information, I discussed many phases of the bill perhaps out of their logical sequence. I was very glad to do so and shall be very glad this morning to yield to any Senator who desires information, because it is my desire, to the extent of my knowledge, to inform the Members of this body in respect to the pending bill and the plan to which it refers.

Mr. VANDENBERG. Mr. President——

The VICE PRESIDENT. Does the Senator from Louisiana yield to the Senator from Michigan?

Mr. OVERTON. Certainly.

Mr. VANDENBERG. The Senator was very generous in answering my questions Friday, and I submit but one more. Can the Senator tell me how much of the $272,000,000 estimated to be covered by the bill as a whole is involved in section 5, the White River project?

Mr. OVERTON. Twelve million dollars.

Mr. VANDENBERG. I thank the Senator.

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

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

Mr. OVERTON. I yield.

Mr. KING. I should like to inquire what part of the $272,153,424 heretofore appropriated has been expended upon the projects involved in the bill before us?

Mr. OVERTON. Practically all of that amount has been expended, or allocated, to meet contracts connected with the plan.

Mr. ROBINSON. Mr. President, will the Senator yield at that point?

Mr. OVERTON. I am glad to yield.

Mr. ROBINSON. It is my information that there remains $50,000,000, or approximately that amount, which is available for expenditure under the proposed modification.

Mr. KING. At any rate, may I inquire, the $272,000,000 heretofore appropriated will all be expended, and, in addition, the $300,000,000 carried by the pending bill?

Mr. OVERTON. Permit me to correct the Senator. The $272,000,000 is the authorized appropriation carried by the pending bill. There was an authorization of $325,000,000 under the Flood Control Act of May 18, 1928.

Mr. KING. I presume the $325,000,000, instead of $272,000,000 as I had assumed, either has been expended or has been contracted for?

Mr. OVERTON. Not all of the $325,000,000. That is the authorized appropriation, but something like $270,000,000-odd has been expended or contracted to be expended under the Flood Control Act of May 15, 1928.

Mr. KING. Is it anticipated that all of the $325,000,000 authorized will be expended?

Mr. OVERTON. That is my assumption.

Mr. KING. And in addition, then, there will be the $272,000,000 carried by the bill now before us?

Mr. OVERTON. That is correct.

Mr. KING. So there will be over $500,000,000 for the Louisiana project provided in the authorization of 1928 and the present bill?

Mr. OVERTON. The Senator is correct in stating that this bill provides for an increase in the authorized appropriations, but he is in error in assuming that the money is to be expended solely in Louisiana. The money which was appropriated heretofore and the money which is authorized to be appropriated under the pending bill is to be spent all the way up and down the Mississippi Valley from Cape Girardeau, Mo., to the Gulf of Mexico. It is to be expended in Missouri. It is to be expended in Arkansas. It is to be expended in Mississippi. It is to be expended in Louisiana. This is a mammoth project intended to protect adequately all of that great alluvial valley.

Mr. KING. Mr. President, may I submit a further inquiry?

Mr. OVERTON. I yield.

Mr. KING. What part of the $325,000,000 authorized by the act of 1928 has been expended north of the northern boundary line of Louisiana?

Mr. OVERTON. I am sorry I have not that break-down; but the Senator, who has followed the discussion of the bill and my statement in reference to what has been done on the program, will readily understand that thus far there has been about an equal distribution of the amounts expended with respect to the different States taking into consideration the length of the levees which were constructed in each State. There has been an effort made to have a uniform system of levees through the different States and therefore there has been a more or less uniform expenditure in all the States within the valley.

Mrs. CARAWAY. Mr. President——

The VICE PRESIDENT. Does the Senator from Louisiana yield to the Senator from Arkansas?

Mr. OVERTON. Certainly.

Mrs. CARAWAY. Is it not true that the Army engineers have stated that most of the money heretofore appropriated has gone for the repair of breaks in the levees and there has not been a sufficient amount to raise the levees to a real protection height?

Mr. OVERTON. That is true with reference to the appropriations made prior to 1928. The Senator is correct in that regard. There has been very little, if any, breakage or crevassing in the levees since 1928.

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

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

Mr. OVERTON. I yield.

Mr. KING. Perhaps the Senator intends to discuss later the statement contained in the report with respect to the amendments to the bill as to compensation?

Mr. OVERTON. I have already discussed that rather fully, as the Senator may recall.

Mr. KING. I was compelled to be out of the Chamber during a part of the presentation of the matter by the Senator from Louisiana.

Mr. OVERTON. I may conclude to submit additional observations when I reach the discussion of that particular section of the bill.

Mr. KING. Then I undedstand the Senator is not insisting, as the report seems to insist, upon just compensation in the sense that the property owners must go into court to secure payment of the full amount?

Mr. OVERTON. As I endeavored to explain last Friday, what the amendment now offered proposes to accomplish is that there shall be no construction on the Eudora floodway and its northern extension and on the Morganza floodway, until the Secretary of War shall have acquired, or else shall have obtained options or satisfactory assurances of options, to cover 75 percent of the estimated value of the flowage rights, at a cost for the 75 percent of not to exceed $20,000,000. Then if there are any property owners within the remaining 25 percent who are unwilling to grant flowage rights or who ask unreasonable prices for flowage rights, the Secretary of War will be authorized to proceed with condemnation proceedings. When condemnation proceedings are instituted and the court passes upon the value of Mr. A's or Mr. B's flowage rights, the court will follow the just-compensation rule provided by the Constitution of the United States.

When, however, the Secretary of War shall have acquired flowage rights to the extent of 75 percent of the estimated value at prices satisfactory to him, such acquisition will be very largely an establishment of the value of flowage rights throughout the territory embraced within the floodways; and I do not anticipate, nor does the Secretary of War now anticipate, nor does the Chief of Engineers

anticipate, that there will be any unreasonable charges for the flowage rights, or any extravagant sums allowed by the courts in cases of condemnation.

The Senator from Utah will further bear in mind that when condemnation proceedings are instituted to acquire these flowage rights, the Secretary of War proceeds in the Federal courts, not in the State courts, and that an appraisement is made of the value of a flowage right by three commissioners appointed by the Federal court, whose award, when confirmed by the Federal court, is final. Therefore, every safeguard is thrown around the Public Fisc in the acquisition of these flowage rights.

Mr. President, on Friday afternoon I had proceeded in my march down the valley to a point opposite the mouth of the Arkansas River. I had shown what had been done in all the area extending from Cape Girardeau on down to the south bank of the Arkansas River, and the modifications proposed. I had discussed the Yazoo Valley, and also various features and provisions of the bill.

Beginning at the south bank of the Arkansas River, there appear upon the map broken lines which show the existence of what is known as a fuse-plug levee. The fuse-plug levee begins just south of the Arkansas and extends down to Luna Landing, a distance of approximately 65 miles. The fuse-plug levee is 3 feet or more lower than the 1928 grade and section levee. It has been left there by design, in order that the excess waters of the Mississippi River, in case of major floods, may spill over the fuse-plug levee and crevasse it. It was intended that the Boeuf floodway should take up that overflow and carry it on down safely into the Atchafalaya floodways, and thence on down to the Gulf of Mexico.

But, Mr. President, the Boeuf floodway has not yet been constructed. It is to be substituted by the Eudora floodway. In the meantime, the fuse-plug levee, left there for the intended purpose of being overtopped and of crevassing, stands as a menace to all southeastern Arkansas and to all eastern Louisiana on down into the Atchafalaya Basin. Under the plan recommended by General Markham, the fuse-plug levee is to be retained, but back of it is to be built a protection levee that will prevent the overflow of the rest of that basin; and toward the southern end of the fuse-plug levee there is to be constructed the Eudora floodway. The Eudora floodway will have a controlled intake. Its channel will be leveed on each side, so as to hold the water within the leveed channel of the floodway. That floodway remains to be constructed.

Going on down the river from the Eudora floodway to the Atchafalaya River the levees have been practically completed. There is some work still remaining to be done; but when we reach the Atchafalaya River we find a situation which is comparable with the situation which exists at the mouth of the Arkansas River. We find again that the leveed channel of the Mississippi River is utterly incapable of holding the water in major floods. The capacity of the leveed channel of the Mississippi River from the mouth of Red River and the source of the Atchafalaya River on down to the Gulf is approximately 1,500,000 cubic feet per second.

At that point the Atchafalaya River, which rises at Old River and at the mouth of Red River, has been, and still is, a natural relief outlet to the overcharged Mississippi River in times of high water. It has a drainage capacity of 500,000 cubic feet per second; but that is insufficient, because there must be diverted additionally from the Mississippi another 1,000,000 feet. So there is now being constructed on the west bank of the Atchafalaya River a floodway which will take care of 500,000 second-feet of this surplus water.

On the east bank of the Atchafalaya, General Jadwin in his report, and in the project he submitted which was adopted by Congress, provided another floodway. That floodway is to remain, but under the Markham plan it is to be relocated at a place where it will be more serviceable. It is now known as the Morganza floodway. It will have a carrying capacity of 500,000 cubic feet per second. Therefore at this point there will be relief outlets that will be capable of taking care of 1,500,000 cubic feet per second, and carrying that volume of water down to the Gulf of Mexico.

In the lower reaches of the Atchafalaya it is proposed to construct an outlet west of Berwick Bay that will give a quicker and shorter flowage of the Atchafalaya waters into the Gulf of Mexico, and which will have a carrying capacity of 500,000 cubic feet per second. That is known as the Clarenton outlet.

Leaving the Atchafalaya River, we find that on down toward New Orleans the levees have been practically completed. Just above New Orleans there has been constructed the Bonnet Carre spillway, which has a drainage capacity of 250,000 cubic feet per second.

Mr. President, I have now shown what has been done under the authorization of the Flood Control Act of 1928, and the modifications thereof proposed under the Markham plan, which are incorporated in the pending bill.

I wish to say that we are now dealing with the gravest and most stupendous flood problem in the United States.

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

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

Mr. OVERTON. I yield.

Mr. SHIPSTEAD. Can the Senator tell us what is the normal flow of the river below the mouth of the Arkansas?

Mr. OVERTON. The Senator means, I presume, between the leveed channels?

Mr. SHIPSTEAD. Yes; within the normal channel of the river, including the levees.

Mr. OVERTON. Two million second-feet.

Mr. SHIPSTEAD. And a million and a half second-feet of surplus?

Mr. OVERTON. A million feet will have to be diverted at that point, because the maximum predicted flood will bring into the Mississippi River, at the latitude corresponding to the mouth of the Arkansas River, 3,000,000 cubic feet per second. Therefore, there must be diverted 1,000,000 feet of this excess water, because the levees are being built as high as it is safe and economical and prudent to build them.

Mr. SHIPSTEAD. The Senator, I believe, is a member of the Commerce Committee.

Mr. OVERTON. I am.

Mr. SHIPSTEAD. Has the committee considered the question of whether or not floods could be controlled farther up the Arkansas and Mississippi Rivers and their tributaries; or has the committee had any survey made to ascertain whether or not that could be done?

Mr. OVERTON. Such a survey has been made, and I went into the subject fully on Friday afternoon. Possibly the Senator from Minnesota was not present in the Chamber at the time I was discussing it; but, briefly, I may say to the Senator that in response to congressional mandate the Chief of Engineers and the Mississippi River Commission made a study of the control of flood waters in the Mississippi Valley by the location of reservoirs at the headwaters of the tributaries of the whole Mississippi River system. They reported that such reservoirs, in order to be effective, would have to be detention reservoirs, used solely for flood-control purposes; that they would cost $1,250,000,000; and General Markham, testifying the other day before the Commerce Committee of the Senate, said that notwithstanding the construction of those reservoirs, it would still be necessary to have these levees on the Mississippi River, and to have floodways of the character suggested in the Jadwin and Markham plans.

I will say to the Senator that we down in the valley would welcome reservoirs, because they are additional factors of safety. But by reason of their stupendous cost I am not asking that they be incorporated in the pending bill, which relates exclusively to flood control in the lower valley, because the Markham-Jadwin plan is a complete plan in itself. If put into execution this plan will fully and adequately solve the flood-control problem in the lower Mississippi Valley.

Mr. SHIPSTEAD. Mr. President, can the Senator tell us how many plans there have been in the last 50 or 60 or 100 years?

Mr. OVERTON. Down in the lower Mississippi Valley, up until 1928, in practice there was only one plan, and that was the construction of levees. The levees were built higher and broader from year to year, from decade to decade, and from generation to generation; but it was found that levees only would not solve the problem and something else had to be done. That something else which has to be done is taking care of surplus waters which the levee channels will not hold, and conveying them through artificial channels to the Gulf of Mexico.

Mr. SHIPSTEAD. Will the Senator yield further?

Mr. OVERTON. I am very glad to yield to the Senator from Minnesota.

Mr. SHIPSTEAD. Do the engineers seem to think that if the proposed work is done it will take care of the floods in the future?

Mr. OVERTON. Absolutely and unqualifiedly.

Mr. SHIPSTEAD. I hope their predictions are more reliable than they have been in the past on the question of floods in the lower Mississippi.

Mr. OVERTON. I do not think the Army Engineers have ever declared that without the creation of such floodways as are planned the lower Mississippi Valley would be safe. I will get to that in a moment.

Mr. SHIPSTEAD. I will not interfere with the Senator.

Mr. OVERTON. I am very glad to yield to the Senator for any further question he may desire to ask. But I was undertaking to show now the character of the problem with which we have had to deal in the lower valley for over 200 years.

Let me say to the Senator from Minnesota that the first levee on the Mississippi River was constructed in 1717. It was built in order to protect the city of New Orleans. It was a small levee, but at that time it served at least as a modicum of protection to that then infant city.

Levees were originally undertaken by private enterprise. Royal grants of riparian lands in colonial days contained the provision that the beneficiaries of these grants would have to build levees on the Mississippi River in order to protect their property and the property of others. It was found, however, that private enterprise could not cope with this great problem. Then the police juries passed ordinances requiring every able-bodied man residing within an area of 7 miles from the Mississippi River to work upon the levees. It was found that that was an unsuccessful plan. The higher the levees were built, the higher the flood stages during the succeeding decades and generations.

Finally, levee districts were formed, and those levee districts proceeded to impose taxes, and to undertake, out of the current avails of those taxes, to build levees which would hold in the waters of the mighty Mississippi. It was found that they could not build levees big enough and strong enough out of the current avails of the taxes they imposed. They proceeded then to anticipate their revenues by issuing bonds, and bond issue after bond issue was floated, and taxes after taxes were imposed, and the avails of these bond issues were employed in building up the levees. The history of the valley shows that on an average of every 5 years we have a destructive flood, and those floods coming down the river have crevassed our levees and broken their lines. The people in the valley, however, with resolution and with courage, after each flood imposed higher taxes, rebuilt their destroyed homes, and undertook to build levees still higher and still broader so as to control the mad currents of the great Father of Waters.

Mr. President, I do not think there appears in the annals of American history an example of greater persistence and patience, of greater courage and fortitude, than that presented by the denizens of the lower Mississippi Valley in fighting floods. Up to 1927, they had contributed the stupendous sum of $292,000,000 for flood control and flood protection, and since the flood-control law of 1928 was enacted, there have been local contributions, according to a report submitted by the Mississippi River Commission last year, of $41,000,000 in addition.

The Federal Government, at an early date, realized what this problem was, and began to take an interest in it. Such eminent statesmen as John C. Calhoun, Henry Clay, Abraham Lincoln, Thomas H. Benton, and Horace Greeley, were advocates of participation by the United States in flood protection in the lower valley.

Mr. KING. Mr. President, will the Senator yield for a question?

Mr. OVERTON. I yield.

Mr. KING. As the Senator is so eloquently proceeding to discuss the devastation caused by the river, I was wondering whether there is any historical evidence showing that there has been an increase in the volume of floods during the past 150 or 200 years, and if so, whether that has been the result of the denuding of timberlands above, clear up to the headwaters of the Mississippi and the Missouri. In other words, is the flow now greater than it was back in the days of the battle of New Orleans?

Mr. OVERTON. I have no data to furnish to the Senator from Utah in answer to his query. I think, however, that beyond any question the floods have increased from decade to decade and generation to generation, and for the reason suggested by the eminent Senator from Utah.

The great Mississippi River system represents a tremendous drainage area, covering practically one-half of continental United States, and part of the Dominion of Canada. Before the white man set foot in America, that great drainage system was covered largely by forests, and the undergrowth and humas of those forests not only arrested the flow of the waters, but also permitted infiltration and absorption. The Great Plains out West which are drained by the Mississippi River were covered with wild grasses and other vegetation, and the roots of the coverage in the soil not only arrested the flow of water, but also permitted untrammelled the processes of absorption and filtration.

Then there were the great swamp reservoirs which existed at different places in the valley. But as time went on, as our pioneer fathers undertook the conquest of this continent, they proceeded to clear the woodlands in order to make way for the farms. The plains out West were subjected to the plow of the farmer. Drainage districts were established throughout the vast valley. Industry began its devastating work upon our forests by converting them into lumber, and the natural reservoirs to which I have just referred were drained and reclaimed.

The result was that there has been, to my way of thinking, and according to my theory about it, a constantly increasing flow and acceleration of the run-off from all of this vast fan-shaped drainage area, extending from the Alleghenies to the Rockies, and therefore the floodwaters have increased in volume and in acceleration as they have gone on down into the lower Mississippi Valley.

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

Mr. OVERTON. I yield.

Mr. FLETCHER. I take it that if the Government constructs the floodways, the Government will be expected to maintain them. Have we any figures as to the cost of maintenance of such floodways as the Senator now advocates?

Mr. OVERTON. There is no estimate of the cost, but presumably the cost of maintaining a floodway will be very small. To begin with, the Morganza floodway will not, within the contemplation of the engineers, be used oftener than once in 10 years. The Bonnet Carre spillway now fully completed, may be used once in 5 years, but that is a very short floodway. The Eudora floodway will be used on an average of once in 15 years. Those floodways are not to be dredged or canalized. They are created simply by constructing levees and through these confining levees the waters of the floodways pass. It will not be necessary to maintain on those floodways the mammoth levees that are constructed on the Mississippi River.

Mr. FLETCHER. I understand that; but there will be some flow of water through those floodways?

Mr. OVERTON. Yes; but what I wished to say, in addition to that, is that the burden of maintaining the levees

after construction is upon the local governmental subdivisions and not upon the Federal Government.

Mr. FLETCHER. The levees along the floodways will be maintained by the local governments?

Mr. OVERTON. The levees along the floodways will be maintained by the local governments.

Mr. FLETCHER. Will the local governments have charge of the operation of the floodways? Will they keep persons there who will open the gates or close the gates, as the case may be?

Mr. OVERTON. They will have charge, and they will have control of the intake, and they will maintain the intake and will keep it as high as may be desired and as low as may be desired. That is left to the discretion of the Chief of Engineers.

Mr. FLETCHER. But not at the expense of the Federal Government?

Mr. OVERTON. Yes. The openings to the floodways will be controlled and maintained by the Federal Government, but the floodway levees and all the levees will be maintained at the expense of the local governments.

Mr. FLETCHER. Reference has been made to reservoirs. I take it that the maintenance of those reservoirs will involve a very considerable expense.

Mr. OVERTON. There is no provision made in my bill for reservoirs.

Mr. FLETCHER. I know; but some suggestion has been made that the situation might be cured by building reservoirs farther up the river for control purposes. In the case of those reservoirs, maintenance is quite an item; is it not?

Mr. OVERTON. It is an item, but not such a large item. After the reservoirs and flood-control works are constructed, the maintenance is not so heavy. I will say to the Senator that there are no reservoirs provided for in my bill. It provides solely for a system of levees and floodways.

Mr. President, I was making some observations with respect to the contributions which have been made by the Federal Government toward flood control in times past. Before the War between the States small appropriations were made in order to have surveys undertaken and reports made in respect to these surveys. The most important report was made in the year 1861, after 5 years' study of flood-control problems in the lower valley had been made by Army Engineers. No appropriation for flood-control work was made, however, until the year 1881. Then $1,000,000 was appropriated by the Federal Government. In 1882, $4,000,000 was appropriated, and after that there were annual appropriations.

In the beginning of this century the appropriations rose to the sum of $6,000,000 per annum, and along about 1916, according to my recollection, they were increased to $10,000,000 per annum, but, as General Markham has stated, these appropriations were largely wasted, because an adequate and proper plan was not being put into effect. This money was used in repairing the broken lines of levees extending from Cape Girardeau to the Gulf. That is a distance of 1,100 miles, and therefore the double line of levees which has to be covered represents a distance of almost 2,000 miles. The appropriation was inadequate to undertake a permanent solution of this problem.

Then came the great flood of 1927, which excited more popular interest than any other flood in the lower valley. It was scores of miles in width and hundreds of miles in length. The records show that $200,000,000 of property was destroyed, over a hundred lives were lost, and 700,000 people placed in refugee camps, not only for days, not only for weeks, but for months. The national conscience was aroused, and the then President—Coolidge—called into requisition his Army Engineers and the Mississippi River Commission. He sent down into the valley Herbert Hoover, then Secretary of Commerce, and himself a great engineer. They studied this question for almost a year. They had back of them the benefit of the studies of the Mississippi River Commission, which had been created in 1879, and for half a century had devoted its time and attention to a consideration of this great problem. They also had back of them the experience of 200 years of fighting floods in the lower valley, and they came back with this plan, which was adopted by Congress, and it is a plan of levees and of floodways. It is, according to the Engineers, the only plan, a complete plan, that will solve our difficulties in the valley. It is this plan, with the modifications I have mentioned, the completion of which the bill undertakes to authorize.

Mr. President, I shall now take up the bill itself and present to the Senate each section. Section 1 of the bill adopts the engineering features of the Markham plan, which I have already discussed and presented.

Section 2 relates to the substitution of the Eudora floodway for the Boeuf floodway. I have gone into a thorough discussion of that phase of the bill.

Section 3 provides that the levees along the Mississippi River from the head of the Morganza floodway to the Atchafalaya River shall be raised and enlarged to 1928 grade and section. That is a mere incident of the Markham plan.

Section 4 relates to the Yazoo River and St. Francis River Basin projects, and I have discussed those projects with fair fullness.

Section 5 provides for the White River emergency reservoir. I discussed that last Friday afternoon.

Section 6 provides for drainage made necessary by the construction of floodway levees included in the modified project.

Section 7 is to be amended in accordance with an amendment suggested by the Chief of Army Engineers. The original bill provided that the United States shall construct at its own cost such railroad and highway crossings over the floodways provided for in the modified project as are deemed necessary by the Chief of Engineers for the convenience of the public, provided that the appropriate railroad or highway agencies agree to accept and maintain and operate these crossings without cost to the United States. The original bill left the discretion in the Engineers as to just what railroads and what highways should be elevated above the floodways.

The Chief of Engineers prefers to exercise his discretion now. In the proposed amendment to section 7 it is provided:

> That the United States shall construct, at its own cost, one railroad and one highway crossing over the Eudora floodway and not to exceed three railway and two highway crossings over the Morganza floodway, and not to exceed one railway crossing (together with suitable physical connections therewith), and one highway crossing over the floodway west of the Atchafalaya River provided for in the modified project: *Provided*, That equitable agreements can be made with the railroad and highway authorities concerned, and that the appropriate railroad or highway agencies agree to accept and maintain and operate these crossings without cost to the United States: *Provided further*, That the railroads crossing the Morganza and West Atchafalaya floodways agree in consideration for the crossings constructed to waive all claims against the Government for any damages that may occur by reason of overflows in the Morganza and West Atchafalaya floodways: *And provided further*, That other railway and highway damages shall be adjusted as provided for in section 12.

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

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

Mr. KING. I wish to inquire whether the cost referred to in the amendment just read will come out of the $272,000,000 now carried by the bill?

Mr. OVERTON. It is estimated that the $272,000,000 will be sufficient to cover the cost. I hope that that estimate is correct. If, however, I may say to the Senator from Utah, another million or two million may be required in future years and this body is honored with his presence, as I hope it will be, I am quite sure that he will not withhold an additional few million dollars in order to complete the project.

Mr. KING. Mr. President, we are so prodigal in our expenditures, I have no doubt if it were ten or twenty million dollars more, if the able Senator from Louisiana would make the eloquent speech then that he is making now, it will be granted very quickly.

Mr. OVERTON. I thank the Senator for his very complimentary reference to my feeble effort.

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

Mr. OVERTON. I yield to the Senator from Minnesota.

Mr. SHIPSTEAD. How long since the estimate of cost was made? When was it made?

Mr. OVERTON. The estimate of cost was made when the Markham plan was submitted last year, in 1935. There is a break-down of it in the hearings on page 35.

Then when the bill was submitted to the Secretary of War, the Chief of Engineers, may I say to the Senator from Minnesota, reviewed the estimate and made his recommendation accordingly, as shown by the report of the Secretary of War on the pending bill.

Section 11 provides for the northern Eudora extension, which I have discussed.

Section 12 is to be revised by an amendment suggested by the Chief of Engineers and agreed to by myself and by the committee. That section provides for the acquisition of the flowage rights, and the proposed amendment has been thoroughly debated by myself and by other Senators.

Section 13 authorizes the appropriation of $272,000,000. It is contemplated that the program will require 6 years for its completion. The bill now has the approval of the Chief of Engineers, with the sole exception of section 5, and, consequently, the approval of the Secretary of War, and the Secretary of War has declared in his report that it is in accord with the program of the President. Therefore I assume that it will receive Executive approval.

All I ask, Mr. President, in presenting this bill, and in closing, is that there be an authorization to complete this project upon which the Federal Government has already expended some two-hundred-and-seventy-odd million dollars, and the local interests some $41,000,000 in addition. If it is not done, it will represent, to a very large extent, a willful, woeful waste on the part of the Federal Government. The Mississippi Valley will remain unprotected. The completion of this plan is absolutely necessary to the protection of the valley.

Mr. KING. Mr. President——

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

Mr. KING. The Senator said, as I understood him, that section 5 does not have the approval of the War Department?

Mr. OVERTON. I so stated.

Mr. KING. I should be glad to have the comment of the Senator on that.

Mr. OVERTON. I shall do so briefly. I commented upon it last Friday afternoon.

Mr. KING. I regret I was not then present.

Mr. OVERTON. Section 5 is what might be said to be a mere incident in this whole plan, but a very important one, in my view. The project which it provides will cost $12,000,000. It fits into the picture; it has been recommended by the Mississippi River Commission, and in my opinion it ought to be included.

Mr. KING. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FRAZIER in the chair). The clerk will call the roll.

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

Adams	Clark	Holt	O'Mahoney
Ashurst	Connally	Johnson	Overton
Austin	Coolidge	King	Pittman
Bachman	Copeland	La Follette	Pope
Bailey	Couzens	Lewis	Radcliffe
Barbour	Davis	Logan	Reynolds
Barkley	Dickinson	Lonergan	Robinson
Benson	Dieterich	Long	Russell
Bilbo	Donahey	McAdoo	Schwellenbach
Black	Duffy	McGill	Sheppard
Borah	Fletcher	McKellar	Shipstead
Brown	Frazier	McNary	Steiwer
Bulkley	George	Maloney	Thomas, Okla.
Bulow	Gibson	Metcalf	Thomas, Utah
Burke	Glass	Minton	Townsend
Byrd	Guffey	Moore	Tydings
Byrnes	Hale	Murphy	Vandenberg
Capper	Harrison	Murray	Van Nuys
Caraway	Hastings	Neely	Wagner
Carey	Hatch	Norris	Walsh
Chavez	Hayden	Nye	White

The PRESIDING OFFICER (Mr. MURRAY in the chair). Eighty-four Senators having answered to their names, a quorum is present.

Mr. ROBINSON. Mr. President, the measure which is now before the Senate is of very great importance. Following a very disastrous flood which swept over a large portion of the central and lower Mississippi Basin in 1927, plans were initiated for protection against a recurrence of such disaster. The Mississippi River Commission and the engineering agencies of the Government concentrated their efforts, under instructions from the Congress or one or the other of the branches of Congress, on producing a comprehensive method of dealing with the subject.

It was not found practicable then to work out a plan or method in all its details which would provide for flood control in all the vast area of the Mississippi River Basin, particularly as the same is affected by the tributaries of the Mississippi; but surveys were entered upon and plans were suggested. However, the plan known as the Jadwin plan, so-called because General Jadwin was then Chief of Engineers of the United States Army, was enacted into law. Work under that plan proceeded. A material, indeed one might say the major, portion of the works was constructed.

As a vital part of that plan, regarded as indispensable by all the engineers, both those of the Mississippi River Commission and the Army Engineers, a floodway known as the Boeuf Basin floodway, with outlets just below the mouth of the Arkansas River and extending a distance of about 32 miles to the south, was authorized. Actually that floodway has an outlet of more than 60 miles, for the reason that the Engineers, in constructing the levees contemplated by the law, left a wider outlet than the law provided for as an additional measure of safety.

Of course, the theory of the Boeuf Basin floodway was that it constituted a natural area over which the surplus waters of the Mississippi, the waters which in floodtimes could not be carried between the levees, would find their way through crevasses in the levee system. As a result of the devotion of that vast area, something more than 1,125,000 acres, to the prospective floodway, serious consequences have resulted.

As stated during the address of the Senator from Louisiana [Mr. OVERTON] on one occasion when I interrupted him, the opposition of landowners and residents within the proposed Boeuf Basin floodway proved so great and the difficulties encountered in obtaining flowage rights appeared so insurmountable that no work on the floodway was done. At the instance of the people residing in the lower Mississippi Valley, resurveys were made and reviews were undertaken by representatives of the engineering departments of the Government. Those reviews and resurveys were comprehensive and were carried on in great detail.

As a result of the reviews to which I have referred, following the act of 1928, we have before us in the Overton bill what is known as the Markham plan, which contemplates substantial modifications of the Jadwin plan. It is believed to be an improvement on the Jadwin plan for two or more reasons. The first that I mention is that the area of the land to be devoted to floodway purposes is much less under the Eudora floodway than under the proposed Boeuf Basin floodway, the area of the Eudora floodway being approximately 850,000 acres, while the area of the Boeuf Basin floodway, as contemplated by the act of 1928, was approximately 1,125,000 acres.

That is one of the reasons for the substitution. Another reason for substituting the Eudora floodway for the Boeuf Basin floodway is found in the fact that the cost will be materially diminished. I do not think it is practicable to state with definiteness and accuracy how much will be saved, but all of the engineers agree on the fact that it will be considerably less costly to provide the Eudora floodway in lieu of the Boeuf Basin floodway.

There are other reasons. Among them are those which have relation to the state of mind of the residents of the areas within the respective floodways. All Senators will readily understand that one who has built and maintained his home in a place which is subject to occasional overflow is oftentimes unwilling to have the lands on which his home is located subjected not only to the waters which would naturally come there but to the waters which would be diverted there by

reason of plans for the protection of other areas in which his lands are not located.

There was such violent opposition to the Boeuf Basin floodway that a review of the matter was made and a new floodway planned, with outlets lower down the Mississippi River for a considerable distance—I believe perhaps 100 miles as the river runs—below the upper side of the proposed Boeuf Basin floodway. The new floodway, which is embraced in the Markham plan and in the Overton bill, is the substitute which has been referred to during these remarks.

Early in 1934 the President, in a message addressed to the chairman of the Flood Control Committee of the House of Representatives, strongly endorsed the construction and completion of this project substantially as carried in the bill now before the Senate. He said, among other things:

> This important undertaking must be completed. When the report on the review is submitted, I shall further communicate to the Congress with a recommendation for such additional authorization and legislative changes as may be necessary and to provide for a fair and equitable adjustment to the property owners and local interests affected by the execution of the project.

In explanation of the paragraph in the President's letter to the chairman of the Flood Control Committee, it is proper to state that General Jadwin, in some mysterious way—I mean mysterious to myself—interpreted the act of 1928, which expressly placed upon the United States the obligation of securing flowage rights for the floodway, as meaning that the language of the act did not contemplate any compensation to the landowners. As a lawyer, it has been utterly incomprehensible to me, and still is, how the great engineer reached the conclusion he did reach; and it was in reply to that conclusion, in part, at least, that the letter of the President from which I have quoted was written. The President stated that he would recommend—I quote again—

> Such * * * legislative changes as may be necessary and to provide for a fair and equitable adjustment to the property owners and local interests affected by the execution of the project.

From that time on it had been regarded as somewhat a closed question that when the work of completing the project authorized in 1928 should be undertaken in relation to the construction of the floodways, just compensation or fair compensation should be awarded to those whose lands were to be subjected to the additional usage of carrying in a new channel the waters accumulated from thirty-odd States—a channel artificially provided by the construction of back levees designed to force the waters to pass between the works.

The Overton bill was in process of formulation, the question relating to compensation proved one of the most difficult. The Engineers expressed the fear that the landowners would have an exorbitant view of the value of the flowage rights which it was necessary for them to grant to the Government, and that the result of condemnation proceedings would be the authorization of the payment of an immeasurable sum—a sum which, in its aggregate amount, could not be foreseen by anyone.

Of course, the Constitution provides for the measure of compensation; and, as was ably stated by the Senator from Louisiana [Mr. OVERTON] on Friday, Congress cannot take from, nor should it add to, the measure fixed in the Constitution. The difficulty was, however, in working out the amount of compensation in a practical way. The Chief of Engineers at first wished to require the States to buy all these rights and pay for them, and then, if he found the amount reasonable, the Federal Government should reimburse the States; but the States manifestly were not able to do that, nor were the local levee districts directly concerned in working out the project.

As a result, after prolonged discussion of the subject, the bill was introduced providing simply for just compensation, as the Constitution contemplates. Later, negotiations on the subject continued, and an agreement was reached which is embraced in the amendment which I understand is now the immediate subject before the Senate. It contemplates that the Government shall procure the flowage rights, but that the Secretary of War and the Chief of Engineers may employ as their agents local levee districts or other State authorities; and to escape the problem of excessive expenditure for flowage rights there is incorporated a provision to the effect that 75 percent of the area must be covered by grants or easements to the Federal Government within a maximum expenditure of $20,000,000, leaving, of course, 25 percent as the maximum concerning which the authorities may be required to proceed by methods of condemnation.

It is clear that the object of this amendment is to compel cooperation on the part of the landowners if they desire to have constructed the works contemplated by the bill. If the owners of more than 75 percent of the land should take an antagonistic view, and refuse to make grants within the aggregate limit of $20,000,000, we should still be in trouble. We should have another delay.

Most of the lands to be embraced within these flowage rights lie in the State of Louisiana. The farther one goes down the river, as a general proposition, the greater and more difficult becomes the problem of controlling Old Man River.

The Senator from Louisiana [Mr. OVERTON] stated that with exceptions, which, of course, are notable, there is a substantial unanimity of sentiment in favor of this bill. In the State of Arkansas, which I have the honor in part to represent here, there is an area above the north side of the proposed floodway in which the residents at first objected to the Markham plan. They are thrown into what may, with propriety, be called a secondary floodway. This plan contemplates the building of a back levee from approximately the mouth of the Arkansas River, where the old Boeuf Basin floodway was to have begun, down to the mouth of the Eudora floodway; and when the waters of the great Mississippi become so voluminous and turbulent that they cannot be restrained and carried within the limits of the Mississippi River levees proper, the levee at the outlet in a part of this area being lower, it will result in an overflow of a section in certain counties, in the State of Arkansas, which would be normally protected by the main-stem levees of the Mississippi.

I visited there, and discussed the subject with the residents of the area in public meetings and privately; and they reached the conclusion that the Markham plan, which is the plan before us, is the soundest and the best plan, and that they were willing to make whatever sacrifices were required of them.

Within the area comprised between the backwater levee and the main-stem levee are towns of considerable importance. These will be protected by ring levees, so that it appears probable that within the limitations prescribed in the amendment to the bill the flowage rights can be procured, and the work, which has now been delayed for 8 years because of the difficulties I have gone to the trouble to explain in detail, will be promptly carried forward.

Mr. COOLIDGE. Mr. President, may I interrupt the Senator?

Mr. ROBINSON. Certainly.

Mr. COOLIDGE. The Markham plan has been worked out largely during the last 8 years, has it?

Mr. ROBINSON. Yes; the Markham plan has been worked out since the Jadwin plan was authorized, and since complaints as to the Jadwin plan were asserted here and elsewhere.

Mr. COOLIDGE. I have had considerable to do at times with engineers, and I have noticed that it is very hard for one group of engineers, who come along a little later, to approve the plans of earlier engineers, and I wondered to what extent the present engineers were in accord on this plan.

Mr. ROBINSON. I can answer the Senator's question, I believe, with complete authority. All the engineers, not only the engineers connected with the Mississippi River Commission, but those also who are related to the Chief of Engineers' Office and, in addition, most of the great civil engineers who reside within the areas directly affected, have approved the Markham plan in its modifications of the Jadwin plan.

Mr. COOLIDGE. I see in section 13, on page 9, this language:

And all unexpended balances of appropriations heretofore made for the prosecution of said flood-control project are hereby made available for the purposes of this act.

Mr. ROBINSON. Yes.

Mr. COOLIDGE. Is there a large unexpended balance?

Mr. ROBINSON. There is an unexpended balance of about $50,000,000 under appropriations heretofore authorized.

There is a section in the bill which has not the approval of the Chief of Engineers. It is known as section 5. Many questions have been asked during the course of the debate concerning that section, and my purpose now is to justify section 5 by what I conceive to be every fair standard of reasoning applicable to legislation.

Section 5 relates to what is known as a backwater area between the mouth of the White River and the Mississippi River. This area comprises approximately 135,000 acres. It is fertile land. The owners of these lands from time to time have contributed, in round figures, $4,000,000 to the construction of levees on the Mississippi River.

The neck between the White and the Mississippi, immediately above their junction, is narrow. There are now outstanding on these lands bonds in excess of $750,000, which are in default by reason of the fact that the landowners have been unable to pay them, and in order that Senators may understand how difficult the situation is let me explain that these lands are virtually in a floodway now created by the works which have already been constructed for the protection of other lands.

The mouth of Cypress Creek was closed and levees were raised, resulting in a heightening of the high-flood stage at the mouth of the White River of more than 10 feet, attributable, as reliable engineering authorities say, to the works which these people have helped to pay for, but which have contributed little to their protection and have contributed to the protection of others.

The engineers' answer is that this is within a backwater area, that these people have spent their money and exhausted their ability to pay taxes by contributing to levees on the main stem of the Mississippi, and that their danger comes from waters which back down the Mississippi and out at the mouth or near the mouth of the White River.

It does not make any difference to the citizen whether the water which destroys his home, damages his property, and endangers his life comes through a levee he has strained every financial resource to build in front of him, if by building that levee in front of him and closing other natural outlets for the water it is made to pile up higher and higher, until it overflows, destroys his property, and threatens his life.

There is not a technical distinction which a layman can understand between the projects within the St. Francis Basin, and the Yazoo Basin on the other side of the river, and that involved in section 5. I have a statement of the Chief of Engineers as to the distinction which he thinks exists, and all I can read into it is that the St. Francis and the Yazoo are almost wholly within the alluvial valley, whereas the White has its headwaters in the mountains of southern Missouri and of northern Arkansas. The St. Francis and Yazoo projects are both designed, and properly designed, to give protection to vast backwater areas.

The fact that works have been constructed before which have not proven wholly effective does not, in my opinion, control the conclusion concerning the merits of the project in section 5. The real reason, and the only reason, asserted by the Chief of Engineers, for opposing section 5 is that it does not conform to the provision in the 1928 act which requires the owners of lands on tributaries to contribute one-third the cost of the works for the construction of the levees.

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

Mr. ROBINSON. Certainly.

Mr. VANDENBERG. Do I understand that the only objection the Engineers have to the work contemplated in section 5 involves the degree of contribution?

Mr. ROBINSON. That is the only objection that is asserted in the letter to which I have referred, in reply to a letter written by the Senator from Louisiana at my suggestion. The Chief of Engineers does say in the letter, as I have already explained, that the St. Francis and the Yazoo are almost wholly within the alluvial valley, whereas the other tributaries—he does not mention any particular tributary—are not exactly within that status. But if we take a map of the areas affected, we find that throughout southern Missouri and northern Arkansas, to its junction with the Mississippi River, the White River flows almost parallel with and equidistant from the St. Francis. The White, therefore, within the limits I have expressed, is within the alluvial valley, and the same rule might very well be applied as in the other case, of which, I think, a meritorious explanation has been given.

I do not wish to be understood to be in the attitude of one who, experiencing some difficulty in connection with one project, takes the questionable course of criticizing other projects which are meritorious. I think the Yazoo and the St. Francis projects are thoroughly justified, although the cost of the Yazoo is four times that contemplated by section 5 for the White.

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

Mr. ROBINSON. I yield.

Mr. VANDENBERG. The sentence which challenged my attention, and upon which I was seeking interpretation, is the sentence in the War Department letter of February 15 to the chairman of the Committee on Commerce, in which, in discussing section 5, the Secretary of War says:

This work is not recommended in the report.

I was wondering if that referred to the project itself in addition to the general question of its financing.

Mr. ROBINSON. What he means is that the report on the original Markham plan did not recommend section 5. Section 5, as I said in the beginning, is in addition to the Markham plan. That is what the Secretary of War meant. It is true that he does not recommend it; but I propose to show that the principal ground upon which the adverse recommendation is made is one which in all fairness cannot be sustained.

Mr. VANDENBERG. It is the Senator's view that the chief objection is the financing objection?

Mr. ROBINSON. Oh, yes; that is a well-known fact.

Mr. VANDENBERG. The engineering plan itself, as such, has the approval of the Chief of Engineers, has it?

Mr. ROBINSON. It has the approval of the Mississippi River Commission, and the Mississippi River Commission approved the provision as it is in the bill. They approve it, as I shall proceed to show, without regard to the fact relating to the criticism of the Engineers with respect to contributions.

The Jadwin plan of 1928, as I have already stated, had a provision requiring interests on the tributaries to contribute one-third the cost of flood-control work. That plan has been disregarded as respects the Yazoo River and as respects the St. Francis River, because people within those areas have made enormous contributions to works which have not proved effective for their protection. The Yazoo project carries $48,000,000 for reservoirs and for other works, and the St. Francis project carries the necessary authorization. These projects are meritorious; but there is not any distinction in morals between the backwater regions in those two areas and the backwater regions which are comprehended by section 5. Of course, I wish to see the Yazoo and St. Francis projects retained. I also wish to see section 5 retained.

Let me now explain to Senators why it is, in my opinion, that no demand should be made for a contribution of one-third the cost of construction of work contemplated in section 5, and also why, in my opinion, the Mississippi River Commission is right in making the favorable recommendation on that point, rather than the Chief of Engineers.

I have already shown that these lands have contributed $4,000,000; but that is not the worst of it. By reason of the fuse-plug levee which exists there under previous acts of Congress, the values of the land have been reduced very

greatly indeed. Farms as rich and productive as are to be found anywhere on earth have declined to such values that they can find no market at all, because they lie in the way of a possible flood diverted from the Mississippi, gathered in its volume from 30 States, being 41 percent of the territory of the United States. So the States and local interests issued bonds to construct these levees on the Mississippi River and paid them out until the time came when they could not pay. The people in the area in question having given the flowage rights and providing an emergency reservoir on their entire area, there is not anything to be accomplished by writing into the provision of this bill that which the Chief of Engineers suggested; namely, that these landowners shall pay one-fourth of the cost of construction. If they were required to do it, their lands in the present situation would not yield the amount which would be necessary to meet that additional burden for the protection which has been afforded them. It would be a physical impossibility. It may be an exaggeration to say that the lands, if sold, would not yield the amounts necessary, but they are being confiscated in a sense now to pay taxes levied for the payment of bonds for the construction of levees which have not actually benefited them.

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

Mr. ROBINSON. I yield.

Mr. OVERTON. Before the Senator leaves the question of section 5 and the White River emergency reservoir, I hope he will comment upon how well this reservoir fits into the picture of flood control on the Mississippi River itself.

Mr. ROBINSON. I intend to do that. I thank the Senator; but that point will be reached a little later, if it suits his convenience.

Mr. McKELLAR. Mr. President——

Mr. ROBINSON. One moment; I wish to follow through a thought which has been in my mind for some time. If these lands were being given, by section 5, as full protection as lands in other areas, there might be some justification for making the demand, even though it would be a hard one and almost impossible of fulfillment, that the landowners pay one-third of the cost of construction. But, mark you, one of the primary purposes of section 5 is to provide, close to the Mississippi River, an emergency reservoir of 135,000 square acres, which in times of high flood will lower the flood level from six-tenths of a foot, estimated by some engineers, to 2 feet, as estimated by the engineer of the State of Louisiana. That constitutes an additional factor of safety for the whole system. The Mississippi River Commission recognize and make reference to that consideration in their favorable report on section 5. They say that there are reasons why section 5 should be approved.

First. Protection against all ordinary floods for a large and fertile area now exposed to frequent inundation.

Second. An increased factor of safety (for the Mississippi River flood-control system) by way of probable increase in freeboard below the Arkansas River in maximum flood.

It may or may not be necessary for me to explain to those who are listening so intently to what I am saying that the peril comes in time of extreme high flood water, when a thousand rivers have gathered their murky volumes from remote sources, and send them hurrying down into the main channel. The normal capacity of the Mississippi River between the levees that have been constructed in the middle and lower sections of the Mississippi River Valley is 2,000,000 cubic feet a second; but there come days and nights when the volume of that water is 3,000,000 cubic feet per second. Unless a floodway is provided no plan for holding that water above will prevent the breaking of the levees, and the washing away of the soil from hundreds of thousands, yea, millions of acres of land.

Some have said that since levees have not been made sufficiently strong to hold the streams in their turbulence and violence, perhaps levees are a failure as a method of flood control. We have been using levees on the lower Mississippi for more than 100 years. The Government at first left the problem entirely to the landowners. Through the passing of the years they came to regard it as one of such vital interest to the public that first the States and then the National Government assumed responsibility. Hundreds of millions of dollars have been expended for flood control on the lower Mississippi alone. "Well", it may be asked, "why not let the Mississippi go where it will? Why not leave its floods unrestrained?" Do those asking that question know what that would mean? It would mean that almost every year probably, certainly every year in time of high floods, an area of the richest lands known, equal to more than 30,000 square miles would be submerged; vast amounts of property would be destroyed; thousands of lives would be lost.

In 1927 one of the most inspiring tasks that was ever undertaken was performed by the Red Cross in connection with flood relief during that great flood which came to the Mississippi Valley. In spite of the fact that every boat that could be commandeered and every watch tower and tree top that could be used was used in the methods of relief which were employed, more than 200 lives were lost and in excess of $200,000,000 worth of property was destroyed. We cannot leave the floods to take their toll of life and property at the will of unrestrained natural forces.

As was implied in the question of the Senator from Utah [Mr. KING], with the cutting away of the forests, the diminution of the grazing areas, and the lessening of the acres that are put to wild grass, with the disappearance of the shrubbery, and through natural causes, the flood-control problem is growing more difficult; and added to that is the fact that the drainage systems that have been put in operation have increased the flow of the waters so that they pile up and accumulate down and down the river as they pass in times of excessive general rainfalls.

Section 5 adds strength to the plan, and every engineer concedes it. The Mississippi River Commission, from whom I started to quote a few moments ago, had this to say on the particular phase of this subject concerning which I am now addressing the Senate:

Under existing law, the Government may construct tributary levees within the backwater influence of the Mississippi River, provided local interests pay one-third the construction cost, furnish all right-of-way, and agree to maintain the structures. The normal effect of levee construction in the backwater areas is to complicate the flood problem on the main river. The instant case is unique in that the retention of the emergency reservoir privilege by the United States annuls the disadvantage usually inherent in backwater projects and confers a positive benefit to main-river flood control. In this case the public benefits are sufficiently material to warrant the Government's absorption of the one-third of construction cost usually contributed by local interests, provided the Government is definitely guaranteed the privilege of inundating the area, at the discretion of the Secretary of War, whenever flow at Arkansas City equals or exceeds that of 1916.

That is a quotation from the chairman of the Mississippi River Commission, General Ferguson, at page 55 of the hearings. The essential point is, it will be remembered in this connection, that the landowners have contributed $4,000,000 to the levees, and they still have the problem of flood control. They have exhausted their power to pay taxes. In addition to that, they are providing an emergency reservoir, which is a factor of great value in connection with safety on the main river.

Lastly, they are guaranteeing the flowage rights, all easements, and guaranteeing to protect the Government against any damage by reason of the construction of the works. They are not, however, getting complete protection. They are putting their property into the system of flood control in the lower valley, permitting the use, whenever the Secretary of War finds it necessary, of all their lands as an emergency reservoir, and the engineers say that this will result in lowering the stage level from six-tenths of a foot to 2 feet.

In view of those circumstances, Mr. President, I respectfully insist that section 5 is justified by every fair standard of reasoning, compared with other projects that occupy the same relationship to the general subject, projects which would not reduce the general high flood level of the river comparably with that which would result from the provision made in section 5. Taking into consideration all the ele-

ments which should appeal to fair-minded persons, there is no excuse for not authorizing this feature of the bill.

Mr. HASTINGS obtained the floor.

Mr. HARRISON. Mr. President——

Mr. HASTINGS. Does the Senator from Mississippi desire the floor?

Mr. HARRISON. I wish to make just a brief statement with reference to the pending bill, but I do not desire to interfere with anything the Senator from Delaware has to say.

Mr. HASTINGS. I am going to speak about a subject that is not directly related to the bill and, as I understand the Senator wishes to discuss the bill, I yield to him.

Mr. HARRISON. I will be very brief, I may say to the Senator.

Mr. President, my distinguished colleagues in the Senate, the Senator from Louisiana [Mr. OVERTON] and the senior Senator from Arkansas [Mr. ROBINSON], have so fully discussed the pending bill, and are so familiar with its provisions, that it is unnecessary, in my opinion, to say anything further; but I am so much interested in the enactment of this proposed legislation, that I would feel untrue to myself and unfaithful to my people if I did not say something. So it is more with a desire to impress upon the Senate two or three features that have already been touched upon, and with no desire to impose upon the patience of the Senate through reiteration, that I am going to speak at all.

Few bills, Mr. President, coming before this body, carry greater import to the people of the lower Mississippi Valley, than does the pending measure. It provides for the expansion and enlargement of the Flood Control Act of 1928, substituting the Eudora floodway for the Boeuf floodway; and providing for the Atchafalaya floodway and flood-control works along the St. Francis and the Arkansas and the Yazoo Rivers.

None of the levees or other flood-control works constructed under the act of 1928, which were provided for under the recommendations of the so-called Markham Board of Army Engineers, are to be discarded; but all works done will be used and will be necessary in the modified project. Every dollar heretofore spent for the control act was wisely and economically spent, and the modifications carried in this measure, if enacted, will add to the safety and protection of the valley against loss of life and property.

It is an erroneous impression that levees along the lower Mississippi River have failed; they have not; but because of the enormous developments in the northern area drained by the Mississippi and its tributaries, such as soil conservation, and large utilization of lands, denuding of forests, inauguration of drainage districts, and innumerable other factors, the waters from the north, finding their way through many tributaries into the Mississippi, have caused the flood waters to move in larger volume and at accelerated speed, thereby making it necessary that levees in the lower valley be enlarged, heightened, and strengthened.

In the beginning, years ago, before the transformation took place in the upper valley, it was believed that smaller and lower levees would suffice; but they have been found to be inadequate, and engineers now all agree that, while adequate levees are necessary and imperative, other means of impounding the waters, such as reservoirs, must be provided in order to solve the whole problem. The corollary is true, that, no matter how many reservoirs might be built along the tributaries of the Mississippi, adequate levees are likewise imperative and necessary.

It must not be forgotten that in the great construction work in the lower Mississippi Valley, people of that section have made a heroic fight and have done their part to solve this problem. Long since it has been declared a national policy, but, as a matter of fact, local interests still provide rights-of-way for levees and must maintain them. This item in itself requires large local taxes. Prior to 1928, the local levee boards, according to the Chief of Engineers, had expended $292,000,000 to build levees along the lower Mississippi River. Large amounts of bonds are now outstanding against these local levee boards, and taxes must continue to be levied for years to come in order to discharge the bonds.

In my own State, where there are two levee boards and about 4,125,000 acres of land in the Delta, there are now and have been for 75 years heavy taxes, amounting in the aggregate to more than $50,000,000, imposed upon the people for flood protection.

We have another problem there, which results from the hill waters of southern Tennessee and northern Mississippi flowing into the Mississippi Delta. The Yazoo-Tallahatchie-Coldwater Rivers System is about 520 miles long. It is navigable. More than 100 local drainage and levee districts have been constructed along this river system. According to the Chief of Engineers, $20,000,000 have been spent in that area alone. The results have been unsatisfactory. The Chief of Engineers recommends that the Yazoo River system, protecting one-half of the Delta, be included in the expansion of the program. He recommends seven reservoirs, as a cost of $48,000,000, to be constructed. The local interests will be required to maintain the reservoirs and to provide for road and highway relocations.

It may be stated in this connection that the Yazoo River in Mississippi and the St. Francis River in Arkansas are located in levee districts that have paid for flood-control works along the Mississippi River. They lie some distance away from the river, but notwithstanding that fact they have for 75 years borne a burden of very heavy taxes to maintain the levees along the Mississippi River. Substantially one-half of the Mississippi Delta is subject to overflow from the Yazoo-Tallahatchie-Coldwater Rivers system. These lands are being taxed for flood control along the Mississippi River, and in addition they have incurred an obligation of $20,000,000 for local levees.

That is not true with reference to other tributaries outside of the alluvial valley, and they do not pay taxes for protection from the Mississippi River.

The Mississippi River drains two-thirds of the States of the Union. Its watershed extends from New York to Montana. It is the drainage ditch of the Nation, and it is gratifying to those of us who come from that section now to realize that the people of every section recognize it no longer as a local but as a national problem.

The fuse plug, or Boeuf floodway, has never been satisfactory. This bill, when enacted into law, will cure that unsatisfactory condition by providing for the Eudora floodway, which will give more relief, provide a more definite floodway, and remove the uncertainties in connection with the Boeuf floodway. Of course, it carries with it compensation to the property owners for damages to their lands, as has been fully analyzed and discussed by the senior Senator from Arkansas.

As to the Eudora diversion, I may say that it will not increase the backwater levels of the Yazoo Basin but will give greater protection to the Yazoo Delta. The Mississippi River Commission closed the Cypress Creek area in the Boeuf division in 1921. In my opinion the Government made a mistake and it should reopen the diversion. The Chief of Engineers recommends the Eudora diversion.

Only a comprehensive plan such as suggested in this legislation will solve the flood-control problem in the lower Mississippi Valley. The Yazoo River is the principal tributary of the Mississippi on the east bank between Cairo and the Gulf of Mexico. It is affected by backwater. In 1933 excess headwater floods covered 600,000 acres of land. In 1932, 993,000 acres were overflowed. When the works are constructed under this proposed legislation the reservoirs constructed in my own State will reduce flood heights at Vicksburg on the Mississippi River about 6 inches.

It is not necessary for me to remind this body of the many people who will be affected by this proposed legislation. Fully two-thirds of the cost of the project is for labor, and the social safety and well-being of that great section of our country will be promoted thereby, and likewise in varying degree all along the river south of that point.

It is a well-conceived, thoroughly investigated, and well-worked-out general plan, and I sincerely hope that the measure can be speedily passed and enacted into law.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its reading clerks, announced that the House had passed the bill (S. 3669) providing for the suspension of annual assessment work on mining claims held by location in the United States.

The message also announced that the House had passed a joint resolution (H. J. Res. 567) to provide an additional appropriation for expenses of special and select committees of the House of Representatives for the fiscal year 1936, in which it requested the concurrence of the Senate.

HOUSE JOINT RESOLUTION REFERRED

The joint resolution (H. J. Res. 567) to provide an additional appropriation for expenses of special and select committees of the House of Representatives for the fiscal year 1936, was read twice by its title and referred to the Committee on Appropriations.

Mr. HASTINGS obtained the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Clark	Holt	O'Mahoney
Ashurst	Connally	Johnson	Overton
Austin	Coolidge	King	Pittman
Bachman	Copeland	La Follette	Pope
Bailey	Couzens	Lewis	Radcliffe
Barbour	Davis	Logan	Reynolds
Barkley	Dickinson	Lonergan	Robinson
Benson	Dieterich	Long	Russell
Bilbo	Donahey	McAdoo	Schwellenbach
Black	Duffy	McGill	Sheppard
Borah	Fletcher	McKellar	Shipstead
Brown	Frazier	McNary	Steiwer
Bulkley	George	Maloney	Thomas, Okla.
Bulow	Gibson	Metcalf	Thomas, Utah
Burke	Glass	Minton	Townsend
Byrd	Guffey	Moore	Tydings
Byrnes	Hale	Murphy	Vandenberg
Capper	Harrison	Murray	Van Nuys
Caraway	Hastings	Neely	Wagner
Carey	Hatch	Norris	Walsh
Chavez	Hayden	Nye	White

The PRESIDING OFFICER. Eighty-four Senators having answered to their names, a quorum is present.

THE LIBERTY LEAGUE—OLD FRIENDSHIPS DESTROYED

Mr. HASTINGS. Mr. President, I shall request Senators not to interrupt me and ask me to yield, because I do not wish to prolong my speech; and I conceive it to be possible that it may create some controversy, because I am going to talk about the Liberty League—Old Friendships Destroyed.

Mr. LEWIS. Mr. President, will the able Senator permit me to call attention to the fact that we have not order in the Senate? There is not any intentional disorder; but the speech of the Senator is one in which I am sure many will be interested.

I therefore make the point of order that the Senate is not in order, requesting the occupant of the chair to call the attention of the occupants of the galleries to the rules of the Senate, as the Senators themselves well understand them.

The PRESIDING OFFICER. The point of order is well taken. Under the rules of the Senate there must be no talking or disturbance of any kind in the galleries. The occupants of the galleries will please see that the rule is obeyed.

Mr. HASTINGS. Mr. President, I think it may safely be said that the problem of the unemployed, and the relief of the unemployed, remains the most serious problem confronting the Nation today.

We are told by the American Federation of Labor that the number of unemployed is something like 12,626,000 persons. This is a shocking statement when we take into consideration the billions of dollars that have been spent by the Government in the effort to furnish relief, and other costly plans for what was once described as "priming the pump."

My recollection is that we were almost dumfounded when the President requested an appropriation of $3,300,000,000. We were shocked and confused when he asked for the $4,800,000,000 appropriation. This now is followed in another 12 months by a request for $1,500,000,000 more. It might be well to note also that in the last request made, no assurance is given that the amount will be sufficient for the next fiscal year; and we may very properly assume, from the language of the President's message, that the billion and a half, if appropriated by the Congress, will be expended before the end of this calendar year.

After some experience with the first huge appropriation which I have mentioned, I remember distinctly the applause that greeted the President in his annual message delivered before a joint session of the two Houses of Congress on January 4, 1935, when he said:

> The Federal Government must and shall quit this business of relief.
>
> I am not willing that the vitality of our people be further sapped by the giving of cash, of market baskets, of a few hours of weekly work cutting grass, raking leaves, or picking up papers in the public parks.

The President then told us that there were one and a half million persons unemployed who would have to be cared for "by States, by counties, by towns, by cities, by churches, and by private welfare agencies", as they were cared for before the depression.

The President then recommended a new program of emergency public employment, and said that among the first principles of such public employment must be that—

> All work undertaken should be useful—not just for a day or a year, but useful in the sense that it creates future new wealth for the Nation.

What a miserable mess has been made in carrying out this promise!

On February 25 last, in some remarks I made in the Senate about the punishment of General Hagood by this administration because, when testifying before a House committee, he criticized the ease with which W. P. A. money could be secured, I quoted from several newspapers serious criticism of the use of such funds.

On March 10 the distinguished Senator from Arkansas [Mr. ROBINSON] made a speech in the Senate upon this subject, taking as his text published criticisms by the Republican National Committee and the American Liberty League.

The distinguished Senator in that speech not only defended "boondoggling" but he undertook to immortalize the word by tracing it to that sturdy American woodsman, Daniel Boone.

The distinguished Senator made an investigation of his own. He stated:

> On the basis of this factual report from the Works Progress Administration, I now charge the Republican National Committee and the miscalled Liberty League with "playing politics with human misery" and with attempting to make a political football out of the unfortunate unemployed in this country. They aim at President Roosevelt, but in reality they hope to ridicule and drive back into the soup lines the great number of unemployed men and women who are simply asking an opportunity to earn a living for themselves and their families in the old-fashioned and respectable American way.

There has been so much criticism, much of it specific and convincing, alleging that those in charge of W. P. A. funds and relief funds in various parts of the country were "playing politics with human misery", that I assume the distinguished Senator from Arkansas found it quite necessary to try to turn the tables and make the same charge against two organizations which disagree with the present administration.

If it be true that a great job has been done in the various works programs and in the equitable contribution of money for relief; if it be as free from politics as the Senator from Arkansas says it is, then may I inquire what objection there can be to an honest investigation by a committee of the Senate, a majority of whom would certainly be selected from the Democratic side of the Senate? Such an investigation has been demanded by the constituents of many Senators. The distinguished senior Senator from Idaho [Mr. BORAH] has been urging it. The junior Senator from West Virginia [Mr. HOLT] has placed before the Senate such facts as would seem of themselves to make such an investigation necessary. The senior Senator from Pennsylvania [Mr. DAVIS] introduced such a resolution, asking for only a small sum of money, and it was referred to a committee and reported by that committee favorably.

This was not pleasing to the distinguished majority leader, and he immediately made some rapid and effective movements. In the first place, he had the report held up. He found that the small Committee on Expenditures in the Executive Departments had only two Democratic members, and that it also had two Republican members, and that there were two vacancies. He immediately appointed two of the most prominent organization Democrats in the Senate to fill those vacancies; and when we next saw that resolution, it was quite different. All of the "whereas" clauses had been stricken out, and, in addition to that, the dead Federal Emergency Relief Administration was included for investigation. The resolution was then referred to the Democratic-controlled Audit and Control Committee, where it remains, and we are informed that action upon it has been indefinitely postponed.

A great author has described the adroitness and cleverness of one of his characters by saying:

> Accident might play whatever card it chose; he was there to trump it.

So it is with the distinguished leader of the majority. When he finds that he is about to lose the pot, he deliberately deals himself two aces. This is another illustration of what is meant by the New Deal.

During the Senator's speech of March 10 there were constant sarcastic references to the Liberty League. It will be observed that he describes it as "the miscalled Liberty League" "the Du Pont Liberty League." He refers to Mr. Shouse as—

> The $50,000-a-year front man of the Liberty League. * * * The Du Pont brothers must have been shocked when Shouse showed them that classic example of undermining the moral fiber of children on relief.

Then he referred to—

> The arrogance of the Liberty League in attacking and ridiculing needy men and women and children on relief.

And finally he got off the following wisecrack:

> For the sake of keeping the record clear, I am going to adopt the language of a newspaper corespondent who, paraphrasing a famous expression, described Wilmington as "the city where the Raskobs speak only to Du Ponts and the Du Ponts speak only to God."

The distinguished junior Senator from Texas [Mr. CONNALLY] sustained this attack in a speech made in Baltimore on March 28. His speech is described in the New York Herald Tribune as follows:

> CONNALLY asserted the people knew the "liberty" advocated by the American Liberty League was not that for which Washington and Jefferson fought. Instead, he said, the "liberty which holds it (the league) together, and which it is fighting to reinstate and preserve, is the liberty to exploit and profiteer upon the American people.

Perhaps both these Senators got their idea about the Liberty League from a speech made by Mr. Farley on February 22, in Topeka, Kans., in which he said:

> First, let us take the miscalled American Liberty League, an organization of multimillionaires which is run as a subsidiary of the Republican National Committee. * * * A recent examination of its bottomless war-chest discloses that more than 70 percent of the contributions came from the Du Pont family, or their allies in the automotive and other industries. They can well afford to give because, thanks to the Roosevelt policies, they are earning more money than any time in history. * * * They are ungrateful, and they want the people of the United States to be just as ungrateful as they are.

Ever since Governor Smith made his speech at the Liberty League $5 dinner, following the New Deal Jackson Day $50 dinner, we have heard much criticism on the other side of this Chamber of the Liberty League. So far as I can recall, not a word has been said in reply. I do not pretend to speak for that organization, but I do propose for a few moments to point out some inconsistencies involved in that criticism, and particularly does this apply to the distinguished Senator from Arkansas.

Let us get an idea of the set-up, from a political point of view, of this so-called "miscalled Liberty League", particularly so far as the support of Mr. Roosevelt in 1932 is concerned. We find the positions of president and secretary of that organization to be held by prominent Democrats. We find more than a majority of the National Executive Committee, consisting of 23 members, and which actually runs the organization, composed of Democrats, and it might be well to call attention to the names of some of the members of this executive committee.

There is the Honorable John W. Davis, who was the standard bearer of the Democratic Party in 1924.

There is the Honorable Alfred E. Smith, who was the standard bearer of the Democratic Party in 1928.

There is the Honorable Joseph B. Ely, the well-known former Democratic Governor of the great State of Massachusetts.

One member only of the Du Pont family, Mr. Irénée Du Pont, is a member of that committee, and he was a strong supporter of Mr. Roosevelt in 1932.

Mr. John J. Raskob, the former chairman of the Democratic National Committee, appears not to be a member of the executive committee, but he is among a long list belonging to the national advisory council.

And let me read from the platform of the league and see how closely it follows the Democratic platform of 1932. It sets forth the principles for which it stands in the following language:

> To preserve American institutions; to advocate economy in government, a sound fiscal policy, and the maintenance of a sound and stable currency; to further the restoration of employment and to oppose all unnecessary interference and competition by government with legitimate industry; to support government in the obligation to provide for those who, because of involuntary unemployment or disability, cannot provide for themselves; to uphold American principles that laws be made only by the direct representatives of the people in the Congress, and that the laws be interpreted only by the courts; to provide for the rank and file of the American people an opportunity to offset the influence of selfish groups; and to preserve for succeeding generations the principles of the Declaration of Independence and the Constitution.

Those principles are so nearly in line with the Democratic platform of 1932 that we must conclude that the Liberty League was organized and is being controlled by those who believed in that platform and believed in the Democratic candidate for President. It is the kind of a platform to which Bainbridge Colby, the Secretary of State, and Newton D. Baker, the Secretary of War, under Woodrow Wilson, would approve. Former Senator Reed, of Missouri, would approve. The late Governor Ritchie, of Maryland, a distinguished Democrat, did approve it. It is in line with the opinion of a host of other prominent Democrats, such as Lewis W. Douglas, efficient Director of the Budget during the early part of the present administration; Col. Henry Breckinridge, Assistant Secretary of War during the first Wilson administration; Judge William R. Pattangall, former justice of the Supreme Court of Maine; James R. Warburg, Treasury advisor to Roosevelt; Dean Acheson, Under Secretary of the Treasury in the first part of the Roosevelt administration; George N. Peek, who held several important posts under the present administration; Forney Johnston and Borden Burr, two of the outstanding Democrats of Alabama; and many, many others whom I shall not take the time to enumerate.

Who is Mr. Jouett Shouse, the so-called "$50,000-a-year front man of the Liberty League"? The fact is that his salary is $36,000 and not $50,000. Why, Mr. Shouse is the man selected by Mr. Raskob shortly after the Democrats had met the most overwhelming defeat in its history, when in 1928 it was being led by Governor Smith as its candidate for President and Senator ROBINSON as its candidate for Vice President.

When did Mr. Shouse and Mr. Raskob become such a thorn in the flesh of the New Deal? When they refused to follow the New Deal into the morass of socialism and when it deliberately violated every democratic principle for which all good Democrats stood when Mr. Roosevelt was nominated in 1932.

On July 2, 1932, just after Mr. Roosevelt had been nominated, when he appeared before the Democratic National Committee in Chicago, he had this to say:

> I had hoped to get here while my old friend, John Raskob, was presiding.

I want to tell you all of the very splendid work that has been done for the party by the retiring chairman. It was his conception 3 years ago that gave to the party a permanent, active headquarters in Washington.

Mr. Raskob spoke to me at that time and we went over the plans. As you all know, my old friend, Jouett Shouse, was made chairman of the executive committee, and another old friend, Charlie Michaelson, was placed in charge of the publicity. They made the country realize that the Democratic Party was very much alive.

I am interested that my Republican friends after 1928 raised the old question, "Is the Democratic Party dead?" The answer Mr. Shouse and Mr. Michaelson gave to that resulted in 1930 not only in the election of a Democratic House but in the election of more Democratic Governors and local officials than in any year since 1921.

These gentlemen deserve the gratitude of the party.

Who is Mr. John J. Raskob, referred to by the President? Why, he is the man who tried to elect Governor Smith President and Senator ROBINSON Vice President in 1928. He may not have been as skillful as chairman of the Democratic National Committee as Mr. Farley, but the record shows that he did some things that were at the time necessary and essential. He did that which no other man had ever done for any political party in the form of contributions.

On September 12, 1928, he contributed $50,000 to the Democratic National Committee. On October 3, 3 weeks later, he contributed another $50,000. On November 14 he loaned the committee $100,000, and during October and November the Democratic Party borrowed $1,500,000 from the County Trust Co. of New York upon the endorsement of Mr. Raskob. On April 25, 1929, after the election was over and the Democratic Party apparently was dead, Mr. Raskob contributed another $150,000 to the Democratic National Committee. A little later that year on two occasions he loaned the committee in the aggregate $40,000. In 1930, an election year, he loaned it $180,000; in 1931 the sum of $122,000; and then as they approached the campaign of 1932, when Mr. Roosevelt was the candidate, Mr. Raskob canceled two loans of $50,000 each, amounting in the aggregate of $100,000, and on October 21, 1932, just before the election, he contributed $25,000.

If we make a summary of these contributions and cancelations of loans, we find that between September 12, 1928, and October 21, 1932, Mr. Raskob contributed to the Democratic Party the huge sum of $375,000; and this in addition to the large loans he personally made, and other loans personally guaranteed.

Were these contributions made in an effort "to ridicule and drive back into the soup lines the great number of unemployed men and women who are simply asking an opportunity to earn a living for themselves and their families in the old-fashioned and respectable American way", as the Senator from Arkansas says the Liberty League is now trying to do?

Was he endeavoring to elect a President in order to "preserve the liberty to exploit and profiteer upon the American people", as has been charged by the Senator from Texas? Such suggestions are childish and bear all the evidence of fear.

Who are the Du Pont brothers of whom the Senator from Arkansas speaks? The Du Pont brothers, as we know them in Delaware, are Mr. Pierre S. Du Pont, Mr. Irénée Du Pont, and Mr. Lammot Du Pont, the only Du Ponts who take any interest in politics or make any substantial contributions. I assume the Senator from Arkansas referred to these brothers.

What do the records show with respect to their contributions? On August 15, 1928, we find Mr. Pierre S. Du Pont contributing the sum of $50,000 to the Democratic National Committee for the purpose of electing Smith and ROBINSON to the offices of President and Vice President, respectively. We find Mr. P. S. Du Pont contributing again on April 25, 1929, after the campaign is over, and when an effort is being made to revive the Democratic Party, the sum of $25,000. The only record I can find of contributions by Mr. P. S. Du Pont in 1932 is of one of $15,000, and perhaps it is because his contributions that year were not so great that President Roosevelt and the Democratic Senators have turned against him.

I had always understood that Mr. Irénée Du Pont had made a huge contribution to the Democratic campaign committee in 1932. But the only record that I can find is of April 4, 1933, and the contribution then amounted to $5,000.

These are two of the Du Pont brothers of whom the Senator from Arkansas speaks so sarcastically.

The other brother, Mr. Lammot Du Pont, who has always been a consistent Republican, made a contribution in 1932 to the Republican National Committee of $2,000.

Mr. Farley made no complaint about the Du Pont brothers and Mr. Raskob so long as they continued their large contributions to the Democratic Party. He made no complaint about Mr. Irénée Du Pont when he sent Mr. Farley a check for $5,000 just a month after Mr. Roosevelt was inaugurated.

In view of these facts it is rather remarkable to have Mr. Farley state:

They are ungrateful and they want the people of the United States to be just as ungrateful as they are.

If Mr. Farley had any real gratefulness in his own soul he would not make such violent attacks upon those who had been such a help to the party he now represents as national chairman.

If the members of the American Liberty League are making as much money as Mr. Farley says they are under the Roosevelt administration; if they are greedy men, endeavoring "to exploit and profiteer upon the American people"; if their only interest is in making money, and if they have no concern about the liberties of the American citizens, it is strange, to say the least, to find them contributing so generously to an organization that is attempting to defeat Mr. Roosevelt for reelection.

I have given the political background of Mr. Shouse, Mr. Raskob, and the Du Pont brothers, prior to the organization of the American Liberty League.

Now, let us turn to one who is better known to the American people, and particularly to the Democratic Party, and one who occupies an important place in this new organization, the former candidate for President on the Democratic ticket in 1928, Alfred E. Smith. I think it well at this point to read into the RECORD Mr. Roosevelt's former opinion of this great man, who has so disgraced himself in the eyes of the present administration by his activity in the Liberty League organization. It will be recalled that Mr. Roosevelt placed Governor Smith in nomination for President in New York on June 27, 1924, and on that occasion he said:

We need as President one in whom the masses of the people * * * will regain their lost faith; * * * confidence and faith such as this have been won by the Governor of this State. * * * The honest business man knows that he has never sought personal preferment by demagogic attack on honest business. * * * This faith in him and in his fundamental rugged honesty, * * * are the reasons why this man above all others will bring order out of chaos in the National Capital. * * * His is a record of law enforcement. He believes that our Constitution needs no explaining. His record of 20 years as public servant proves that he stands on the Constitution from the first article to the seventh, and from the first amendment to the nineteenth, inclusive. * * * All the world loves a man who carves his own career. Much of the romance of Lincoln is in the life story of our Governor. Born of American-born parents, he took upon his shoulders while still a boy the responsibility for the support of his family. A wage earner, willing with his hands, this man, in the space of 20 years, without fortune, without fortuitous aid, with nothing to rely upon except his own indomitable courage, his own unflagging perseverance, his own magnificent ability, has risen to be a commanding and outstanding figure in the life of the Nation. This he has done, not with the art of a demagogue, not with the wiles of a trickster, but with a dignity, a knowledge, and a wisdom that demonstrated him a statesman.

Our Governor not only represents the common people but he embodies in his very being the aspirations of the average man, so that when he speaks with the voice of America, he burns with the fire of a divine humanity—the fire which has produced the greatest of leaders of the democracies of the world. * * * His is the quality of militant leadership. * * * He has the rare power to express the great fundamental truths and ideals in homely language carrying conviction to the multitude.

He has a power to strike at error and wrongdoing that makes his adversaries quail before him. He has a personality that carries to every hearer not only the sincerity but the righteousness of what he says. He is the "Happy Warrior" of the political battlefield. * * * If you will render your verdict in that sacred mood, it can only be for the nomination of the man whom

I present to you—the one above all others who has demonstrated his powers, his ability to govern; this leader whose whole career gives convincing proof of his power to lead; this warrior whose record shows him invincible in defense of right and in attack on wrong; this man, beloved by all, trusted by all, respected by all; * * * this man of destiny whom our State proudly dedicates to the Nation—our own Alfred E. Smith.

I desire to repeat one phrase used in that speech:

The honest businessman knows that he has never sought personal preferment by demagogic attack on honest business.

I wonder whether any thinking and truthful person would dare to use that expression in reference to President Roosevelt.

Exactly 4 years later Mr. Roosevelt again placed Governor Smith in nomination for President, and Mr. Roosevelt's admiration and praise of him had increased. In that speech Mr. Roosevelt said, among other things:

Slowly, surely the proper understanding of this man has spread from coast to coast, from north to south. He is well called "the Pathfinder to the open road for all true lovers of humanity."

Throughout that campaign, as well as the campaign of 1932, Roosevelt continued to praise and laud Smith.

Now let us see what the distinguished Senator from Arkansas [Mr. ROBINSON] thought of the man Smith who headed the ticket in 1928, and on which the Senator from Arkansas was nominated as a candidate for Vice President.

On July 1, 1928, just after the nomination, the Senator from Arkansas had this to say:

More than any other man of his generation he is representative of that type of citizenship and public service which is never remote from the interest of the masses of this great country.

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

Mr. HASTINGS. I should rather not yield, because——

Mr. ROBINSON. All right; go ahead.

Mr. HASTINGS. Because then we may perhaps get into a controversy.

Mr. ROBINSON. Oh, no, Mr. President. I simply wished to ask the Senator what he said in 1928.

Mr. HASTINGS. In a telegram to Smith on that same day, the Senator from Arkansas said:

Your telegram happily recalls our intimate associations in previous campaigns. * * * With a sympathy that embraces every race and creed, you have sought to be helpful to humanity and faithful to every public trust.

Three days later, July 4, the Senator from Arkansas still had a high opinion of Governor Smith, for he said:

All will recognize the magnetic and sympathetic qualities of this great political leader and will appreciate the courage, the fidelity, and the efficiency of the man.

On July 13, 9 days later, the Senator's opinion had not changed, for he said:

Governor Smith is admired and loved by the people of his State beyond any other public man of his generation. It is his sterling, fearless honesty and sincere attachment to the welfare and best interests of the general public which are the basis of his popularity.

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

The PRESIDING OFFICER (Mr. MINTON in the chair). Does the Senator from Delaware yield to the Senator from Arkansas?

Mr. HASTINGS. I will say to the Senator, who was not here when I began, that I particularly requested that I should not be interrupted until I finished my speech.

Mr. ROBINSON. Oh, very well.

The PRESIDING OFFICER. The Senator declines to yield.

Mr. HASTINGS. Less than a week afterward the Senator from Arkansas followed his praise with this language:

Governor Smith has done more to bring the benefits of government to the masses of people and to make government humane than any other American statesman of the last 50 years. It is the faith in his loyalty and fidelity that has led millions to follow his leadership. His appeal goes directly to the multitudes who long for and deserve better living conditions.

Suspicion and hatred have searched every act of his life and have found him clean and incorruptible.

In strange contrast to these complimentary expressions from the distinguished Senator from Arkansas, I call the Senate's attention to his radio address, printed in the CONGRESSIONAL RECORD under date of January 30, showing the great strain and labor involved in his endeavor to answer the speech delivered by his old friend Smith at the American Liberty League dinner. As spokesman for and defender of the President, he turned his back upon his fellow nominee of the 1928 campaign, ignored the many complimentary expressions he had made regarding this Democratic leader, and practically charged him with having sold his political principles in order that he might associate with the wealthy Du Ponts and the wealthy Raskob. Ah! he must have overlooked those strenuous political days of 1928 and 1932, when Roosevelt, Smith, Robinson, Raskob, and the Du Ponts were truly buddies, all interested in the same cause.

I inquire of the distinguished Senator from Arkansas and other New Deal Senators, who may be able to speak for themselves and the President, whether they think they have kept faith with these Democrats who are so active in, if not actually controlling, the Liberty League. Who is it that has repudiated the principles of Jefferson, the principles of the Democratic Party? Is it these Democratic members of the Liberty League or the New Dealers?

I think no one can doubt the true answer to that question. The Democrats of the Liberty League have been consistent with Democratic principles and the Democratic platform of 1932. The New Dealers have violated nearly every declaration contained in that platform. The violation of the promise of economy in Government, sound money, no meddling and no competition with business enterprises, maintenance of States' rights, loyalty to the Constitution, and the violation of many other promises absolutely condemns the New Deal in the minds and hearts of those who believed in the Democratic platform of 1932. The Liberty League is only one of many organizations determined to end the New Deal as soon as possible.

Do not try to fool the people into believing that the league is acting for some selfish purpose. The thinking men and women of the Nation are frightened today for the safety of their country. The Democrats who supported Roosevelt in 1932 have been deceived, and no man has a right to complain if the persons whom he has deceived turn against him.

Do not blame the Republican Party for taking away from the Democratic Party the persons whom Democrats have always claimed as their own. There are about 100,000 members of the American Liberty League. A few of them are rich men, but 99 percent of them are just plain, ordinary folks. [Laughter in the galleries.] Twenty-three thousand individual men and women have been among the contributors to the funds of the league.

Mr. CONNALLY. Mr. President, I make the point of order that the galleries are not in order. I should like to have the Senator go back and read about two sentences. There was some noise in the galleries, and I could not hear what the distinguished Senator said.

Mr. HASTINGS. I thank the Senator.

A few of them are rich men, but 99 percent of them are just plain, ordinary folks. Twenty-three thousand individual men and women have been among the contributors to the funds of the league. A great majority of these members, both contributing and noncontributing, are Democrats who do not believe in the New Deal. This administration has lost them because it has violated its trust. Admit this as a fact; it will be good for your souls.

Mr. Farley tells us this is to be a dirty campaign, but I hope he is mistaken. I hope he will not persuade his friends in the Senate to adopt any such course. There has been some evidence of it, but that is because some Senators take their politics too seriously. Mr. Farley is not paying much attention to what Senators say or do. He is relying upon his own skill and the fortunate position of Mr. Hopkins, plus the brains and position of Mr. Wallace and Mr. Tugwell. They are the boys who have the Federal money; they are the boys who can give; they are the boys who can take away. Mr. Farley knows how to take advantage of situations like this.

In addition to that, I beg the New Deal Senators to let up a little in your demagogic appeals to your "forgotten man."

Do not be afraid to give the public all the facts about relief, the W. P. A., the A. A. A., the Florida canal, the Passamaquoddy project, the St. Louis $30,000,000 memorial to Jefferson, and all the thousand and one other new-fangled schemes to waste the people's money. Are you afraid you will lose the votes of those on relief when it is ultimately shown how favoritism has been practiced in administering that fund?

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

Mr. HASTINGS. No.

The PRESIDING OFFICER. The Senator from Delaware declines to yield.

Mr. ROBINSON. Will not the Senator yield for one question?

Mr. HASTINGS. No; I will not yield at all. I will be through in a minute.

Mr. ROBINSON. Very well.

Mr. HASTINGS. And the Senator from Arkansas can then say what he pleases.

Mr. ROBINSON. Why does the Senator ask questions if he does not want answers to them?

Mr. HASTINGS. No; I do not want any answers now.

Are you alarmed at the admission of Mr. Harry Hopkins that he would consider himself a damn fool if he did not select New Dealers to help him distribute the huge fund in his possession? Remember, the caution of some of his aides that:

Not a citizen shall shiver
Or go hungry in this section
(If we're certain they'll "deliver"
In the '36 election.)

We relieve the starved and frozen
With no hesitance or parley,
(If the politics they've chosen
Are approved by Mr. Farley!)

Do not be ashamed to admit that in all parts of the country the New Deal is "playing politics with human misery" by requiring those who seek employment or relief from appointees of Hopkins that they register as Democrats and pledge themselves to vote the Democratic ticket. Do not be alarmed over the recent discovery that under a plea that the poor farmer must be relieved the processing tax was levied, a tax which has closed many factories, thrown thousands of people out of work, in order that Mr. Wallace might, among other generous acts, be able to place million dollar checks in the hands of some southern corporations for agreeing not to do things. Do not let Mr. Wallace frighten you by making you believe there is danger of the farmer's daughter being kidnaped.

All these things may go a long way in losing you the election, and, while to lose the election may hurt your pride, there is just one very important thing to remember and one which ought to console you, and that is that for the Democrats to lose the next election means that the country will be greatly benefited; and that ought to be some satisfaction to real patriots like yourselves. Indeed many people think that unless Mr. Roosevelt is defeated our Constitution and our whole democratic form of government will be gone before the end of another 4 years.

Personally I doubt whether you can do that, but I do feel sure that you will not be able to find jobs for the 12,626,000 people now out of work, and, more than that, I am afraid another 4 years of Roosevelt will mean that the Federal Treasury will be "busted." Of course, if you had kept your promises and followed the Democratic platform of 1932, you would not be in such an embarrassing position. You would have Shouse, Raskob, Al Smith, John W. Davis, Pierre S. Du Pont, Irénée Du Pont, Jim Reed, Bainbridge Colby, Lew Douglas, George Peek, and thousands of others who supported you in 1932 back of you now, but remember you let Roosevelt lead you into this New Deal and you have been following the shirt tail of the New Deal, believing it to be a symbol of utopia and "the more abundant life." I appreciate that you cannot turn back; you have gone too far; but think what a job you are going to have writing the Democratic platform for the 1936 election. How can you expect the people to forget the promises you and Mr. Roosevelt made in 1932 and then broke? The Senator from Arkansas has not forgotten what Lincoln said about fooling the people, for he quoted it in a speech he made a few days ago. Remembering that quotation, you certainly cannot expect the people of the country to pay any attention to your 1936 platform, or President Roosevelt's promise to live up to it.

The only thing you can do in order to be consistent in your 1936 platform is to make no specific promises other than to say that the New Deal Congress will do what President Roosevelt wants it to do, and that the President will decide from day to day what he wants done. This will be in complete accord with the record of this miscalled Democratic administration.

I suppose you will feel compelled to continue your demagogic appeals to the poor and against the rich, but the poor are intelligent, too, and you cannot hide from them what this administration has done and what it has failed to do.

At any rate, in my judgment, you will lose the next election or the country will be in very real trouble; and, so far as I am concerned, I welcome the efforts of every organization, every newspaper, every Democrat in the effort to see that this is the last year of the Roosevelt administration.

Now I yield to the Senator from Arkansas.

Mr. ROBINSON. If the Senator from Delaware has concluded, I am going to take the floor.

Mr. HASTINGS. Very well.

Mr. ROBINSON. Mr. President, we have just witnessed a remarkable performance. The Senator from Delaware has read a carefully prepared speech; he has asked questions of the Senator from Arkansas and other Democratic Senators and refused to permit answers.

O Mr. President, the Senator has become the champion of former Governor Smith and he quotes what I said about Governor Smith when Governor Smith was right, but he does not quote what the Senator from Delaware said about Governor Smith when the Governor was right. He prefers to quote him when Governor Smith is wrong and when the Senator from Delaware is wrong, as he usually is wrong. [Laughter.] Oh, ye gods and little angels, think of Al Smith in company with the Senator from Delaware [Mr. HASTINGS]! [Laughter.] All that Al Smith stood for before the present campaign the Senator from Delaware stood against, and one element of proof which should convince former Governor Smith that he is getting in bad company when he lines up with the Liberty League and its champion in the United States Senate, the Senator from Delaware, is that the Senator gives Governor Smith a long-belated justification and vindication. I do not know whether it would have helped Governor Smith and the Democratic ticket in 1928——

Mr. HASTINGS. Mr. President——

Mr. ROBINSON. Oh, no; sit down and take your medicine. The gall of the Senator who asked another Senator dozens of question in his speech and then refused to permit an answer, and then, when the other Senator waits until he has his own time, immediately begins trying to heckle him!

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

Mr. ROBINSON. Oh, no. The Senator from Delaware is not recognized.

The PRESIDING OFFICER. The Senator from Arkansas declines to yield.

Mr. HASTINGS. Mr. President——

Mr. ROBINSON. The Senator from Delaware will take his medicine. Of course, I will not yield to the Senator from Delaware. Why should I yield to him? He had all the time that he wanted and he refused to yield to me or to anyone else. Now, the unmitigated gall of a man that will pursue that course and then demand the right to be yielded to! The Senator from Delaware has become the champion of the Liberty League. If anyone here has any doubt as to what the effect and trend of the Liberty League is in American politics and American history he will have that doubt removed now. The Senator from Delaware is its only defender. He has assumed to make a defense of Governor Smith, no doubt on the theory that while Al is "walking" around he may walk into that unlighted and

deserted camp where the Senator from Delaware dwells almost alone. But Al will not make that mistake. Al may have made a mistake when he parted companionship with his friends and supporters of 1928 and joined those who are championing the very causes against which he fought in 1928; but he will not make the mistake of going the whole limit and going to bed with the Senator from Delaware. It is said that "politics makes strange bed fellows", but it has never made such bedfellows yet as former Governor Smith and the Senator from Delaware. [Laughter.]

Why would not the Senator from Delaware yield? Why would he not let us answer the questions he was asking? Then, having pursued that course, why does he himself insist on asking questions of the very Senator to whom he had refused to yield?

The Senator from Delaware quoted my comments on Governor Smith in the campaign of 1928. I take pride in those quotations. Governor Smith then stood with the masses against the classes; he stood in opposition to the Senator from Delaware and all that the Senator from Delaware stands for, and the fact that the Senator from Delaware is now his champion is almost conclusive evidence, I think, of two circumstances, namely, that he thinks Governor Smith has gone wrong from the standpoint of the general public and that he thinks Governor Smith will join him in his fight on the Democratic Party. You can say what you please, you can talk as much as you please about what you think of Democratic principles, but you were never, Mr. Senator from Delaware, the judge of what are Democratic principles and, thank God, I do not believe you ever will be.

Mr. HASTINGS. Mr. President, of course, the Senator from Arkansas was clearly justified, I suppose, in refusing to yield to me because I had refused to yield to him. You know, however, Mr. President, that to yield to the Senator from Arkansas means the chances are that you will not be able to finish your speech the same day. As a general thing, when one yields to him the Senator from Arkansas proceeds to make a speech, and he cannot be stopped, and I wanted to be certain that I would finish my speech today.

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

Mr. HASTINGS. No; not just for a minute. [Laughter.]

The Senator from Arkansas complained so much about my not yielding to him that I supposed, of course, he would not be as unreasonable as I was, and that he would yield to me.

I was going to ask the Senator from Arkansas a question or two.

Mr. ROBINSON. Will the Senator let me answer them?

Mr. HASTINGS. I assume if the Senator thinks it is worth while he will answer them. Does the Senator think he has answered the speech I just made?

Mr. ROBINSON. Does the Senator think he made a speech? What makes the Senator think he made a speech?

Mr. HASTINGS. Because it scared the Senator from Arkansas so much that he wanted to ask me questions. That is the reason why I thought I was making a speech.

Mr. ROBINSON. Does not the Senator from Delaware think we are entitled to a little amusement here sometimes? [Laughter.]

Mr. HASTINGS. Well, well! A little amusement? [Laughter.]

Mr. ROBINSON. Yes. I was amused at the speech of the Senator from Delaware. Everybody else was amused, though most of us could not understand why he made it.

Mr. HASTINGS. Then, why does the Senator complain about it?

Mr. ROBINSON. I have not complained. I am just rejoicing over it.

Mr. HASTINGS. The Senator is rejoicing over it?

Mr. ROBINSON. Yes.

Mr. HASTINGS. The Senator must realize that it is quite worth while to do something on this side of the Chamber once in a while that is satisfactory to the Senator from Arkansas.

Mr. ROBINSON. Every time the Senator from Delaware performs it pleases me because he always adds strength to the Democratic Party. Out in Illinois the other day there was a primary contest. Roosevelt got 1,375,000 votes, in round numbers, and two hungry contesting candidates for the Presidential nomination on a ticket—let me see! What was that ticket? Oh, yes; it was the Republican ticket. [Laughter.] They got far less than one-half the votes that Mr. Roosevelt got in the same State. Though the Senator from Delaware will make as many more speeches as he desires, he will not make any more votes at all for his party.

Mr. HASTINGS. That illustrates the trouble with yielding to the Senator from Arkansas. He not only asks a question but he then proceeds to answer it himself.

Mr. ROBINSON. No one else can answer it so well. [Laughter.]

Mr. HASTINGS. The Senator is very fortunate if he can answer his own questions.

Mr. ROBINSON. That is better than the Senator from Delaware can do.

Mr. HASTINGS. Does the Senator want me to yield some more? Does he want to make another speech, or does he want to ask some more questions?

Mr. ROBINSON. I have not asked the Senator to yield. I just had to take my own time.

Mr. HASTINGS. I called attention to the fact, and I want to emphasize it, that the Senator from Arkansas is proud of what he said about Smith in 1928. I have called attention to what the Democratic Party stood for in 1932 when Smith was supporting it, when the Senator from Arkansas was supporting it, and when all the New Dealers over on the other side of the Chamber were supporting it. I have called attention to the fact that the only thing Smith complained about was that the Democratic Party had not lived up to its platform.

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

Mr. HASTINGS. No; not for the moment.

Mr. ROBINSON. The Senator will not yield?

Mr. HASTINGS. Not for a moment. I will tell the Senator when I am ready to yield, and then if he wants to make another speech he can do so.

I called attention to the fact that there was a Democratic platform in 1932. The complaint Smith makes about that platform in the speech that he made at the $5-a-plate dinner following the $50-a-plate New Deal dinner was that his party had not followed that platform. It was that to which I was calling attention. I did not say I ever agreed with the 1932 platform of the Democratic Party.

I am calling attention to the fact, which I think is important, that when members of the Democratic Party complain about Smith or anybody else leaving it, they ought at the same time to remember how they have violated their own trust to the American people. They ought to remember the platform upon which they were elected, and they ought to know that any reasonable man, whether he be Smith or anybody else, is justified in leaving the New Deal Party when it refuses to live up to that kind of a platform. I say to the Senator from Arkansas that, in my judgment——

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

Mr. HASTINGS. Just a moment. I say to the Senator from Arkansas that the great disappointment of thousands of his friends in the country is due to the fact that he has swallowed the New Deal and has gone along with it against the Democratic platform of 1932. He is not the same kind of a Democrat he was when he ran with Smith in 1928. He is not the same kind of a Democrat he was when Roosevelt was elected in the fall of 1932. I repeat, he followed the shirt tail of the New Deal, believing it to be a symbol of utopia and "the more abundant life." Either that, or he believed it the best way to keep his political party in the hands of Roosevelt and his followers.

I have not defended Smith. I have not defended the Liberty League. What I have done—and I think it was worth while—was to call attention to the fact that Democrats control the Liberty League, and they have left what is called now the Democratic Party, because the Democratic Party has left what it stood for in 1932. No one can complain of that.

Mr. President, I am not going to yield any more, and I am not going to talk any more now, so the Senator from Arkansas may take the floor and say what he pleases. [Laughter.]

Mr. ROBINSON. Mr. President, what is it that has made the Senator from Delaware angry?

Mr. HASTINGS. Oh, I could not get angry with the Senator from Arkansas if I tried.

Mr. ROBINSON. Why all this storm?

Mr. HASTINGS. Even when I am in a good humor, I do not storm as much as the Senator from Arkansas does. [Laughter.]

Mr. ROBINSON. It is just a brain storm. Can it be true that this fulmination to which we have listened represents the first product of the Republican "brain trust."

I should like to ask the Senator from Delaware what he has to say about "brain trusts." Ordinarily, when he rises to address the Senate, he has some criticism to make of the "brain trust"; but now that Mr. Henry P. Fletcher has a "brain trust" of his own, composed of 52 chosen college professors, I should like to have the Senator from Delaware explain why it is that he has nothing further to say about "brain trusts."

He said he did not defend Governor Smith. I did not bring Governor Smith's name into the discussion. I did not mention the Liberty League first. If the Senator from Delaware was not defending Smith, what in the name of common sense was he doing? What does he think he was doing? Does he know what he is doing any of the time when he speaks? Does he always speak without knowing what he is saying? [Laughter.] Has he no end in view except to abuse the President of the United States?

He has a confused notion that he is going to make the New Deal unpopular. As a matter of fact, every time the Senator from Delaware speaks or every time any other spokesman of the Liberty League speaks, the New Deal becomes more popular, and Roosevelt gets more and more votes whenever a primary or an election is held. If the Republicans will only continue to recognize the leadership of the Senator from Delaware when he chooses his candidate for the Presidency and proclaims his support of him, we Democrats are confident that his candidate will not get any votes at all. [Laughter.]

Mr. WAGNER. Mr. President, I do not desire to add to the discussion which has been going on, but let me quote from a very great statesman whose name has been brought into this debate: "Let us look at the record." That is what I propose to do.

I do not believe that the Senator from Arkansas [Mr. ROBINSON] is sufficiently appreciative of the embarrassment on the other side of the Chamber. Of course, they have to indulge in generalities.

Mr. ROBINSON. Mr. President, the Senator from New York will make me very happy if he will show me how to be more appreciative of the embarrassment of Senators on the other side of the Chamber.

Mr. WAGNER. I think the Senator lacks appreciation of the embarrassment the other side fears by insisting that the Senator from Delaware yield for a question. Is there not the apprehension across the aisle that attention might be called to the record of the New Deal administration, compared to the generalities which we constantly hear from opposition Senators? I am one of those who sympathize with them in their distress at this time, when they are groping for a candidate as well as groping for a platform. They have become so hopeless and so helpless that now they are calling upon 58 college professors from all over the country to help them find a way out.

Mr. CONNALLY. Mr. President, did the Senator say "groping" or "griping"? [Laughter.]

Mr. WAGNER. The only contribution I want to make to the discussion is to give some statistics of the record of the Roosevelt administration in comparison with the Hoover administration.

During the Hoover administration industrial employment decreased 44 percent.

During the Roosevelt administration industrial employment increased 43 percent.

During the Hoover administration unemployment increased by over 12,000,000, or multiplied four times, and this does not take into consideration those already unemployed when the Hoover administration succeeded the preceding Republican administration.

Total unemployment decreased by 5,000,000, or by one-third, during the Roosevelt administration.

Factory pay rolls decreased by 66 percent during the Hoover administration.

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

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Delaware?

Mr. WAGNER. Just 1 minute.

During the Roosevelt administration, factory pay rolls increased by 108 percent, or by about $2,000,000,000 per annum.

Let me read these figures, and then I will yield to the Senator.

Industrial production decreased by 50 percent during the Hoover administration. I appreciate the Senator's embarrassment.

During the Roosevelt administration industrial production increased by 96 percent, more than $33,000,000,000 in value per annum.

Earnings of 161 representative business concerns decreased by 90 percent during the Hoover administration.

Earnings of 161 representative business concerns during the Roosevelt administration increased by 316 percent. I am giving these figures as of 2 months ago, and the condition has become even better since then.

The votes in Illinois and other places are accounted for in the light of these facts, and the Senator's party knows what is going to happen to it.

The annual volume of business failures increased by $435,000,000 during the Hoover administration.

The annual volume of business failures decreased by $698,000,000 during the Roosevelt administration.

Security values on the New York Stock Exchange fell by 67 percent during the Hoover administration.

Security values on the New York Stock Exchange rose by 162 percent, or $31,000,000,000, during the Roosevelt administration.

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

Mr. WAGNER. Wait until I finish. I know the Senator from Delaware does not care to listen to this.

Mr. HASTINGS. I merely wished to ask the Senator whether or not the figures he is giving are New Deal figures.

Mr. WAGNER. I know these figures are not pleasant to the Senator from Delaware.

Mr. HASTINGS. Are the figures the result of the New Deal mathematics?

Mr. WAGNER. No; they are from independent authoritative sources. The New York Times today has an editorial stating that we are within 2 percent of normal in industrial production.

Mr. HASTINGS. Let me inquire about the Senator's labor figures. I should like to know where he gets the labor figures he has quoted.

Mr. WAGNER. From different statistical sources which are independent. One is the National City Bank.

Mr. HASTINGS. Are they American Federation of Labor figures?

Mr. WAGNER. No; although they also are accurate.

Mr. HASTINGS. The Senator does not pay any attention to those figures.

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

Mr. WAGNER. Yes.

Mr. McKELLAR. The Senator from New York got a great many of his figures from Republican newspapers throughout the country, did he not? They have been publishing such figures everywhere?

Mr. WAGNER. I can understand why the Senator from Delaware wishes to leave the Chamber. I know he does not care for any more statistics of this kind.

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

Mr. WAGNER. Yes.

Mr. ROBINSON. What I cannot understand is why the Senator from New York should ever conceive or imagine

that the Senator from Delaware would be interested in facts. [Laughter.]

Mr. WAGNER. Exactly.

Now let me go on. I desire to finish this table.

Department store sales decreased by 48 percent during the Hoover administration.

Department store sales increased 43 percent, or about $4,500,000,000 per year, during the Roosevelt administration.

Bank failures rose to 1,456 per year during the Hoover administration.

Bank failures have been reduced to 34 per year during the Roosevelt administration.

Just see that comparison!

The annual number of real-estate foreclosures increased by 233 percent during the Hoover administration.

Over 2,000,000 urban and rural families have been saved from eviction during the Roosevelt administration.

Farm bankruptcies and foreclosures increased during the Hoover administration by 177 percent.

Farm bankruptcies and foreclosures have decreased by more than 90 percent during the Roosevelt administration.

Annual farm income decreased by $6,000,000,000 during the Hoover administration.

Annual farm income has increased by almost $3,000,000,000 during the Roosevelt administration.

Home building during the Hoover administration decreased by 87 percent.

Home building has increased by over 100 percent during the Roosevelt administration.

Total construction decreased during the Hoover administration by 89 percent.

Total construction has increased during the Roosevelt administration by 278 percent.

Foreign trade decreased during the Hoover administration by 67 percent.

Foreign trade increased by 48 percent, or more than $1,300,000,000 per annum, during the Roosevelt administration.

Annual national income decreased by $30,000,000,000 during the Hoover administration.

Annual national income has increased by over $12,000,000,000 during the Roosevelt administration.

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

Mr. WAGNER. Yes.

Mr. HASTINGS. Will the Senator explain to the country, under all those conditions, why it is that more than twelve and a half million persons are out of jobs? I should like to have him answer that question.

Mr. WAGNER. Let me say to the Senator from Delaware that there are not quite that many. There are about eleven million; and as conditions improve we are going to reabsorb them. I will give the Senator, however, one of the reasons why there has not been the increase that there should have been, and that is because the National Recovery Act was held unconstitutional.

Mr. HASTINGS. Whose fault was it that that act was held unconstitutional? [Laughter.]

Mr. WAGNER. Well, let us not go into that question; but, as a matter of fact, the unemployment throughout the country was gradually being absorbed as a result of the code provisions of the National Recovery Act. Hours were being decreased rapidly, until we were getting below 40 hours per week. Child labor had been practically abolished throughout the country, and its abolition took over a million children out of industry.

Now what has happened? Since the National Recovery Act was declared unconstitutional hours have increased, and at the same time wages have not increased. The result has been that by the extension of hours the productive capacity per worker has been increased, and he has not been given the necessary purchasing power to absorb the very products which we are producing.

The New Deal did everything in its power to bring about a reduction of hours for the purpose of absorbing many of the unemployed. Now, with a free hand under the laissez faire doctrine, hours have increased. In some instances they have gone from 38 and 40 hours up to 50 and 60 hours per week. That is the reason why there has been a retardment of unemployment absorption.

We had brought to this country one of the greatest blessings of modern times when we practically abolished child labor; but since the National Recovery Act was declared unconstitutional children are going back into industry and thus taking away jobs from adults. That has been one of the most serious contributing factors to the slowness of reemployment. Of course, the other factor has been this—and the New Deal is not by any means finished.

Mr. HASTINGS. When will it be finished?

Mr. WAGNER. Will the Senator be patient just a moment?

We have the great problem of technological unemployment. During the depression particularly machinery was invented to decrease the force of workers required for production, thus substituting machinery for men.

Take, for instance, the automobile industry: Last year it increased its production by about 45 percent, but employment increased by only 8½ percent. That disparity was due to two things: The lengthening of hours because we were without laws to prevent it, and the invention of machinery. That presents a very important question, which the President recognizes. He called attention to that fact in his Baltimore address. It is one of the great problems to which we must address ourselves. We may talk as we like about local regulation, but unless there is some universal rule in the matter of hours of employment, plus minimum wages, we shall never solve the unemployment problem.

The reason is very obvious. I am not, by this statement, attacking generally the desire of most of our employers of labor to give a decent, fair wage, and to set decent hours. The difficulty is with the 10 percent who, through their exploitation of adult workers and of children, drag down the rest of the industry; and while for a time the fair majority have tried to keep up with the code provisions as to hours and minimum wages, they have had to give way because the unscrupulous minority, the 10 percent, who have been increasing hours of labor, reducing wages, and reemploying children.

The Senator speaks of the New Deal. What did you do? During all the time you were in power you never attempted to deal with these questions, you never had a concern about preventing the exploitation of our children, or reducing the hours of labor to decent standards, or providing a minimum wage so as to put competition on the basis of efficiency rather than on the basis of exploitation. The moment we came into power we addressed ourselves to these problems, and I think we were well on the way to their solution, so far as hours and wages and child labor were concerned, when the N. R. A. law was declared unconstitutional.

Of course, there were many constitutional difficulties with which we had to deal, and there also crept into being some unfortunate administrative practices, for instance, price fixing. I have never believed in that.

It was never intended that that should be permitted under the N. R. A., and I doubt even to this day whether it was not a derogation of the N. R. A. Act to permit any industries to fix prices. But, aside from that, we are meeting the major problems, and we are on our way to their solution.

The American people are going to keep in office the great man who is now President, this man of vision, who concerns himself with the underprivileged and the unfortunate, who concerns himself with lifting them up to a better and a more abundant economic life. It is a fortunate thing for the country that we have such a leader in this day of trial and crisis.

Mr. HASTINGS. Mr. President, I should like to ask two or three questions before the Senator sits down. I will ask them all before I get him to answer any of them.

My recollection is that the average of unemployed for the years 1930, 1931, and 1932 was a little more than 8,000,000, while for 1933, 1934, and 1935 there were more than 12,000,000 unemployed, an increase of 4,000,000.

I should like to inquire of the Senator whether or not he thinks there can be any real recovery without finding jobs for the 11,000,000, or practically all of them. Can there be any real prosperity in this country, the kind of prosperity that can be bragged about by the New Deal or any other administration, before those 11,000,000 people find suitable jobs? That is one question.

Mr. WAGNER. One at a time.

Mr. HASTINGS. I should like to complete my questions.

Mr. WAGNER. Let me answer one at a time, if I can answer.

Mr. HASTINGS. Very well.

Mr. WAGNER. I do not at all agree with the Senator's premise that during 1931 and 1932 there were only four or five million unemployed.

Mr. HASTINGS. I did not say that. I said that in 1930, 1931, and 1932 there was an average of something over 8,000,000, and that in 1933, 1934, and 1935 there was an average of over 12,000,000.

Mr. BARKLEY. Mr. President will the Senator from New York yield?

Mr. WAGNER. I yield.

Mr. BARKLEY. It is unfair to take an average over 3 years. The truth is that on the 4th of March 1933 there were between fourteen and fifteen million unemployed.

Mr. HASTINGS. In answer to that, let me say that this administration has been in power all those years with the exception of 2 months. If you desire to take credit for the 2 months, very well.

Mr. WAGNER. We restored employment in private industry by over 4,000,000 people, and, as I said before, if it had not been for some difficulties which arose in our courts, we would have been well on our way to absorbing a great many more.

I hope what I shall now say will not be regarded as immodest, but the records will show that back in March 1928 I made a speech in the Senate in which I called attention to the fact—and many of my colleagues agreed with me—that we were on the way to a depression. There were at least 5,000,000 people out of work at that time. Of course, I was attacked by the Republican press throughout the country, which said that I was simply attempting to minimize Coolidge prosperity, although at the time unemployment was increasing at a rapid rate.

I had a controversy with the distinguished Senator from Pennsylvania [Mr. DAVIS], who at that time was Secretary of Labor. I asked for a report, and I do not think the report I received was quite clear to anyone in the Senate. At any rate, it did not refute the charge I made. But the situation kept getting worse and worse, and in 1929, of course, it had to break. There were the unemployed, and we had no accurate method of counting them. I tried for several years to get legislation through this body providing for making a count of our unemployed, and finally, in the last year of the Hoover administration, the President did sign a bill, introduced by me, enlarging the Bureau of Labor Statistics in the Department of Labor, now the Bureau is attempting to give us some fair statistics, at least as to the trend of employment and unemployment; although the figures are not complete.

We on this side of the Chamber were conscious in 1931 and 1932 of the serious conditions which existed in the country. Some of the Senators on the other side, whom we term the "progressive" Republicans, were equally concerned with conditions, and we coalesced with them and proposed legislation. We proposed the first legislation to feed the hungry. At the end of 1931, and in 1932, President Hoover was hesitant even to support legislation which would give to the States the opportunity to borrow money from the Federal Government so that they could feed their unemployed.

Mr. HASTINGS. Is the Senator sure about that?

Mr. WAGNER. I am sure about it, because the Senator from Wisconsin [Mr. LA FOLLETTE], the Senator from Colorado [Mr. COSTIGAN], and myself were the authors of the legislation, and it was enacted. I went to President Hoover and pleaded with him, and finally he consented to legislation which provided an appropriation of $500,000,000. Even then our legislation could not receive Presidential approval until we provided a method of loans, so that a State would be obligated to repay at some time or other. Of course, the situation became so much worse later on that we abandoned the idea of loans, and regarded the problem of assistance as a national responsibility.

Mr. HASTINGS. Now, will the Senator yield?

Mr. WAGNER. The Senator has asked me a lot of questions. He has asked what we were trying to do on this side.

At the same time we proposed a large public-works program for the purpose of putting the unemployed to work by taking up the slack in industry; but we did not get anywhere with that for a long time. We finally secured legislation which, I think, provided for a $300,000,000 public-works program, although all of the expenditures were not made.

Conditions grew worse and worse and worse, and you became so perplexed as to how to deal with this problem that you finally became helpless, and of course the American people had to take on the New Deal, and they did so.

Mr. HASTINGS. Now, will the Senator yield for one question?

Mr. WAGNER. Yes.

Mr. HASTINGS. I desire to inquire whether the Senator from New York gives credit to this administration, and undertakes to take credit for it with the people of the country, for the enactment of the N. R. A. and the A. A. A.

Mr. WAGNER. I was one of the authors of the N. R. A. Act. Many have been named as its authors, and I do not want to claim any exceptional credit, but I am one of those who sat down and helped to draft the N. R. A. Act. We had to work pretty fast. It is easy now to sit here comfortably and consider that act, but at that time the country was in a real crisis. We were really on the point of economic and social disintegration. I do not think all of the people of the country realize the situation that existed in March 1933—the sort of ship of state you left us.

I do not think the critics are as jubilant now as they were right after the law was declared unconstitutional. Not only labor, but industry, came to us and pleaded with us to pass legislation so that we might again integrate industry. I see the picture now of what occurred after the bill was introduced. I appeared before the Ways and Means Committee of the House of Representatives, and on one side of me was the president of the United States Chamber of Commerce and on the other side was the president of the American Federation of Labor.

All three of us joined in our appeal to the House Ways and Means Committee to pass the legislation, and pass it as rapidly as possible, in order to save the industries of the country. The legislation was passed, and it did save the industries of the country.

As I said, I have not approved of all which was done in the administration of the act. That, however, is the history of the legislation. The Senator from Delaware does not seem to be interested any more, but I hope I have given him the information he desired.

As to the A. A. A., I must say that I am not an authority upon agricultural legislation. I voted for the original A. A. A. legislation because I was against what was happening to the farmers of the country. Just before Mr. Roosevelt took office we read of the foreclosures which were taking place throughout the country. Farmer after farmer was losing his home and farm. Homesteads which had been in the family for 50 or 60 years were being lost, and you did nothing about it.

Mr. HASTINGS. What did you do?

Mr. WAGNER. What did we do?

Mr. HASTINGS. Yes.

Mr. WAGNER. We saved over half a million homes for farmers in the United States. That is what we did.

Mr. HASTINGS. With an unconstitutional act.

Mr. WAGNER. What unconstitutional act? I am talking about the Farm Credit Administration now. You asked us what we did.

Mr. HASTINGS. That was a Republican proposition.

Mr. WAGNER. Oh, no, no.

I might have played a role which is unfamiliar to the Senator, but it so happened—I must use the "I"—it so happened that I was chairman of the subcommittee of the Banking and Currency Committee which had in its charge the Farm Credit Administration bill, and as authorized by the full committee I reported that measure to the Senate, and we enacted it into law. Then it became an amendment to the A. A. A. legislation. That was a measure conceived by us, because we saw homes going one after the other, and we acted in time to save many of them, so that today over a half million farm homes are saved which otherwise would have been lost. From the two standpoints of humanity and economics it was one of the greatest achievements of this administration.

Not only have we done that, but we have increased the income of the farmer so that now he can again pay his interest, he can again pay the installment upon his mortgage, and he is well on the way to a more prosperous era.

You ask us what we did. Ask the farmers of the country what we did for them. We did more than that. The home owners of the country were losing their homes through foreclosure. Foreclosures were being made right and left in my own State and all over the country. The people were helpless, being out of employment, they could not pay either the interest or any installments upon their mortgages, and they were on the point of losing their homes. The home is the basis of our whole American civilization.

We saved over 2,000,000 homes. Think of it, Senators of the United States, this administration has saved over 2,000,000 homes for the American home owner, who but for our intervention would have been lost, and in many cases ruination would have resulted to their families.

Do not ask us what we did. The answer is plain. That is the reason you are going to have difficulty in getting a candidate. You are now looking for somebody who is unknown, who has done nothing, hoping that, perhaps, in that way you may sail in, but you are mistaken about that. You must face the facts and the record, and you cannot do away with them. That is the reason you have practically given up this election. I have heard some distinguished Republicans say, "Well, we are going to prepare for 1940. We cannot do anything now, but maybe our opponents will make some mistake in the next 4 years, and in 1940 we are going to come into power." That is a long way off, but the people of the United States are through with reaction. They have had experience under reactionary administrations for some 12 years, and you left them at a point where they were threatened with economic and social disintegration. The people of the country are never going back to those days. They are never going back to the days when the kind of policies in which the Senator from Delaware believes are to control. It cannot be done. So give it up.

Mr. DAVIS obtained the floor.

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

Mr. DAVIS. I yield.

Mr. BARKLEY. A few days ago Mr. Alfred P. Sloan, president of the General Motors Corporation, made a statement which I believe was in the form of a report of some kind to his board of directors to the effect that the policies of the Roosevelt administration were retarding recovery. The General Motors Corporation, as we all know, is owned very largely by the Du Ponts and Mr. Raskob and Mr. Sloan and men of that particular association.

I ask unanimous consent to have printed in the RECORD at this point a statement concerning the General Motors Corporation which appeared in the Wall Street Journal, showing the enormous increase in the sales and the profits of the General Motors Corporation, and showing that in March 1936 it sold more automobiles and made larger profits than in any previous month in its history except the month of May 1928.

The PRESIDING OFFICER. Without objection, the statement will be printed in the RECORD.

The article referred to is as follows:

[From the Wall Street Journal]

GENERAL MOTORS SALES IN SHARP MARCH GAIN, 89.1 PERCENT OVER FEBRUARY—RETAIL MARK BEST SINCE MAY 1928—FIRST QUARTER SHIPMENTS RUN FAR AHEAD OF 1935 PERIOD

Showing the sharpest seasonal gain over February in at least 10 years, General Motors reported domestic retail sales for March of 181,782 units, a new high record for the month and comparing with 96,134 units in preceding month and 126,691 in March 1935. March retail sales showed an increase of 89.1 percent over February compared with an increase of 63.9 percent in March 1935 over the preceding month and a 66.6-percent gain in March 1934 retail sales over February of that year.

Retail sales in March not only established a record for that month but exceeded every month in company's history except the record of May 1928 when General Motors delivered to consumers in United States 186,892 units.

First-quarter retail sales broke all records for that period, exceeding the previous best first quarter, 1929, by almost 29,000 cars.

March sales to all dealers in United States and Canada, together with overseas shipments, reached 196,721 units, the highest peak since June 1929.

DEALERS' STOCKS REDUCED

The March sales report discloses a substantial reduction in dealers' stocks during the month. Sales to dealers in United States in March totaled 162,418 units while sales to consumers totaled 181,782 units. This reduction of 19,364 units in dealers' inventories appears to indicate that production during current month will be maintained at least as high as March levels while some divisions undoubtedly will increase production.

Dealers' stocks of new cars at end of March were shown to be 79,139 units higher than at the end of first quarter of 1935.

First-quarter sales to all dealers in United States and Canada plus overseas shipments were reported at 500,167 compared with 495,506 units in final quarter of 1935 and 499,844 units in second quarter of 1935.

NET AT $1.18 A SHARE

With sales totaling almost half a million cars in the final quarter of last year, General Motors reported net income of $1.18 a share on common stock. Per-share earnings for second quarter of last were equivalent to $1.17 a share on common stock.

The following tables compare General Motors Corporation's monthly sales since 1932:

SALES TO CONSUMERS IN UNITED STATES

Month	1936	1935	1934	1933	1932
January	$102,034	$54,105	$23,438	$50,653	$47,942
February	96,134	77,297	58,911	42,280	46,855
March	181,782	126,691	98,474	47,436	48,717
April		143,909	106,349	71,599	81,573
May		109,051	95,253	85,969	63,500
June		137,782	112,847	101,827	56,987
July		108,645	101,243	87,298	32,849
August		127,346	86,258	86,372	37,230
September		66,547	71,648	71,458	34,694
October		68,566	69,090	63,518	26,941
November		136,859	62,752	35,417	12,780
December		122,198	41,530	11,951	19,992
Total	379,950	1,278,996	927,493	755,778	510,000

SALES TO DEALERS IN UNITED STATES

Month	1936	1935	1934	1933	1932
January	$131,134	$75,727	$46,190	$72,274	$65,382
February	116,762	92,907	82,222	50,212	52,539
March	162,418	132,622	119,858	45,098	48,383
April		152,946	121,964	74,242	69,029
May		105,159	103,844	85,980	60,270
June		150,863	118,789	99,956	46,148
July		139,021	107,554	92,546	31,096
August		103,098	87,429	84,504	24,151
September		22,986	53,738	67,739	23,545
October		97,746	50,514	41,982	5,810
November		147,849	39,048	3,483	2,405
December		150,010	28,344	11,191	44,101
Total	410,314	1,370,934	959,494	729,201	472,589

TOTAL SALES TO DEALERS

Month	1936	1935	1934	1933	1932
January	$158,572	$98,268	$62,506	$81,117	$74,710
February	144,874	121,146	100,848	59,614	62,850
March	196,721	169,302	153,250	58,018	59,696
April		184,059	153,954	86,967	78,359
May		134,597	132,837	98,205	66,739
June		181,188	146,881	113,701	52,561
July		167,790	134,324	106,918	36,872
August		124,680	109,278	97,614	30,419
September		39,152	71,888	81,148	30,117
October		127,054	72,050	53,054	10,924
November		182,754	61,037	10,284	5,781
December		185,689	41,594	21,295	53,942
Total	500,167	1,715,688	1,240,447	869,035	562,970

Unit sales of Chevrolet, Pontiac, Oldsmobile, Buick, LaSalle, and Cadillac passenger and commercial cars are included in the above figures.

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

Mr. DAVIS. I yield.

Mr. McKELLAR. A few moments ago the Senator from Delaware asked the Senator from New York concerning the source of his statistics, and I believe the Senator from Delaware implied in his question that the statistics came from labor sources. I desire to give some statistics which may be gathered from headlines appearing in one of the most reliable Republican newspapers in this country, the Evening Star, of Washington City. Today's issue of the Star has just come to me, and I turn to page A-13 and find headlines such as these on the financial pages of that paper:

B. & O. net reaches $24,298,956.

In the next column:

Steel rate soars to 70½ percent.
Institute declares further sharp gain in week's mill operations.

I turn to the next page—and I shall take but a small portion of the Senator's time—and read:

Advertising total up 2.9 percent from last year.
Bar silver price boosted again to 45¾-cent mark.
Stocks improve—

Here is the headline of another column.

Stocks improve as volume lags.

I desire to call special attention to the next one, because the Senator from Delaware has been defending the Du Ponts. Listen to this:

Du Pont profits increase sharply.

We have not had any such headlines in the newspapers for many years; and these headlines appear in this afternoon's newspaper, which has just come to me.

Mr. BLACK. Mr. President, does that item state whether the profits of the Du Ponts accrued from their munitions business or their farm business?

Mr. McKELLAR. I am going to read just a small portion of the article.

Mr. BLACK. I desired that to be clear, because the Senator may not be familiar with the fact that the Du Ponts have been contributing to a farm organization as farmers.

Mr. McKELLAR. I think they take a very active hand all along the line in our economic business.

Du Ponts profit increase sharply. Estimated at $1.21 a share in quarter, against 85 cents in 1935.

Here are these very people, to whom prosperity has come under a Democratic administration, joining the Liberty League to put out of business the party which has done so much for them.

So, Mr. President, when the Senator from Delaware wished to know the authority for these statements, and wished to know where the statistics came from, he need not go to any statistical bureau. All he needs to do is to read Republican newspapers, which tell the truth about the growing and returning prosperity of the country.

Mr. BLACK. Mr. President, I do not desire to take the Senator's time, but I am sure he would be interested also in what I desire to place in the RECORD.

The PRESIDING OFFICER (Mr. GEORGE in the chair). Does the Senator from Tennessee yield to the Senator from Alabama?

Mr. McKELLAR. I yield.

Mr. BLACK. I wonder if the Senator will yield to me. I wish to place in the RECORD at this point the poll which was taken by the American Institute of Public Opinion, which appeared in the Sunday newspapers throughout the country, with reference to the feeling of the people of the country on the question of shorter hours of labor.

Mr. President, I ask unanimous consent to insert in the RECORD the marked portion of the page which I send to the desk, showing the vote in a poll taken by the American Institute of Public Opinion on shorter hours of labor throughout the country, showing that 76 percent of the people who voted voted in favor of shortening the hours of labor and 24 percent voted against it.

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

The matter referred to is as follows:

[From the Birmingham News-Age-Herald, of Apr. 19, 1936]

PLANK FOR SHORTER HOURS OF LABOR FAVORED IN NATIONAL POLL—AMERICA SPEAKS ON PLAN FOR REDUCING UNEMPLYMENT—"DO YOU FAVOR SHORTENING THE HOURS OF LABOR?"—YES, 76 PERCENT; NO, 24 PERCENT

FORTY-EIGHT STATES FAVOR SHORTENING HOURS

Question I: One plan for reducing unemployment is to shorten the hours of labor in business and industry. Do you favor this plan?

Nation: Yes, 76 percent; no, 24 percent.

The vote by States (percent)

	Yes	*No*
Maine	63	37
Delaware	65	35
South Dakota	65	35
Kansas	66	34
Nebraska	66	34
Virginia	67	33
Oklahoma	68	32
Vermont	68	32
Iowa	70	30
Maryland	71	29
Kentucky	71	29
Connecticut	72	28
Minnesota	72	28
New Mexico	72	28
Massachusetts	73	27
Rhode Island	73	27
West Virginia	73	27
Wisconsin	74	26
New Hampshire	75	25
Texas	75	25
Colorado	75	25
New Jersey	76	24
Ohio	76	24
Louisiana	76	24
Mississippi	76	24
Utah	76	24
Idaho	76	24
California	76	24
Missouri	77	23
South Carolina	77	23
Georgia	77	23
Tennessee	77	23
Montana	77	23
Oregon	77	23
New York	78	22
North Carolina	78	22
Pennsylvania	79	21
Michigan	79	21
Illinois	79	21
Arkansas	79	21
Arizona	79	21
Indiana	80	20
Washington	80	20
Florida	81	19
North Dakota	82	18
Nevada	83	17
Alabama	88	12
Wyoming	88	12
Parties (percent)		
Democrats	86	14
Republicans	61	39
Socialists	88	12
Third party	78	22
Groups (percent)		
Farmers	63	37
Women	80	20
Young people	80	20
Reliefers	86	14

Question II: If hours are reduced, should the weekly wages of employees be lowered or remain the same?

Nation: Remain same, 84 percent; be lowered, 16 percent.

The vote by States (percent)

	Remain same	*Be lowered*
Maryland	73	27
Kansas	75	25
Texas	75	25
Arkansas	76	24
South Carolina	77	23
Oklahoma	77	23
Tennessee	77	23
Delaware	78	22
South Dakota	78	22
Virginia	78	22
Kentucky	78	22
New Mexico	78	22
Oregon	79	21
Iowa	80	20
Florida	80	20
Idaho	80	20
Vermont	81	19

The vote by States (percent)—Continued

	Remain same	*Be lowered*
Missouri	81	19
North Dakota	81	19
New Hampshire	82	18
Minnesota	82	18
Maine	83	17
West Virginia	83	17
Montana	83	17
California	83	17
Nebraska	84	16
Washington	84	16
New York	85	15
Illinois	85	15
Georgia	85	15
Colorado	85	15
Connecticut	86	14
New Jersey	86	14
Ohio	86	14
Indiana	86	14
Massachusetts	87	13
North Carolina	87	13
Pennsylvania	88	12
Wisconsin	88	12
Nevada	88	12
Louisiana	89	11
Rhode Island	90	10
Wyoming	90	10
Arizona	90	10
Michigan	91	9
Utah	91	9
Alabama	93	7
Mississippi	93	7
Parties (percent)		
Democrats	90	10
Republicans	74	26
Socialists	94	6
Third party	90	10
Groups (percent)		
Farmers	66	34
Women	87	13
Young people	89	11
Reliefers	94	6

SERVICES OF BUREAU OF MINES TO PITTSBURGH DURING RECENT FLOODS

Mr. DAVIS. Mr. President, flood control is a national problem. No program of harnessing our rivers will succeed until we control the waters at their source by constructing a system of reservoirs and dams. I have heretofore stated on the floor of the Senate that we will be guilty of neglect if we shall not take practical measures to protect the lives and property of the people whose destiny is so closely allied with proper flood-control projects.

I wish to take this opportunity, Mr. President, to make a statement as to the outstanding services during the recent floods rendered by the United States Bureau of Mines to the city of Pittsburgh. Recently I called the attention of the Senate to some of the important and far-reaching services the United States Bureau of Mines has rendered and is rendering for the benefit of the mineral industries, not only in connection with development, production, processing, and other operations in mining but also in the saving of human life and limb. The record was an imposing one, and one of which all of us should be proud. My State has just had a fine demonstration of the wonderful capacity of this governmental organization to help not only those engaged in mining but the community at large.

Organized as it is for the performance of specific types of research and service work connected with mining, its usefulness to the public was amply demonstrated by the part its safety workers took in helping to handle the dangerous conditions left by the disastrous flood which so sorely afflicted the great city of Pittsburgh in the latter part of March.

The Bureau of Mines has maintained at Pittsburgh ever since it came into existence in 1910 the foremost organization and plant in the entire world devoted entirely to the mineral industries, with special attention to coal mining.

The field forces of the Bureau of Mines, engaged in the promotion of health and safety in mining and expert in the handling and prevention of mine disasters and the investigation of health conditions in mines, have their operating headquarters in the city of Pittsburgh.

These men, Mr. President, many of whom have been engaged in mine-safety work for 20 years or more and are veterans of scores of disastrous mine fires and explosions, placed themselves, their experience, and their equipment at the disposal of the city of Pittsburgh at its time of need. They amply demonstrated their resourcefulness in meeting a new and unusual emergency and applied their long mine-safety experience in safeguarding the lives and health of the people of Pittsburgh when receding floodwaters left numerous hazards in the inundated areas.

The flood of March 17 reached a flood stage of 46 feet, or about 7½ feet higher than ever before experienced. This resulted in the inundation of hundreds of basements and many upper floors in structures of all types in the main downtown business district of Pittsburgh known as the Golden Triangle, and for miles along the Allegheny and Monongahela Rivers and along the shores of the Ohio River formed by the junction of these two rivers. When the floodwaters receded they left the usual trail of destruction. Gas and electric services were suspended for days and the floods in streets and basements caused damage to gas and electric lines.

On March 21 the facilities of the Bureau of Mines at Pittsburgh were offered to the Red Cross and to the city of Pittsburgh and immediately accepted. The Red Cross was furnished with several automobiles and drivers as well as with first-aid material, drugs, antiseptics, germicides, and other similar supplies.

On March 22 several of the downtown banks of Pittsburgh became apprehensive as to gas and other possible dangers in dewatered basements and safety men of the Bureau of Mines were asked to make inspections because the safety workers of that organization as a routine activity are familiar with detecting gases and handling or removing them in a safe manner. These first relatively few basement examinations in the main business district on March 22 caused the safety workers to recognize the very serious menace of asphyxiation, fires, and explosions in the dewatered buildings, especially in the basements, and they were convinced that hundreds of these basements and cellars should be inspected and the work should be done without delay if very serious disasters were to be averted.

The Bureau of Mines workers quickly called to their aid the members of the Mine Inspection Department of Pennsylvania living near Pittsburgh and conferred with officials of the city of Pittsburgh, calling attention to the serious gas and other hazards in the dewatered basements. Upon being made acquainted with the serious dangers threatening the city, the city officials quickly gave authority to the Bureau of Mines and the coal-mine inspection force of Pennsylvania to effect an organization and proceed immediately with inspection of the affected buildings in the flood area. The work was completely under the direction of safety experts of the Bureau of Mines and the State mine-inspection department. Police authority was given by the city of Pittsburgh for carrying out this work and 50 special police badges were issued for use of leaders of the inspection crews.

Mr. President, the task of inspecting the great number of buildings in the flood area necessitated procuring competent assistants outside the organization of the Bureau of Mines and the State department of mines, and the exigency of the situation required prompt action and the perfection of an organization to handle the work. Radio appeals were made to coal-mining companies and others in the district, calling upon them for experienced volunteers to assist with the inspection work, men who held certificates of competency issued by the State department of mines. In answer to these appeals 25 coal-mining companies in the district furnished competent men with necessary testing equipment, and a number of other qualified individuals also responded. A total of 171 men participated in the inspection work, including 100 men furnished by coal companies, 39 men unattached, 12 Pennsylvania Department of Mines inspectors. Twenty Bureau of Mines men contributed a total of 380 days' service, working 12 to 16 hours a day.

Crews were organized consisting of four to six examiners, a clerk, with a State mine inspector, Bureau of Mines engineer, or mine-safety engineer in charge. Maps of the city were procured and the flood areas laid out in inspection

districts. Crews were assigned to these districts and were instructed to inspect all basements for explosive or noxious gases and to order removed or extinguished such devices as salamanders, oil stoves, oil-burning lamps, candles, gas furnaces, gas hot-water heaters, gas stoves, gas hot plates, or any other open-flame appliances. They were instructed to observe any other extraordinary fire hazards, such as use and storage of oils and gasoline and any material favorable to spontaneous combustion.

Emergency inspections were made in many cases on request of places producing and distributing food and food materials, so that normal distribution of such materials might be resumed as soon as possible.

The first area to be inspected was the downtown business district that had been flooded. Inspection then continued from this district up and down the three rivers to the city limits. The work was started on the afternoon of March 24 and all districts had been covered by the afternoon of March 28.

Orders were issued by the department of public safety that no gas was to be turned into lines or electricity turned on in basements that had been flooded until after they had been inspected and O. K.'d by the Bureau of Mines. This order brought thousands of telephone calls from individuals who were anxious to have their gas and electric services restored.

An informal report was submitted to the director of public safety. The report contained a brief outline of the work done, and recommended cautions and warnings that should be issued to the people whose properties had been inundated.

The inspection revealed many dangerous situations, all of which were remedied and there is good reason to believe that fires and explosions, with probable heavy property loss, were prevented and life and health preserved by the prompt effective service given in this wonderful exhibition of cooperative effort on the part of the Federal Bureau of Mines, the State coal-mine inspection forces, and the city of Pittsburgh.

Mr. President, the appreciation of city officials for the extremely valuable service given the city of Pittsburgh by the Bureau of Mines was expressed in letters addressed to Director John W. Finch by Thomas A. Dunn, director, department of public safety, and to J. J. Forbes, supervising engineer of the Bureau's safety forces at Pittsburgh, by George W. Schusler, superintendent-engineer, department of public health.

I ask unanimous consent, Mr. President, to have inserted in the RECORD at this point a letter from Thomas A. Dunn, director of public safety of the city of Pittsburgh, to the Director of the United States Bureau of Mines, and also a letter written by George W. Schusler, superintendent-engineer, department of public health of the city of Pittsburgh, to the Secretary of the Bureau of Mines, testfying to the value of the services rendered by the Bureau of Mines.

The PRESIDING OFFICER. Without objection, the letters will be printed in the RECORD.

The letters referred to are as follows:

CITY OF PITTSBURGH, PA.,
DEPARTMENT OF PUBLIC SAFETY,
March 31, 1936.

Mr. JOHN W. FINCH,
Director, United States Bureau of Mines,
Washington, D. C.

DEAR DIRECTOR FINCH: It is an extreme pleasure to the Department of Public Safety of Pittsburgh to congratulate the United States Bureau of Mines at Pittsburgh, and, more particularly, Mr. J. J. Forbes, supervising engineer, and the rank and file of your men under him.

In Pittsburgh's greatest distress one of the outstanding dreads of the department was gas, both sewer and natural, in the many buildings that had been under water during the flood. The very splendid cooperation given by your Department was appreciated highly both by his honor, Mayor McNair, and Mr. H. L. Seaman, superintendent of the bureau of building inspection, as well as myself.

Yours very truly,

THOS. A. DUNN, *Director.*

CITY OF PITTSBURGH, PA.,
DEPARTMENT OF PUBLIC HEALTH,
March 30, 1936.

Mr. J. J. FORBES,
Secretary, Bureau of Mines, 4800 Forbes Street.

DEAR MR. FORBES: I wish to express my hearty thanks for the cooperation given us during the crisis caused by the flood.

Mr. Munsch and the men associated with him rendered excellent service and gave us much-needed help. If at any time we can be of service to you do not fail to call upon us.

Again thanking you for your cooperation, I am,

Yours very truly,

GEO. W. SCHUSLER,
Superintendent-Engineer.

WORKS PROGRESS ADMINISTRATION

Mr. DAVIS. Mr. President, I wish to continue for a few minutes further on the Works Progress Administration.

The program encouraged by the Works Progress Administration attendant upon its policy of spending first and inquiring afterward will form a sordid chapter in American history. Relief of the needy is an essential and must not be denied. But this fact cannot now obscure the maladministration of W. P. A. funds. The country may well stand aghast before the accumulating evidence of waste and extravagance and the use of work-relief money contrary to the purposes for which it was appropriated.

The Federal Theater Veterans' League, composed of World War veterans now employed by the Works Progress Administration in New York City has sent me a copy of a letter addressed to the President on March 19, 1936, which was nearly a month ago. I did not bring this matter to the attention of the Senate, thinking that the Administration would prefer to take care of it in its own way. However, nothing has been done about it, and I believe this situation is so serious that the Senate should be informed. I desired that the Administration should have faced this situation openly, but, in view of the fact that no action has been taken, I feel that it is my duty to bring this matter to the attention of the Senate.

Mr. President, the veterans in their letter describe the use of the W. P. A. theater project in New York City for the spread of communistic propaganda. Anyone knowing the powerful influence of the theater can realize the significance of its perversion for such a purpose. The veterans show that the Federal theater project is primarily used for the dissemination of communistic propaganda, that active Communists are in charge of its departments, and that its key positions have been given to nonprofessionals while the professional actors are ignored.

Mrs. Hallie Flanagan, close to the administration, as I am informed, and head of the Vassar College Experimental Theater, was appointed director of the W. P. A. theater project. When the veterans in their letter to the President requested the removal of Mrs. Flanagan and her associates because of their communistic tendencies, I made inquiry concerning her literary works to ascertain, if possible, in what way they might throw light upon this contention. I do not know Mrs. Flanagan except as she is shown in her writings and books, which I have here on my desk at this time.

I find upon inquiry that Mrs. Flanagan has four works listed under her name in the Congressional Library. One, written in Russian, translated by her and associates in 1934, is entitled "Fear." Back in 1928 Mrs. Flanagan wrote a book called "Shifting Scenes", in the prologue of which she says:

> The curtain rises on an impressionistic drama of the European theater and on certain brilliant personalities who are creating that theater. The scenes are laid in Dublin, Prague, Budapest, Moscow, Leningrad, and many other cities where drama is alive.

She devotes the second third of her book to the Russian theater. On page 81 she says:

> I went to Russia because I wanted to understand the circumstances under which developed the incomparable art which we have seen in Stanislavsky's Theater, in the Chauve-Souris, the Musical Studio, the Ballets Russes, the Habimah, and because I wanted to see for myself what part the theater plays in the new order and how it is influenced by that order. The answer to both questions proved to be so bound up with the whole social experiment that I became absorbed by the drama outside the theater; the strange, stirring, and glorious drama that is Russia.

This statement would seem to show that Mrs. Flanagan is highly devoted to Russian art when she says, "I became absorbed by the glorious drama that is Russia."

In 1931 Mrs. Flanagan wrote for the Vassar Experimental Theater Can You Hear Their Voices? which was based on a story by Whittaker Chambers, published in the New Masses for March 1931. This play ridicules the inefficient voluntary provision made for relief back in those days, scoffs at the American Red Cross as a relief agency, makes a laughingstock of ease-loving Congressmen, and creates a hero and the leading character of the play out of a Communist by the name of Wardell, who says:

> Don't you see, Rose, it ain't Purcell that's wrong. It's the plan we live under; it's the whole system. Listen! Maybe I think, like you, that there'll come a time when there'll be shootin'. But today ain't the time. Maybe there'll come a time when we can stand our feet like free men, instead of crawlin' on our bellies askin' for help. But that time ain't come yet. Some of us believe in a time comin' when everybody will have to work, and there'll be enough work for everybody. Some of us believe that the land and the crops and the cattle and the factories belong to the men that work 'em. But we ain't strong enough yet to take 'em. And that's why some of us think it's more important to work for that time than to shoot up a few rich guys now.

This is one of the high points of Mrs. Flanagan's drama, found on page 62.

In 1934 Mrs. Flanagan and Mary C. St. John wrote a drama entitled "The American Plan", in which a big-business man by the name of Black is ridiculed, a strike is dramatized sympathetically, a young Communist murders Black, is sentenced to prison for life, and in which The Star-Spangled Banner is played whenever conditions seem the worst and the Internationale is played when the audience reaction is most favorable.

Anyone reading these books either casually or carefully would find no place in which Mrs. Flanagan has a good word to say about the United States, this Government, American institutions, or the economic system which still makes possible relief money for the Works Progress Administration. From reading these books one gains the impression that Russia is a grand place and that the United States is terrible. Mrs. Flanagan's idea of the country in which she directs the theater project of the Works Progress Administration is found in her play, The American Plan, where big business is caricatured, communistic violence made to seem inevitable, and class conflict necessary.

Mr. President, if these are not Mrs. Flanagan's actual sentiments, I believe the country would welcome a statement from her to the contrary. The question arises as to why she was appointed to administer over $7,000,000 of American money under the Works Progress Administration, when all of her published works reveal, as she says, that she has become "absorbed in the glorious drama that is Russia." Was she so appointed because the Administration was unaware of her love of Russia and her hatred of the American plan, or was she so appointed because the Administration approves her point of view? If the Administration appointed her without knowing her point of view, it reveals an unbelievable irresponsibility. If the Administration appointed her as a mark of approval and a sanction on her absorption in the "glorious drama that is Russia", it should now explain to the taxpayers of this country the use of relief money intended to feed the hungry for such alien purposes.

Mr. President, I do not address these inquiries to Administrator Hopkins of the Works Progress Administration, because he has not elected to answer past inquiries which I have directed to him. Perhaps, however, Mr. Hopkins may be willing to address a letter to the Vice President of the United States, the Presiding Officer of this honorable body of American citizens, explaining the reasons for the appointment of Mrs. Flanagan.

Mr. President, I ask unanimous consent to have printed in the RECORD a letter addressed to President Roosevelt March 19, 1936, by Mr. Norman L. Marks, counsel of the Federal Theatre Veterans' League, describing the use of the Federal theater project of the Works Progress Administration for the dissemination of communistic propaganda, together with a letter addressed to Senators by Mr. E. J. Blunkall bearing on the same subject.

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

NEW YORK, *March 19, 1936.*

Hon. FRANKLIN DELANO ROOSEVELT,
President of the United States,
White House, Washington, D. C.

MY DEAR MR. PRESIDENT: This letter is being written to you on behalf of the Federal Theatre Veterans League, of which I am counsel, and which is composed of honorably discharged ex-service men who are now employed by the Works Progress Administration in various theater projects.

We are all men who have not only served our country in time of war but who are endeavoring to serve this country in time of peace.

We believe that the theory of the W. P. A. in establishing theatre projects is worthy and can do a great deal not only to assist destitute actors but also to advance the theater in this country.

May I specifically point out that the Federal Theater Veterans League does not seek to give the veterans any preference in any project. It is formed merely to assist the W. P. A. in its work and to give the people employed in the various projects a true sense of Americanism. The league was only formed after we saw the tremendous amount of communistic activity in the various projects.

We enclose herewith a list of charges which we specifically refer to you for action. We are ready to prove every statement contained in the charges. We are ready to give you any affidavits or other proof you may want. We ask that a hearing be had that we may produce witnesses to prove every statement.

A general statement of the charges has heretofore been forwarded to Mr. Harry Hopkins, who is Administrator of the Works Progress Administration, but to date we have not receive any reply, and for that reason we are forwarding this matter to your attention, for we believe that the situation is more serious than most people realize.

Your kind and urgent consideration of this matter will be deeply appreciated. An acknowledgment of this communication will likewise be appreciated.

Very sincerely yours,

NORMAN L. MARKS, *Counsel.*

The Federal Theatre Veterans' League does hereby request a complete and thorough investigation of the Federal theater project of the Works Progress Administration, and specifically requests the removal of Mrs. Hallie Flanagan as national director of the Federal theater project, and her associates, for the following reasons:

I. The Federal theater project is primarily used for the dissemination of communistic propaganda

In order to substantiate the fact that the Federal theater project is used for communistic propaganda, the following facts are submitted:

(a) The selection of plays is designed to teach the American public communistic activities. The play Triple A. Plowed Under contains a scene in which the secretary of the Communist Party condemns the judiciary of the United States Government. Characters, as George Washington and Andrew Jackson, were removed from the play in order to give a prominent part to the secretary of the Communist Party. The conclusion of the play is the establishment of a political party in accordance with the wish expressed by the secretary of the Communist Party in a radio broadcast a short time ago.

In the play Class of '29, the cast is required to sing the "red" marching song and is required to carry a red banner. The play itself is pure communistic propaganda.

The play Savva advocates the destruction of religion in accordance with the general idea of Soviet Russia and active Communists.

The play Dance of Death openly condemns Jews. It actually contains the following lines:

> "There's a dirty Jew,
> You know what to do."

The cast thereupon demand his destruction and chase him out of the theater through the audience. In the play there is a demand that the ownership of property be destroyed and that a revolution be had.

In the play Ethiopia there was actually preached the violation of our antineutrality principles of government and the violation of the generally recognized theatrical international understanding that no living ruler of another nation be depicted as a character in a play.

(b) Communistic literature is distributed and taught. Mrs. Hallie Flanagan, who is the national director of the Federal theater project, has definitely stated that she is not interested in American theater or methods, but is interested only in the Russian stylized performances.

In the publicity department of the project there is actually distributed communistic literature instead of publicity for the projects themselves. The literature may be found on the desks of the publicity department at any time.

On the bulletin boards of the project are various forms of communistic literature. In the past Russian posters lined the walls.

Communist meetings are held during business hours. Such meetings were held at the Jewish East Side Center and 117 West Forty-sixth Street, Manhattan, New York., besides at various other

places, including the Central Plaza in New York. One of the Forty-sixth Street meetings was called as a supervisors' conference. Only those supervisors who were believed to be Communists or radicals were invited to the meeting. It was addressed by the organizer of the communistic movement and his delegates. The meeting was held in a Government-leased building on time that should have been devoted to Government activities.

Key positions are held by people of communistic leaning. The director in New York is Mr. Philip Barber, who meets weekly with representatives of the radical organization, but refuses to meet with destitute actors who have American leaning. Mr. Barber has delayed the signing of requistions for days, but has always had time to care for the Communists. Mr. Barber has seen fit to permit the posting of various bulletins, tending to cause dissatisfaction in the project, and editorials of the Daily Worker, a communistic paper, but has never seen fit to permit the posting of any pro-American bulletins or papers.

Mr. Stephen Karnot has been in direct charge of the plays Dance of Death and Savva. He started about 15 plays since November, but only one has been produced.

Miss Helen Arthur, supervisor of the Manhattan Theater, has invited the cast to a tea in the lobby of the theater for the purpose of studying the Russian and Soviet theater and the theory of government back of them.

Mr. Irving Mendell, a candy maker by profession, is in charge of the transfer bureau of the project, while his wife, known as Ann Fischer, is secretary to Mr. Karnot. In the first place, it is contrary to regulations for both man and wife to be employed by W. P. A. In the second place, they are both avowed Communists and admit that they are Communists and teach communism in their home. An investigation was made, and they admitted to everyone that they were Communists. It may be interesting to note that after the investigation, in which they admitted that they were Communists, they were both promoted.

Axel Plenn, director of the project in the Children's Theater, sanctioned communistic meetings during rehearsal and rehearsal periods.

Mr. Alfred Kreymbourg permitted an outside Communist to address the cast at the rehearsal held in Christ Church, West Thirty-sixth Street, New York, and attempted to requisition Communists who were not on relief to join the cast. He has specifically refused to permit on any bulletin board any literature which would advocate the theories of American Government and charged any dissension to the formation of an Americanization plan. It may be interesting to note that at the Communist meeting permitted by Mr. Kreymbourg most of the cast walked out. When the members of the cast refused to listen to his communistic theories, Mr. Kreymbourg stated: "Don't be afraid. We will not hurt your lovely Government."

Thomas Stone, supervisor in the experimental theater, has preached communism not only in the office but has even attempted to preach those theories to former members of the Three Hundred and Seventh Infantry, Seventy-seventh Division. During business hours he has solicited membership for the Communist organization and has actually taken a new applicant to a meeting.

II. Incompetency rules the project

Most of the employees are persons who were not previously engaged in the theater. The purpose of the project was primarily to give relief to people who were engaged professionally in theatrical work. In that connection it has failed its purpose, as nonprofessionals, not in need of work, are holding those positions which should be held by those of the profession who are now walking the streets suffering the pangs of hunger.

At the present time most shows are in rehearsals for 9 and 10 weeks and are never produced. When the project was first started, in January 1934, with professional men, casts were formed within a few days and productions ready after 10 days to 2 weeks of rehearsal. Eleven shows were actually produced and played to a weekly average of 22,000 people. Today in the city of New York there are 11 shows playing, 8 of which are part of the original drama unit, and only 3 have been produced since last November under Mrs. Flanagan's regime.

The purchase of materials is a disgrace. Money is simply thrown away. If, for example, lighting equipment is needed for a show, it is purchased, even though the equipment needed may be lying idle in another show.

The publicity department gives no publicity. For example, a circus was opened in the Jamaica arena without any publicity. Box-office receipts were approximately $15. "Throw-aways" were printed but never distributed. There was not a line in any newspaper. The same condition exists on all theatrical projects. The publicity department is too busy disseminating communistic propaganda to give publicity to shows.

III

It is therefore respectfully submitted:

(a) That the Federal theater project be thoroughly investigated.

(b) That Mrs. Flanagan be dismissed as national director.

(c) That Mr. Barber be removed as director of the city of New York.

(d) That all Communists be removed from the theater project and transferred to projects where they cannot successfully advocate the destruction of our Government.

(e) That the theater project be placed in the hands of persons who are experienced in the theater.

(f) That only people of the theater be employed in theatrical enterprises.

(g) That the theater project be used to produce art, education, and drama, and not to disseminate communistic propaganda.

Respectfully submitted.

FEDERAL THEATRE VETERANS LEAGUE,
By ADOLPH PINKUS, *President*.

APRIL 14, 1936.

SENATE OF THE UNITED STATES,
Washington, D. C.:

Things have come to such a pass in the W. P. A. here in New York City that I think you should know about it.

Knowing that you are a friend of the theater and its people, I am appealing to you for help.

A time has now come when you may be able to help these people who are in dire need of help from their friends.

As you are aware, several million dollars were set aside and earmarked for professional actors. Three million dollars of that money was set aside for the actors of New York City.

But what has happened? In the first place, a woman who knows nothing of the professional theater or professional actors was put at the head of the W. P. A. drama project of the entire United States. That was the first blow. This woman, in turn, placed amateurs at the head of each of the 12 regional zones or districts in the United States.

People not of the theater are in every key position in the New York City W. P. A. drama project. With the result that many hundreds of people not of the theater in any way are being paid each week out of the money that rightfully belongs to the actors.

At the same time, hundreds of well-known fine actors are walking the streets of New York City, some of them hungry, and they cannot get work on the Federal dramatic project because it is crammed full of people that have no right there.

Mr. Hopkins and his lieutenant, Jacob Baker, have ruled that in order to be eligible for this work the applicant must have been on Government relief after August 1 and before November 1, 1935.

Actors are a rather proud class and can split 50 cents in more different ways than any class of people on earth. Very few actors have even been on relief at any time. So now, instead of being rewarded for not taking relief from the Government, they are penalized and not allowed to work and earn this money that was especially set aside for them.

There is an allowance or quota of 10 percent of nonrelief allowed, but that 10 percent has been almost entirely gobbled up by people not of the theater.

For example, there is a man named Stephen Karnot, who was never in a professional theater in his life, unless he bought a seat. This young man is in charge of all the directors, which means that this amateur tells the professional directors—the directors, mind you—what to do. And the majority of these directors have spent the most of their lives as professional directors.

A woman named Louise Chapin is at the head of the entire personnel of New York City and she has never been connected with the professional theater in any way.

This kind of people hold all the key positions, which by the way pay pretty good salaries.

There is one man in the office of the W. P. A. here in New York City on the dramatic project at 701 Eighth Avenue, not of the theater, who is doing good work. His name is Maj. William Ball. He served on the staff of Gen. John J. Pershing during the World War.

And what have these people at the head of the W. P. A. drama project accomplished? Some twenty-odd companies have been rehearsing plays for over 5 months in New York City. Exactly four of those have opened, one of which is a Negro company in Harlem.

There are a dozen cases where after rehearsing a play for from 10 to 14 weeks they have come to the brilliant conclusion that the play would not do.

I suggest the following:

First. Put people of the professional theater in the following positions at once: Heads of the W. P. A. drama project of the entire United States, the dramatic personnel department of New York City, the directors of the W. P. A. of New York City, and put professional play reader or professional actors or managers to select the plays and see to it that they are 100 percent Americans, instead of aliens and Communists.

Second. Demand that Hopkins and Baker do away with the rule that actors must have been on home relief in order to be eligible for these jobs.

If the above is done you will see the W. P. A. drama project take on new life, and within 1 week from the time this is accomplished you will see plays opening all over New York City.

In closing I wish to say that I am not working on any Government project. I am not now nor have I been at any time on any kind of relief. I am not seeking any of these jobs, but I would like to see my fellow actors get what is rightfully theirs. I would like to see a stop put to their robbery by leeches and people who have absolutely no right to this money or this work.

I have seen in the papers that there is to be a congressional investigation of the W. P. A. Good! Don't overlook the drama project of the W. P. A. in New York City. But please do not wait until the investigation is over to make the changes I have suggested.

If the investigation committee would like to call me as a witness I am at their command.

Hoping that you gentlemen in Washington will be able to help the actor help himself, and assist him in getting what is justly his from a generous Government.

I am sincerely yours,

E. J. BLUNKALL.

MISSISSIPPI RIVER FLOOD CONTROL

The Senate resumed the consideration of the bill (S. 3531) to amend the act entitled "An act for the control of floods on the Mississippi River and its tributaries, and for other purposes", approved May 15, 1928.

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

Mr. McNARY. Mr. President, I assumed early in the afternoon that probably no vote would be taken until tomorrow, and so expressed my view to certain Senators who are now absent. In that regard, I feel responsible and, therefore, should like to have final action on the unfinished business go over until tomorrow. I spoke to the Senator from Kentucky [Mr. BARKLEY], in the absence of the Senator from Arkansas [Mr. ROBINSON], expressing my hope that the Senate might take a recess at this time. There will be only a short debate tomorrow. I know of only one Senator on this side of the Chamber who will occupy any time—the Senator from Michigan [Mr. VANDENBERG], who desires to discuss the measure very briefly. I feel certain we can dispose of the unfinished business prior to 1 o'clock tomorrow.

Mr. ROBINSON. Mr. President, I had not heard of any suggestion for further delay. The bill has been the unfinished business before the Senate for a long time, and has been temporarily laid aside several times to consider other matters. It was taken up Friday and discussed, and has been discussed again today. I am wondering if we cannot dispose of it today. The author of the bill has told me he would like to go forward and secure final action today.

Mr. McNARY. I am not implicating anyone but myself. I assume my responsibilities and can always carry them alone. To certain Members on this side of the Chamber who are now absent I expressed my belief that there would be no vote this afternoon, but we would have a field day for politics.

If my request is not acceded to, of course, I shall have to suggest the absence of a quorum and do the best I can to bring back those whom I told might leave.

Mr. ROBINSON. Mr. President, the Senator from Oregon is always fair in his attitude here; and I do not like to take a position contrary to his wishes, especially when there is no emergency.

Mr. McNARY. I am willing to cooperate in the morning in order that a vote may be had at as early an hour as is consistent with a full discussion of the bill.

Mr. ROBINSON. May we have an agreement to vote at a fixed time? That, however, would require a quorum.

Mr. McNARY. A quorum would be required unless we should have merely a limitation on debate; but I do not think either is needed. I think the Senator may trust to my imagination and prophecy that we shall have a very early vote tomorrow.

Mr. ROBINSON. My information is that the only Senator who intends to speak on the unfinished business does not expect to deliver a long address and is ready to go on at this time.

Mr. McNARY. I think that is true. I mentioned a few moments ago the name of the Senator from Michigan [Mr. VANDENBERG]; but that does not meet the situation which now confronts me. Many times, as the Senator knows, we must express to our colleagues our best judgment on what the procedure will be during the day; and at 3 o'clock today it was my judgment that we should not reach this bill later in the afternoon. I am asking something that is not unusual.

Mr. ROBINSON. Well, Mr. President, with the approval of the Senator from Louisiana [Mr. OVERTON], to whom I have spoken, I shall not insist on a vote this afternoon; and the Senator from Michigan may proceed now or wait until the morning.

Mr. VANDENBERG. I prefer to go on in the morning.

EXPENSES OF COMMITTEES OF HOUSE OF REPRESENTATIVES

Mr. McKELLAR. Mr. President, from the Committee on Appropriations I report back favorably, without amendment, House Joint Resolution 567, and ask unanimous consent for its present consideration.

I have shown the joint resolution to the Senator from Oregon [Mr. McNARY]. It is merely to appropriate $75,000 for the purpose of enabling the House of Representatives to carry on its investigations through committees.

Mr. McNARY. Mr. President, I understand that the passage of the joint resolution is needed in order to enable the House of Representatives to carry on the investigations being conducted by its special and select committees. In view of the statement of the Senator from Tennessee, and out of courtesy to the House, I have no objection to the immediate consideration of the joint resolution.

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

There being no objection, the Senate proceeded to consider the joint resolution (H. J. Res. 567) to provide an additional appropriation for expenses of special and select committees of the House of Representatives for the fiscal year 1936, which was ordered to a third reading, read the third time, and passed, as follows:

Resolved, etc., That for expenses of special and select committees authorized by the House of Representatives, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $75,000 for the fiscal year 1936: *Provided*, That no person shall be employed under this appropriation at a rate of compensation in excess of $3,600 per annum.

Mr. BLACK subsequently said: Mr. President, a few moments ago, when I was out of the Chamber, at the request of the Senator from Tennessee [Mr. McKELLAR] a House joint resolution was considered by unanimous consent and passed. I ask the Senator from Tennessee if he will not ask unanimous consent that the vote by which the joint resolution was passed be reconsidered and that it go over until tomorrow?

Mr. McKELLAR. Mr. President, does the Senator understand that this is merely a matter of furnishing money to the House of Representatives?

Mr. BLACK. I understand that fully.

Mr. McKELLAR. I do not object. Of course, the Senator could make a motion to reconsider, but I will not put him to that trouble. Therefore the vote may be reconsidered and the joint resolution may be placed on the calendar.

The VICE PRESIDENT. The Senator from Tennessee asks unanimous consent that the vote by which the joint resolution was agreed to this afternoon be reconsidered and that the joint resolution be placed on the calendar. Is there objection?

Mr. McNARY. Mr. President, I do not quite understand the status of the proposal. Will it lead to any action this afternoon?

Mr. McKELLAR. No; it will not lead to any action at all. It will just put it over until tomorrow. The Senator from Alabama [Mr. BLACK] was about to make a motion to reconsider the vote, and, of course, he would have a right to make such a motion. I agreed that the vote might be reconsidered and that the matter might go over until tomorrow.

The VICE PRESIDENT. Is there objection to the request of the Senator from Tennessee that the vote by which the joint resolution was passed be reconsidered and that the joint resolution be placed on the calendar? The Chair hears none, and it is so ordered.

STATE TOBACCO-CONTROL COMPACTS

Mr. BARKLEY. Mr. President, there is on the Vice President's desk a bill which has passed the House, similar to a bill which has been reported from the Committee on Agriculture and Forestry and is now on the Senate calendar, known as the tobacco-compact bill. The Members of the Senate from the tobacco-producing States, particularly the two Senators from North Carolina [Mr. REYNOLDS and Mr. BAILEY] are very much interested in securing action on the bill as soon as possible, because the planting season is now

in progress, and the bill simply permits the States in which tobacco is grown to enter into compacts for the control of production, and so forth. If the bill may be brought up without in any way interfering with the other program, it is a very important matter, and ought to be disposed of at an early moment.

Mr. McNARY. Mr. President, this matter was brought to my attention earlier in the day. Upon the disposition of the unfinished business I am willing to cooperate so far as I can in bringing before the Senate for consideration of the tobacco-compact bill; but I should not want it to come before the Senate prior to the disposition of the unfinished business.

Mr. ROBINSON obtained the floor.

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

Mr. ROBINSON. I yield.

Mr. KING. About 2 weeks ago the Senate took up for consideration a bill of a good deal of importance, known as the deportation bill. The Senator from North Carolina [Mr. REYNOLDS] obtained the floor, spoke for a long period, and gave notice, as I remember—and if I am in error I know he will correct me—that he intended to speak further at considerable length. The Senator from Arkansas very properly suggested the consideration of the very important bill which is before us, and therefore the deportation bill was temporarily laid aside, as I understood.

Mr. CLARK. No, Mr. President; the flood-control bill was the unfinished business, and was temporarily laid aside in order to take up the other bill.

Mr. ROBINSON. Yes, Mr. President; the actual parliamentary status is that when the flood-control bill now before the Senate was made the unfinished business, under the impression that the so-called deportation bill would be speedily disposed of, having had that assurance from Senators whom I believed to be in charge of the bill, I myself asked that the unfinished business be temporarily laid aside, and that the Senate proceed with the consideration of the so-called deportation bill. We proceeded for a couple of days, and no action was taken. From time to time other measures intervened; and then it was that I demanded the regular order, which was to proceed with the flood-control bill.

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

Mr. ROBINSON. Yes.

Mr. CLARK. The deportation bill has never been the unfinished business of the Senate.

Mr. ROBINSON. No; it has not.

Mr. CLARK. And it will not become the unfinished business when the present unfinished business shall have been disposed of.

Mr. ROBINSON. No; a motion would necessarily have to be made to proceed to its consideration if objection were made to taking it up. There was no objection to laying aside the unfinished business; and I will say that when the unfinished business was laid aside I had the assurance that no great amount of time would be required to dispose of the deportation bill. I found that that assurance was misleading.

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

Mr. ROBINSON. Certainly.

Mr. McKELLAR. I simply wish to state that the appropriation bill for the Departments of State, Justice, Commerce, and Labor is ready for consideration, and I do not think it will take a great deal of time. I hope to have it taken up some time tomorrow.

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

Mr. ROBINSON. Yes.

Mr. BARKLEY. The thought which had occurred to me—and it was that which I had in mind when I spoke to the Senator from Oregon during the absence of the Senator from Arkansas—was that if the flood-control bill should go over until tomorrow, the tobacco-compact bill having passed the House in practically the same language as the Senate bill which is now on the calendar, we might dispose of both of them by sandwiching the House bill in here this afternoon. The planting season is now on in the tobacco-growing States; and if the bill to allow the States to enter into a compact is to be of any benefit, since some of them will have to call their legislatures together in order to do it, the bill ought to be passed without delay. It was in that hope that I suggested that we might pass the bill this afternoon, unless there is more controversy over it than I think there will be.

Mr. ROBINSON. I should not object to that course, but I am informed that other Senators do object to it; so I see nothing to do but to proceed tomorrow with the unfinished business. I shall not ask to lay it aside until it is disposed of, because I think its sponsors, including the Senator from Louisiana [Mr. OVERTON], have been very liberal in allowing other business to intervene.

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

Mr. ROBINSON. Yes.

Mr. REYNOLDS. I should like to inquire of the Chair whether or not a motion would be in order at this time to proceed immediately to the consideration of the tobacco-compact bill mentioned by the Senator from Kentucky?

Mr. ROBINSON. Mr. President, I should not yield for a motion of that nature, for the reason that it would displace the unifinished business and render it necessary to make another motion to proceed to the consideration of the unfinished business.

I think, in all fairness, the unfinished business is entitled to a final disposition. It has been before the Senate for 2 weeks.

Mr. BAILEY. That is the flood-control bill?

Mr. ROBINSON. Yes. It has been before the Senate for 2 weeks; and, as I said before, the sponsors of the bill have been very generous in laying it aside to consider anything that was brought forward. Now the time has come when I feel that the Senate should act on the measure.

Mr. BAILEY. Mr. President——

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from North Carolina?

Mr. ROBINSON. Certainly.

Mr. BAILEY. The tobacco compact is a local matter, but is of very great importance to the farmers producing bright tobacco. At this juncture every moment counts. We have waited here day after day hoping for an opportunity to present the bill to the Senate. We do not think there can be serious opposition to it. It is a consent bill. It is wholly permissive. It is contingent upon approval by the States involved; and the permission may be withdrawn at the end of the year or at any time.

In view of those facts, and of the very pressing character of the situation, thousands of farmers not knowing what to do, may I not ask Senators who are inclined to hold back to give way and let us have the consent here and now to put this bill on its passage? I cannot see how anyone would be injured by having the bill enacted. On the other hand, if we delay, I can see how hundreds of thousands of farmers will be irreparably injured. So I beg Senators, if there be Senators who are opposed to the bill, just to let us pass it this afternoon. There will be 8,000 farmers meeting in the capital of North Carolina tomorrow, in great confusion, and with great determination, as well.

Mr. KING. Mr. President, if the Senator is appealing to me, I can only say that I would not consent to the consideration this afternoon of a bill of such importance as this.

Mr. BAILEY. If that be true, I desire to make a parliamentary inquiry.

Mr. KING. If I may use the words of my friend to the effect that a certain bill could easily be passed, referring to the deportation bill which was before the Senate for some time, and on which the Senator from North Carolina occupied some little time——

Mr. BAILEY. Not myself.

Mr. KING. No; the junior Senator from North Carolina [Mr. REYNOLDS] occupied some little time, approximately a day and a half or 2 days, and it had been stated that we could take that bill up and pass it very quickly. As I understand, the bill referred to by the senior Senator from North

Carolina—and I never heard of it until a few moments ago—involves, as I conceive, a rather remarkable proposition. It makes for monopoly, or possibly provides for monopoly, in the manufacture and sale of tobacco.

Mr. BAILEY. Mr. President, let me correct the Senator. Will the Senator yield?

Mr. KING. Let me complete my sentence. I have not read the bill and never heard of it until a few moments ago; but, as I understand, under its terms, States could permit those growers within their borders to enter into agreements to restrict the production of tobacco. If I am in error, I should be glad to be corrected.

Mr. BAILEY. What the Senator says is true as to what may happen within the States. There is nothing of monopoly, however. The Bright tobacco States are allowed to go into compacts. Any other State is allowed to come in and any other State is allowed to stay out. There is nothing of monopoly, and it does not remotely relate to manufacture.

Mr. BARKLEY. Mr. President, it is a step made necessary by the decision of the court that the States may not enter into such compacts without the consent of Congress, but, under the Constitution, with such consent, the States where tobacco is grown may enter into the compacts.

Mr. KING. Mr. President, there are some constitutional questions involved, and I would not give consent to the bill being taken up today.

Mr. HARRISON. Mr. President, did the Senator from North Carolina say that this bill had passed the House and had been reported by a committee of the Senate?

Mr. BAILEY. Yes.

Mr. HARRISON. And a similar bill has already passed the Senate?

Mr. BAILEY. No; a similar bill is on the calendar of the Senate.

Mr. HARRISON. So that the bill which was reported by the committee of the Senate is practically the same bill that has passed the House of Representatives?

Mr. BAILEY. That is true.

Mr. ROBINSON. Mr. President, resuming the floor, it is apparent that the so-called tobacco-compact bill cannot be proceeded with this evening, and that it may be proceeded with following the final disposition of the unfinished business.

Mr. BAILEY. That is, following the Mississippi flood-control bill?

Mr. ROBINSON. Yes.

Mr. BAILEY. I ask whether a motion would be in order to make the tobacco-compact bill, House bill 12037, a special order following the disposition of the Mississippi River flood-control bill.

The VICE PRESIDENT. It can be made a special order by a two-thirds vote.

Mr. BAILEY. Or by unanimous consent?

The VICE PRESIDENT. Or by unanimous consent.

Mr. ROBINSON. Mr. President, I suggest to the Senator from North Carolina that his end can be better attained by moving to proceed to the consideration of the tobacco-compact bill after the unfinished business shall have been acted upon. A majority vote would carry that question, whereas a two-thirds vote would be required to make it a special order. It seems very simple to me. The situation may be resolved, if it is the will of the Senate so to resolve it, by proceeding with the tobacco-compact bill after the bill now before the Senate shall have been passed upon. I have assurances from Senators who have spoken on the matter that a very short time will be required tomorrow to finish the consideration of the pending business.

Mr. BAILEY. Then I shall make the motion at the proper time.

Mr. McKELLAR. Mr. President, the Senator from Arkansas spoke of proceeding with the appropriation bill this afternoon. I am perfectly willing to go on with it. I think we could easily pass it today.

Mr. McNARY. Mr. President, I thought the Senator said that he would have the bill taken up tomorrow. I should not like to have it taken up tonight.

EXECUTIVE SESSION

Mr. ROBINSON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT 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.)

EXECUTIVE REPORTS OF A COMMITTEE

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

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

If there be no further reports of committees, the clerk will state the first nomination in order on the calendar.

STATE DIRECTORS—PUBLIC WORKS ADMINISTRATION

The legislative clerk proceeded to read sundry nominations of State directors under the Public Works Administration.

Mr. McKELLAR. I ask unanimous consent that the nominations of State directors under the Public Works Administration be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations are confirmed en bloc.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask unanimous consent that the nominations of postmasters be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations of postmasters are confirmed en bloc.

IN THE ARMY

The legislative clerk proceeded to read sundry nominations in the Army.

Mr. SHEPPARD. I ask that the Army nominations be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations are confirmed en bloc. That completes the calendar.

RECESS

The Senate resumed legislative business.

Mr. ROBINSON. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 40 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, April 21, 1936, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate April 20 (legislative day of Feb. 24), 1936

PUBLIC WORKS ADMINISTRATION

John L. M. Irby, of South Carolina, to be State director of the Public Works Administration in South Carolina.

APPOINTMENT IN THE NATIONAL GUARD OF THE UNITED STATES

GENERAL OFFICERS

To be brigadier general, National Guard of the United States

Brig. Gen. Ewell Lewis Head, Oklahoma National Guard.

Brig. Gen. Raymond Albert Yenter, Iowa National Guard.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 20 (legislative day of Feb. 24), 1936

PUBLIC WORKS ADMINISTRATION

P. Francis Hopkins to be State director of the Public Works Administration in Iowa.

Robert A. Radford to be State director of the Public Works Administration in Minnesota.

John Hirst Caton, 3d, to be State director of the Public Works Administration in Rhode Island.

James A. Anderson to be State director of the Public Works Administration in Virginia.

Malcolm L. O'Neale to be State director of the Public Works Administration in West Virginia.

APPOINTMENTS IN THE REGULAR ARMY

Walter Tederoff Carll to be first lieutenant, Veterinary Corps.

Donald Clifford Kelley to be first lieutenant, Veterinary Corps.

Frank Hiram Van Wagoner to be first lieutenant, Medical Corps.

APOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY

Maj. Theodore Porter Heap to Quartermaster Corps.
Maj. William Henry Kasten to Finance Department.
Capt. Bradford W. Kunz to Quartermaster Corps.
First Lt. Joseph Franklin Trent to Field Artillery.
First Lt. John Raymond Gilchrist to Finance Department.
Second Lt. Jerome Edward Blair, 2d, to Air Corps.
Second Lt. Paul Burlingame, Jr., to Air Corps.
Second Lt. Stanley Joseph Donovan to Air Corps.
Second Lt. Edward Flanick to Air Corps.
Second Lt. Robert Emmett Gallagher to Coast Artillery Corps.

PROMOTIONS IN THE REGULAR ARMY

Barton Kyle Yount to be colonel, Air Corps.
Denham Bohart Crafton to be colonel, Infantry.
William Carroll Christy to be colonel, Cavalry.
John Logan Jenkins to be colonel, Infantry.
Charles Henry White to be colonel, Infantry.
Stanley Livingston James to be colonel, Signal Corps.
Abbott Boone to be colonel, Field Artillery.
John Scott Smylie to be lieutenant colonel, Coast Artillery Corps.
Lehman Wellington Miller to be lieutenant colonel, Corps of Engineers.
Douglas Lafayette Weart to be lieutenant colonel, Corps of Engineers.
Earl Ewart Gesler to be lieutenant colonel, Corps of Engineers.
John French Conklin to be lieutenant colonel, Corps of Engineers.
William Frazer Tompkins to be lieutenant colonel, Corps of Engineers.
Douglas Hamilton Gillette to be lieutenant colonel, Corps of Engineers.
Paul Alfred Hodgson to be lieutenant colonel, Corps of Engineers.
Donald Angus Davison to be lieutenant colonel, Corps of Engineers.
Henry Spiese Aurand to be lieutenant colonel, Ordnance Department.
Milton Omar Beebe to be chaplain with the rank of lieutenant colonel.
William Henry Johnson to be major, Infantry.
Donald Van Niman Bonnett to be major, Infantry.
Roland Capel Bower to be major, Quartermaster Corps.
George Warren Cooke to be major, Finance Department.
Shiras Alexander Blair to be major, Air Corps.
Franklin Denwood Shawn to be major, Quartermaster Corps.
Charles Stalsburg to be major, Quartermaster Corps.
Henry John Hunker to be major, Quartermaster Corps.
Frederick Eugene Hagen to be major, Quartermaster Corps.
Murdock Allen McFadden to be major, Quartermaster Corps.
Clifford Michael Ollivetti to be major, Judge Advocate General's Department.
John Wesley Orcutt to be major, Ordnance Department.
Vance Whiting Batchelor to be major, Cavalry.
Norman Paul Williams to be major, Infantry.
Robert Grant Cousley to be major, Infantry.
Otis Blaine Schreuder to be major, Medical Corps.
James Harvey Pence to be major, Dental Corps.

PROMOTION IN THE PHILIPPINE SCOUTS

James Donison Carter to be major, Philippine Scouts.

APPOINTMENT IN THE NATIONAL GUARD OF THE UNITED STATES

Newell Castle Bolton to be brigadier general, National Guard of the United States.

POSTMASTERS

ALASKA

Charles A. Sheldon, Seward.

CALIFORNIA

Winfred E. Robb, Arlington.
Samuel E. Burum, Dinuba.
Clyde Burgett, El Segundo.
Sidney C. Moon, Hemet.
Irene F. Tallis, Hilts.
Linnie Jouett, Hobart Mills.
Eugene Francis O'Donnell, Hollister.
Paul Vernon Howell, Needles.
Clara Belle Daly, Montrose.
Jasper L. Moss, Morgan Hill.
Hugh L. Appling, Oakdale.
Gertrude Ford, Pacific Palisades.
Frederick W. Kickbush, San Bruno.
Frank R. Harwood, Santa Ana.
Walter S. Young, Spreckels.
Morgan J. Kavanagh, Trona.
J. Howard Clark, Tulare.
Milburn M. Brame, Turlock.

CONNECTICUT

William S. Meany, Greenwich.
Evelyn P. Estabrooks, Hampton.
Martin J. Donahue, Litchfield.
James T. Kelley, New Canaan.
James C. Bransfield, Portland.
Daniel G. Sullivan, Watertown.
J. Edward LaCroix, Yalesville.

DELAWARE

Byron C. Dunn, Camden.
Rhubert R. German, Delmar.

FLORIDA

Burton H. Rawls, High Springs.
Thomas J. Bulford, Hilliard.
Maggie B. Hardin, Pass-A-Grille Beach.

GEORGIA

Chessie M. Pelfrey, Roswell.
Jett M. Potts, West Point.
Walter R. Hall, Young Harris.

ILLINOIS

Louis D. Fuess, Mount Olive.
Harry L. Roberts, Mulberry Grove.
Wilbert E. Poos, Trenton.
Clarence N. Ginther, West Salem.

KANSAS

Julia G. Christy, Altamont.
Lloyd A. Johnson, Belleville.
Earl Hoefgen, Burden.
Otho E. McMullen, Courtland.
Roy E. Wetherall, Cunningham.
Clarence H. Johnson, Enterprise.
Gay Small, Galva.
Jack Butcher, Garnett.
Otis Barngrover, Hamilton.
Laurence C. Forker, Haven.
Otho M. Koontz, Jetmore.
Joseph M. Steffen, Neodesha.
Chester M. Cook, Ness City.
Edwin Fitzgerald Hammond, Osage City.
Mason V. Dunlap, Osawatomie.
Fred Swisher, Pratt.
Jeannette Byrnes, St. Marys.

Harry D. Burke, Severy.
Anna L. Hicks, Sharon Springs.
Bessie M. Anderson, Tribune.
Grover P. Nutt, Waverly.
Francis M. Stocker, Yates Center.

MARYLAND

T. Francis Martin, Essex.

MASSACHUSETTS

Richard E. O'Brien, Ballard Vale.
Alphonse E. Roberts, Chicopee Falls.
John A. Bell, Leicester.

MINNESOTA

Paul B. Sanderson, Baudette.
Alvin A. Ogren, New London.
Esther Bacon, Pillager.
Alfred Gronner, Underwood.
Robert L. Bard, Wheaton.

MISSISSIPPI

Cornelius V. Thurmond, Mound Bayou.

NEBRASKA

Carl K. McCleery, Blue Hill.
Ethel Talcott, Crofton.
Frank Ainsworth, Exeter.
Merwyn C. Johnson, Hyannis.

NEW HAMPSHIRE

Ernest L. Richardson, Conway.
Mary L. Doyle, Hillsboro.
Charles L. McGinness, Troy.

NEW YORK

Agnes G. Polley, Andes.
Will J. Davy, Bergen.
Perley M. Hall, Carthage.
Joseph T. O'Donnell, Elizabethtown.
Thomas N. Manion, Ferndale.
Sarah B. Keenan, Hague.
Dorothea E. Blum, Hawthorne.
Katherine A. Slattery, Maryknoll.

NORTH CAROLINA

Francis L. Andrews, Jr., Bethel.
Ruth F. White, Colerain.
Thomas W. Armstrong, Columbia.
Basil G. Farmer, Elm City.
Benjamin Otto Turnage, Farmville.
Samuel Eugene Potts, Highlands.
Robert L. Mattocks, Maysville.
Howard W. Moody, Murphy.
Samuel D. Mauney, Newton.
Everett S. Stevens, Smithfield.
Kate Reagan, Weaverville.

OHIO

Walter J. Miller, Beach City.
Weston Thomas Dressel, Belpre.
James A. Hart, Beverly.
Louis J. Elsaesser, Canton.
Howard O. Ward, Cumberland.
Elmyra L. Griswold, Macedonia.
John W. Berentz, New Matamoras.
Luella Sommers, Ottawa.
Robert A. Durbin, Stockport.
Charles E. Folsom, Smithville.
Charles Norman Wenzlau, Tippecanoe City.
Charles A. Conry, Wakeman.
George Geer, Wauseon.
Jesse Ralph Short, Winchester.
Edward J. Westerman, Woodsfield.

OREGON

John B. Wade, Bandon.
Lawrence G. Allen, Joseph.
Fred Randolph Peat, Lakeview.
Merrill V. Smith, Lebanon.
Charles F. Cox, Ontario.
Ruth N. Johnson, Sheridan.

PUERTO RICO

Marie O. Reyes, Arecibo.
Juan V. Hernandez, San Sebastian.

SOUTH CAROLINA

Robert Emmett Love, Clover.
James D. Mackintosh, McClellanville.
George K. Dominick, Newberry.
John W. Geraty, Yonges Island.

TEXAS

Tom Caudle, Ballinger.
R. Nelson Gray, Bertram.
Patrick S. Hendricks, Midlothian.
Thomas B. Higgins, Reagan.
William J. Davis, Silsbee.
Hattie Waller, Trinity.
Edwin C. Dickschat, Washington.
Chester L. Lewis, Wheeler.

VIRGINIA

Louise J. Taylor, Beaverdam.
Charles Alfred Goodykoontz, East Radford.
John W. Helvey, Emory.
Jesse T. Hylton, Hillsville.
Lloyd C. Pulley, Ivor.
Nannie L. Curtis, Lee Hall.
Thomas N. Carruthers, Purcellville.
Claude Neale, Saluda.

WISCONSIN

Michael P. Becker, Brillion.
Henry J. Thoma, Hartford.
Karl C. Neubauer, Horicon.
William Wright, Kewaunee.
Joseph C. Harland, Mukwonago.
William Reuschlein, Plain.
Louis J. Albrecht, Sheboygan.
Allison L. McNeight, Stratford.

HOUSE OF REPRESENTATIVES

MONDAY, APRIL 20, 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, be with us this day in thought, purpose, and action. Illuminate our minds and cleanse our hearts that Thy will may be magnified in all our labors. Give us plenteously of Thy wisdom and grace that we may reach the highest and the best results and thus add somewhat to the happiness and progress of our country. Widen the sweep of peace, contentment, and cooperation among all our citizens. May our duties be so borne that when the evening time approaches we may recall them with an approving conscience and feel in the recesses of our hearts that the smile of Heaven is upon us. In the name of our Lord and Master. Amen.

The Journal of the proceedings of Friday, April 17, 1936, 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 ordered that the Secretary be directed to communicate to the President of the United States and to the House of Representatives the order and judgment of the Senate in the case of Halsted L. Ritter, and transmit a certified copy of same to each, as follows:

I, Edwin A. Halsey, Secretary of the Senate of the United States of America, do hereby certify that the hereto attached document is a true and correct copy of the order and judgment of the Senate, sitting for the trial of the impeachment of Halsted L. Ritter, United States district judge for the southern district of Florida, entered in the said trial on April 17, 1936.

In testimony whereof, I hereunto subscribe my name and affix the seal of the Senate of the United States of America, this the 18th day of April, A. D. 1936.

EDWIN A. HALSEY,
Secretary of the Senate of the United States.

In the Senate of the United States of America, sitting for the trial of the impeachment of Halsted L. Ritter, United States district judge for the southern district of Florida

JUDGMENT

APRIL 17, 1936.

The Senate having tried Halsted L. Ritter, United States district judge for the southern district of Florida, upon seven several articles of impeachment exhibited against him by the House of Representatives, and two-thirds of the Senators present having found him guilty of charges contained therein: It is therefore

Ordered and adjudged, That the said Halsted L. Ritter be, and he is hereby, removed from office.

Attest:

EDWIN A. HALSEY,
Secretary.

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

S. Con. Res. 36. Concurrent resolution rescinding the action of the Vice President and the Speaker of the House of Representatives in signing the enrolled bill (H. R. 4387) entitled "An act conferring jurisdiction upon the United States District Court for the Western District of Michigan to hear, determine, and render judgment upon the claim of Barbara Blackstrom" and authorizing the Clerk of the House of Representatives in the reenrollment of said bill to make certain corrections.

The message also announced that the Vice President had appointed Mr. COPELAND and Mr. MCNARY 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 executive papers in the Department of Commerce.

PRIVILEGE OF THE HOUSE

Mr. BLANTON. Mr. Speaker, I rise to a question of the privilege of the whole House and offer a privileged resolution, which I ask the Clerk to read.

The Clerk read as follows:

House Resolution 490

Whereas during the House proceedings on April 17, 1936, the gentleman from Washington [Mr. ZIONCHECK] attempted to speak out of order and to indulge in personalities, when he was admonished by the Chair, as follows——

Mr. ZIONCHECK. Mr. Speaker, I rise to a point of personal privilege.

The SPEAKER. The gentleman cannot do that while another question of privilege is pending.

Mr. ZIONCHECK. A point of order, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. ZIONCHECK. The point of order is this: I know what the contents are. I have no objection to them.

The SPEAKER. The gentleman is not stating a point of order. The gentleman will please remain quiet while this resolution is being read for the information of the House.

The Clerk read as follows:

The CHAIRMAN. The gentleman must discuss the matter contained in his amendment. The gentleman from Washington will proceed in order.

And whereas upon a second attempt out of order to discuss personalities, the Chair the second time admonished the gentleman from Washington, as follows:

Mr. ZIONCHECK. A point of order, Mr. Speaker. When did the Speaker recognize the Clerk or the gentleman from Texas to start this resolution going?

The SPEAKER. The gentleman is not stating a point of order. The gentleman will be seated while the resolution is being read.

The Clerk read as follows:

The CHAIRMAN. The gentleman from Washington, under the ruling of the Chair—and the Chair is sure the gentleman understood it—must discuss the subject matter of his amendment, and will proceed in order.

And whereas upon a third attempt out of order to discuss personalities, the Chair, the third time, admonished the gentleman from Washington, as follows:

"The CHAIRMAN. The gentleman must confine himself to the language of his amendment."

And whereas the said gentleman from Washington [Mr. ZIONCHECK], in disobedience of the rulings of the Chair, although thrice admonished by the Chair, and in violation of the rules of the House, made a fourth attempt to speak out of order, and to indulge in personalities, when a point of order was made against it, which was sustained by the Chair, and for the fourth time the Chair admonished the gentleman, as follows:

"The CHAIRMAN. The Chair is ready to rule on the point of order, and rules that the point of order is well taken. The gentleman from Washington will confine his remarks to the amendment which he offered, and avoid personalities, and please proceed in order."

Mr. ZIONCHECK. A point of order, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. ZIONCHECK. The point of order is this: The very matters referred to now are not in the RECORD and it is violating the rules of the House by bringing them into the House and getting them in the RECORD.

The SPEAKER. The Chair cannot determine that. The gentleman from Texas has offered a privileged resolution.

Mr. ZIONCHECK. The RECORD will show that.

The SPEAKER. The gentleman from Texas has offered this privileged resolution, which the Clerk will continue to read.

The Clerk read as follows:

And whereas the gentleman from Washington, upon a fifth attempt to violate the rulings of the Chair and the rules of the House, and to speak out of order, and to indulge in personalities, the Chair, for the fifth time, admonished the gentleman as follows:

"The CHAIRMAN. The Chair reminds the gentleman from Washington again that he must confine his remarks to the amendment which he has offered and that he cannot indulge in personalities. And the Chair hopes that the gentleman will respect the rules of the House and will not continue to indulge in personalities."

And whereas for the sixth time the said gentleman from Washington attempted to violate the rulings of the Chair and the rules of the House, and to speak out of order, and to indulge in personalities, when a point of order was made against it, which the Chair sustained, and for the sixth time admonished the gentleman [Mr. ZIONCHECK] as follows:

"The CHAIRMAN. The Chair again sustains the point of order made by the gentleman from Texas.

"Mr. ZIONCHECK. May I be heard on the point or order?

"The CHAIRMAN. The Chair has already ruled on the point of order.

"Mr. ZIONCHECK. The next time I want to be heard.

"The CHAIRMAN. The Chair wishes to say to the gentleman from Washington again that he hopes he will proceed in order.

"Mr. ZIONCHECK. I will.

"The CHAIRMAN. Or else take his seat.

"Mr. ZIONCHECK. Mr. Chairman, on the next point of order I want to be heard. I am going to explain that this is very pertinent to the amendment that I have offered, but I want to be heard next time.

"The CHAIRMAN. The Chair reminds the gentleman from Washington that it is within the discretion of the Chair as to what the Chair will hear on a point of order.

"Mr. ZIONCHECK. And may I state to the Chair that when I am properly heard on this there can be no discretion?

"The CHAIRMAN. The gentleman will proceed in order.

"Mr. ZIONCHECK. To R. Q. Lee, the deed dated December 10——

"Mr. BLANTON. Mr. Chairman, I make the point of order that the gentleman is violating the rules of the House, violating the ruling of the Chair thrice repeated to him, that he cannot discuss outside, personal matters on an amendment to strike out language such as the gentleman made.

"Mr. ZIONCHECK. Mr. Chairman, may I be heard on the point of order? I am serious in this.

* * * * * * *

"Mr. BLANTON. The gentleman from Washington was repeating about some deed that was made to R. Q. Lee at a certain date.

"Mr. ZIONCHECK. Who was R. Q. Lee?

"The CHAIRMAN. The Chair rules that the point of order is sustained, and the gentleman from Washington will either proceed in order or the gentleman from Washington will take his seat."

Which made the eighth successive time it was necessary for the Chair to admonish the gentleman from Washington [Mr. ZIONCHECK] that the rules of the House prohibited him from indulging in personalities and attacking a colleague in debate; and

Whereas thereafter, in violation of the rules of the House and in violation specifically of the rulings of the Chair, and after being admonished eight different times by the Chair, the said gentleman from Washington deliberately placed said forbidden personalities in the RECORD after the House adjourned, at a wholly irrelevant point in the proceedings occurring just before ajournment, to wit, at the point just before the last ruling of the Chair and in the following colloquy:

"Mrs. NORTON, Mr. ZIONCHECK, and Mr. TABER rose.

"Mrs. NORTON. Mr. Chairman, the committee accepts the amendment——

"Mr. ZIONCHECK. Mr. Chairman, the gentlewoman from New Jersey does not rise in opposition to the amendment.

"The CHAIRMAN. The gentlewoman from New Jersey is the chairman of the committee handling the proposed legislation. She is seeking recognition, and the Chair recognizes the gentlewoman from New Jersey for 2 minutes, the time remaining under the rule.

"Mr. ZIONCHECK. Mr. Chairman, a point of order. I will consume that 2 minutes if anybody does.

"Mrs. NORTON. Will the gentleman yield the 2 minutes to me?

"Mr. ZIONCHECK. I will yield 1 minute of the time, if necessary.

"The CHAIRMAN. The Chair has recognized the chairman of the committee, the gentlewoman from New Jersey, for the remaining 2 minutes.

"Mr. ZIONCHECK. A point of order, Mr. Chairman.

"The CHAIRMAN. The gentleman will state it.

"Mr. ZIONCHECK. The point of order is this: I think the parliamentary rule is—and if it is not, it should be—that the chairman of the Committee on Rules cannot take the last 5 minutes to make an amendment and then make a speech consuming all the time. I think that is not decent.

"The CHAIRMAN. If the Chair understands the gentleman's point of order, the Chair overrules it. There is 1 minute of time left.

"Mr. ZIONCHECK. Mr. Chairman, then I make another point of order.

"The CHAIRMAN. The gentleman will state his point of order, and make it brief.

"Mr. ZIONCHECK. I do not want to argue the point. I do not want to offend the lady from New Jersey. [Cries of 'Regular order!']

"The CHAIRMAN. The regular order is the gentleman from Washington has made a point of order.

"Mr. ZIONCHECK. How much time is remaining? I want to know how many are going to talk.

"The CHAIRMAN. That is not a point of order. The time has expired. All time has expired. The question is on the amendment offered by the gentleman from New York.

"Mr. ZIONCHECK. O Mr. Chairman, that comes too late. All time has expired.

"The CHAIRMAN. The Chair overrules that point of order.

"Mr. ZIONCHECK. What objection is there? Why does the Chair overrule the point of order?

"The CHAIRMAN. The Chair will explain. Under the rule the time for debating amendments is limited to 1½ hours. That hour and a half has expired. The bill is now open for as many amendments as may be offered hereafter, but there will be no debate."

And whereas, just preceding the last ruling of the Chair, and between where the gentleman from Washington [Mr. ZIONCHECK] said: "Why does the Chair overrule the point of order", and just before where the Chairman said "The Chair will explain", the gentleman from Washington in deliberate violation of the Rules of the House, and deliberately violating the decision of the Chair eight times decided, and after having been eight times admonished by the Chair that he was not allowed to do it, nevertheless placed improper personalities and attack upon a colleague covering part of three pages of the RECORD: Therefore be it

Resolved, etc., That the said improper remarks of the gentleman from Washington [Mr. ZIONCHECK] beginning with the second to the last paragraph from the bottom of the second column of page 5884, commencing with the words: "Now, Mr. Chairman," and embracing the balance of said second column, and all of page 5885, and the top part of column 1 of page 5886 down to and including the paragraph commencing with the words "I laughed yesterday", be, and the same are hereby, expunged from the RECORD.

The SPEAKER. The gentleman from Texas is recognized for 1 hour.

Mr. BLANTON. Mr. Speaker, I shall consume only a few minutes.

Mr. Speaker, this resolution was submitted to the Parliamentarian by me and passed upon as in correct form and the correct procedure.

The RECORD will show that eight times Friday the gentleman from Washington [Mr. ZIONCHECK] was called to order by the Chairman, who ruled that he was out of order in attempting to make personal attacks upon me in his speech. This happened eight different times, and I will read from the RECORD the eight times.

This is the first time:

The CHAIRMAN. The gentleman must discuss the matter contained in his amendment. The gentleman from Washington will proceed in order.

Then again when he was getting out of the RECORD, and I read:

The CHAIRMAN. The gentleman from Washington, under the ruling of the Chair—and the Chair is sure the gentleman understood it—must discuss the subject matter of his amendment and will proceed in order.

Mr. BANKHEAD. Will the gentleman yield?

Mr. BLANTON. I yield to the gentleman from Alabama.

Mr. BANKHEAD. Let us see if we cannot get down to the direct issue involved. Do I understand that the gentleman from Washington has violated the rules in that without permission he has inserted a personal attack upon the gentleman from Texas in the RECORD?

Mr. BLANTON. Yes; and against the rules of the House. His improper matter takes up a whole page and parts of two other pages and at a juncture where there was absolutely no relevancy, and between the rulings of the Chair. It is outrageous matter that has gone into 48 States.

Mr. BANKHEAD. Is the gentleman seeking to expunge these remarks?

Mr. BLANTON. Yes; and I have offered a resolution to that effect, but I wanted to put enough in here to show the membership the reason for this resolution.

Mr. BANKHEAD. I think we all heard the reading of the resolution in which the facts were recited. I am making this suggestion in the matter of expedition.

Mr. BLANTON. If it is admitted that everyone of those quotations in the resolution were actual rulings of the Chair, I will not take up any time.

Mr. BANKHEAD. As I understand it, the gentleman has copied them from the RECORD.

Mr. BLANTON. Yes. I want to show they were rulings of the Chair. It is incumbent upon me to do that. I will not take any more time than is necessary.

As a third ruling, the Chairman said:

The CHAIRMAN. The gentleman must confine himself to the language of his amendment.

Then, on page 5647, I want you to note the rulings of the Chair:

The CHAIRMAN. The Chair is ready to rule on the point of order, and rules that the point of order is well taken. The gentleman from Washington will confine his remarks to the amendment which he offered and avoid personalities, and please proceed in order.

Then, on the same page 5647, I read the following, the fifth ruling of the Chair:

The CHAIRMAN. The Chair reminds the gentleman from Washington again that he must confine his remarks to the amendment which he has offered and that he cannot indulge in personalities.

The gentleman from Washington said:

That is right, Mr. Chairman.

The Chair continues:

And the Chair hopes that the gentleman will respect the rules of the House and will not continue to indulge in personalities.

Mr. Speaker, that was the fifth ruling of the Chair.

Then again, on the same page, when a point of order was made against the gentleman from Washington indulging in personalities, the Chairman stated:

The CHAIRMAN. The Chair again sustains the point of order.

And then Mr. ZIONCHECK stated:

May I be heard on the point of order?

The CHAIRMAN. The Chair has already ruled on the point of order.

Mr. ZIONCHECK. The next time I want to be heard.

The CHAIRMAN. The Chair wishes to say to the gentleman from Washington again that he hopes he will proceed in order.

Mr. ZIONCHECK. I will.

The CHAIRMAN. Or else take his seat.

Mr. ZIONCHECK. Mr. Chairman, on the next point of order I want to be heard. I am going to explain that this is very pertinent to the amendment that I have offered, but I want to be heard next time.

The CHAIRMAN. The Chair reminds the gentleman from Washington that it is within the discretion of the Chair as to what the Chair will hear on a point of order.

Mr. ZIONCHECK. And may I state to the Chair that when I am properly heard on this there can be no discretion?

The CHAIRMAN. The gentleman will proceed in order.

Mr. ZIONCHECK. To R. Q. Lee, the deed dated December 10——

Mr. BLANTON. Mr. Chairman, I make the point of order that the gentleman is violating the rules of the House, violating the ruling of the Chair thrice repeated to him, that he cannot discuss outside, personal matters on an amendment to strike out language such as the gentleman made.

Mr. ZIONCHECK. Mr. Chairman, may I be heard on the point of order? I am serious in this.

Mr. BLANTON. The gentleman from Washington was repeating about some deed that was made to R. Q. Lee at a certain date.

Mr. ZIONCHECK. Who was R. Q. Lee?

The CHAIRMAN. The Chair rules that the point of order is sustained and the gentleman from Washington will either proceed in order or the gentleman from Washington will take his seat.

The proceedings of the House went on, debate was concluded, and we were ready to take the bill up for final vote. The following proceedings were had, and I want you to know that after all of those repeated rulings and eight different admonitions from the Chair that he could not indulge in personalities, between the rulings of the Chair and where it had no relevancy whatever, the gentleman from Washington stuck in here a whole page and parts of two other pages of personal attacks on me, wholly against the rules of the House and without any authority of the House, as well as in violation of eight different rulings and admonitions of the Chair that he could not do it.

Now, here is the way it came up, and I will give you the exact connection. I read from page 5650 of the RECORD:

Mrs. NORTON, Mr. ZIONCHECK, and Mr. TABER rose.

Mrs. NORTON. Mr. Chairman, the committee accepts the amendment——

Mr. ZIONCHECK. Mr. Chairman, the gentlewoman from New Jersey does not rise in opposition to the amendment.

The CHAIRMAN. The gentlewoman from New Jersey is the chairman of the committee handling the proposed legislation. She is seeking recognition, and the Chair recognizes the gentlewoman from New Jersey for 2 minutes, the time remaining under the rule.

Mr. ZIONCHECK. Mr. Chairman, a point of order. I will consume that 2 minutes if anybody does.

Mrs. NORTON. Will the gentleman yield the 2 minutes to me?

Mr. ZIONCHECK. I will yield 1 minute of the time, if necessary.

The CHAIRMAN. The Chair has recognized the chairman of the committee, the gentlewoman from New Jersey, for the remaining 2 minutes.

Mr. ZIONCHECK. A point of order, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. ZIONCHECK. The point of order is this: I think the parliamentary rule is—and if it is not, it should be—that the chairman of the Committee on Rules cannot take the last 5 minutes to make an amendment and then make a speech consuming all the time. I think that is not decent.

The CHAIRMAN. If the Chair understands the gentleman's point of order, the Chair overrules it. There is 1 minute of time left.

Mr. ZIONCHECK. Mr. Chairman, then I make another point of order.

You will notice, consuming all the time with points of order that the Chair, in each case, overruled.

The CHAIRMAN. The gentleman will state his point of order, and make it brief.

Mr. ZIONCHECK. I do not want to argue the point. I do not want to offend the lady from New Jersey. [Cries of "Regular order!"]

The CHAIRMAN. The regular order is the gentleman from Washington has made a point of order.

Mr. ZIONCHECK. How much time is remaining? I want to know how many are going to talk.

The CHAIRMAN. That is not a point of order. The time has expired. All time has expired. The question is on the amendment offered by the gentleman from New York.

Mr. ZIONCHECK. O, Mr. Chairman, that comes too late. All time has expired.

The CHAIRMAN. The Chair overrules that point of order.

Mr. ZIONCHECK. What objection is there? Why does the Chair overrule the point of order?

Now, in between that question and the ruling of the Chair, and after the House adjourned, without any authority of the House to put personal matters in here, or to put in attacks, after the House adjourned, between the rulings of the Chair, the gentleman from Washington [Mr. ZIONCHECK] went out here and stuck in between the rulings of the Chair one whole page and parts of two other pages of personal attacks.

I do not know what we are going to do in situations like this. Everyone who knows anything about the matter knows that these attacks on me were wholly irrelevant, baseless, and unjust, but this RECORD has gone into 48 States without authority of the House. It is being read in 48 States today, and is a libel and a slander upon me and upon my good name.

I want to mention just one thing, and then I am done, regarding this property which belonged to a member of my family. When that property was sold, I was especially requested by the gentleman who bought it, that it be sold to him. It was sold at a loss of $4,000 cash, an absolute loss of $4,000 cash, and under a written contract, the purchaser was to pay off a trust that was due against it to Rust & Co.

This house was occupied for nearly 2 years, and not a single dollar was paid on that trust to Rust & Co.—not a dollar—and after the owner went home, in order to try to help the family, at the special request of their attorney, who is one of the leading attorneys in west Texas, at his request and in order to prevent a suit bringing them into the Federal court here 2,000 miles away, at a great financial loss to me I arranged for someone to buy that property, at another great loss to me, which was out of my own pocket; and yet I am condemned here in the RECORD against the rules of the House and against eight different rulings of the Chair. This stuff has gone all over the United States.

Mr. Speaker, I do not know that there is any connection between the two, but when there was a bunch of Communists marching on the Capitol the other day, one of them was arrested, and the police authorities took these documents off of one of them and brought them to me because my name is mentioned in one of them. One of these documents says, "Remember, our Washington slogan is to foment trouble, to create dissentions and disorder", and in the last one of them it is said, "Concentrate on BLANTON, of Texas. He is the Communists' worst enemy."

I do not know, otherwise, why this concentrated fight is on me, but it is against me, and I can stand up in front of it if they will fight a square fight and obey the rules.

Mr. BANKHEAD. Mr. Speaker, will the gentleman yield?

Mr. BLANTON. I yield.

Mr. BANKHEAD. I want to get this question fairly presented, because the gentleman is asking action, as I understand it, on the part of the House.

As I understand, the gentleman from Washington will justify his remarks, whether they are justifiable or not, upon the consent that he obtained, as shown on page 5644 of the RECORD, where he obtained unanimous consent to extend his own remarks.

Mr. BLANTON. Yes. Now, does the majority leader hold that that gives a Member the right to put into the RECORD personal attacks on another Member?

Mr. BANKHEAD. I do not.

Mr. BLANTON. Certainly it does not.

Mr. BANKHEAD. But I want to get the issue clarified.

Mr. BLANTON. Certainly, and that has no relevancy, because this is a personal attack that could not have been made on the floor because the Chairman had ruled it could not be done; and it could not be put in as an extension of remarks, because the rules of the House forbid it.

Mr. ZIONCHECK. Mr. Speaker——

Mr. BLANTON. Mr. Speaker, I do not yield to anyone.

The SPEAKER. The gentleman declines to yield.

Mr. ZIONCHECK. Then, Mr. Speaker, a point of order.

Mr. BLANTON. Mr. Speaker, I move the previous question on the resolution.

The SPEAKER. The question is on ordering the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken.

Mr. ZIONCHECK. Mr. Speaker, I want a roll-call vote on this, and I object to the vote. I want the yeas and nays, or at least a standing vote.

Mr. BLANTON. Mr. Speaker, I make the point of order that the demand comes too late.

The SPEAKER. The Chair does not think so.

The House divided; and there were—ayes 118, noes 0.

Mr. ZIONCHECK. Mr. Speaker, I object to the vote upon the ground that no quorum is present.

The SPEAKER. The Chair will count. [After counting.] One hundred and fifty-five Members are present, not a quorum. The Doorkeeper will close the door, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 275, answered "present" 9, not voting 144, as follows:

[Roll No. 70]

YEAS—275

Adair	Dondero	Larrabee	Rogers, Okla.
Andresen	Doughton	Lea, Calif.	Russell
Andrews, N. Y.	Doxey	Lee, Okla.	Sanders, Tex.
Arends	Driscoll	Lesinski	Sandlin
Ashbrook	Driver	Lewis, Colo.	Sauthoff
Ayers	Duncan	Lewis, Md.	Schneider, Wis.
Bacharach	Dunn, Pa.	Lord	Scrugham
Bankhead	Eckert	Lucas	Sears
Barry	Eicher	Luckey	Secrest
Beiter	Ekwall	Ludlow	Seger
Bell	Engel	McClellan	Shanley
Biermann	Evans	McCormack	Short
Binderup	Fiesinger	McFarlane	Sirovich
Bland	Fish	McGehee	Sisson
Blanton	Fletcher	McGrath	Smith, Conn.
Bloom	Ford, Miss.	McLaughlin	Smith, Va.
Boehne	Frey	McMillan	Smith, W. Va.
Boileau	Fuller	McReynolds	Snell
Boland	Fulmer	McSwain	South
Boykin	Gambrill	Mahon	Spence
Boylan	Gassaway	Maloney	Stack
Brooks	Gearhart	Mapes	Starnes
Brown, Ga.	Gehrmann	Martin, Colo.	Stefan
Buck	Gilchrist	Massingale	Stewart
Buckler, Minn.	Gillette	May	Stubbs
Burch	Gingery	Mead	Sullivan
Burdick	Granfield	Meeks	Sutphin
Caldwell	Gray, Pa.	Merritt, Conn.	Taber
Cannon, Mo.	Green	Merritt, N. Y.	Tarver
Carlson	Greever	Michener	Taylor, S. C.
Carmichael	Griswold	Millard	Taylor, Tenn.
Carpenter	Guyer	Miller	Terry
Carter	Haines	Mitchell, Ill.	Thomason
Cartwright	Halleck	Mitchell, Tenn.	Thompson
Casey	Hancock, N. Y.	Mott	Thurston
Castellow	Harlan	Murdock	Tinkham
Church	Harter	Nelson	Tobey
Citron	Hartley	Nichols	Tolan
Cochran	Healey	O'Brien	Tonry
Coffee	Hennings	O'Connell	Treadway
Colden	Hess	O'Leary	Turner
Cole, Md.	Higgins, Conn.	O'Malley	Turpin
Cole, N. Y.	Hildebrandt	O'Neal	Umstead
Colmer	Hill, Ala.	Owen	Utterback
Connery	Hoffman	Patman	Vinson, Ga.
Cooley	Holmes	Patterson	Vinson, Ky.
Cooper, Tenn.	Hook	Pearson	Wadsworth
Costello	Hope	Perkins	Walter
Cox	Houston	Peterson, Fla.	Warren
Cravens	Huddleston	Peterson, Ga.	Wearin
Creal	Hull	Peyser	Weaver
Cross, Tex.	Imhoff	Pfeifer	Welch
Crosser, Ohio	Jacobsen	Pierce	West
Crowe	Johnson, Okla.	Pittenger	Whelchel
Crowther	Johnson, Tex.	Plumley	Whittington
Cullen	Johnson, W. Va.	Polk	Wilcox
Cummings	Kahn	Powers	Williams
Curley	Kennedy, Md.	Ramspeck	Wilson, La.
Daly	Kennedy, N. Y.	Randolph	Wilson, Pa.
Darden	Kenney	Reece	Withrow
Deen	Kerr	Reed, Ill.	Wolcott
Dempsey	Kinzer	Reed, N. Y.	Wolfenden
DeRouen	Kloeb	Reilly	Wolverton
Dies	Kniffin	Rich	Wood
Dirksen	Knutson	Richards	Woodruff
Disney	Kramer	Richardson	Woodrum
Ditter	Lambertson	Robinson, Utah	Young
Dobbins	Lambeth	Rogers, Mass.	Zimmerman
Dockweiler	Lanham	Rogers, N. H.	

ANSWERED "PRESENT"—9

Chandler	McLeod	O'Day	Smith, Wash.
Crawford	Main	Scott	Zioncheck
McLean			

NOT VOTING—144

Allen	Corning	Ford, Calif.	Kocialkowski
Amlie	Crosby	Gasque	Kopplemann
Andrew, Mass.	Culkin	Gavagan	Kvale
Bacon	Darrow	Gifford	Lamneck
Barden	Dear	Gildea	Lehlbach
Beam	Delaney	Goldsborough	Lemke
Berlin	Dickstein	Goodwin	Lundeen
Blackney	Dietrich	Gray, Ind.	McAndrews
Bolton	Dingell	Greenway	McGroarty
Brennan	Dorsey	Greenwood	McKeough
Brewster	Doutrich	Gregory	Maas
Brown, Mich.	Drewry	Gwynne	Mansfield
Buchanan	Duffey, Ohio	Hamlin	Marcantonio
Buckbee	Duffy, N. Y.	Hancock, N. C.	Marshall
Buckley, N. Y.	Dunn, Miss.	Hart	Martin, Mass.
Bulwinkle	Eagle	Higgins, Mass.	Mason
Burnham	Eaton	Hill, Knute	Maverick
Cannon, Wis.	Edmiston	Hill, Samuel B.	Monaghan
Cary	Ellenbogen	Hobbs	Montague
Cavicchia	Englebright	Hoeppel	Montet
Celler	Faddis	Hollister	Moran
Chapman	Farley	Jenckes, Ind.	Moritz
Christianson	Fenerty	Jenkins, Ohio	Norton
Claiborne	Ferguson	Jones	O'Connor
Clark, Idaho	Fernandez	Kee	Oliver
Clark, N. C.	Fitzpatrick	Keller	Palmisano
Collins	Flannagan	Kelly	Parks
Cooper, Ohio	Focht	Kleberg	Parsons
Patton	Risk	Schaefer	Sweeney
Pettengill	Robertson	Schuetz	Taylor, Colo.
Quinn	Robsion, Ky.	Schulte	Thom
Rabaut	Romjue	Shannon	Thomas
Ramsay	Ryan	Snyder, Pa.	Wallgren
Rankin	Sabath	Somers, N. Y.	Werner
Ransley	Sadowski	Steagall	White
Rayburn	Sanders, La.	Sumners, Tex.	Wigglesworth

So the resolution was agreed to.

The Clerk announced the following pairs:

General pairs:

Mr. Rankin with Mr. Darrow.
Mr. Corning with Mr. Cooper of Ohio.
Mr. Kleberg with Mr. Bacon.
Mr. Rayburn with Mr. Eaton.
Mr. Buchanan with Mr. Gifford.
Mr. Greenwood with Mr. Hollister.
Mr. Parsons with Mr. Wigglesworth.
Mr. O'Connor with Mr. Ransley.
Mr. Lamneck with Mr. Focht.
Mr. Drewry with Mr. Allen.
Mr. Maverick with Mr. Lehlbach.
Mr. Thom with Mr. Thomas.
Mr. Taylor of Colorado with Mr. Rich.
Mr. Flanagan with Mr. Maas.
Mr. McAndrews with Mr. Jenkins of Ohio.
Mr. Robinson of Utah with Mr. Gwynne.
Mr. Steagall with Mr. Buckbee.
Mr. Parks with Mr. Andrew of Massachusetts.
Mr. Gavagan with Mr. Robsion of Kentucky.
Mr. Bulwinkle with Mr. Marshall.
Mr. Cary with Mr. Lemke.
Mr. Samuel B. Hill with Mr. Risk.
Mr. Jones with Mr. Martin of Massachusetts.
Mr. Pettengill with Mr. Goodwin.
Mr. Sumners of Texas with Mr. Fenerty.
Mr. Montague with Mr. Bolton.
Mrs. Norton with Mr. Culkin.
Mr. Beam with Mr. Blackney.
Mr. Clark of North Carolina with Mr. Englebright.
Mr. Gregory with Mr. Doutrich.
Mr. Hancock of North Carolina with Mr. Amlie.
Mr. Kelly with Mr. Collins.
Mr. Snyder of Pennsylvania with Mr. Kvale.
Mr. Fernandez with Mr. Cavicchia.
Mr. Eagle with Mr. Brewster.
Mr. Dingell with Mr. Christianson.
Mr. Patten with Mr. Burnham.
Mr. Oliver with Mr. Marcantonio.
Mr. Somers of New York with Mr. Lundeen.
Mr. McKeough with Mr. Dorsey.
Mr. Gasque with Mr. Barden.
Mr. Celler with Mr. Quinn.
Mr. Ryan with Mr. Kocialkowski.
Mr. Crosby with Mr. Dear.
Mr. Wallgren with Mr. Mason.
Mr. Duffey of Ohio with Mr. Schuetz.
Mr. Wearin with Mr. Bell.
Mr. Gray of Indiana with Mr. Rabaut.
Mr. Berlin with Mr. Hart.
Mr. Romjue with Mr. Brennan.
Mr. Higgins of Massachusetts with Mr. Chapman.
Mr. Sadowski with Mr. Claiborne.
Mr. Brown of Michigan with Mr. Delaney.
Mr. Faddis with Mr. Montet.
Mr. Fitzpatrick with Mr. Dietrich.
Mr. Moran with Mr. Farley.
Mr. Shannon with Mr. Sanders of Louisiana.
Mr. Moritz with Mr. Ferguson.
Mr. Duffy of New York with Mr. Schaefer.
Mr. Kee with Mr. Clark of Idaho.
Mr. Dunn of Mississippi with Mr. Dickstein.
Mr. Hobbs with Mr. Schulte.
Mrs. Jenckes of Indiana with Mr. Buckley of New York.

The result of the vote was announced as above recorded.

On motion of Mr. BLANTON, a motion to reconsider the vote by which the resolution was agreed to was laid on the table.

The doors were opened.

EXPENSES OF SPECIAL AND SELECT COMMITTEES

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent for the present consideration of House Joint Resolution 567, to provide an additional appropriation for expenses of special and select committees of the House of Representatives for the fiscal year 1936.

The SPEAKER. The gentleman from Texas asks unanimous consent for the present consideration of a House joint resolution, which the Clerk will report.

The Clerk read as follows:

House Joint Resolution 567

Resolved, etc., That for expenses of special and select committees authorized by the House of Representatives there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $75,000 for the fiscal year 1936: *Provided*, That no person shall be employed under this appropriation at a rate of compensation in excess of $3,600 per annum.

The SPEAKER. Is there objection?

There was no objection.

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 laid on the table.

THE TAX BILL

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent that I may have until tomorrow at midnight to file a report upon the tax bill.

The SPEAKER. Is there objection?

Mr. TREADWAY. Mr. Speaker, I reserve the right to object. Does that include also minority views?

Mr. DOUGHTON. Also minority views.

Mr. PATMAN. Mr. Speaker, I reserve the right to object to ask the gentleman a question, and I shall not object. Does the chairman of the Committee on Ways and Means expect to get this bill taken up on Wednesday next?

Mr. DOUGHTON. So far as I know, the committee will be ready to take the bill up on Wednesday, but inasmuch as the bill will not be available to Members of the House until Wednesday, I think it but fair to the House that we should not take the bill up until Thursday, so as to give the Members an opportunity to familiarize themselves with the bill and the report.

Mr. PATMAN. Further reserving the right to object, I want the information because we have another bill, the Robinson-Patman bill, which we hope to get up on Wednesday, if possible, and I wanted to make sure this bill would not interfere with that.

Mr. O'CONNOR. Mr. Speaker, reserving the right to object, of course it was the plan and the hope that this bill could be taken up on Wednesday. That has been the expectation for some time.

Mr. DOUGHTON. I appreciate that fact, and the committee has been laboring diligently to that end, but inasmuch as we are unable to make the report available to the House before Wednesday morning we think it but fair to give the Members of the House one day in which to read the report and familiarize themselves with the bill.

The SPEAKER. Is there objection?

Mr. WOODRUFF. Reserving the right to object, Mr. Speaker, I wonder if the chairman of the committee would inform the minority members of the committee when they may be able to have a look at this so-called tax bill?

Mr. DOUGHTON. We hope to be able to accommodate the minority members in that respect early tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. RICH. Reserving the right to object, Mr. Speaker, I should like to ask the gentleman if he can tell us about what this tax bill will yield in taxes?

Mr. DOUGHTON. I will inform the gentleman in the report with respect to that.

Mr. RICH. But if we are going to have only 1 day to consider this bill——

Mr. DOUGHTON. The gentleman does not expect me to take a day to answer him now, does he?

Mr. RICH. But we are going to have only 1 day to consider the bill before it comes on the floor of the House, as I understand it. Is that correct?

Mr. DOUGHTON. That is the present intention.

Mr. RICH. If newspaper reports are correct they state that the bill will yield about $799,000,000, but I want to call the gentleman's attention to the fact that the increase in appropriations this year over last in the various bills which have been submitted will require over $800,000,000 when they come back from the Senate. More than the tax bill will yield. Why do you not stop spending?

The regular order was demanded.

The SPEAKER. The regular order is demanded. Is there objection to the request of the gentleman from North Carolina?

Mr. RICH. Mr. Speaker, I object.

The SPEAKER. Under the special order of the House, the gentleman from Oklahoma [Mr. LEE] is recognized.

Mr. AYERS. Will the gentleman yield in order that I may make a unanimous-consent request?

Mr. LEE of Oklahoma. I yield.

SUSPENSION OF ASSESSMENT WORK ON MINING CLAIMS

Mr. AYERS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3669) providing for the suspension of annual assessment work on mining claims held by location in the United States.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

Mr. SNELL. Reserving the right to object, Mr. Speaker, I should like some explanation of this bill. I do not know how far it goes or what there is to it.

Mr. AYERS. Mr. Speaker, for the information of the minority leader and all other Members, let me explain that this bill suspends the annual assessment work upon unpatented mining claims for the calendar year ending July 1, 1936. It is, word for word and figure for figure, a companion to my bill, H. R. 12190, which was reported unanimously out of the Committee on Mines and Mining of the House. Many of the western Members from mining States are very much interested in this legislation.

The gentleman from Utah [Mr. MURDOCK], a member of the Committee on Mines and Mining, and who engineered my bill through his committee, has agreed with me that the expeditious way of securing early passage of this legislation is to take the Senate bill from the Speaker's table and substitute it for my bill and pass it. Expediency is necessary, because this year's work will have to be completed by July 1; and if it is to be suspended, the claim holders should know of that fact at the earliest possible date.

Mr. Speaker, understand that this legislation is to take care of the small claimant and operator. Many of them are unable to do this year's assessment work, and upon their failure to do it the claims will be relocated by other persons and mining companies, and the general "jumping of claims" will commence in the mining States on noon of July 1, if this bill is not passed.

This legislation limits the number of claims that both an individual and a company can hold without representation work. In all, it is for the prospector and the little fellow.

Mr. SNELL. Have we done this same thing before?

Mr. AYERS. We have.

Mr. SNELL. How many times?

Mr. AYERS. Three times before the senior Senator from Idaho and myself have introduced this same bill suspending annual assessment work for the current year, and each time it has become law.

Mr. SNELL. No one seems to have any objection to it, so I will not object.

Mr. AYERS. I thank the gentleman. And, Mr. Speaker, I trust that my request for immediate consideration may be granted.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

The Clerk read as follows:

Be it enacted, etc., That the provision of section 2324 of the Revised Statutes of the United States, which requires on each mining claim located, and until a patent has been issued therefor, not less than $100 worth of labor to be performed or improvements aggregating such amount to be made each year, be, and the same is hereby, suspended as to all mining claims in the United States during the year beginning at 12 o'clock m. July 1, 1935, and ending at 12 o'clock m. July 1, 1936: *Provided*, That the provisions of this act shall not apply in the case of any claimant not entitled to exemption from the payment of a Federal income tax for the taxable year 1935: *Provided further*, That every claimant of any such mining claim, in order to obtain the benefits of this act, shall file, or cause to be filed, in the office where the location notice or certificate is recorded, on or before 12 o'clock m. July 1, 1936, a notice of his desire to hold said mining claim under this act, which notice shall state that the claimant, or claimants, were entitled to exemption from the payment of a Federal income tax for the taxable year 1935: *And provided further*, That such suspension of assessment work shall not apply to more than 6 lode-mining claims held by the same person, nor to more than 12 lode-mining claims held by the same partnership, association, or corporation: *And provided further*, That such suspension of assessment work shall

not apply to more than 6 placer-mining claims not to exceed 120 acres (in all) held by the same person, nor to more than 12 placer-mining claims not to exceed 240 acres (in all) held by the same partnership, association, or corporation.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill was laid on the table.

THE TAX BILL

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent that when the tax bill is taken up there may be 16 hours general debate on the bill, the time to be equally divided between those favoring the bill and those opposing the bill, the time of those favoring the bill to be controlled by myself and of those opposing the bill to be controlled by the gentleman from Massachusetts [Mr. TREADWAY] and that the debate be confined to the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. O'MALLEY. Mr. Speaker, reserving the right to object——

Mr. SNELL. Mr. Speaker, reserving the right to object, I should like to ask if the gentleman from North Carolina intends to ask unanimous consent pertaining to the consideration of the bill as it is read under the 5-minute rule? That is, if it is to be read afterward under the 5-minute rule, as usual?

Mr. DOUGHTON. Why, of course.

Mr. SNELL. I have no objection to the first part of the gentleman's request.

Mr. O'MALLEY. Reserving the right to object, Mr. Speaker, and I do not propose to object, I should like to ask the distinguished chairman of the Ways and Means Committee, since his request provided that the time be divided between those opposed to the bill and those in favor of it, if those opposed to the bill on the Democratic side will be able to get some time from the majority side of the committee, or will they have to go to the Republican side of the House if they are opposed to the bill?

Mr. DOUGHTON. Well, the time is to be equally divided between those in favor of and those opposed to the bill. There is no definite understanding about that, as far as I know. We hope to be able to take care of the gentleman. The gentleman from Massachusetts [Mr. TREADWAY] will take care of those on his side. We will try to be fair about it and reciprocate in any way we can, of course.

Mr. O'MALLEY. Then, do I understand that those opposed to the bill, on the Democratic side, will be able to get some time from the majority side of the committee?

Mr. DOUGHTON. We will do the best we can.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. RICH. Continuing what I desired to say on the tax bill, because you bring this tax bill in, do not forget that we must hold the appropriation bills down and not spend more money than is raised by the additional taxes. Your increase in appropriation this year will be more than your tax bill. Some way to run this Government, I must say.

The regular order was demanded.

The SPEAKER. The regular order is, is there objection to the request of the gentleman from North Carolina? [After a pause.] The Chair hears none.

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent that we may have until midnight tomorrow to file majority and minority views on the tax bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. TAYLOR of South Carolina. Mr. Speaker, reserving the right to object, if the House has agreed upon 16 hours of general debate, what is the objection to taking the bill up Wednesday morning instead of waiting until Thursday morning?

Mr. DOUGHTON. The gentleman from South Carolina perhaps was not in the Chamber when we discussed the matter. It was my view that inasmuch as the report would not be available to the Members until Wednesday morning it would be fairer to them not to take the bill up until Thursday, giving them an opportunity of familiarizing themselves with the report and the bill.

Mr. TAYLOR of South Carolina. Can we not do that as the general debate proceeds?

Mr. DOUGHTON. That would be entirely satisfactory to me.

Mr. SNELL. Mr. Speaker, there will be objection to taking up the bill before we have even seen it.

Mr. RICH. Mr. Speaker, I withdraw my objection upon request.

Mr. ZIONCHECK. Mr. Speaker, I demand the regular order.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The SPEAKER. Under the special order the gentleman from Oklahoma is recognized for 30 minutes.

Mr. ZIONCHECK. Mr. Speaker, will the gentleman from Oklahoma yield to me for a moment?

Mr. LEE of Oklahoma. I yield, but this is the last time I shall yield.

Mr. ZIONCHECK. Mr. Speaker, the reason I made the point of no quorum and consumed a little of the time of the House in obtaining a roll call was to demonstrate that I am entitled to obstruct the business of the House as well as the gentleman from Texas or any other Member.

Mr. LEE of Oklahoma. Mr. Speaker, I decline to yield further. I hope the Members will allow me to proceed without interruption. I have been rather liberal in yielding at the beginning with the hope that I would not be interrupted.

Mr. Speaker and Members of Congress, I believe that the Government should promote a back-to-the-land, home-ownership program, making possible a farm for every farmer and a home for every family. I shall address myself to that subject.

There is a bill, S. 2367, introduced by Senator BANKHEAD, of Alabama, that has for its purpose the creation of a farm and home corporation to aid in rural rehabilitation such as I have in mind. This bill has passed the Senate and is now before the Agricultural Committee. Although not a member of that distinguished committee, I am deeply interested in this bill, and wish to outline in general terms the kind of plan I should like to support in order to accomplish this worthy purpose. Please bear in mind that I am not necessarily describing the bill that is before the Agricultural Committee, but rather describing the kind of bill that I should like to vote for.

In the first place, I believe that this bill should consolidate all kindred Government agencies that have for their purpose farm and home ownership, and thereby eliminate unnecessary duplication. For instance, such organizations as land retirement, subsistence homesteads, rural rehabilitation, rural resettlement, and perhaps even the farm-loan organization along with the Home Owners' Loan Corporation, could all be consolidated into one farm and home ownership agency. Of course, due consideration should be given in order that only such consolidations be made as would result in economy and efficiency.

This farm and home ownership organization would have two general purposes. One would be loans, the other rehabilitation. The loan divisions would lend for homes, no matter whether they be in the country, in the suburbs, or in the cities. But the rehabilitation division would deal only in rural and suburban property by helping people to buy farms or acreage homes where they could till the soil. It would not deal in city property but would be a rural rehabilitation agency that would help people until they could qualify for a loan. Then they would get a loan from the loan division. In this manner the two divisions work together to promote farm and home ownership, one loaning to those financially able to qualify for a loan, the other giving people an opportunity to work the land in order to produce enough to qualify for a loan so they could buy it.

First, I wish to discuss the loan division. I believe that these loans should be made for the purpose of home-owner-

ship only, and when the property is no longer used as a home by the owner the loan should automatically come due, thereafter bearing the regular commercial rate of interest. This would prevent speculation on property covered by these loans.

These loans should be available up to a limited amount either for purchasing or refinancing homes, no matter whether the homes are in the city, in the suburbs, or in the country.

The interest charged on these loans should be at the lowest possible rate—I would say 1½ percent, and certainly not more than 2 percent. This rate of interest should apply to loans on all homes, no matter whether they are city homes, small-acreage homes, or farm homes.

The terms of repayment likewise should be as liberal as possible consistent with the deterioration of the property, since improvements deteriorate faster than land. The length of the loan should bear some relation to the proportion of value represented by the improvements as compared to that represented by the land. The greater the proportion of value represented by land, the longer the loan. The greater the proportion of value represented by the improvements, the shorter the loan. There should be three general classifications; that is, the repayments on farm loans should be spread over a period of about 40 years, small-acreage loans over a period of about 25 years, and city loans a period of about 15 or 20 years. Such a schedule would make the payments relatively easy and at the same time protect the Government against loss by deterioration.

The purpose of this program is not only to make it easy to purchase a home but to make it easy to keep that home. So much for the general provisions of the loan division.

Now I shall devote the remainder of my discussion to rural rehabilitation. The purpose of this agency is to rehabilitate those who are unable to qualify for a loan. It would get them on the farms and acreage tracts where they could support themselves. Then if they make good it will give them the opportunity of buying the land. It is a rural rehabilitation. Its purpose is to get the homeless man on the homeless land.

Today there are thousands of farm tenants who would make good if they had such an opportunity. There are thousands of young married people who want to go to farming on a farm that they would later have the chance to buy. There are thousands of laboring men who would like to increase their security by owning a small acreage home in the suburbs. There are thousands of professional people with limited incomes and people on small salaries and people who have only part-time employment who would like to have a home where they could produce at least a part of their living by working in the soil. A rural rehabilitation program such as this would give them that opportunity.

Of course it would be futile to help people buy homes without correcting economic conditions that cause people to lose their homesteads. This program, in conjunction with measures we have already enacted, would do just that.

In the first place, the liberal terms of the loans for homes would give relief from high interest rates that have caused the loss of many homes.

Another reason that those people have lost their homes is decreased income due to old age and low-priced farm commodities. This condition has already been greatly remedied by the old-age pension provided in the social security law and the increased farm prices resulting from the Federal farm program.

A third cause for the loss of homesteads is decreased crop yields due to the loss of fertility. This, too, is being corrected by the new farm program which is based upon soil-erosion control. But in order to get full cooperation in a soil-building program you must have home owners. The man who owns the soil he tills takes pride in protecting it against erosion and in increasing its fertility.

This program would not only help people to purchase homes, but would help correct the economic conditions that cause them to lose their homes. This program is a necessary part of the whole pattern of social security which we are weaving. You cannot build a successful program of social security without basing it on home ownership. You cannot establish a successful farm relief program on farms operated by tenants. Farm and home ownership fit into the whole program of social security and farm relief like the last block in the jig-saw puzzle.

This rehabilitation and loan program that offers easy terms and gives relief from high interest rates, together with the new farm program that insures the farmer a reasonable price for his commodities, coupled with the soil-conservation work which will increase the crop yields, will make it possible for the family to own the roof over its head and the farmer to own the land that he cultivates.

But you say how would this agency go about rehabilitating people? In the first place, the local representatives of the agency would have a pretty good knowledge of the people with whom they were working. Families with good records as farmers and with sufficient livestock and equipment to make a crop would be given a contract of sale and "grub staked" until they got started. After they had paid a sufficient amount toward the purchase of the farm, the Government would give them a deed and take a mortgage on the farm for the balance due.

We are already financing thousands of people and feeding them and taking care of them but we are not doing much toward getting them on their own resources. When the year is over, under our present system, we are right where we started. We feed a fellow a year and at the end of the year he is still hungry. He is just as helpless as he was at first, or even more so, because he has come to depend more and more upon the Government and less and less upon himself.

The best way to help a man is to help him help himself. By this plan the Government would be helping people to help themselves. You say how would such a plan work? Let me give you an example. Here is a tenant family, the man has nothing in the world but his muscle and a hope in life, and he is about to lose that. He has been on the relief rolls for 2 years. The Government has spent considerable money on him, and he is right where he was at first. Perhaps he is even more helpless than he was to start with, the money has been spent, but no gain has been made.

Now, by the plan I have in mind the Government would not purchase a large tract of land somewhere and then try to settle all of these people on that tract of land, but the rehabilitation agency would say to the man, "Go find a farm that you like, suitable to your needs, that can be bought, worth the money." Let him do it himself, let him and his family pick it out, and let them bargain with the seller on the price, because they are the ones who are going to have to pay for it. Then let the Government send an appraiser to check the value against the price. If the price is right, let the Government buy the farm, lease it to the family, and if they make good, give them a contract of sale for it.

It would be necessary at first to help them get started, but money spent that way would be helping them to support themselves.

As soon as the family has paid a sufficient amount to make it a bona-fide sale, then the Government could give them a title to the farm and take a mortgage for the balance due.

Heretofore, depressions have been solved by the land-vent method, that is, when the unemployed accumulated, the Government would open a new frontier, and drain off these disinherited. When another depression came, the Government would open new land for settlement, and the unemployed would seek homesteads in the new territory. But when this last depression came there were no new lands to open for settlement. Therefore, we should create a land vent by establishing this rehabilitation program and reclaiming some of our old frontiers.

There are thousands of farms that belong to absentee landlords and loan companies who are unwilling owners and would be glad to sell them worth the money. Most of these farms are in a run-down condition. They have been farmed for a number of years by tenants who had little incentive

to keep up the improvements or to protect the fertility of the soil. No doubt some of these farms should be retired permanently from cultivation, but most of them, when farmed by an owner or even a prospective owner, will respond to the efforts to conserve and rebuild their fertility, and once again their fields would produce good crops. Once again those farms would be homesteads where the cows would low in the lane and the morning glory would trellis over the window.

In pioneer days the Government let the settlers provide their own shelters. They utilized the materials that were available in each locality. Some dug into the ground and lived in dugouts—we lived in a dugout.

Some took the sod and built themselves sod shanties, while others cut timber and built log cabins. They improvised shelter from storm. They managed somehow to secure seed and teams and tools. They became thrifty by necessity. They did without things they wanted in order to get those they had to have.

Therefore, instead of the Government planning the houses for people and building them for them and setting each family up with a certain number of livestock and certain equipment, and then handing the family a bill for everything and saying to them, "Now, when you pay for all of these things that we have bought for you, then you can start buying the farm", why not allow the purchaser to do the planning and buying and building himself?

There will be many things they will and can do without until they are able to afford them. The joint planning and building, and planting, and foregoing constitute the real pleasure of homemaking. The main reason that efforts of the Government along these lines have not been any more successful than they have is because the Government has not allowed the purchaser sufficient latitude in determining his own needs, but has made the cost of such projects prohibitive by including things that were desirable but not absolutely necessary.

The desire to own homes of their own is sufficient incentive to those people to cause them to endure privations, and exert themselves in order to improve those homes; if the Government will only make possible the purchase of homes for these people, they will do the rest.

Many have lost hope already, but such a program as this would rekindle that hope and life would begin anew with the possibility of once more owning a home of their own.

I can still remember seeing that light of hope in the eyes of the pioneers who came to Oklahoma to homestead. They were young and eager. Their blood was red. Their hopes were high. They worked together with a kind of joy in the privations and hardships of pioneer life. They weathered the droughts of pioneer days. They lived on gyp water and white gravy in order to have a home shelter them in their old days. They grew older and more serious. Gradually, I saw that light fade and die out of their eyes. One after another they lost those homes. Today they are farmers without a farm, homesteaders without a home.

We must rehabilitate them, for there is no fall so dangerous as the fall of those invisible towers of faith, but give these people a chance to once more enjoy homes of their own and you will see that light of hope rekindled in their eyes.

This program of farm and home ownership will give them that chance.

It is a prudent government that concerns itself with the economic conditions of its people. Have you considered the cotton tenant of the South? He and his family live in a covered wagon or a tent or a shack not fit to house the stock he works. His wife is weary and worn. His children must work in the field. Their hands, like little claws, crack and bleed when the cold days come, but they cannot stop. It takes all hands working long hours to get the barest existence. When the cotton is picked they move on somewhere, no one knows. They are nomads. The peasants of Europe have their huts, but the tenants of America have not where to lay their heads.

Then again, have you seen how some of the laborers in our cities live? They cannot afford a home, so whole families live together in one room. I said they live, but they do not; they only eke out a miserable existence under the most unsanitary and degrading conditions.

Have you seen the garbage towns of the unemployed, where thousands of human beings take refuge from the weather in the garbage dumps. They erect themselves makeshift shelters out of pieces of tin, old barrels, boxes, tow sacks, strips of canvas, old car fenders, and anything they can drag out of the dump heaps that will help to keep out the wind and rain and snow.

My friends, these people are easy converts to communism or even anarchy. What have they to lose by revolution? They have little incentive to protect property rights. The best way to guarantee a continuation of the system of private ownership is to let everybody own some property, then everybody will want to keep the system in order to keep their property; but when the masses have no property they have nothing to lose by an overturn of the system, and it is easy to persuade them that they might even gain something in the shuffle.

Therefore it is a wise government that restores the birthright of its disinherited citizens. Nations are secure in proportion to the general distribution of property. You can no more build a secure government upon a foundation of homeless, drifting people than you can build a tower upon a foundation of drifting sand.

This back-to-the-land, home-ownership program will increase our national security not only by bringing about a better distribution of property but by bringing about a better distribution of population. Thomas Jefferson urged distribution of population, warning against congestion in the cities. Our people today have become too interdependent. The bank crisis 3 years ago brought that to our attention with grim reality. I was teaching at the University of Oklahoma at the time and living at Norman. Of course, we did not know how long the banks would remain closed, so on the third day I hooked a trailer onto my car and drove out to my farm to get a cow, so that we could at least have milk. When I reached the farm they did not even know that the banks had been closed. There in town we had been in a panic for 3 days, trying to manage somehow or other to get the necessaries of life, while out on the farm they did not even know the banks had closed.

It was then I realized how helpless the millions of people are who live in the cities. It seems that we all try to occupy the same space at the same time. We stack our small cells on top of each other like bees in a honeycomb. We invent space-saving furniture. We build efficiency apartments. We narrow our rooms and lower our ceilings. Did you ever see people pouring out of a great apartment house? There they come, hundreds of them, living in one building like ants in a hill, with not 2 days' supply of food ahead—as dependent as babies. A milk strike and they all suffer. The elevator boys went on a strike and paralyzed New York City.

Decentralization of population would also increase our national security from a military standpoint. In case of war an enemy air raid with a few well-placed bombs could destroy millions of people who live in cities; but suppose we get our people living in homes scattered all over the countryside. It would take a separate bomb for each separate home, and I believe the bombers would decide it was too slow to be worth the efforts.

Then again this program would encourage the decentralization of industry. Heretofore transportation facilities, water power, and available labor supply determined the location of industries, but now ribbons of pavement and roaring motor trucks make transportation available anywhere, and steel-towered high lines carry power at a practical cost 250 to 300 miles, and there is, of course, an oversupply of labor available everywhere.

Then again, as industries spring up in small units throughout the country near the source of the raw products, this program of home ownership would make it possible for the workers to live on small acreage tracts around the plants. With good roads and automobiles, they can live in a radius of 50 miles and still get to work with greater ease than

thousands of people in the crowded cities can reach their employment.

Then, in case of seasonal work, they can still make their living on the land; and when shorter work-hour schedules are adopted, they can spend their extra time profitably working on their small farms. Instead of living in stuffy tenements and crowded apartments, where their children have no opportunity to play, they could live in colonies out in the fresh air. They could have their own schools and churches and develop community pride, and thus the laboring man, instead of always being a tenant, would have an opportunity to enjoy the pleasures of his own home.

Then, again, producing a superior race should be one of the motives of Government, for by that we can attain greater human happiness. We spend money and time in order to produce blue-ribbon livestock. We should likewise endeavor to produce a blue-ribbon race. Unquestionably, the health and physical development of the people is of concern to the Government. Therefore, by sponsoring a back-to-the-land home-ownership program the Government will be helping people to enjoy more healthful life. It will give them an opportunity to work in the sunshine, to live out of doors more. It will give them more contact with the soil. Mother Earth is good to her children when they live by tilling the soil. The outdoor life of people who toil in the sunshine is more conducive to health than when they congest in crowded apartments and tenements.

In other words, this program means more sunshine and less cod-liver oil. It means less worry because of fear of the future. There is a feeling of security that comes with home ownership that takes away that hunted look.

Furthermore, the outdoor life is good for shattered nerves; it is balm and gilead for the high-strung lives our people are leading.

Then, again, the building of character should be one of the purposes of government. By helping people to own their homes the Government will put them on their own resources. This develops self-reliance and self-initiative.

This program will also develop thrift and industry, because if people know they have an opportunity to own these homes, they will work harder and save and forego pleasures, all of which contributes to the building of character.

Idleness destroys character. With labor-saving inventions, there is less drudgery work to be performed in the cities and in the factories. This makes for more leisure time, but an idle people soon become a pleasure-seeking people, and a pleasure-seeking nation soon decays. But when people live on a farm, there is always present that almost irresistible urge to add some little improvement to the home or to work in the garden, or to prune the orchard.

Therefore, if our people own their homes and farms, they will use the time that labor-saving inventions give them to good advantage, which will contribute more and more to the developing of character.

Furthermore, the home is a good place to build character. A wholeome home life will help solve the crime problem in America. It was not until our people began losing their homes that crime became such an alarming problem in the United States.

HOME OWNERSHIP PROMOTES PATRIOTISM

Home owners make the best soldiers in times of war—they have more to fight for. Home owners make the best citizens in times of peace—they have more to live for. When people are rooted to the soil, they have a deeper interest in the community. They are more public spirited. They take more interest in the welfare of the social group.

The tenant cannot take much interest in a community because he is there only temporarily. The gypsy feels no loyalty for the ground where he camps tonight because tomorrow he moves on. If you want our people to say, "This is mine, my native land", let them own some of it. If you want them to sing, "My country 'tis if thee, I love thy rocks and rills", let them own some of those rocks and rills.

Home ownership is America's best answer to communism. Home owners turn deaf ears to radical propaganda. You cannot persuade a home owner to join the ranks of the destructionists. Communism and all the other radicalisms can live only in an atmosphere of misery and want. They are like disease germs; they thrive best in dark, unhealthy atmosphere; but bring them out into the sunshine of happiness that results from home ownership and they die.

When a man tills his own soil he is twice fed by it. In addition to the fruit it produces, there is a spiritual manna of contentment and happiness that permeates his being and purges his mind of evil. A man cannot lean up against the forks of his own apple tree and plan the destruction of his own Government.

A program of farm and home ownership is conducive to the maximum amount of happiness, the happiness that comes from hope, the happiness that results from the feeling of security. Happiness finds it full fruition only in a well-established home, based on the pride of ownership.

The members of the family take pleasure in planting every tree that grows to feed and shelter them. They have a common pleasure even in privations that help them attain their goal of actual home ownership.

Every small improvement has in it a part of the heart and hopes and dreams of each member of the family.

Every new colt and pig and calf add to the sum total of that invisible something we call happiness. They plant tiny seeds and watch them grow. They cultivate them. The seasons march on, the children grow up and return to the home, as birds to the nest, because it is the great fountain head of human happiness. There is security; there is refuge from the world. There is a haven in a storm. The home, the hearthstone, is the heart of America. Let us preserve it; let us encourage it by putting into effect a program that will make possible a farm for every farmer and a home for every family. [Applause.]

STOP! LOOK!! LISTEN!!!

Mr. FISH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the requestion of the gentleman from New York?

There was no objection.

Mr. FISH. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following article entitled "Stop! Look!! Listen!!!" by myself which was published in the April issue of the Young Republican.

If the Republican Party is to be hauled out of the pit—which its vainglorious leaders dug for it, and fell into with it—it is the young men and women voters who will accomplish it.

The Democratic Party was not raised to its present haughty heights by votes of the Democrats alone. There are not enough of them in the country to have given the New Deal the endorsements it received at the polls in 1932 and 1934.

There were scores of thousands of Republican voters, wearied of waiting for a square deal for the farmer and wage earner, or for the slightest concession to constructive liberalism, or even a faint glimmer in the intelligence of the Old Guard, who turned to Roosevelt as their only hope for a change in conditions that were not only becoming static but were threatening the life of the Nation.

I am not one of those who believes that the benefits that President Roosevelt is credited with having given the country with his various alphabetical devices originated with the Democratic administration. There are quite a number of things that have been blunderingly attempted during the past 3 years that were originally formulated, and some of these actually started, in the Republican administrations that preceded it.

Nor am I one of the hidebound diehards who will not face the fact that the New Deal has brought about a new economic and social era as well as political line-up. More important than that, it has brought about a new habit of mind in viewing and evaluating economic, social, and political questions. The people of this Nation have been awakened to take an entirely new point of view and it is absolutely useless and a waste of energy to deny this fact. Hence the issues must be faced squarely with this new habit of mind.

Essentially it is a young mind that is directing the Nation's thinking. The youth of the Nation has been aroused to its importance. They will have to pay the bills that are coming in for the orgy of spending that has been in progress during the past 3 years—the almost criminal waste of public money and the extravagance of promises as well as funds.

The youth of the country will pay those bills—and pass some of them on to future generations, yet unborn. Hence the youth of the country has arisen and demands to know what it is paying for. It demands to have some voice in selecting the method of payment and the men who shall develop the method.

It is right that our outraged and hitherto ignored youth should so arise. Their demands are just and reasonable. It is eternally right that they should enforce those demands and compel the elders to listen and take heed. In time of war they are called upon to defend the country. In time of peace it is no less the right and duty of youth to carry on the torch from failing hands. If this country is to be worth fighting for it must be worth living for.

No one in the Republican Party looks upon the present rising of young Republicans to a better understanding of their potential force in party councils and party plans with greater rejoicing than I do. For years I have labored to carry on the fight for better understanding and better approach to our internal problems. I have contributed all I have to these problems in my own community, in my State and in national affairs. My neighbors and constituents have honored me with increasing majorities.

I now see a great hope for solutions I've sought for many of these highly important problems from the rising of the youthful groups of political fighters throughout the country.

It is most encouraging to me personally to see these young men and women so thoroughly awake to their political responsibilities. Because they are awake and because they are making themselves heard, it is my belief that they may mean the saving of the Nation and a tremendous asset for any political faction with which they may align themselves.

There is an idea I wish would burn itself into the consciousness of the leaders of the Republican Party—that it is my deliberate judgment these young people who give unmistakable evidence of being so strikingly political conscious in our new era may mean the saving of the Nation together with any political party with which they may align themselves.

It is up to the present leaders of the Republican Party as to which party that shall be.

A far greater political mistake than making errors of judgment of positive failure in efforts exerted toward constructed progress is to remain static—as the Republican Party has been during the past 3 years. It has always been a mistake for the party leaders to so completely ignore the young men, and the young women, too, who are aspiring to leadership—who want to take their places in the political scheme and help work out the destinies of the Nation and the party. That mistake must be corrected. We old leaders must realize we're not training men to succeed us and carry on the glorious traditions of the party by selfishly hanging on to our leadership.

Recently I read a most interesting and illuminating magazine article under the title of "Almost a Red." (The American Magazine for November.) It was written by a young man who wanted to participate in political work. He came from college with the idea that every man and woman should actively assume the responsibilities of citizenship with an active and working interest in political affairs.

He went from one party headquarters to another offering his services—as a humble worker. He was not an office seeker. He did not want a political job. He had his own chosen profession and was very much interested in the career that lay before him in this direction. But he did want to justify his acceptance of the benefits of citizenship in this great country by devoting some of his time and undoubted talents to its service—to helping choose the right men for office—to working out the destinies of a political party.

Everywhere but at Communist headquarters he was greeted as one who was trying to horn in on the jobs that were to be distributed. Everywhere his sincerity of purpose was doubted—save by the Communists. They wanted him. They wanted workers—as he wanted to be. They had means of training such workers. Receiving and training workers—not job hunters but plain workers—is one of the fundamentals of their party policy, this young man found.

He could not subscribe to Communist doctrines and principles. He had no idea of becoming a Communist. But the Communists were the only political faction he found that seemed intelligently alive to his own political problem—of finding a place for himself. It was at Communist headquarters that he received an intelligent welcome from young men and young women of his own intellectual status—people he could talk to and who talked to him with freedom and enthusiasm for their cause, rather than what the individual worker personally got out of it.

This magazine article made a tremendous impression on me. It made me think what my own party was doing—and had done in the past. The young man's experience I've heard recited by many young men and women who have wanted to contribute something to the party—and who have been smiled upon, patted on the back, and literally told to run away and play and let the elders who knew how and the practical and professional politicians who were working for office and patronage do the work.

The time for that sort of thing has passed. The young men and women of today will not be put aside. They do not seek to rival or usurp leadership—they want to offer themselves as co-workers—as up and doing Americans with a keen appreciation of their responsibilities, anxious to be engaged in discharging their obligations of citizenship.

The average national party leader is completely surrounded by his own handpicked group of what our modern world calls "yes men." The average national leader, because of his many duties and the many calls upon him—often far beyond his capacity to personally attend to—must deny himself to much he should know. This condition isolates him from the popular thought—the point of view of the men in the street. And his professional "yes men" very effectively complete that isolation, in most instances from purely selfish motives of the type that will not tolerate the entrance of a possible rival on the scene.

I speak of this from my own experience. I have frequently witnessed leaders of my party completely cut off from sources of information urgently needed for an intelligent consideration of problems of vital concern to the State and Nation—because these leaders were carefully isolated from the current, average opinion by sycophants and political satellites.

The younger element have been stupidly cut off and shunted aside politically out of fear that they might demand a small place in the sun. The reactionary Republican leadership has lost touch with the younger element as well as lost the confidence of the liberal element, which together constitute two-thirds of the political strength of the Republican Party.

But I would like to impress on my associates in the Republican Party that we cannot longer stuff the cotton wool of isolation and insulation in our ears.

We have got to listen to the young men and young women.

They have the modern point of view—the direct, "show me", modern habit of mind which the great mass of the citizenry—an aroused and politically conscious mass—have developed these days. These young men and women are offering their best thought and their enthusiasm and demand nothing but a square deal and representation. They are knocking at our doors. If we are too isolated to hear and insulated to receive them, they will go elsewhere.

They have the balance of political power in this country.

They represent almost half the total voting strength of the electorate.

They are becoming very rapidly a cohesive group of the electorate, keenly conscious of their potential power and absolutely determined to use that power to carry the country along their way of thinking, and generally along sound and sane lines, on a constructive liberal platform of a square deal for labor—the farmer, the businessman, and private property under the confines of the Constitution of the United States.

They do not come as office seekers—but as workers for a cause—very practical workers for a very practical cause. To them politics have been thoroughly debunked. Phrase making and silver-tongued oratory mean little or nothing. It is action they seek. And they will get it.

Shall it be in the ranks of the Republican Party, where most of them belong and where most of them would really like to be?

Shall it be in the ranks of the Democratic Party which is making a very determined bid for them and offering them at least sympathetic hearing?

Or shall they be driven to the organization of a new party—a party of their own?

I would most solemnly warn my associates among the Republican leaders that at this very critical time the defection of any considerable number of Republican voters to a third party would mean the disappearance of the Republican Party in the same manner as the old Whig Party.

I am not exaggerating the situation when I say that. And I speak of it only because the situation is extreme—and extreme methods, if need be, must be adopted.

Is the party of Lincoln, Grant, McKinley, and Theodore Roosevelt to be wrecked because of the vanity and the obstinacy of its present leaders—leaders who refuse to recognize that a political revolution has taken place?

Is the party that has given this Nation many of its greatest men, who led it through the most critical days of its existence and administered its affairs constructively and prosperously for 56 of the 82 years of the party's existence, to become a relic of antiquity?

With the organization of the Republican Party in 1854, the Whigs went out of existence. With the birth of a new party, backed by the enthusiasm and the numbers of the modern young voter, the Republican Party would suffer the same fate.

It is with the most solemn sincerity, growing out of the great love I have for the party to which I have belonged for so many years, in which I have worked to the utmost of my capacity—the party that has honored me many times far beyond my desserts—that I sound this warning.

I do not believe there is any desire on the part of the young Republicans to organize or ever become a part of, or assist in the organization of a third party. In fact, I know the leaders have no such thought and condemn any such suggestion. However, if the Republicans think they can carry the Nation without the younger and liberal element, they are just plumb crazy.

Youth must be served. More important, it must be given its opportunity to serve. And yet more important, it will develop its own medium for the expression of its enthusiasm, its vigor, and its power if existing agencies do not respond to its offer of these highly essential factors in sound organization and good government.

I know of no way to win the next Presidential election than by encouraging youth and the liberal element to participate in shaping the policies of the Republican Party. Action alone counts. The time to begin is now. The way to begin is to begin in every county and in every State of the Nation, inviting cooperation of younger and liberal elements to take their proper place in leadership of our party.

If such a constructive policy is put into effect, millions of energetic and enthusiastic young crusaders will enfuse new blood and fighting spirit that will carry the torch of Republicanism on to greater victories for the benefit of all sections of the Republic. There must be no compromise with the socialism or class hatred of the New Deal, nor must we go back to any old order of special privilege, dominated by wealth and reaction. We must go forward on a sound, constructive, liberal platform of a square deal for all the American people.

Let us reaffirm our faith in the early principles of the Republican Party when it stood squarely for human rights as being superior to property rights and, as Lincoln said, "Labor is prior to capital." Let us build a bridge so that millions of deceived, disgruntled, and disgusted Jefferson Democrats may cross over to a liberalized Republican Party and help elect a Republican President in 1936 and restore representative government to the people.

The Republican Party today needs leadership of the type, character, and ideals of Abraham Lincoln. Let us enfuse the spirit of Lincoln and Theodore Roosevelt into a liberalized and humanized Republican Party. Let us invoke the faith in the people that Lincoln loved and the faith of Theodore Roosevelt in popular government, and a square deal for the American people as the guide and cornerstone for the rebirth of a militant Republican Party.

(NOTE.—All eras of American history record activities of some man named Hamilton Fish, who served his country with single-minded patriotism and sometime died for it on the field of battle. HAMILTON FISH, Jr., Member of Congress from the Twenty-sixth District of New York, is not only a worthy son of such ancestry, but is one who has persistently and consistently put into practice the ideals of young Republicanism. It takes courage for a young man to leave a life of ease and dive into the maelstrom of practical politics. It takes even greater courage to stand out from the regimented followers of powerful leaders and tell those leaders when they're misleaders. But HAMILTON FISH, Jr., does just that—with the kind of courage that makes it easy to see why he won the Croix de Guerre and a silver star citation for gallantry in action as a captain of Infantry in France and why he caused to be inaugurated, and then conducted, the crusade against communism in the United States.)

EXTENSION OF REMARKS

Mr. FISH. Mr. Speaker, I ask unanimous consent to extend my remarks and to include therein an editorial by Walter Lippmann.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

Mr. RICH. Mr. Speaker, reserving the right to object, the RECORD is not the place for editorials, and, under the circumstances, I object.

PERMISSION TO ADDRESS THE HOUSE

Mr. MARTIN of Colorado. Mr. Speaker, I ask unanimous consent to proceed for 1 minute to make an announcement.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. MARTIN of Colorado. Mr. Speaker, this morning about 80 Members met in the caucus room of the old House Office Building and organized a steering committee to facilitate the passage of the Robinson-Patman equal business opportunity bill (H. R. 8442), better known as the chain-store bill. Subcommittees were appointed and a brief statement formulated with reference to the provisions of the bill. I ask unanimous consent to extend my remarks at this point in the RECORD and to include the names of the steering committee and subcommittees, also the statement referred to containing information which will be of benefit to all Members of the House on this very important legislation.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

Mr. MEAD. Mr. Speaker, reserving the right to object, what is the status of the bill?

Mr. MARTIN of Colorado. It has been favorably reported by the Judiciary Committee.

Mr. MEAD. Has a rule been obtained as yet?

Mr. MARTIN of Colorado. No; but we propose to request a rule.

Mr. MEAD. That is the duty of the steering committee?

Mr. MARTIN of Colorado. Yes; part of its duty.

Mr. RICH. Mr. Speaker, reserving the right to object, how much of the RECORD is this going to take?

Mr. MARTIN of Colorado. About a page, all told. It is not printed matter.

Mr. RICH. Any newspaper matter included?

Mr. MARTIN of Colorado. No. It is matter which this committee prepared this morning.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

ROBINSON-PATMAN EQUAL OPPORTUNITY IN BUSINESS BILL

Mr. MARTIN of Colorado. Mr. Speaker, the first group meeting of Members of the House was held this morning in the House caucus room for the purpose of taking steps to secure the passage of the Robinson-Patman equal opportunity in business bill.

At this meeting Mr. PATMAN, of Texas, was elected chairman, and Mr. MARTIN of Colorado secretary.

Upon motion of Mr. DIES, of Texas, the chairman was authorized to appoint such committees as deemed necessary in order to expedite the consideration and passage of this legislation.

The following steering committee, which will be added to later, has already been appointed: Andresen, Minnesota; Utterback, Iowa; Cox, Georgia; Johnson, West Virginia; Ryan, Minnesota; Zimmerman, Missouri; Cannon, Missouri; Caldwell, Florida; Ekwall, Oregon; Massingale, Oklahoma; Johnson, Oklahoma; Nichols, Oklahoma; Gassaway, Oklahoma; Mott, Oregon; Gray, Indiana; Jenckes, Indiana; Lesinski, Michigan; Pittenger, Minnesota; Gilchrist, Iowa; Ford, California; Ayers, Montana; Sanders, Texas; Boileau, Wisconsin; Schulte, Indiana; Carlson, Kansas; White, Idaho; Luckey, Nebraska; Gillette, Iowa; Schneider, Wisconsin; Ramsay, West Virginia; Patterson, Kansas; Dies, Texas; Lambertson, Kansas; Gehrmann, Wisconsin; Maas, Minnesota; Hildebrandt, South Dakota; Rogers, Oklahoma; Martin, Colorado; Costello, California; Sabath, Illinois; McClellan, Arkansas; Keller, Illinois; Lundeen, Minnesota; Lemke, North Dakota; Starnes, Alabama; Peterson, Florida; Cannon, Wisconsin; Lamneck, Ohio; Christianson, Minnesota; Beiter, New York; Pierce, Oregon; Engel, Michigan; Thomason, Texas; Guyer, Kansas; Buckler, Minnesota; Lee, Oklahoma; Boehne, Indiana; Smith, Washington; Hook, Michigan; Cross, Texas; Mead, New York; Larrabee, Indiana; Turner, Virginia; Barry, New York; McFarlane, Texas; Stefan, Nebraska; Blanton, Texas; Weaver, North Carolina; Smith, Virginia; Haynes, Pennsylvania; Murdock, Utah; Greever, Wyoming; Scott, California; Knutson, Minnesota; Cochran, Missouri; Fiesinger, Ohio; Binderup, Nebraska; Randolph, West Virginia; Cravens, Arkansas; Robsion, Kentucky; O'Leary, New York; Biermann, Iowa; Miller, Arkansas; Nelson, Missouri.

SPECIAL COMMITTEES

The following special committees have been appointed by the chairman in accordance with authority given him by the action of the above meeting:

EXECUTIVE COMMITTEE

Dies, Texas, chairman; Utterback, Iowa, vice chairman; Cox, Georgia; Sabath, Illinois; Cannon, Missouri; Schulte, Indiana; Nichols, Oklahoma; Martin, Colorado; Ekwall, Oregon; Boileau, Wisconsin; and Ramsay, West Virginia.

(Each member of this committee is vice chairman of the steering committee.)

PARLIAMENTARY COMMITTEE

(This committee is also charged with the duty of making an effort to secure a rule at an early date for consideration of the bill.)

Cannon, Missouri, chairman; Nichols, Oklahoma, vice chairman; and Mott, Oregon.

COMMITTEE TO COORDINATE ACTIVITIES WITH ADMINISTRATION AND SENATE LEADERS

Patman, Texas, chairman; Johnson, Oklahoma, vice chairman; Dies, Texas; Martin, Colorado; Schulte, Indiana; and Cannon, Missouri.

INFORMATION COMMITTEE

(The purpose of this committee is to assemble and furnish information to both Members of Congress and interested parties upon request.)

Nichols, Oklahoma, chairman; Martin, Colorado, vice chairman; Maas, Minnesota; Sanders, Texas; and Quinn, Pennsylvania.

COMMITTEES TO BE INCREASED AND OTHER COMMITTEES CREATED

Other committees are in process of formation. The committees herein designated will be added to at our next meeting, as a number of members were unable to be present this morning and expressed a desire to attend meetings in the future.

MANDATE OF EACH MAJOR POLITICAL PARTY

In the discussion of the legislation it was contended that this bill must be passed in order to save independent merchants of the country and prevent monopoly; that it is not a price-fixing bill or class legislation; that it merely gives to independent merchants and voluntary organizations of independent merchants the same rights and benefits and no more as enjoyed by corporate chains; that it will not compel corporate chains to pay a higher price but will require the manufacturers to give the independents the same price; that the bill is in accordance with mandates of both major political parties; and that unless it passes at this session of Congress monopoly will have a much firmer grip upon the throats of the people and within a short time the independents will be threatened with extinction.

BILL CAREFULLY PREPARED HAVING IN MIND CONSUMERS' INTEREST

Mr. PATMAN, coauthor of the bill, stated that this bill, as reported by the committee, is a result of months of hearings; hundreds of pages of testimony were taken and are now in printed form and available through the Judiciary Committee of the House; that witnesses were heard on both sides of the question and every question that can possibly arise was carefully considered; that the interest of the consumers was given first consideration; that the bill represents the combined thought and judgment of the best-informed people in America on this subject, including representatives of the trade, consumers, corporate chains, department stores, and trade organizations—including druggists, grocers, hardware, and dry goods, both retail and wholesale; that it also includes the mature judgment based upon years of experience of representatives from governmental departments that have for many years dealt directly with the questions involved, including the Federal Trade Commission and antitrust division of the Department of Justice.

AT LEAST 100 COAUTHORS OF BILL IN HOUSE

Mr. PATMAN further stated that as coauthor he held the same position with reference to the bill as all other members of the steering committee and other parties who have contributed toward the perfection of the measure; that at least a hundred Members of the House are entitled to the same credit for this measure and have made the equal contributions toward its perfection as himself; that the bill is not a partisan measure but is nonpartisan; and our objectives should be the early passage of the bill in order to protect the consumers against monopoly and the independent merchants against extinction.

THANKS TO JUDICIARY COMMITTEE OF HOUSE

Mr. PATMAN further expressed appreciation especially to Congressmen UTTERBACK, RAMSAY, SUMNERS of Texas, MCLAUGHLIN, MILLER, WEAVER, DUFFEY of Ohio, ADAIR, WALTER, GASSAWAY, CHANDLER, and GUYER, and all other friends on the Judiciary Committee of the House for the very effective work after weeks and months of extended and patient hearings on the proposed legislation.

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD to cover section 5 of the bill just referred to by the gentleman from Colorado, which is the basing-point section.

Mr. MARTIN of Colorado. There is a great deal of objection to that section among the Members, I may say to the gentleman, and an effort will be made to obtain a separate vote on it.

Mr. DIRKSEN. I understand; and that is the reason I desire to extend my own remarks at this point in the RECORD on that particular section.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DIRKSEN. Perhaps a great many Members of the House are not aware of the fact that paragraph 5 of section 2 of H. R. 8442, known as the Robinson-Patman bill, is in reality a paragraph which deals with the whole question of so-called "basing points" and should be stricken from the bill. This section does not belong in the bill, and its removal would not prejudice the rest of the measure. Moreover, both the Interstate and Foreign Commerce Committee of the House and the Interstate Commerce Committee of the Senate have been dealing with this matter in a wholly separate measure, known as the Wheeler-Rayburn bill, and therefore the incidental treatment which is accorded to the whole basing-point question in H. R. 8442 should be stricken out. Quite aside from that fact there are a host of reasons why the basing-point section should be stricken from the bill, and I shall enumerate them as briefly as possible.

Paragraph 5, on page 7 of the bill, reads as follows:

> That the word "price" as used in this section 2 shall be construed to mean the amount received by the vendor after deducting actual freight or cost of other transportation, if any, allowed or defrayed by the vendor.

In practical language that section means that all sellers or vendors of commodities will be compelled to quote prices f. o. b. instead of the delivered price. That this is the purpose of the section is borne out by the language of the report accompanying this bill, as indicated at the bottom of page 14 of said report, which contains the statement:

> It will require the use of the f. o. b. method of sale.

This means f. o. b. the mill, plant, factory, or establishment which produces the goods.

The basing-point system of quoting prices on commodities which is now in vogue in many industries is nothing more than a system under which prices are quoted to consumers f. o. b. certain convenient points, which are either points of manufacture or points of distribution. As an example, Chicago is a basing point. If a purchaser in Peoria wishes to buy steel, cement, or other products, he is quoted f. o. b. Chicago. This system of quoting from the nearest basing point gives all mills, whether located near or far away, an equal chance to compete for the business.

Obviously, a mill in Pittsburgh or Pueblo, Colo., or in Youngstown or Wheeling could not compete with a mill in Peoria for the business of a consumer living in Peoria, because of the freight rate involved from these distant points to Peoria. On the other hand, if the basing-point system were not in use, a Peoria mill could not compete for business near Pittsburgh, or Pueblo, or Youngstown, or Wheeling for the same reason. The basing-point system, therefore, makes it possible for mills and factories everywhere in the country to bid for business in all sections of the country irrespective of the competition that may be encountered from a mill located right close to where the consumer is situate. If you were to destroy the basing-point system and compel quotation of prices f. o. b. the mill, it would mean that mills would be compelled to get business in and around the mill and let other mills do likewise. It would mean that the most profitable location for mill operations would be the densely populated areas of the country. The specific objections to abolishing the basing-point system as contemplated in paragraph 5 are these:

First. It would force mills and factory to scrap a method of quoting prices which enables them to compete in any section of the country in any season of the year on reasonably equal terms.

Second. Producers who sell in a national market now under the basing-point system would have to confine their activities to the areas close to the point of production.

Third. It would compel the shifting of mills and factories to the large consuming centers.

Fourth. Such shifting of production would disturb employment in existing producing centers and destroy capital investments.

Fifth. Small industries in the sparsely settled areas that now compete in the national markets would be compelled to greatly curtail production or be destroyed altogether.

Sixth. Buyers who can now buy on an equitable basis from any producer in the United States would be compelled to depend on the mill or factory closest to the location of the buyer, and virtually make such buyer dependent on whatever price the closest mill might quote.

Seventh. The basing-point system is a simple and convenient method of price quotation which makes it comparatively

easy for the buyer and seller to compute freight rates and easy for the seller to determine what competition must be met at a given point. To abolish this system would compel producers to completely revamp and alter their sales and distribution policies.

Eighth. This effort to abolish the basing-point system only adds to the confusion that now besets industrial producers to the point where they do not know what to do, or what they are expected to do. On the one hand, we have the Guffey bituminous-coal-control bill, the proposed textile-control bill, and a newly threatened N. R. A., all of which lead toward a cartelization of industry, while, on the other hand, there is an apparent tendency to destroy bigness. It is a confusing and inconsistent approach to an industrial problem which does not make sense.

Ninth. The argument that the phantom freight charges which are concealed in a quoted price f. o. b. a basing point are unfair to some buyers is refuted by the fact that whatever is gained on freight charges by a mill to some nearby point are quite offset by the extra charges which a mill must pay in shipping to a more distant point. The two quite offset each other and constitute no financial gain to the producer.

Tenth. To abolish the basing-point system and compel mills to depend on what business they can get in an area that is half the distance to the next nearest mill or factory would in countless instances mean a curtailment of the production volume. In proportion as volume is curtailed the overhead goes up. This increased overhead must necessarily be reflected in higher prices to the public or a shut-down.

Eleventh. Producers of goods with a national distribution are able to stabilize production from one end of the year to the other, despite seasonal slumps in business or despite geographical slumps when weather or custom or habit in some particular section of the country causes a decline in sales. Deprive a mill or factory of national distribution and you disturb the production level to the point where they must reduce employment in some portions of the year and speed it up at other times.

Twelfth. If the basing-point system is abolished so that national distribution becomes impossible, there will be little or no incentive for mills and factories to engage in extensive and costly research in order to develop specialized products. Nor would there be any incentive for a national advertising campaign to place such a product on the market because of the impossibility of competing with mills in other areas who have the freight rate advantage that comes through geographical location.

Thirteenth. The basing-point system now used has resulted in a simplification of price quotations. For 3 cents one can mail a letter which can be carried from Washington to Baltimore or from Washington to Los Angeles. Yet the distance from Washington to Los Angeles is 50 times greater than from Washington to Baltimore. The efficiency of our postal system is in its simplified application. The same is true of the basing-point system.

In fairness to the proponents of the abolition of the basing-point system, it might be stated that the principal arguments in behalf of such action are, first, that the basing-point system is a means of fixing prices. The answer to that, of course, is that it is a means of quoting prices, not fixing prices. Parenthetically, it might be added that we now have a host of suggestions and proposals to hold up prices in order to get at the price cutters and a host of other measures to reduce prices which are aimed at the price fixers. With these conflicting philosophies in the air, business, industry, and labor have no idea where we are or whither we are tending.

Secondly, it is argued that the basing-point system enables factories and mills to collect unearned freight. The usual example cited is that the basing-point price reflects freight by rail at the rate of $2 per ton on some certain commodity, whereas the goods were actually shipped to the basing point or to the consumer by water at $1 a ton. The answer to this argument is that mills may gain on some shipments and lose on others, so that over all the gains and losses offset each other.

The third argument is that the huge expense of cross hauling is a sheer waste of money which is reflected in higher prices to the consumer. If that be true, the same logic might apply to men who work in a mill 30 miles distant from their homes when there happens to be a mill in their home city. Still another answer is that in the case of mills which use scrap material located close to the point of production, the saving in freight in shipping to the closest mill as compared with the freight that would have to be paid for a haul to a distant mill to some degree offsets the cross-haul expense of the finished product. The more fundamental reason, however, is that in seeking to end the allegedly expensive cross hauling of goods you are in substance saying to the American consumer that he must buy in Pittsburgh even though he wants to buy from Chicago, or that he must buy from a mill in Minneapolis even though he prefers the identical products of a mill in Peoria. Such a course would be regimentation with a vengeance.

A volume might be written on the subject of abolishing basing points, but the foregoing should be sufficiently ample and convincing to show that paragraph 5 of this bill, which seeks to abolish them, is fraught with danger, and embodies the possibility of completely dislocating American industry to the detriment of invested capital, management, labor, and to the communities where thousands of mills and factories are now located.

UNTO THE THIRD AND FOURTH GENERATION

Mr. BACON. Mr. Speaker, I ask unanimous consent to have printed in the RECORD a speech delivered by my colleague the gentlewoman from California [Mrs. KAHN].

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BACON. Mr. Speaker, under the leave to extend my remarks in the RECORD I include the following speech of Representative FLORENCE P. KAHN, of San Francisco, Calif., delivered over the facilities of the Columbia Broadcasting System from Washington, April 16, 1936. Mrs. KAHN's subject was Unto the Third and Fourth Generation.

This evening I am not going to talk politics but policies, not promises but performances, not propaganda but principles—not so much the speed at which we are traveling but the direction in which we are going; in other words, not the gait but the goal.

I am talking primarily to the men and women sitting as I often sit, in the home acquired by thrift and saving, surrounded by their families—just folks—just Mr. and Mrs. Average Citizen—and to them I direct the question, "Quo vadis—Whither are we going?" Are we adrift upon an uncharted sea, trusting to the pilots to steer us to a safe harbor, relying entirely upon their word that they have a chart, a plan, a secure harbor, or is our ship of state sailing perilously near reefs and rocks that if we strike will surely wreck us?

One of the dangers that threatens is taxes, taxes, taxes, with the new tax bill the chief topic of conversation—"Will they?" "Won't they?" "Can they?" "Can't they?", and any one answer is as good as the others. But don't console yourself with the idea that only the rich will pay. Every person who owns anything will pay and pay and pay.

Just think, every minute of every day and every night the Government is spending $9,669—that is the Federal Government—not State or local, which have also gone tax mad. The Federal Government spends $1.95 for each dollar collected, and during the current fiscal year $5,082,084,690 is being spent by the various departments, commissions, and agencies of the present administration according to Treasury figures. In fact, the deficits are so large and so many that they are using green ink to mark them up, as so much red ink is hard on the eyes.

Just to emphasize a few of the facts I have mentioned, here are a few of the taxes you are paying of which you are not conscious: Almost a third of your rent goes in taxes; 53 different kinds of taxes are mixed with the dough of every loaf of bread you eat; the milk you drink is taxed; every package of cigarettes is taxed; on your car you pay 27 different kinds of taxes, 117 on its upkeep, and of every dollar you spend for gasoline 40 cents are for taxes. The tax on your telephone is $7 a year. If you are sick you pay 71 different taxes on your drugs and medicines and medicinal supplies. And if you die there are still 57 different kinds of taxes to be paid. In my own State of California there are 89 different days on which taxes are due, to say nothing of the sales tax on every purchase made. So just ponder this, and don't think only the rich pay! And this in the face of definite promises and repeated assurances that taxes will be reduced and the Budget balanced. And even if the Budget is balanced will it be the entire Budget? Oh, no; just the Budget of the regular departments—the old stand-by departments, not the extraordinary

budgets—for economy, thrift, saving mean nothing to alphabetical agencies. Extravagance, wastefulness, thriftlessness—that's what you are paying for.

And suppose we balance one Budget—ordinary and extraordinary—how many years do you think it would take just to pay our present indebtedness? Not in your lifetime or mine, not in the lifetime of anyone alive today—verily unto the third and fourth generations shall the sins of extravagant spending and wastefulness descend. I wonder how many have any appreciation of what our national debt of thirty-one and one-half billions (approximately) means. We speak of billions as if they meant nothing. They really mean nothing, for we have no conception of what a billion is. Let us reduce it to concrete terms. For the purpose of easy calculation let us put the beginning of the Christian era as January 1 of the year 1 and let us say that each year consisted uniformly of 12 months to the year, 30 days to the month, 24 hours to the day, 60 minutes to the hour. Now if for every minute—not hour or day or week—but for every minute of the time from January 1 of the year 1 to January 1 of the year 1936, $1 was paid into the United States Treasury—let me repeat not every hour or every day, but every minute—how much do you think would have been paid in? Just $1,003,404,000. Yes; just a little more than $1,000,000,000. That may give you some idea of the amount of the debts we are saddling upon our children and our children's children unto the third and fourth generations.

Closely connected with taxes is, of course, the tariff, at one time one of our great sources of income. What with reciprocal tariffs, favored-nation clauses, lower duties, what do we find? Not only income cut off but a tremendous importation of agricultural products. We have cut down and plowed under so much we find ourselves with a deficit instead of a surplus. Instead of exporting we are importing. We are increasing the spending power abroad instead of at home at the expense of our own farmers and raising our own cost of living. To show that this is no idle boast, here are a few facts and figures.

But first just a word as to what is meant by favored-nation clause. With many nations we have an agreement known as favored-nation clause—in fact with all important nations except Germany—and with Czechoslovakia and Russia we have agreements that amount to practically the same thing. How do these clauses work? Every nation with whom we have these favored-nation agreements obtain automatically the same concessions we make with any other nation under the reciprocal tariff. For instance, in our trade agreement with Canada the dairy products were given special concessions. It is true Canada made some concessions in return, but other countries making no concession still under this favored-nation clause enjoy the benefits we have given Canada. If we examine the imports into this country of some farm products following and compare January 1935 with January 1936 we are stunned at the increase. Listen, farmers who raise, listen, consumers who buy, January 1936 is the real first try-out, so let us compare our imports of January 1935 with January 1936:

Product	Imports	
	1935	1936
Fresh pork	$4,386	$76,010
Cattle	54,483	457,962
Cheese	7,863	96,727
Horses	15,315	98,500
Turnips	45,124	118,757
Potatoes	2,414	27,853
Milk powder	9,387	28,348
Fresh beef	4,097	23,713
Bacon and hams	8,223	21,623
Wool	7,110	159,598
Poultry	698	7,359

These figures certainly speak for themselves.

In closing, may I just say a word as to what I hope our future Republican policy will be? We all know we are living in a changing world, and policies must be changed to meet new conditions. To the Republicans I appeal to consider their platforms, their enunciation of plans and promises in the light of these new adjustments, to announce to the country a workable constitutional socio-economic program, capable of dealing with the problems of today—not of yesteryear. Let us stand for an ecouragement of industry, definite unemployment insurance, adequate old-age pensions, the survey of all Government agencies to cut out extravagances, overlapping, mismanagement, and all unnecessary expenditures. Do all that is necessary; do it with judgment, economy, and fairness. Act squarely with every group, recognizing their mutual dependence, their necessary cooperation with the Government and with each other, and the people will soon realize justice to one means justice to all.

POLITICS, RELIEF, AND THE CIVIL SERVICE

Mr. BACON. Mr. Speaker, I ask unanimous consent to have printed in the RECORD a speech delivered by me.

The SPEAKER. Is there objection?

There was no objection.

Mr. BACON. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following radio speech delivered by me April 17, 1936:

As a member of the Committee on Appropriations in the House of Representatives, it has been my duty during the last 3 years to study the organization and administration of the relief agencies with some care.

What I say to you on this subject tonight through the courtesy of the National Broadcasting Co. represents painstaking and conscientious analysis of public documents and official reports.

Briefly, I shall examine the present disturbing demoralization of the Federal relief machinery, and offer my personal conclusions as to one of the primary causes of the unfortunate administrative break-down now confronting the Nation.

In a word, the conclusion is inescapable that the loss of public confidence in the relief machinery is due entirely to the corroding hand of partisan politics. In the language of the American Society of Foresters, in its recent special report upon the C. C. C. camps, the emergency relief machinery over wide areas is simply—and I quote from the report of the American Society of Foresters—"clogged by politics."

I have before me the text of a letter written to a man in New Jersey who had applied for a position in the C. C. C. organization. He wanted to be an instructor in physical education. The record shows he was admirably qualified by training and experience.

Leaving out all names, I shall now read the letter which his application brought from the Federal officer in charge.

"In reply to your letter of April 22: As stated in my letter of April 8, this office is unable, under binding Federal instructions, to consider any nontechnical man for appointment to the supervisory work in the C. C. C. camps, unless his name is certified to us on the so-called advisors' list from Washington.

"This is the list of names submitted by Senator ——— and Democratic Representatives in Congress from New Jersey, to the Federal administration for employment in this C. C. C. activity. The only way in which you can put yourself in a position to secure employment, therefore, is by making arrangements to have Senator ——— or one of the Democratic Congressmen request that your name be put on this advisors' list."

The text of that letter epitomizes the administrative attitude throughout the entire Federal relief machine.

The guiding spirit of the far-flung organization is summarized fairly in that one sentence: "The only way in which you can put yourself in a position to secure such employment, therefore, is by making arrangements to have Senator ——— or one of the Democratic Congressmen, request that your name be put on this advisors' list."

Only yesterday the relief administrator for the State of Washington was removed following revelation that he had collected a campaign fund of $3,000 from beneficiaries of the relief program.

Charges of the same nature have been aired extensively in West Virginia, Illinois, Pennsylvania, Maine, Ohio, and California.

These are manifestations of political spoilsmanship shocking to the American tradition of honesty in government.

Relief according to the needs of the political spoilsman is an utterly indefensible policy.

But it is important for America to realize that the issue is not whether relief of the needy should be abandoned. The question is simply, Shall relief be fairly and honestly administered by competent personnel or by political appointees, whose first interest is the perpetuation of the New Deal?

The issue is not relief, but spoils.

When the New Deal took over the Government in March 1933 there were only 564,000 persons employed in the executive branch.

Compare this total with the army of jobholders and "pay rollers" today—815,000 direct full-time workers, according to the last official tabulation from the General Accounting Office.

Two hundred and fifty-one thousand people added to the pay rolls in 3 years!

And the record is clear that they represent 251,000 partisans mobilized for the approaching campaign.

All of these new jobs have been filled by the policy of the Jacksonian era, "To the victors belong the spoils."

For more than 2 years after President Roosevelt's inauguration, not a single one of these so-called emergency agencies was put under the civil-service laws.

Civil service has been a going concern in the United States Government since 1883.

Every administration prior to the New Deal had increased the number of Government workers protected by the merit rules of the Civil Service Commission.

For 50 years there had been a continuous advance in civil-service administration and a corollary advance in the general efficiency of the Federal Government.

But almost from the instant of inauguration in 1933, the raids upon the civil service began. Faithful Government workers—many of whom had been in the classified civil service for 25 years or more—were rooted out to make way for friends of the New Deal.

In the Bureau of Air Commerce alone there have been no less than 475 separations from the air-safety service since 1933.

No agency of government was immune from the spoilsmen's wicked thrust at merit.

Late in 1935, when the rising tide of public revolt finally was brought to the attention of the master spoilsmen in Washington,

feeble gestures were made in the direction of reform. Some of the most recent agencies, such as the Social Security Board, with less than 100 employees, were legislated into civil service in 1935.

But the original A. A. A., with its 6,000 employees, was expressly excluded by the language of the law from civil-service regulation.

The H. O. L. C., with more than 20,000 employees at its peak, was a happy hunting ground for spoilsmen. It was so described in 1933 in an official report of the National Civil Service Reform League, an organization which has fought continuously for more than 50 years for the advancement of the merit principle in public service.

Neither did the New Deal put the fantastic N. R. A. under civil service. At the height of its "crack down" career, N. R. A. employed more than 6,000 people.

Reputable students in the field of public administration tell me that the damage to the merit principle during the last 3 years could not be wholly corrected in 10 years if we started tomorrow, so deep are the wounds inflicted upon the merit system by the New Deal "pay rollers."

We all recognize, of course, that throughout these partisan raids there has been no lack of solemn and eloquent lip service to the principle of merit. Time and again President Roosevelt has assured the Nation he wants to see civil service extended and strengthened.

But as recently as March 21, this year, President Roosevelt issued an Executive order creating two new Federal agencies. One was the Division of Industrial Economics in the Department of Commerce, and the other was the Committee of Industrial Analysis. These two agencies are to take over the remains of N. R. A. and finish the history of that ill-starred experiment.

Now, this certainly is not emergency work. It is purely historical research. It makes no difference to anybody whether it is completed in 1937 or 1950.

And it is professional work requiring a high degree of competence if it is to be of any use at all.

In spite of these considerations, however, the President's Executive order of March 21, 1936, authorized these new agencies to appoint their personnel and fix the compensation of their employees "without regard to the civil-service laws or the Classification Act of 1923, as amended."

That is the official language quoted from the latest of the fourteen-hundred-odd Executive orders issued by President Roosevelt since March 1933.

That obscure phrase—"without regard to the civil-service laws or the Classification Act of 1923"—is standard text in all New Deal Executive orders and in most of the so-called emergency legislation.

It signalizes a well-planned and closely followed policy of avoiding civil-service competition in every new job possible.

How the repeated professions of good intentions are to be reconciled with this incontrovertible record of gross spoilsmanship in the New Deal is a problem for the New Dealers to solve between now and November.

Nowhere have these spoils raids been more damaging to the morale of the Federal service than in the Post Office Department itself. The Post Office employs, roundly, 250,000 people.

Civil-service postmasters of 10, 15, and 20 years' standing have been rooted out of their jobs as unceremoniously as if they had been extras in a motion-picture mob scene.

Faithful service was rewarded with the spoilsmen's lash, and the very word "merit" became a hollow mockery.

Postmasters who had served their communities conscientiously under both Democrats and Republicans were forced out to make way for militant New Deal partisans.

Men who had worked their way up from the mail routes and the sorting racks were forced back to the role of clerk, or on to the pension rolls—so that another vacancy might be created for a faithful party worker.

Under the terms of a special Executive order issued by President Roosevelt on July 12, 1933, the Postmaster General was given blanket authority to disregard civil-service recommendations touching postmaster appointments in some 14,500 post offices of the first, second, and third classes.

Never before had there been a Presidential Executive order thus forcing a retrogression in the civil-service system.

By reducing the efficiency of the entire Federal establishment, by the appointment of grossly incompetent men and women to important positions in government, by the appointment of untrained administrators in many of the emergency bureaus and authorities, this system of spoils has added uncounted millions to the cost of government.

And as with every other extravagance of the New Deal the bill will ultimately be paid out of the toil of every citizen.

Spoils is abroad in the land—a creeping paralysis in the helping hand of the relief agencies.

MONUMENT SITE COMMEMORATING FIRST ENTRANCE INTO THE CITY OF WASHINGTON OF A STEAM RAILROAD

Mr. LEWIS of Maryland. Mr. Speaker, if the House will pardon my persistency, I am rising at this time to ask unanimous consent that House Joint Resolution 362, providing for the selection of a site and the erection thereon of a suitable monument to the first entrance of a railroad into the District of Columbia, be restored to the Consent Calendar. This bill was eliminated from the calendar upon the objections of gentlemen who have since been correctly informed as to the terms of the bill. These gentlemen have withdrawn their objections. This includes the gentleman from Washington [Mr. ZIONCHECK] who made an objection on the last occasion this bill was considered.

Mr. Speaker, the bill concerns securing permission of the Government for the selection of a site to commemorate the first entrance of a railroad into the District of Columbia. The bill, according to its own terms, distinctly provides that no expenditure whatever connected therewith shall become a liability on the part of the Government. Under these circumstances, Mr. Speaker, I humbly ask the pardon of the House for this persistency and its consent that the bill be restored to the calendar.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, I understand the gentleman's request is that this bill be restored to the Consent Calendar?

Mr. LEWIS of Maryland. Yes.

Mr. WOLCOTT. I may say to the gentleman that he apparently did not get the consent of all objectors to that bill, because I was one of those objectors, and I seriously object to its being restored to the Consent Calendar.

Mr. Speaker, this bill provides for the erection of a memorial on the Capitol Grounds. The only memorial on the Capitol Grounds at the present time is one to the first Chief Justice of the Supreme Court of the United States. I do not want to tie the hands of the Planning Commission by providing that memorials shall be erected on the Capitol Grounds. I have no objection to the erection of a memorial or monument to the first train that came into the District of Columbia. I have no objection to the placing of a plaque at the site of the first railroad station built here, wherever it was, even if on the Capitol Grounds; but I do object to the Congress telling the Planning Commission that they must erect a monument on the Capitol Grounds. If we follow such procedure, we will have the Capitol Grounds dotted with many such monuments. For this reason, I object.

SOCIAL SECURITY ACT TO BE EXTENDED TO PUERTO RICO—H. R. 11062

Mr. IGLESIAS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD with reference to a bill pending before the Ways and Means Committee which has to do with the Social Security Act being extended to Puerto Rico.

The SPEAKER. Is there objection to the request of the gentleman from Puerto Rico?

There was no objection.

Mr. IGLESIAS. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following letter:

WASHINGTON, D. C., *April 17, 1936.*

Hon. ROBERT L. DOUGHTON,
Chairman, Committee on Ways and Means,
House of Representatives, Washington, D. C.

MY DEAR MR. DOUGHTON: Referring to our recent interview, we desire to submit to you the following data as to why Puerto Rico should be included in the Social Security Act. This can be accomplished by the passage of H. R. 11062 (from Commissioner IGLESIAS, of Puerto Rico).

The argument which has been used against the inclusion of Puerto Rico in the Social Security Act is that Puerto Rico is allowed to retain its customs revenues, but this advantage is many times offset by other disadvantages which inure to the benefit of continental Americans. Puerto Rico imports practically all of its food staples from the continental United States, and the rising price levels of these commodities are reflected in an increased cost of living in the island. The imposition of processing taxes, together with the imposition of a production quota upon its chief product, sugar, has worked a considerable hardship upon Puerto Rico. Under the Jones-Costigan Act the annual sugar quota for Puerto Rico has been reduced, roughly, a ninth of the total crop. This has reduced the purchasing power of the island, and the people of Puerto Rico have been injured directly by diminished employment. Again, the profits realized from sugar produced in Puerto Rico do not remain in the island for further investment, but are remitted, by way of dividends, to the stockholders of large corporations which own or control the best sugar lands there. The greater part of these stockholders resides in the United States, and the Federal Treasury benefits by income taxes received from these citizens.

Governor Winship is on record as stating that it is particularly important that Puerto Rico be permitted to share in (1) aid for dependent children; (2) maternal and child welfare, care of crip-

pled children, and vocational rehabilitation; (3) aid for the pub-health service. In this connection, your attention is invited to a memorandum by Dr. E. Garrido Morales, Commissioner of Health of Puerto Rico, printed on pages 5099 and 5100 of the CONGRESSIONAL RECORD of April 7, 1936, by Commissioner IGLESIAS, showing the welfare work now being carried on from appropriations made by the Legislature of Puerto Rico and the need of additional funds for that purpose.

The estimated infant-mortality rate in Puerto Rico for 1935 was 135, as compared with the rate of 58 for the United States birth-registration area. The maternal-mortality rate for Puerto Rico in 1933 was 67 per 10,000 live births, as compared with 62 for the United States birth-registration area. Only nine States have a larger number of maternal deaths than Puerto Rico. We as residents of Puerto Rico, know the deplorable conditions there among the poorer people and of how much benefit the particular kind of assistance provided for in the Social Security Act would be to these poor people.

The economic situation in Puerto Rico is extremely serious; the unrest there is undoubtedly due in large part to the present economic situation. Governor Winship has collected statistics which indicate that Puerto Rico has only received about one-sixth of its per-capita share of the various Federal allocations based on population; if based on unemployment, the share Puerto Rico has received would be one twenty-seventh. Based on an estimated population of 1,700,000, records of the Federal Emergency Relief Administration indicate that 84.6 percent of the total population has applied for assistance. The Federal Emergency Relief Act of 1935 expires on June 30, so that the relief heretofore extended by this Federal agency will be discontinued on that date.

Puerto Ricans are citizens of the United States and are entitled to share in the benefits of the Social Security Act. Puerto Rico is doing all that it can from local resources, but because of the very dense and increasing population, particularly the agricultural population, with its extremely low per-capita income, the need is far beyond said local resources. In addition, we feel that the extension of the Social Security Act to Puerto Rico will stimulate the local social legislation, which does not exist in the island at present and which is so badly needed.

We believe that all provisions of the Social Security Act, including old-age and unemployment assistance, should be extended to Puerto Rico; the two latter benefits might be availed of by Puerto Rico at such time as might be possible. If acts of Congress which are detrimental to the best interests of Puerto Rico are to be made applicable in the island, why should not that island be included in acts passed for the benefit of the whole United States? It is certainly inconsistent to follow such a policy in one case and not to do so in the other.

We trust that you will give this matter your most sympathetic consideration and use your best endeavors to see that justice is done to Puerto Rico by permitting her to share in all beneficial legislation which may be enacted and made applicable to other parts of the United States.

Respectfully yours,

BEATRIZ LASSALLE,
MARÍA A. PINTADO,
CELESTINA ZALDUONDO,
Social Welfare Workers of Puerto Rico.

PERMISSION TO ADDRESS THE HOUSE

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. RANDOLPH. Mr. Speaker, I hold in my hand a full-page advertisement from the Evening Star of Washington, D. C., of Friday, April 3, 1936, which is a reprint of an editorial appearing in the New York Sun of April 4. May I invite the attention of the Members of the House to a part of this editorial, as follows:

The sovereign State of West Virginia paid into the Federal Treasury in all internal revenue for the year ending June 30, 1935, the sum of $10,605,166. The State of West Virginia in 1935 received on order of the executive department the sum of $17,600,000 in direct relief funds. Thus in direct relief funds West Virginia received $7,000,000 more than it contributed to the support of the Government. In the Congress of the United States West Virginia is represented by Senators MATTHEW M. NEELY and RUSH D. HOLT and six Representatives.

I call to your attention at this time the indictment of my State, and I may say that the editorial carries a similar indictment of other States; notably, the State of Arizona, the State of Alabama, the State of Arkansas, the State of Mississippi, the State of Montana, the State of Nebraska, the State of Nevada, the State of New Mexico, and the State of Utah. The title of the editorial is Representation Without Taxation Is Tyranny. As a West Virginian, I resent the untrue statement that our people do not pay their way. We are not a burden to our neighbor States.

I am particularly interested because I join in representing a great State which stands on its own record; and I bring to the attention of the membership of the House at this time that which I know is true of West Virginia and perhaps the other States in question and, for your information, and because of the charge made against the State of West Virginia of not paying back to the Government that which is due the Government, and comparing that which the Government has given to us in West Virginia in the form of Federal funds, let me point out to the House and to the country today that large corporations earning a great amount of money, with all or practically all of their money earned in the State of West Virginia, pay their taxes elsewhere. For example, we get but little of the Federal gasoline tax used in West Virginia. All the large gasoline companies operating in West Virginia, notably the Standard Oil and the Gulf Oil, report their internal-revenue collections to other offices besides West Virginia.

With respect to the three great railroads in the southern part of West Virginia, we find the Norfolk & Western and the Virginian and the Chesapeake & Ohio, according to annual reports made by these companies and made public, are said to be among the most prosperous railroads at the present time in the United States, and the various taxes paid by these railroads into the Federal Treasury, I am reliably informed, are equal to a larger sum than the total amount credited to West Virginia and paid through the Parkersburg office of our collector of internal revenue. None of the taxes of these three great transportation systems is paid through the West Virginia internal-revenue collecting agency, and one of the officials of a railroad that I have just mentioned stated in a rate case recently that 80 percent of the revenue of these railroads originated in West Virginia, although the funds are not collected for the West Virginia office.

[Here the gavel fell.]

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to proceed for 2 more minutes.

Mr. COSTELLO. Mr. Speaker, reserving the right to object, I shall not object to this request, but I wish to serve notice that if there are any further requests to address the House, I shall have to object in order that we may take up the consent calendar.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. RANDOLPH. Most of the large industries, which are coal, oil and gas, and chemical in West Virginia; in fact, practically all of them, pay their taxes elsewhere because their executive offices are in other cities and in other States. Only one-half of the coal-mined tonnage in my State is returned to West Virginia in the form of taxes.

To sum up the whole matter, if all the taxes accruing to the Federal Government through earnings in West Virginia were paid in West Virginia, the State office would collect approximately three times as much tax as it does collect. I think this is true not only of West Virginia but other States I have mentioned also may have been unjustly attacked under the heading of "Representation Without Taxation Is Tyranny."

Mr. COLDEN. Mr. Speaker, will the gentleman yield?

Mr. RANDOLPH. I yield.

Mr. COLDEN. Is it not the fact that a considerable part of this $17,000,000 paid to the State of West Virginia is borrowed money and West Virginia still has the obligation to pay a share of it?

Mr. RANDOLPH. That is true, and I thank the gentleman.

Mr. MEAD. Mr. Speaker, will the gentleman yield?

Mr. RANDOLPH. I yield.

Mr. MEAD. Has not the author directed attention to the facts just enumerated by the gentleman?

Mr. RANDOLPH. No; the editorial is an indictment of West Virginia, Alabama, New Mexico, Nevada, Montana, Nebraska, and all the other States I have mentioned.

Mr. MEAD. The article gives you no such credit, either directly or indirectly.

Mr. RANDOLPH. No.

Mr. MEAD. Would the gentleman mind telling the House who is the author of the article?

Mr. RANDOLPH. An editorial writer of the New York Sun, and the article is published here as a full-page advertisement in the Washington paper.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. RANDOLPH. I yield.

Mr. RICH. Does the gentleman make the statement that these other States, aside from West Virginia, are paying more into the Federal Government than they are receiving for relief?

Mr. RANDOLPH. I may say to the gentleman from Pennsylvania I cannot speak for the other States. However, I know it is true of the State of West Virginia, and I have presented the facts.

Mr. RICH. I thought the gentleman made the statement that the same thing was true of the other States he mentioned.

[Here the gavel fell.]

VETO MESSAGE OF THE PRESIDENT OF THE UNITED STATES—LEON FREDERICK RUGGLES (H. DOC. NO. 467)

The SPEAKER laid before the House the following veto message from the President of the United States, which was read and ordered to be spread at large upon the Journal:

To the House of Representatives:

I am returning without my approval H. R. 6297, Seventy-fourth Congress, entitled "An act for the relief of Leon Frederick Ruggles."

This bill would authorize and direct the Secretary of the Treasury to pay to Leon Frederick Ruggles the sum of $563.47 in full settlement of all claims against the Government for medical and hospital expenses incurred by him as a result of an alleged emergency operation.

The sum authorized by this measure represents an expenditure incurred by Mr. Ruggles, a World War veteran, between August 2, 1932, and September 22, 1932, for the treatment of a condition which has been rated by the Veterans' Administration as being connected with his military service.

Under a provision of the World War Veterans' Act, 1924, as amended, which was in force at the time the expenses were rendered, but which was subsequently repealed by Public, No. 2, approved March 20, 1933, reimbursement for unauthorized medical expenses could be made administratively by the Veterans' Administration only (1) when incurred for a service-connected disability in an emergency, (2) where Veterans' Administrations facilities were not available, and (3) where delay in obtaining relief from the Veterans' Administration would have proved hazardous to the life and health of the veteran. Unless all three requirements were fulfilled, reimbursement could not be made for medical expenses not previously authorized. From the evidence of record it was not and is not now shown that any one of the three conditions was met.

The records of the Veterans' Administration disclose Mr. Ruggles was hospitalized as an emergency case on June 1, 1932, at the Veterans' Administration facility, Hines, Ill. He was discharged with maximum benefit on July 2, 1932. Later, in August 1932, he obtained the services of private physicians without authority of the Veterans' Administration and incurred expenses for which the bill seeks to reimburse him. From the date of the first consultation with his private physician until he was admitted to the private hospital for treatment 9 days elapsed, during which he made no effort to obtain authority to enter a Veterans' Administration hospital for the desired relief, indicating rather conclusively the nonemergency character of the case.

I can find no justification for making an exception in the case of this veteran by granting preferential treatment when other similar cases are barred from special reimbursement.

For these reasons I am withholding my approval of this bill.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *April 20, 1936.*

Mr. BEITER. Mr. Speaker, I move that the bill and the message be referred to the Committee on War Claims and ordered to be printed as a House document.

The motion was agreed to.

OMNIBUS PRIVATE BILLS

Mr. BIERMANN. Mr. Speaker, I desire to propound a unanimous-consent request. Under the rule of the House adopted sometime ago the third Tuesday of each month is devoted to omnibus private bills. Tomorrow makes the fourth Tuesday of this month, and on one third Tuesday we voted for one omnibus private bill.

Tomorrow will be devoted to something else, and therefore I make the unanimous-consent request that the fourth Tuesday of this month be devoted to omnibus private bills.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

Mr. BANKHEAD. Reserving the right to object, when is the fourth Tuesday?

Mr. BIERMANN. On April 28.

Mr. BANKHEAD. Mr. Speaker, I will have to reserve temporarily an objection to see what position the tax bill will be in on that day. We are extremely anxious to get that finished. I had hoped that we might be able to use one day this week for the Private Calendar, but we have a conference report on the Interior Office bill on Wednesday——

Mr. ZIONCHECK. Regular order, Mr. Speaker.

Mr. BANKHEAD. For the present, I am constrained to object.

Mr. BIERMANN. Mr. Speaker, I make the point that there is no quorum present.

The SPEAKER. The gentleman from Iowa makes the point that no quorum is present. Evidently there is no quorum present.

Mr. BANKHEAD. Mr. Speaker, I move a call of the House.

The motion was agreed to.

Accordingly the doors were closed, the Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 71]

Allen	Darrow	Hennings	Owen
Amlie	Dear	Higgins, Mass.	Palmisano
Andrew, Mass.	Delaney	Hill, Knute	Parks
Arends	Dietrich	Hobbs	Plumley
Barden	Dingell	Hoeppel	Quinn
Beam	Drewry	Hollister	Rabaut
Berlin	Duffey, Ohio	Jenckes, Ind.	Rankin
Blackney	Duffy, N. Y.	Jenkins, Ohio	Ransley
Bolton	Duncan	Johnson, Okla.	Rayburn
Boykin	Dunn, Miss.	Kee	Richardson
Brennan	Eagle	Kelly	Robsion, Ky.
Brewster	Eaton	Kennedy, N. Y.	Romjue
Brooks	Edmiston	Kleberg	Sabath
Brown, Mich.	Ellenbogen	Kocialkowski	Sadowski
Buckbee	Englebright	Lambertson	Sanders, La.
Buckley, N. Y.	Farley	Lamneck	Schaefer
Bulwinkle	Fenerty	Lee, Okla.	Schneider, Wis.
Burnham	Ferguson	Lewis, Md.	Schuetz
Cannon, Wis.	Fernandez	Lord	Shannon
Carpenter	Fish	McAndrews	Snyder, Pa.
Cary	Fitzpatrick	McClellan	Somers, N. Y.
Cavicchia	Flannagan	McKeough	Starnes
Celler	Fulmer	Mansfield	Steagall
Chapman	Gasque	Marcantonio	Sweeney
Christianson	Gavagan	Marshall	Taylor, Colo.
Claiborne	Gearhart	Martin, Mass.	Taylor, Tenn.
Clark, Idaho	Gehrmann	Maverick	Thomas
Clark, N. C.	Gifford	Miller	Treadway
Collins	Gildea	Montague	Vinson, Ga.
Cooper, Ohio	Goldsborough	Montet	Welch
Corning	Goodwin	Moran	Wigglesworth
Creal	Greenwood	Moritz	Wood
Crosby	Gregory	Nichols	Zioncheck
Culkin	Hamlin	Norton	
Cummings	Hancock, N. C.	Oliver	
Darden	Hart	O'Malley	

The SPEAKER. Two hundred and sixty-five Members have answered to their names—a quorum is present.

Mr. BANKHEAD. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

CONSENT CALENDAR

The SPEAKER. The Consent Calendar is in order, and the Clerk will call the first bill.

REHABILITATION OF THE FISHING INDUSTRY

The Clerk called the bill (H. R. 8055) to provide for the economic studies of the fishery industry, market-news service, and orderly marketing of fishery products, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That for the purpose of this act the term "fishery industry" includes catching, taking, harvesting, cultivating, farming, propagating, processing, marketing, and distributing fishery products; and the term "fishery products" includes fish, shellfish, crustacea, seaweeds, and other aquatic forms of animal and vegetable life and the products and byproducts thereof.

SEC. 2. The Secretary of Commerce is hereby authorized to establish an economic research section in the Bureau of Fisheries of the Department of Commerce for the purpose of collecting, studying, and analyzing information on the capture, production, preservation, preparation, marketing, handling, storage, and utilization of fishery products, including information on fishery methods.

SEC. 3. The Secretary of Commerce is hereby authorized to establish a market-news service in the Bureau of Fisheries of the Department of Commerce for the purpose of collecting, publishing, and distributing by telegraph, mail, or otherwise, timely information on the fishery industry, including information on the market supply and demand, commercial movement, location, disposition, and market prices of fishery products.

SEC. 4. The Secretary of Commerce is hereby authorized to establish an extension service in the Bureau of Fisheries of the Department of Commerce for the purpose of disseminating information on the capture, production, manufacture, preservation, preparation, marketing, handling, storage, and utilization of fishery products, including information on fishery methods through field demonstrations, publications, and otherwise.

SEC. 5. For the purpose of carrying out the provisions of this act the Secretary of Commerce may make such rules, regulations, and orders as may be necessary; may cooperate with any department or agency of the Federal Government, State, county, municipality, public or private agency, organization, institution, or person; may accept donations of funds, or other aid; shall have the power to appoint, remove, and fix the compensation of necessary officers and employees; and may make such expenditures in the District of Columbia and elsewhere for telegrams, telephones, books of reference, periodicals, rent, furniture, stationery, printing, office equipment, travel, supplies and materials, and such other expenses as may be considered necessary. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for carrying out the purposes of this act.

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.

FISHERIES RESEARCH VESSEL FOR PACIFIC OCEAN

The Clerk called the bill (H. R. 3013) to provide for the construction and operation of a vessel for use in research work with respect to Pacific Ocean fisheries.

The SPEAKER. Is there objection?

Mr. McLEAN. Reserving the right to object, the Consent Calendar today is rather unusual. If all the bills containing an appropriation were enacted into law, it would appropriate upward of $15,000,000.

In addition, there are bills to create many new offices, including seven judgeships, and bills providing for some other new offices. Many of these bills are of far greater importance than some acted upon last week, which were considered under special rules reported after consideration of the merits of the measures by the Committee on Rules. It necessarily follows that there will be a number of objections to many of the bills that are on the calendar. I mention my position in the matter so that it may be understood as we progress. The Consent Calendar was never intended to be the means whereby large appropriations could be made or offices created in considerable number with expedition. I shall object to all bills that come within this ruling.

The SPEAKER. This bill requires three objectors.

Mr. McLEAN, Mr. WOLCOTT, and Mr. TAYLOR of South Carolina objected.

Mr. BLAND. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request that the bill go over without prejudice.

There was no objection.

EMERGENCY OFFICERS' RETIREMENT ACT

The Clerk called the bill (S. 2265) extending the benefits of the Emergency Officers' Retirement Act of May 24, 1928, to provisional officers of the Regular Establishment who served during the World War.

Mr. ZIONCHECK, Mr. FADDIS, and Mr. TAYLOR of South Carolina objected.

DEPORTING CERTAIN ALIENS

The Clerk called the bill (H. R. 11040) to deport certain aliens who secured preference-quota or nonquota visas through fraud by contracting marriage solely to expedite entry to the United States, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That subdivision (f) of section 9 of the Immigration Act of 1924, as amended (43 Stat. 158; U. S. C., title 8, sec. 209, subdivision (f)), is amended to read as follows:

"SEC. 9. (f) Nothing in this section shall be construed to entitle an immigrant, in respect of whom a petition under this section is granted, either to enter the United States as a nonquota immigrant, if, upon arrival in the United States, he is found not to be a nonquota immigrant, or to enter the United States as a preference-quota immigrant if, upon arrival in the United States, he is found not to be a preference-quota immigrant."

SEC. 2. That subdivision (a) of section 13 of the Immigration Act of 1924, as amended (43 Stat. 161; U. S. C., title 8, sec. 213 (a)), is amended to read as follows:

"No immigrant shall be admitted to the United States unless he (1) has an unexpired immigration visa or was born subsequent to the issuance of the immigration visa of the accompanying parent; (2) is of the nationality specified in the visa in the immigration visa; (3) is a nonquota immigrant if specified in the visa in the immigration visa as such; (4) is a preference-quota immigrant if specified in the visa in the immigration visa as such; and (5) is otherwise admissible under the immigration laws."

SEC. 3. That any alien who at any time after entering the United States is found to have secured either nonquota or preference-quota visa through fraud, by contracting a marriage which, subsequent to entry into the United States, has been judicially annulled retroactively to date of marriage, shall be taken into custody and deported pursuant to the provisions of section 14 of the Immigration Act of 1924 on the ground that at time of entry he was not entitled to admission on the visa presented upon arrival in the United States. This section shall be effective whether entry was made before or after the enactment of this act.

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.

PERRY'S VICTORY MEMORIAL

The Clerk called the bill (H. R. 8474) to provide for the creation of the Perry's Victory and International Peace Memorial National Monument on Put in Bay, South Bass Island, in the State of Ohio, and for other purposes.

The SPEAKER. Is there objection?

Mr. ZIONCHECK. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent, at this point, to insert certain correspondence which I have received relative to this bill.

The SPEAKER. Is there objection?

There was no objection.

The correspondence is as follows:

THE PERRY'S VICTORY MEMORIAL COMMISSION,
Mount Sterling, Ky., April 11, 1936.

Hon. JOHN J. O'CONNOR,
House of Representatives, Washington, D. C.

MY DEAR MR. O'CONNOR: I beg leave to address you in reference to the debate in the House of Representatives, April 6, concerning H. R. 8474, as indicated by the CONGRESSIONAL RECORD for that date.

First, in behalf of this commission, permit me to thank you for your friendly attitude toward the bill on that occasion.

Second, I think it proper to point out, in justification of that attitude, that the objection to the bill urged by Representative TABER, of New York, was wholly without warrant. To give you the facts as to that, I take the liberty of sending you, herewith, copy of a letter I am sending by this mail to Mr. TABER, which I trust will result in a change of heart on his part.

The letter referred to, I think, will prove to you the folly of his objection. But I also enclose to you, as the most comprehensive statement that has been made concerning the wisdom and necessity of this legislation, a copy of the special report of this commission to the Secretary of the Interior, under date of April 6, 1933, calling your special attention to the pages therein as marked. This report was, at the time, considered in a conference between Secretary Ickes and President Roosevelt, which later

resulted in the identical bills, one of which has passed the Senate with amendments, and the other of which is now before the House. Both the Interior Department and this commission now earnestly hope that the legislation will not fail to pass at this session by the substitution of the amended Senate bill for the House bill.

Under separate cover, I am sending you the same illustrated literature of the memorial with which I am favoring Mr. TABER, and which will give you a better conception of the character and history of the memorial than I can give you in any other manner.

You may be sure that any aid you may give for enactment of the pending bill will be greatly appreciated by all of my colleagues of this commission and myself, and that in lending such aid you will perform a valuable public service.

Very respectfully yours,

WEBSTER P. HUNTINGTON,
President.

THE PERRY'S VICTORY MEMORIAL COMMISSION,
Mount Sterling, Ky., April 10, 1936.

Hon. JOHN TABER,
House of Representatives, Washington, D. C.

DEAR MR. TABER: I have noted with interest and with natural regret the proceedings in the House on April 6, as related by the CONGRESSIONAL RECORD, in reference to H. R. 8474, the bill providing for the future control and administration of the Perry's Victory Memorial by the Secretary of the Interior and National Park Service, and I beg leave to address you on this subject solely for the purpose of stating the facts as to the propriety of this measure and the urgent necessity of its enactment at the present session.

In connection therewith I am sending you certain literature of the memorial to which I trust you will give careful consideration.

The grounds of your objection to consideration of the bill, as stated in the RECORD, were that administration of the memorial by the National Park Service would cost the Government more than would be the case if the present Commission continued to administer it.

I beg leave to assure you of your error in this conclusion, feeling certain that you would not have reached it if all the facts had been before you, and with equal confidence that you would have cordially supported the bill if you had known the facts.

First, however, it will be well to consider what the Government would gain, if anything, by the enactment of the bill, for the situation is such that this is the most interesting inquiry, since no possible prospect of loss to the Government is involved.

The memorial was built at a cost in excess of $1,000,000 at the joint expense of the Government and the nine States participating in its construction. For all purposes in connection with it during the past 25 years the Government has appropriated only $388,584 of the total cost, the States having appropriated all the remainder, with the exception of about $42,000 derived from earnings of the memorial and private contributions to the cause. Therefore, in now assuming full responsibility for the future administration of the memorial, the same as that which it exercises over the Washington Monument, the Government will come into possession of a million-dollar property at the expense of very considerably less than half its cost. Thus, its transfer to the Government will be a very good bargain from the standpoint of national interests rather than a loss.

As for future administration, the problem is not only one of economy but of actual necessity, unless the Government is willing to suffer very heavy loss from unavoidable future causes which must ensue if the objects of the bill are not carried out. The memorial has been opened to the public for 20 years, and in all that time has not cost National or State Governments a dollar for operation. All appropriations have been for construction, retaining walls, and landscaping, and no appropriation has ever been necessary for operation, in respect to which the property has been self-sustaining. But 5 years of depression have so reduced the revenues heretofore derived from operation by this commission that we are now without funds to provide against any contingency of unusual expense and are at the mercy of any natural cause which may occur to the property requiring the memorial to be closed to the public. Such a contingency is not imaginary or probably remote in the absence of the enactment of the pending bill. If the memorial were struck by lighting we could not repair it; if any circumstance stopped the operation of the passenger elevator, from which we derive our revenue to pay expenses of operation, all revenue would cease and we could not pay our employees or perform any other necessary labor to maintain operation; if a retaining wall were to give way, damage from erosion would ensue to an incalculable extent without any power to repair it.

Moreover, this memorial performs distinct humanitarian service in aid of navigation and aviation during the season of activity on Lake Erie, and the continuation of these functions without cessation is a protection to human life and property in all that region. I refer to the flood-lighting equipment, which has many times saved life in both summer and winter. This function must remain in peril if the property is to be left to operation by the commission rather than the Government.

The Government having taken over the property in accordance with the provisions of the pending bill, there is no reason to anticipate that operation by the Government would cost any more than heretofore by the commission. In normal times operation will pay its own cost, whether by the Government or otherwise, but no system other than Government operation can provide against the reduction of revenues by the depression or against untoward circumstances arising from natural causes.

Your native State of New York was the sixth to join in the memorial enterprise by the appointment of commissioners during the administration of Gov. Charles E. Hughes. It was the special interest of Governor Hughes in the project that assured the participation of the State, and since that time he has not failed to manifest his continued interest in the memorial. I can say to you in confidence that if he had not projected a European trip at the time, Chief Justice Hughes would have been the principal orator at the dedication of the memorial July 31, 1931. The New York commissioners devoted $30,000 of their appropriation to construction of the memorial, and your State has never been without competent representation in the administration of the property. In particular in this connection I mention the service to our cause rendered by our lamented colleague, the late Federal Judge Simon L. Adler, of Rochester, N. Y., who for 25 years gave the utmost attention to our affairs in every detail.

The financial records of this commission and of its predecessor, our former interstate board, are available in printed form to any person interested. These records are found in the printed records of our annual meetings, and our annual reports to the Secretary of the Interior since 1919. There is a complete file of these documents in the Congressional Library and also in the Interior Department.

In the earnest hope that these facts will now warrant your cordial support of the pending bill at the first opportunity, I am,

Sincerely yours,

WEBSTER P. HUNTINGTON,
President.

TURTLE MOUNTAIN BAND OF CHIPPEWA INDIANS

The Clerk called the bill (H. R. 6499) referring the claims of the Turtle Mountain Band or Bands of Chippewa Indians of North Dakota to the Court of Claims for adjudication and settlement.

Mr. COCHRAN. Mr. Speaker, this bill has been twice vetoed by President Roosevelt, once in the Seventy-third Congress, once in the Seventy-fourth Congress, first session, and it is back again on the calendar. I object.

Mr. ZIONCHECK and Mr. RICH also objected.

ADDITIONAL DISTRICT JUDGE, EASTERN DISTRICT OF PENNSYLVANIA

The Clerk called the bill (H. R. 11072) authorizing the appointment of an additional district judge for the eastern district of Pennsylvania.

Mr. ZIONCHECK. I object.

MEDAL COMMEMORATIVE OF TEXAS INDEPENDENCE

The Clerk called the bill (H. R. 10906) to authorize the Director of the Mint to prepare a medal commemorative of Texas independence, and for other purposes.

Mr. ZIONCHECK, Mr. WOLCOTT, and Mr. HOLMES objected.

REGULATION OF WHALING

The Clerk called the bill (S. 3413) to give effect to the convention between the United States and certain other countries for the regulation of whaling, concluded at Geneva, September 24, 1931, signed on the part of the United States, March 31, 1932, and for other purposes.

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, I objected to this bill when it was on the Consent Calendar last for the reason that I was of opinion that it made an improper use of the United States Navy. Since then we have ironed this out and have tentatively agreed on an amendment. I understand that the amendment, if agreed to, is agreeable to the committee.

Mr. JOHNSON of Texas. Mr. Speaker, is that the amendment the gentleman submitted to me last week?

Mr. WOLCOTT. Yes.

Mr. JOHNSON of Texas. As chairman of the subcommittee, I think the amendment is agreeable, and that it really is an improvement to the bill.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That this act shall be known by the short title of "The Whaling Treaty Act."

SEC. 2. That unless and except as permitted by regulations made as hereinafter provided, it shall be unlawful to hunt, take, capture, kill, attempt to take, capture, or kill, possess, offer for sale, sell, offer to purchase, deliver for shipment, ship, cause to be shipped, deliver for transportation, transport, cause to be transported, carry, or cause to be carried by any means whatever, receive for shipment, transportation, or carriage, import or export at any time or in any manner, any right whale, or the young of any whale; or to sell, purchase, ship, transport by any means whatever, import, or export, the products of any right whale, including oil, meat, bone, meal, or fertilizer.

SEC. 3. That it shall be unlawful to kill at any time any calves, or any female whales accompanied by calves or suckling whales, protected by article 5 of the Convention for the Regulation of Whaling, concluded at Geneva September 24, 1931, signed on the part of the United States March 31, 1932.

SEC. 4. That for the purposes of this act, right whales shall be deemed to include North Atlantic or North Cape whales, Greenland or Bowhead whales, and Pacific right whales; calves or suckling whales shall be deemed to include whales having a length less than the following dimensions: Blue or sulphurbottom, 60 feet; finbacks, 50 feet; and humpbacks, 35 feet.

SEC. 5. That subject to the provisions and in order to carry out the purposes of the convention, the Secretary of the Treasury is authorized and directed from time to time to determine when, to what extent if at all, and by what means it is compatible with the terms of the convention to allow hunting, taking, capturing, killing, possession, sale, purchase, shipment, transportation, carriage, import, or export of any whale or the product of any whale protected by said convention.

Any regulation made under the provisions of this act shall become effective when approved by the President.

SEC. 6. That the fullest possible use shall be made of the carcass of every whale taken by extracting the oil by boiling, or otherwise, from all blubber, from the head, the tongue, and from the tail as far forward as the outer opening of the lower intestine; and when whales are brought on shore adequate provision shall be made for utilizing the residue after the oil has been extracted.

SEC. 7. That it shall be unlawful for any person, association, partnership, or corporation or for the owners of any vessel of American registry to kill a gray whale at any time, or to kill any whale wantonly, for sport, or without utilizing the carcass.

SEC. 8. That before engaging in whaling, any person, association, partnership, or corporation shall obtain a whaling license from the Secretary of the Treasury. In making application for such license the applicant shall:

(a) furnish evidence of having adequate equipment for complete utilization of the whale insofar as practicable and for the manufacture of whale oil, meal, guano, or fertilizer;

(b) agree to engage crews and gunners of whaling vessels on some basis not solely on number of whales taken;

(c) provide for keeping accurate records of the catch, any biological data necessary, and statistical records of production required by the Secretary of the Treasury;

(d) pay a fee of $1,000 for a license good for 1 year from date of issue.

SEC. 9. That the provisions of this act or any regulations thereof shall be enforced primarily by the Coast Guard and the Bureau of Customs. The Secretary of the Treasury is hereby authorized when necessary to request assistance of the Secretary of the Navy, and it shall be the duty of the Secretary of the Navy, upon request, to cooperate in the enforcement of this act. Any commander of a Coast Guard, customs, or naval vessel, who shall find a whaling vessel of United States registry violating this act, shall have authority to seize such vessel and order it conveyed at the expense of the owners to the nearest port of the United States, and shall also have authority, in lieu of seizure, to impose on and collect from the commanding officer of such whaling vessel a forfeiture of $2,500, which forfeiture shall be reported and paid forthwith to the United States district court of the district in which is situated any port to which such whaling vessel might be conveyed for action under the terms of this act. In the event of the seizure and conveyance to port, such vessel including its apparel shall be forfeited to the United States by proper proceedings in the United States district court of the said district.

SEC. 10. That any employee of the Treasury Department, authorized by the Secretary of the Treasury to enforce the provisions of this act, shall have power without warrant to arrest any person committing a violation of this act in his presence and to take such person for examination or trial before an officer or court of competent jurisdiction, shall have power to execute any warrant or other process issued by an officer or court of competent jurisdiction for the enforcement of the provisions of this act, and shall have authority, with a search warrant, to search any place. All whales or parts or products thereof captured, shipped, transported, carried, imported, or possessed contrary to the provisions of this act, or of any regulations made pursuant thereto shall, when found, be seized by any such employee or by any marshal, deputy marshal, or commander of a Coast Guard, customs, or naval vessel, and upon conviction of the offender, or upon judgment of a court of the United States that the same were captured, shipped, transported, carried, imported, or possessed contrary to the provisions of this act, or of any regulations made pursuant thereto, shall be forfeited to the United States and disposed of as directed by the court having jurisdiction.

SEC. 11. That any person, association, partnership, or corporation who shall violate any of the provisions of said convention, or of this act, or who shall violate or fail to comply with any regulation made pursuant to this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be deprived of his license and shall be fined not more than $10,000 or imprisoned not more than 6 months, or both.

SEC. 12. That nothing in this act shall be construed to prevent the several States and Territories from making or enforcing laws or regulations not inconsistent with the provisions of said convention or of this act, or from making or enforcing laws or regulations which shall give further protection to whales or their young, or which shall regulate the possession, transportation, or sale of whale products of any kind.

SEC. 13. Nothing in this act or in the regulations thereof shall apply to natives or Eskimos engaged in whaling who use only canoes or other native craft propelled by oars or sails, do not carry firearms, are not employed by others than natives or Eskimos, and are not under contract to deliver products of their whaling to any third person.

SEC. 14. That if any clause, sentence, paragraph, or part of this act shall for any reason be adjudged to be invalid by any court of competent jurisdiction, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

With the following committee amendments:

On page 2, line 7, after the last word in said line, strike out the semicolon and substitute a comma therefor, and insert the following words: "excepting dolphins and porpoises."

On page 3, line 3, after the word "Treasury", strike out the word "is" and insert the following words: "and the Secretary of Commerce are."

On page 3, line 10, after the word "Convention", strike out the period and add the following: "and to make the necessary joint regulations therefor."

On page 3, at the end of section 5, add the following paragraph: "The Secretary of Commerce is hereby authorized and directed to assemble and collate the statistical and biological data submitted as required by this act or any regulation made pursuant thereto, and is further authorized and directed to conduct such statistical and biological studies as may be necessary to carry out the terms and provisions of said Convention and this act."

On page 4, line 11, strike out the words "the Treasury" and insert the following: "Commerce for each vessel or other craft engaged in the taking and killing of whales and for each floating reduction ship, shore whaling station, or other plant used in the processing of whales."

On page 4, line 18, strike out the word "complete"; and after the word "whale", strike out the remainder of the paragraph down to and including the word "fertilizer", on page 4, and substitute in lieu thereof the following words: "as provided in section 6 of this act."

On page 5, line 1, strike out the words "the Treasury" and substitute the word "Commerce" therefor.

On page 5, line 4, strike out the period after the word "issue" and add the following words: "for each floating reduction ship, shore whaling station, or other plant used in processing whales, and a fee of $250 for each vessel or other craft in excess of two engaged in the taking of whales in connection with any one such ship, station, or plant, and all moneys received for licenses shall be covered into the Treasury of the United States."

On page 5, line 22, after the comma following the word "authority", insert "in his discretion."

On page 6, line 4, strike out the period after the word "act" and substitute a colon therefor and add the following words: "*Provided*, That within 6 months after payment of forfeiture the person or persons making such payment may institute proceedings in said district court to recover said forfeiture, less costs, on satisfactory proof the vessel did not violate any provision of this act or any regulation made pursuant thereto."

On page 6, line 11, strike out the word "shall" and substitute the word "may" therefor.

On page 6, line 17, after the word "act", insert the following: "or any regulation made pursuant thereto".

On page 6, line 23, after the word "act", strike out the comma and insert the following words: "or any regulation made pursuant thereto."

On page 8, after section 14, add a new section to read as follows: "SEC. 15. There is hereby authorized to be appropriated from time to time, out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary to carry out the provisions and accomplish the purposes of this act and said convention."

The committee amendments were agreed to.

Mr. WOLCOTT. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WOLCOTT: On page 5, lines 15 and 16, after the word "and", in line 16, strike out the words "it shall be the duty of"; and in line 16, after the word "Navy", strike out the comma and insert the word "may"; in line 16 after the word "request", strike out the word "to."

The amendment was agreed to.

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.

FALSE BILLING—SHIPPING ACT

The Clerk called the next bill, S. 3467, amending the Shipping Act, 1916, as amended.

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

Mr. O'CONNOR. Mr. Speaker, reserving the right to object, this is a matter of great controversy to the people interested, and some matters have appeared recently which

do require a hearing and possibly a change in the bill. I trust the committee will see fit to recommit this bill.

Mr. LEHLBACH. Mr. Speaker, will the gentleman permit this bill to be passed over without prejudice? I think there is merit in what the gentleman says.

Mr. BLAND. Mr. Speaker, by authority of the Committee on Merchant Marine and Fisheries, I ask unanimous consent to have this bill recommitted to the committee. It has already been set for hearing on the 28th, as I recall, and notices have gone out for a further hearing on this bill.

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. BLAND]?

There was no objection.

ADMINISTRATION AND MAINTENANCE OF THE BLUE RIDGE PARKWAY

The Clerk called the next bill, H. R. 10922, to provide for the administration and maintenance of the Blue Ridge Parkway, in the States of Virginia and North Carolina, by the Secretary of the Interior, and for other purposes.

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

Mr. WOLCOTT. Mr. Speaker, I object.

Mr. RICH. Mr. Speaker, I object.

Mr. ZIONCHECK. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice

The SPEAKER. One objection only is necessary.

Mr. COSTELLO. Mr. Speaker, a point of order. Were there three objections to the last bill?

The SPEAKER. Only one objection is required.

Mr. COSTELLO. Request was made to have the bill passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Washington that this bill be passed over without prejudice?

Mr. RICH. Mr. Speaker, I object.

CLAIM OF GEN. HIGINIO ALVAREZ

The Clerk called the next bill, H. R. 11961, authorizing an appropriation for the payment of the claim of Gen. Higinio Alvarez, a Mexican citizen, with respect to lands on the Farmers Banco in the State of Arizona.

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

Mr. ZIONCHECK. Mr. Speaker, I object.

The SPEAKER. Are there further objections?

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, I think I made a point of order against this bill that it was rightfully on the Private Calendar and not on the Consent Calendar. The Chair ruled that it was properly on the Consent Calendar and undoubtedly the Chair was correct.

I may say that one of the reasons given in the committee report for the passage of this bill is that it will, for all time, settle the title to the Farmers Banco. I want to call the attention of the House to the fact that a quitclaim deed from a private citizen of Mexico who, in this case, is Higinio Alvarez, and a quitclaim deed from Mrs. Fishburn will not, in any way, affect the sovereignty of this land. It will affect the individual title to the land, but it will in no way affect the sovereignty of the land. For that reason it would seem to me that in order to accomplish the purpose, some assignment of the sovereignty over this land must be given by the Government of Mexico to the Government of the United States. Otherwise, because of the questions involved, we are going to constantly have before us the right of American citizens to protection on this piece of land. If a controversy should arise between Mexico and the United States, and our armed forces, contrary to treaty, should happen to march onto this land, or if an airplane should happen to be forced to land on this land, contrary to treaty, then it might be used as a basis for trouble between the two countries. So I wonder why the committee did not take into consideration the fact that a quitclaim deed from a private citizen of a country does not in any manner affect the sovereignty of that land?

Mr. BLOOM. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. BLOOM. I believe that is taken care of in the bill itself. On page 2, line 8, the bill reads:

No payment shall be made unless and until the Secretary of State shall have received from the Government of Mexico satisfactory assurances that no transfer, other than that specified herein, has been made by General Alvarez, or by anyone acting for or under him, of any part of his right, title, or interest in or to the property comprising the Farmers Banco, until the written opinion of the Attorney General shall be had in favor of the validity of the title, and until General Alvarez has given to the United States a quitclaim deed, in such form as may be deemed satisfactory to the Secretary of State, to all of his right, title, and interest in and to all of the land comprising the Farmers Banco, claimed by him under an instrument of grant dated October 22, 1926, signed by the Constitutional President of the United Mexican States, or otherwise.

Mr. WOLCOTT. I understood that thoroughly, and I had that particularly in mind when I made objection that the language of the bill does not transfer from the Government of Mexico to the Government of the United States sovereignty over the land. To be sure, the Attorney General determines whether all individual or private title passes with those quitclaim deeds, but the sovereignty of the Farmers Banco, if there is any question about sovereignty, to the extent that there is an unjust claim by Mr. Alvarez, surely there is enough doubt concerning the sovereignty of that land so that the Government of Mexico should assign all of its right, title, and interest to sovereignty over that particular piece of land.

Mr. BLOOM. I believe the Secretary of State and the Attorney General will take care of that when the time comes.

Mr. WOLCOTT. That may be true, but if we have got to authorize something contrary to treaty rights, then I see no reason why we should settle private claims of this kind and pay this man $50,000.

Mr. BLOOM. The chairman of the Committee on Foreign Affairs just informs me of the treaty existing between this Government and Mexico.

Mr. WOLCOTT. I have read the treaty; in fact, I have read the three treaties, and it is because of the phraseology of the three treaties that this controversy has arisen. What right had the Government of Mexico to give a patent to this land to Alvarez if they had no right to it whatsoever? If the Mexican Government had no right to it, then this man Alvarez has nothing whatsoever coming to him. If they had the right to give a patent to this land to Alvarez, they still maintain sovereignty over the land and will continue to maintain sovereignty over the land.

Mr. BLOOM. How many acres of land are involved?

Mr. WOLCOTT. Five hundred and forty-one acres.

Mr. ZIONCHECK. Mr. Speaker, the regular order.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. ZIONCHECK. Mr. Speaker, I object. I think the people at home ought to be taken care of before we take care of Mexican generals who helped kill some of our people.

Mr. WOLCOTT and Mr. McLEAN objected.

NINTH INTERNATIONAL CONGRESS OF MILITARY MEDICINE AND PHARMACY, RUMANIA, 1937

The Clerk called House Joint Resolution 538, to provide for participation by the United States in the Ninth International Congress of Military Medicine and Pharmacy in Rumania, in 1937; and to authorize and request the President of the United States to invite the International Congress of Military Medicine and Pharmacy to hold its tenth congress in the United States in 1939, and to invite foreign countries to participate in that Congress.

The SPEAKER. Is there objection to the consideration of the joint resolution?

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $11,500, or so much thereof as may be necessary, for the expenses of participation by the United States in the Ninth International Congress of Military Medicine and Pharmacy to be held in Rumania in 1937, including personal services in the District of Columbia or elsewhere without reference to the Classification Act of 1923, as amended; stenographic reporting and other

services by contract if deemed necessary without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); rent; traveling expenses; purchase of necessary books, documents, newspapers, periodicals, and maps; stationery; official cards; entertainment; printing and binding, including the payment of not to exceed $500 to the Association of Military Surgeons of the United States toward the cost of printing the report of the American delegation to the ninth Congress; and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified, to be expended under the direction of the Secretary of State.

SEC. 2. That the President be, and he is hereby, authorized and requested to extend to the International Congress of Military Medicine and Pharmacy an invitation to hold its tenth congress in the United States in 1939, and to invite foreign governments to participate in that Congress.

The 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 TO LONGSHOREMEN'S AND HARBOR WORKERS' COMPENSATION ACT

The Clerk called the next bill, H. R. 8293, to amend the Longshoremen's and Harbor Workers' Compensation Act.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. BLAND. Mr. Speaker, I object.

Mr. O'CONNOR. Mr. Speaker, will the gentleman reserve his objection to permit me to make a statement?

Mr. BLAND. Mr. Speaker, I reserve my objection to permit the gentleman from New York to make a statement.

Mr. O'CONNOR. Mr. Speaker, reserving the right to object, this bill was on the calendar several times. It was taken off by the Committee on the Judiciary. Some of us thought that when the bill was taken off a provision in the bill previously reported by the Committee on the Judiciary would be eliminated, subdivision 7 of section 14, which puts a limit of $7,500 a year on death or total disability for these longshoremen; but the Committee on the Judiciary reported the bill out again without eliminating subdivision 7 of section 14, and I am glad the gentleman from Virginia is in a position to object to the bill.

Mr. BLAND. Mr. Speaker, I object.

Mr. ZIONCHECK. Mr. Speaker, I object.

TO CHANGE NAME OF DEPARTMENT OF THE INTERIOR

The Clerk called the next bill, H. R. 11642, to change the name of the Department of the Interior, to be known as the Department of Conservation.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

Mr. McLEAN. Mr. Speaker, reserving the right to object, we have three commissions operating now to coordinate the various departmental organizations of the Government. Until these gentlemen complete this study I think it would be a serious mistake to interfere with their activities. Therefore, I object at this time.

Mr. ZIONCHECK. Will the gentleman reserve his objection and yield to me for an observation?

Mr. WOLCOTT. Mr. Speaker, I object.

Mr. COSTELLO. Mr. Speaker, I object.

COMMEMORATIVE 50-CENT PIECES, TEXAS CENTENNIAL

The Clerk called the next bill, H. R. 10317, providing for a change in the design of the 50-cent pieces authorized to be coined in commemoration of the one hundredth anniversary of independence of the State of Texas.

The SPEAKER. Is there objection to the consideration of the bill? This bill requires three objections.

Mr. WOLCOTT and Mr. McLEAN objected.

There being no further objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Director of the Mint, with the approval of the Secretary of the Treasury, is authorized and directed to provide for a series of not more than five different designs to be placed on the reverse side of the 50-cent pieces to be coined in accordance with the provisions of the act entitled "An act to authorize the coinage of 50-cent pieces in commemoration of the one hundredth anniversary in 1936 of the independence of Texas, and of the noble and heroic sacrifices of her pioneers, whose revered memory has been an inspiration to her sons and daughters during the past century", approved June 15, 1933, which will appropriately commemorate the one hundredth anniversary of the State of Texas. The United States shall not be subject to the expense of making the necessary dies and other preparation for such coinage.

Mr. ZIONCHECK. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, the reason I wanted the gentleman from New Jersey to yield was that I might make a statement in reference to the bill to change the name of the Department of the Interior to that of conservation. I was just wondering whether the gentleman from New Jersey had not read it correctly and thought it meant conservatism, and feeling that the Republican Party has a monopoly upon conservatism objected to it because the Democrats wanted it?

Mr. Speaker, I ask unanimous consent to withdraw the pro-forma amendment.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

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.

COINAGE OF 50-CENT PIECES IN CELEBRATION OF ONE HUNDREDTH ANNIVERSARY OF OPENING OF TRI-STATE TERRITORY OF EAST TEXAS, ETC.

The Clerk called the next bill, H. R. 8107, to authorize the coinage of 50-cent pieces in connection with the celebration of the one hundredth anniversary of the opening of the tri-State Territory of east Texas, north Louisiana, and south Arkansas by Capt. Henry Miller Shreve, to be held in Shreveport, La., and surrounding territory, in 1935 and 1936.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That to indicate the interest of the Government of the United States in the fulfillment of the ideals and purposes of the celebration commemorating the achievements of Capt. Henry Miller Shreve, there shall be coined by the Director of the Mint silver 50-cent pieces to the number of not more than 50,000, of standard weight and fineness and of a special appropriate design or designs to be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury, but the United States shall not be subject to the expense of making the models for master dies or other preparations for this coinage.

SEC. 2. That the coins herein authorized shall be issued at par and only upon the request of the Shreveport Centennial, Inc., or its duly authorized agent.

SEC. 3. Such coins may be disposed of at par or at a premium by said Shreveport Centennial, Inc., and all proceeds shall be used in furtherance of the projects of the Shreveport Centennial, Inc.

SEC. 4. That all laws now in force relating to the subsidiary silver coins of the United States and the coining or striking of the same; regulating and guarding the process of coinage; providing for the purchase of material; and for the transportation, distribution, and redemption of the coins; for the prevention of debasement or counterfeiting; for security of the coin; or for any other purposes, whether said laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein directed.

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. WOLCOTT. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] One hundred and thirty Members present, not a quorum.

Mr. COSTELLO. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 72]

Allen	Cartwright	Daly	Englebright
Amlie	Cary	Darden	Farley
Andrew, Mass.	Castellow	Darrow	Fenerty
Arends	Cavicchia	Dear	Ferguson
Barden	Celler	Delaney	Fernandez
Beam	Chapman	Dietrich	Fitzpatrick
Berlin	Christianson	Dingell	Flannagan
Blackney	Claiborne	Doutrich	Gasque
Bolton	Clark, Idaho	Drewry	Gavagan
Brennan	Clark, N. C.	Duffey, Ohio	Gehrmann
Brewster	Collins	Duffy, N. Y.	Gifford
Brooks	Connery	Dunn, Miss.	Gildea
Brown, Mich.	Cooper, Ohio	Dunn, Pa.	Gingery
Buckbee	Corning	Eagle	Goldsborough
Buckley, N. Y.	Crosby	Eaton	Goodwin
Bulwinkle	Culkin	Edmiston	Green
Cannon, Wis.	Cummings	Ellenbogen	Greenwood

Gregory	Larrabee	O'Malley	Shannon
Griswold	Lewis, Md.	O'Neal	Smith, Wash.
Haines	Lord	Palmisano	Snyder, Pa.
Hamlin	Lundeen	Parks	Somers, N. Y.
Hart	McAndrews	Peterson, Fla.	Stack
Higgins, Mass.	McClellan	Pettengill	Starnes
Hill, Knute	McKeough	Quinn	Steagall
Hill, Samuel B.	Maloney	Rabaut	Sweeney
Hobbs	Mansfield	Ransley	Tarver
Hoeppel	Marcantonio	Reilly	Taylor, Colo.
Hollister	Marshall	Robinson, Utah	Thomas
Jenkins, Ohio	Martin, Mass.	Robsion, Ky.	Thurston
Johnson, W. Va.	Maverick	Romjue	Vinson, Ga.
Kee	Montague	Sabath	Wadsworth
Kelly	Montet	Sadowski	Wigglesworth
Kerr	Moran	Sanders, La.	Wilcox
Kleberg	Moritz	Schaefer	Wilson, La.
Kocialkowski	Nichols	Schneider, Wis.	Wood
Kvale	Norton	Schuetz	Withrow
Lamneck	Oliver	Schulte	Young

The SPEAKER. Two hundred and eighty-one Members have answered to their names. A quorum is present.

On motion of Mr. COSTELLO, further proceedings under the call were dispensed with.

PATMAN ANSWERS CELLER ON ROBINSON-PATMAN BILL

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and in addition to this extension I ask unanimous consent to include two radio speeches which I delivered last week over national hook-ups.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, a recent radio broadcast on the subject of this bill, by Representative EMANUEL CELLER, of New York, painted a very menacing picture of the results that would follow its passage.

Mr. CELLER adopts, in toto, the objections to the bill that have been set up by the powerful, mass-buying interests whose exactions in the form of special price and other concessions today give them an unequal and unfair competitive advantage over the rank and file of independent merchants.

While Mr. CELLER's views coincide identically with those of these special-privileged groups, it is interesting to note that he stands alone, in his sweeping objections, among the membership of the House Judiciary Committee who have spent months in the study of this question. A minority committee report, opposing the bill, bore just one signature—his own.

PREJUDICE-ROUSING APPEAL

Briefly, what are his objections? Well, in the main he seeks to create a prejudice-rousing appeal to the housewife, to labor, and the farmer. These, oddly enough, are always the objects of special solicitude by big business when it is under attack.

Passage of this bill, Mr. CELLER said, would be "a raw deal for the housewife, because the consumer will be made the goat."

MONOPOLY BEING CREATED

I contend that the consumer is already the goat under a discriminatory price system that, as shown by a recent Federal Trade Commission report, is rapidly putting independent merchants out of business and creating a condition of monopoly in many lines of merchandising. Price discrimination in favor of the privileged buyers, it is estimated, amounts to some $750,000,000 annually in food products alone. By protecting the competitive position of the independent merchant and the corner grocer, insuring them of proportionately fair and advantageous prices, an additional price protection of $2,225,000,000 annually would be afforded the consumer—not a loss of the claimed $750,000,000.

FARMERS AND LABORERS INTERESTED

As to the interest of labor and agriculture in this measure, it is very specific and direct.

The inequities resulting from the present discriminatory practices in merchandising do much more than merely create competitive conditions unfair to the independent merchant. The unequal concessions exacted from manufacturers and processors, through which the favored few benefit, necessarily press backward on costs and tend to keep down or even to reduce the wages of workers in those industries.

In addition—and even more important—they become a powerful factor in depressing and holding down the prices paid to farmers for their agricultural products.

The reduction in purchasing power resulting from this depressing of wages and agricultural income, I am convinced, amounts to many times any price reductions reaching the consumer. For the effect is not merely to lower wages in the plants of the manufacturers granting the concessions, or prices to the farmers whose products are processed by the manufacturers. The reductions tend to be reflected in the wages of all industry and in the prices paid all farmers for all their produce.

GREATER PURCHASING POWER DESIRED BY PRESIDENT

"Greater purchasing power", President Roosevelt said in his address to Young Democrats at Baltimore recently, "will mean the consumption of more goods—industrial products and farm products. The production of these goods will mean still more employment. Most businessmen believe with us in a greater purchasing power on the part of more people. They know that their businesses will be helped thereby.

"To work in unity toward this end constitutes one form of attack, and there are others which we must not overlook", he said.

HOW PRESIDENT'S OBJECTIVE MAY BE BROUGHT ABOUT

The Robinson-Patman bill, I am convinced, would help bring about this objective which the President has emphasized.

The unequal competitive conditions that result from the various price and service concessions which a few privileged groups are now able to exact, become a bearish factor on our whole merchandising system. They set up an endless chain of chiseling operations that undermine wages, cut away farm income, and weaken our entire business and economic structure. The sooner they are eliminated—as they would be, in large part, at least, under the Robinson-Patman bill—the sooner we will achieve that greater purchasing power which the President holds to be essential. That, I am sure, even Mr. CELLER cannot deny.

WHO OPPOSES BILL?

From whom does the objection to this legislation come? It comes from the big, corporate enterprises in the field of distribution.

Economies of great magnitude have been claimed for them. But let us examine that claim for a moment:

If there is a real basis of fact for this vaunted efficiency, why does big enterprise insist on concessions, allowances, and rebates to enable it to compete with independent merchants? Does it fear to put its vaunted efficiency to a test? Is it afraid or unable to compete on equal terms—that is, to start with equal cost for the goods both must sell?

EQUAL RIGHTS FOR ALL ASKED

It is my honest conviction that independent units of industry can and will hold their own with the big units if both are compelled to compete in the game under fair and equal rules. At least the superior efficiency claimed for big business is not proved until it meets this honest test. Under the pending legislation, no special privilege is asked for the independent, small or large. But a demand is made that the unfair, unequal, and unethical practices, including unfair price discriminations, be prohibited by law.

"MENACE OF MONOPOLY" AND ROBINSON-PATMAN BILL

Mr. PATMAN. Mr. Speaker, under leave granted to extend my remarks in the RECORD, I include the following radio address I delivered over the facilities of the National Broadcasting Co. Friday evening, April 17, 1936:

Ladies and gentlemen of the United States:

DUTY OF GOVERNMENT

It is one of the first duties of government to protect the weak against the strong—to prevent men from injuring one another. Every proposed law dealing with business should be carefully considered with reference to its effect upon the consumers who represent our entire population.

We know that many, but not all, of our most powerful and influential citizens are very greedy. That fact has many times been demonstrated. It is perfectly natural that they should seek

more power, influence, and greater wealth. It is also true that where there is greed, there is no vision, and the Good Book says that where there is no vision the people perish. Our problems should be considered from the standpoint of the future as well as the present.

PRESENT LAWS INSUFFICIENT

Laws have been enacted for the purpose of providing equality of opportunity in business; to prevent powerful organized minorities in business from unfairly destroying their small competitors, based upon the theory that citizens who build our country in time of peace, and who save our country in time of war, are entitled to the same rights and privileges, but no more, as the greatest and wealthiest banker-controlled corporations in America. The present laws, however, are not sufficient. Certain weazel phrases crept into our antitrust laws which permitted the Supreme Court to extract the teeth therefrom. It is, therefore, necessary in order to protect the consumers and carry out the policy of this Government to give small business an equal competitive opportunity with big business to change these laws in order that this intent may be carried out.

MONOPOLY

After serving as chairman of a committee that has conducted an investigation this past year of large-scale buying and selling, I am convinced that there is a conspiracy among a few rich, powerful individuals who control corporations of great wealth to obtain a monopoly in retail distribution. It is a group that is naturally greedy and selfish. Big bankers in New York are substantially aiding them in carrying out their purposes. A few years ago there were 600 manufacturers of automobile tires. Today there are 4 manufacturing 80 percent of the tires and less than 25 in all. Practically all the others were crushed by this unholy alliance of great wealth and power.

One large bank in New York City has directorships in more than 4,000 manufacturing, industrial, utility, and other large business concerns. Another large bank in the same city holds more than 2,000 such directorships. The largest concerns in America are largely controlled by Wall Street bankers. The 200,000 independent grocerymen in the country, representing 50 percent of all retail grocery units, are receiving only 22 percent of the volume of business. The 100,000 corporate chain units are receiving 44 percent of the volume and 100,000 voluntary units are receiving 34 percent. When the time is considered ripe, if the present law is not changed, a word from the corporate chains to the manufacturers will cause the voluntaries either to be taken over by the corporate chains or destroyed, since all allowances and discounts may be taken away from them.

Our opponents talk glibly about the number of retail units increasing a few thousand over a period of 4 years. They say nothing about the volume of business and never present the fact that the increases are below normal and only in communities not served by chains or in lines of business in which the chains are not engaged.

Our opponents would have you believe there is no monopoly because it is only effective in certain areas where the volume of business is the greatest and in certain lines of business. That is like a doctor telling a 200-pound man not to be afraid of cancer, that it covers only a few ounces of his 200 pounds.

As stated by the general manager of one of the largest concerns in America recently, "New battle lines are now forming. It is the battle to see who shall dominate the distribution of merchandise in the town of 5,000 population and under." As certain lines of business are monopolized in certain areas, greedy monopolists will enlarge their areas and increase their lines of business over which they also expect to gain a monopoly.

THE ROBINSON-PATMAN BILL

The Robinson-Patman bill as reported by my able colleague, Congressman HUBERT UTTERBACK, of Iowa, is intended to give equal rights and a fair opportunity to individual citizens and small businesses, without depriving large corporations of a single right or privilege that they are entitled to enjoy. This bill will force a manufacturer to deal fairly with his customers.

In order to frighten the people, certain selfish groups have advertised that the enactment of this law will cost consumers $750,000,000 a year. That is positively a misstatement of fact. When the independent merchants receive the same prices as corporate chains for the same quantity purchased, the consumers will be benefited billions of dollars annually. We do not propose to make the chains pay a higher price. We do propose that the independents be given the same prices under the same conditions. Much is said about cooperative buying associations without consideration of the fact that manufacturers, under existing laws, are not compelled to recognize them or give them the same benefits as the corporate chains are given. The Robinson-Patman bill will compel them to treat all their customers alike. It provides, however, that they may select their customers, but when selected must be given the same, square, fair deal that is given to all their other customers. There will be no incentive for a manufacturer to charge the same price as other manufacturers. There will be competition between them and competition between the retailers, but each manufacturer will have to treat his own customers exactly alike.

BROKERS AND WHOLESALERS

Another provision in this bill is in regard to brokerage. It will not compel a broker to be used, as sales may be made directly from the manufacturer to the retailer without using a broker, but it provides against a large buyer bribing the representative of the seller. It is well known that one large seller of potatoes for the farmers on the Atlantic coast was receiving a secret rebate of several dollars a car from a large buyer, who also was large enough to fix the market price. Anyone who is opposed to deceit, fraud, and bribery in business, and who wants the farmers and wage earners to have a square deal should not oppose this provision. Brokers and wholesalers will be benefited by this law to the extent that they render a service that the independent manufacturer and merchant desires to voluntarily pay for and to the extent only that they can perform their distribution functions in a more economical way than anyone else.

ADVERTISING ALLOWANCES

It is a well-known fact that certain large manufacturers have been giving their favored customers a greatly reduced price through advertising allowances. Our bill will not stop advertising allowances, but it will require the manufacturer to give every customer he has the same allowances on proportionately equal terms. That is, everyone purchasing the same quantity will get the same price from the same manufacturer and the benefit of the same allowances.

QUANTITY LIMITS

The bill further provides that the Federal Trade Commission may fix quantity limits for manufacturers for certain goods which will prevent a few large concerns from creating a monopoly. This power will only be exercised in the event there is danger of monopoly in any line of business, and where the purchasers in greater quantities are so few as to enable a few large dealers to destroy the smaller dealers. This is based upon the same theory as carload freight rates. A trainload may be shipped for much less cost per car than a carload over a railroad, but the Interstate Commerce Commission has held, and the Supreme Court of the United States has expressed itself as favorable to the holding, that the boxcar limit for most commodities should be designated to determine cost of transportation. Anyone who causes one carload to be shipped pays the same price per car as one who causes 100,000 carloads to be shipped. The Supreme Court said that if such a quantity limit were not fixed, large dealers would drive the small dealers out of business and this would be detrimental to the country's welfare. That is exactly the same situation we have in business today. If something is not done, the small dealers will be driven out of business. Then the consumers will have to pay the price that monopoly fixes and the farmers and wage earners will only receive what monopoly says they should receive. Private monopoly is indefensible. When that stage is reached, Government ownership is inevitable. Therefore our fight today is against eventual Government ownership.

BASING POINT

The House Judiciary Committee added a provision to the Robinson-Patman bill. It relates to the question of price and involves the basing-point question or the old Pittsburgh-plus rate case. Whether or not this provision will remain in the bill will be determined by a vote of the House.

BILL MISREPRESENTED

No other bill has ever been more misrepresented than the Robinson-Patman bill. It is not complicated. It is based upon right, justice, and honesty. The same groups that have admittedly ganged up on the President of the United States and have thrown the force and influence of big business in opposition to the administration, have constituted themselves into a wrecking crew to defeat this bill. It is very strange that they say that the bill will hurt th little man in view of the fact that the little ones are for it, and the big ones are against it. This same group is sending a statement over the Nation against taking away chains' saving in prices as though the Robinson-Patman bill would take their savings away from them. It will not do any such thing. It will merely assure the same savings to the independents and thereby assist all consumers in getting the benefit of lower prices.

CONCLUSION

Practically every consumer is benefited by good prices and good wages, and not by prices that destroy his buying power. The consumer is entitled to the lowest possible price, consistent, however, with a fair price to the producer, a fair wage to the wage earner, who converts the raw material into the finished product, and a fair profit to those who distribute it. If prices and wages are reduced 50 percent, our debts and taxes are increased 100 percent in what the people have to pay with. Therefore, any policy that causes competition to be destroyed and permits monopoly to fix the price of labor and production, regardless of the low price received by the consumer, is destructive to the best interest of this country.

OPPONENTS

Our opponents have plenty of money, and money can hire brains, so in this fight we are opposed by both money and brains. Some of the same groups that are fighting us tried to fool the farmers through the "cornstalk brigade", placed a spy in an anti-chain-store association's headquarters to destroy their business, warned their representatives over the country to keep the chains' opposition to certain bills strictly secret, spread propaganda through high schools, have used prominent and influential people as a "front" or "stuffed shirt", and have admittedly attempted to mislead and deceive the independent merchants of the country. It is some of the same groups opposing labor who have been instrumental in keeping the wage scale down.

MONEY SIPHONED INTO WALL STREET

This is not a bill to levy taxes or to appropriate money. It does not grant a subsidy to independents. It merely provides for equal rights with the chains. It is claimed that the chains save local people money on their merchandise, and this saving stays in the local community. If independent merchants are given the same prices, as provided in the Robinson-Patman bill, the independents will be giving their customers the same savings. Notwithstanding this claim by the chains, they must admit that what they call a fair profit is taken away from the local community. It is siphoned into Wall Street banks, and it will not take many years to siphon the wealth of the country from the small communities to these large centers.

Our bill will not fix prices or reward the inefficient. It will give the same rights and benefits to citizens as are given to big corporations under the same facts and circumstances. If passed, it will cause vacant buildings to be occupied; additional local people to be employed; put more money into circulation in the local community; and make more opportunities for employment of young, ambitious, deserving, and worthy young people. It will protect consumers against monopoly and give them all lower prices by reason of a competitive market. It will protect wage earners and producers against the destruction of their buying power and will enforce the Golden Rule in business. It is a bill to grant equal rights to all and special privileges to none; it invokes the policy of live and let live.

"EQUAL OPPORTUNITY IN BUSINESS" AND THE ROBINSON-PATMAN BILL

Mr. PATMAN. Mr. Speaker, under leave granted to extend my remarks in the RECORD, I include the following radio address I delivered over the facilities of the Columbia Broadcasting System, Saturday night, April 18, 1936:

Ladies and gentlemen of the United States, I have never known a bill to be so much misrepresented as the Robinson-Patman bill.

CLAYTON ACT TO BE AMENDED

This measure causes an amendment to the Clayton Anti-Trust Act for the purpose of putting teeth into the act and making it effective. The original object of our antitrust laws was to give the small dealer opportunity to exist in a competitive business world. It was not for the purpose of giving him shelter or rewarding inefficiency. But it was designed to give efficient, worthy, legitimate small business the opportunity to exist.

TEETH INSTEAD OF WEASEL PHRASES

The Robinson-Patman bill takes out weasel phrases and puts biting teeth into the act. It plugs loopholes and removes technicalities.

If enacted, this law will not compel manufacturers to raise prices charged corporate chains or any of their customers. But it does demand that manufacturers give independent merchants the same rights and privileges now granted to corporate chains. Keener trade competition and greater consumer savings will result.

This measure strengthens the Clayton Act and other antitrust laws which were enacted to wipe out the steel grip of monopoly which always results when vast corporations and combinations dominate and control source of supply and means of distribution.

MONOPOLY NOW HAS TIGHT GRIP ON THROATS OF PEOPLE

Comparison of the business done by corporate chains and independents should be restricted to the areas in which chains operate, and to business in which they engage. It is not fair to say that the chains are doing only 25 percent of our national retail business. The bald truth is that in areas where they operate and in their lines of business they do from 56 to 100 percent of the business.

Confine comparisons to areas served by chains and you are astounded at the tight grip monopoly now has on the throats of our people.

As one line of business is absorbed by chains another line is engaged. If they are not stopped it will not be long before they will be in every line and serve every area where volume of business will possibly justify.

If absentee ownership and control of business is in the interest of public welfare we should not object. But after many years of study and investigation, I am convinced that absentee ownership of business will wreck any country on earth.

The people of this Nation will not tolerate private monopoly very long. It fattens and grows strong on special privilege and advantages made possible by size and power and on unfair, discriminatory advantages which small, independent merchants and manufacturers cannot compel or resist.

EQUAL ADVANTAGES

The Robinson-Patman bill levels off the field of competition so that small independents have equal advantages with all competitors.

The opposition wails that the bill is unconstitutional. That has always been the cry of the privileged few when legislation is proposed to make their special privileges equally available to all. Constitutionality of the Clayton Act has been repeatedly tested and sustained by the Supreme Court of the United States.

SUGAR INSTITUTE DECISION BY SUPREME COURT

On March 30 the Supreme Court of the United States handed down a most significant decision in the case of the Sugar Institute. This industry, through its institute, formulated a code. The Supreme Court had before it the legality of provisions in this code. By decision the Court condemned in no uncertain language secret rebates, concessions, and other unethical, unfair trade practices. The Court found, however, that the dominant purpose of the institute—in the measure they adopted to eliminate these practices—was the creation and maintenance of a uniform price structure. For this reason everything in the plan tending to support and maintain the price structure was held illegal by the Court.

It is significant the Supreme Court noted that unfair trade practices, including rebating and the granting of false allowances, can be prevented by other means. The Robinson-Patman bill is the obvious answer to the Court's finding that unfair trade practices can be stopped in a manner other than that provided by the Sugar Institute Code.

Congress has already condemned, in legislation, unfair trade practices and unfair price discriminations.

The Supreme Court has already held the Federal Trade Commission Act and the Clayton Act constitutional.

The Robinson-Patman bill follows the legal, constitutional path laid down by Congress and approved by the Court.

It prohibits by name and definition certain well-known price discriminations.

The sugar code was condemned because it eliminated competition. The Robinson-Patman bill restores competition, gives the independent business unit no special privilege, but equal rights with all other industry.

GREEDY INTERESTS WANT SPECIAL ADVANTAGES

Doesn't it seem strange that large and powerful chains, fighting this legislation, insist upon the right to buy goods at a lower price than the independent, which goods both must sell to consumers? A child can see that if the large and powerful continue to do this, the independent must perish.

If that day ever comes you will pay whatever monopoly dictates.

The scramble for rebates, unearned concessions, and unearned brokerage has reached the sordid stage of racketeering. It is a national scandal.

If you allow this to continue, your independent merchant will die from commercial starvation. He is public victim no. 1. You, the consumer, are public victim no. 2, because you will pay the price of monopoly.

COMPETITION—NOT PRICE FIXING

The Robinson-Patman bill provides that manufacturers give the same price (under the same conditions) to independent merchants that he gives to corporate chains or other competitors. Manufacturers, of course, will compete among themselves. They will not have the same prices. But each manufacturer must treat his own customers fairly and not discriminate between them.

Under existing law (which is not changed by this bill) a manufacturer has the right to select his customers. But having selected, he is not permitted to discriminate between them.

In other words, the bill allows price differentials, but not price discriminations. When the independent merchants are able to get goods at the same price as the corporate chains they will save the consumers billions of dollars each year.

This is not a price-fixing bill.

It is opposed to price fixing.

It will not grant privilege or benefit to anyone or to any group. It grants the same privilege to all groups.

LARGE SHIPPERS FORMERLY RECEIVED SECRET REBATES OVER RAILROADS

More than 40 years ago people were amazed to learn that large shippers were getting special rebates and discounts on transportation charges over railroads.

The Supreme Court stated that this enabled a few large shippers to destroy the business of small dealers. This was against public interest because it created monopolies.

A law, which has since been rigidly enforced, was passed providing a quantity limit on railroad rates. The carload is the limit in most cases. The man who ships a hundred thousand carloads pays the same transportation charge per car as the man who ships only one carload. It is admitted that a trainload can be shipped at a lower cost per car, but the Supreme Court said that if this were permitted, monopolies would be encouraged and small dealers would be crushed.

This principle is recognized in the Robinson-Patman bill, and by it the Federal Trade Commission has the power to fix a quantity limit, differing according to the commodity. This is in order that a few large corporations may not destroy the small dealers and thereby create a monopoly.

Under existing law, manufacturers are not compelled to sell to independent merchants or cooperatives for the same price for the same quantity that they sell to corporate chains. In some instances they have refused.

The measure also prohibits payment or allowance of brokerage, commission, or other sales compensation to buyers.

No provision of the bill compels a seller to use a broker to market his products, nor is he compelled to sell to any one class of customers.

He may sell by any method and to anyone.

But he is prohibited from bribing purchasers under the guise of brokerage allowances.

Those opposed to deceit, fraud, and bribery in business and who want farmers and wage earners to have a square deal will not oppose this provision.

HOW BROKERS AND WHOLESALERS ARE BENEFITED

Brokers and wholesalers will be benefited by this law to the extent that they render a service that the independent manufacturer and the independent merchant desire to receive and voluntarily pay for and also to the extent that they can perform their distribution functions in a way more economic than anyone else.

ADVERTISING ALLOWANCES

Another provision of the bill prevents a manufacturer from granting advertising allowances to certain favored customers without giving all customers proportionately equal terms.

The manufacturer may refuse to select a customer. That is all right. But, if selected as a customer, the bill compels that he be given the same fair, square deal on advertising allowances that is given corporate chains.

LOWEST PRICE TO CONSUMERS

Would you say that the slogan, "Lowest price to consumers" is a good one?

Is it in the best interest of the country?

If a few mass buyers have power to reduce prices at will in their effort to favor consumers, they will cause farmers to sell below production cost; they will cause manufacturers to sell at such low prices that buying power of factory wage earners will be destroyed.

Therefore, consumers are entitled to the lowest price consistent with a fair price to the one who produces the raw material, a fair wage to the one converting the raw material into a finished product, and a fair profit to those who manufacture and distribute it.

NOT CLASS LEGISLATION

May I emphasize the point that this is not class legislation. It is not a bill to levy taxes on any group or place any group at a disadvantage.

It is not an anti-chain-store bill.

It is for the purpose of giving every group the same rights and benefits under the same conditions, and to protect you consumers. Today efficient merchants cannot survive because excess profits gained by great concerns are used to destroy independents in other towns. When independent merchants are destroyed, you people pay and pay dearly.

WEALTH DRAINED FROM LOCAL COMMUNITIES

There is a certain profit that goes regularly into Wall Street from communities where chain stores operate. Eventually, this will drain the wealth of our country from small communities into the control of vast banking corporations.

NO VISION THE PEOPLE PERISH

Would you believe that one New York bank has more than 4,000 directorships in the largest manufacturing, industrial, and other concerns in every section of the Nation? Would you believe that another large New York bank has more than 2,000 such directorships? What chance have you in the face of such power and influence? These men may intend to be good, but power naturally begets greed. They seek greater power, influence, and wealth. Where there is greed there is no vision and the Bible says that where there is no vision the people perish.

NOT PIONEER LEGISLATION

My friends, this is not pioneer legislation. Many of you will recall the emphasis laid on it by that eminent New York attorney, Charles Wesley Dunn. In an address delivered at the annual meeting of the Associated Grocery Manufacturers of America, Inc., in New York City on November 15, 1935, Mr. Dunn disclosed that laws against price discrimination are not new. They are embraced in many acts of Congress, such as the Interstate Commerce Act of 1887, the Elkins Act of 1903, the Shipping Act of 1916, the Stockyards Act of 1921, the Tennessee Valley Authority Act of 1933, the Motor Carrier Act of 1935, and the Coal Conservation Act of 1935.

SIMILAR TO CANADIAN LAW

In further support, our friendly neighbor Canada has passed a law almost duplicating the purposes of the Robinson-Patman bill. Consumers in that country report they are greatly benefited since the independent merchants buy as cheaply as the chains. This Canadian law is causing chain-store managers to take advantage of their training and experience to launch out into business for themselves as independent merchants. This is as it should be. Manufacturers in that country are exceedingly anxious to cooperate in enforcement of the new law.

EFFICIENT MERCHANT TO BE HELPED

Many manufacturers already have a policy which is strictly adhered to that their customers shall be treated the same as provided by the Robinson-Patman bill. Monopoly does not kidnap the young, but it kidnaps opportunities of the young. It is for the people to decide which is in the interest of the general welfare—the chain-store system of absentee ownership and control or independent merchants. Under our present system it will not be possible for the efficient merchant to survive very long, as his chain competitor across the street can reduce prices below cost until he is destroyed. The chains' losses are made up from excess profits in the town where they have a monopoly and where the sky is the limit as to price. As the independents are driven out of one town the excess profits gained there can be used to destroy the independent merchants in another town until, just like a cancerous growth destroys a human body, it will destroy our country. If it were only the inefficient merchants who were suffering no one would be disturbed.

EMPLOYMENT OPPORTUNITIES LIMITED

The agitation for all forms of relief for different classes and groups is justified in many cases by an economic system that deprives employment opportunities to those who are able, willing, and anxious to work but cannot find jobs. Many large corporations do not employ anyone over 30 or 35 years of age. Laws are passed in different States restricting the number of people who can engage in certain occupations and professions. Absentee ownership of business reduces employment opportunities and destroys purchasing power of producers and wage earners. If the Government is going to stand idly by and permit old people (and those who are not so old) to be discriminated against and deprived of employment opportunities, it is necessary that the Government go to their aid and rescue in some manner.

AMERICA SHOULD WAKE UP

It is time for American consumers to wake up. For your own economic welfare you must not remain indifferent. Your country's welfare is distressingly at stake. Opportunity for the young and security for the aged hang in the balance.

Do you want private monopoly to continue to operate to the benefit and advantage of a few New York bankers?

Or do you want a fair competitive system where equality does not end when one is born?

Do you want community life built and sustained by home-owning, home-loving, independent merchants?

Or one bled white and cold-bloodedly exploited by absentee owners?

In the spirit of sincere public service, I submit the Robinson-Patman bill for your immediate and responsive consideration.

DEMOCRATIC PLATFORM

It is the contemporary crystallization of the present Democratic platform which is pledged to "strengthen the antitrust laws, to prevent monopoly and unfair trade practices."

It broadly aspires to the teachings of the Ten Commandments and the Sermon on the Mount.

Ladies and gentlemen, this bill is presented to you as your Golden Rule in business.

CONSENT CALENDAR

Mr. ZIONCHECK. Mr. Speaker, I ask unanimous consent that the proceedings by which the bill H. R. 8107 was passed be vacated so that the bill may come before the House for further consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

Mr. SANDLIN. Mr. Speaker, I object.

INCREASE OF EFFECTIVENESS AND EFFICIENCY OF THE AIR CORPS OF THE ARMY

The Clerk called the next bill, H. R. 11140, to provide more effectively for the national defense by further increasing the effectiveness and efficiency of the Air Corps of the Army of the United States.

There being no objection, the Clerk read the bill, as follows:

Whereas the 5-year program for the development of the Army Air Corps, advocated by the Morrow Board, and provided for by the act of July 2, 1926, is nearly completed; and

Whereas the Morrow Board and Congress contemplated that this 5-year program should be but the first step in the complete development of an adequate Army Air Corps, the next step to be based on further progressive studies; and

Whereas the development of the Four Army Plan for continental land defenses, and the adequate protection of our foreign possessions, have formed the basis for comprehensive studies of the subject; and

Whereas these studies, together with the enhanced military value of aviation, due to its development in recent years, show clearly the need for the immediate inauguration of the second step in the development of the Army Air Corps: Therefore

Be it enacted, etc., That the authorized strength in airplanes, equipment, and accessories of the Army Air Corps established by the act approved July 2, 1926 (44 Stat. 780), is hereby increased to such numbers as will permit the Secretary of War to complete the equipment and organization and to maintain in the Army Air Corps the special Army air organization known as G. H. Q. Air Force, and our overseas defenses, together with a 25-percent reserve for such forces, and to procure such other airplanes and equipment, including spare parts, supplies, and accessories, for such other purposes as are necessary to provide for the mission of the Army Air Corps: *Provided*, That of the increase authorized herein not to exceed 4,000 serviceable airplanes, including equipment and accessories, shall be maintained at any time during the next 5 years.

SEC. 2. That the authorized commissioned and enlisted strengths for the Regular Army as increased by the act approved July 2, 1926, namely, 12,403 commissioned officers, and 124,990 enlisted men, exclusive of Philippine Scouts, shall be reached as soon as practicable, and thereafter shall be augmented as the increase in number of airplanes shall demand.

With the following committee amendment:

Page 1, strike out all after the title of the bill down to and including line 4, on page 2, and on page 2, line 16, strike out "maintained" and insert "attained", and, on page 2, line 18, strike out all of section 2.

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.

ORGANIZATION OF AIR RESERVE TRAINING CORPS

The Clerk called the next bill, H. R. 11969, to promote national defense by organizing the Air Reserve Training Corps.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to organize the Air Reserve Training Corps, and to establish such rules and regulations as he shall deem fit and proper for carrying out the purposes and objects of this act.

SEC. 2. That all male citizens of the United States between the ages of 17 years and 24 years, of sound physical condition, good character, and with a minimum education equivalent to at least a full high-school course, shall, after agreeing to serve in the Air Corps of the Army of the United States in the event of national emergency, be eligible to be listed as candidates of said Air Reserve Training Corps, and shall be entitled to receive such emblem or designation to wear upon the clothing as the Secretary of War may prescribe while receiving such course of technical instruction and flying training as shall be prescribed by the Secretary of War.

SEC. 3. That the Secretary of War is authorized to use all proper means and agencies for the encouragement of said corps, by detailing either Regular Army Air Corps officers or Air Corps Reserve officers called to extended active duty, to inspect the instruction and training of said candidates in such private flying schools, colleges, and universities, and centers of air instruction and training as may be selected by the Secretary of War for that purpose, under such regulations as he shall prescribe.

SEC. 4. That the Secretary of War is further authorized to encourage the development of said corps by permitting the use of such Army air fields from time to time as may not conflict with the work of the Air Corps of the Army of the United States and further by permitting the use in ground instruction only of airplanes, aircraft generally, and equipment, belonging to the Air Corps of the Army of the United States, if and when, in the judgment of the Secretary of War, such use is wise and proper in promoting the technical training of said corps.

SEC. 5. That upon the completion of such course of training as shall have been prescribed by the Secretary of War and upon the satisfactory passage of final examination and tests as may be prescribed for candidates of said Air Reserve Training Corps, the Secretary of War shall issue certificates of appointment as members in the Air Reserve Training Corps, and said members shall then be entitled to wear at pleasure such insignia and/or other designations and decorations upon the clothing as the Secretary of War shall prescribe. These members of the Air Reserve Training Corps shall be kept listed as to their addresses, business occupations, and other pertinent facts, so that the same may be available on shortest notice for service in the national defense in the event of a national emergency.

SEC. 6. That the Secretary of War is authorized to give preferment for appointment as flying cadets (heavier-than-air) and for detail to the Regular Army Air Corps Training Center for flying instruction of the most promising and desirable members in the Air Reserve Training Corps: *Provided*, That they also meet the mental, moral, physical, and educational qualifications prescribed by the Secretary of War for the appointment of flying cadets of the Air Corps, Army of the United States. The limitations on the appointment of cadets under this act will be only such as the limitation of vacancies under existing laws shall dictate.

SEC. 7. Such laws or parts of laws as may be inconsistent with the foregoing are repealed.

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.

CONSTRUCTION, OPERATION, AND MAINTENANCE OF RIO GRANDE CANALIZATION PROJECT

The Clerk called the next bill, H. R. 11768, authorizing construction, operation, and maintenance of Rio Grande canalization project and authorizing appropriation for that purpose.

Mr. WOLCOTT, Mr. McLEAN, Mr. DIRKSEN, and Mr. ANDREWS of New York objected.

MONUMENT IN MEMORY OF GOUVERNEUR MORRIS

The Clerk called the next bill, H. R. 11854, to provide for the erection of a monument to the memory of Gouverneur Morris.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, I object.

RETIREMENT ANNUITIES FOR LIBRARIANS OF CONGRESS

The Clerk called the next bill, H. R. 11848, to authorize retirement annuities for persons who serve as Librarian of Congress for 35 years.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. FADDIS, Mr. ZIONCHECK, Mr. RAMSPECK, and Mr. LEHLBACH objected.

Mr. CURLEY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CURLEY. What disposition was made of the bill (H. R. 11854) to provide for the erection of a monument to the memory of Gouverneur Morris?

The SPEAKER. The bill was objected to.

Mr. KENNEY. Mr. Speaker, I ask unanimous consent to return to the consideration of the bill (H. R. 11854) to provide for the erection of a monument to the memory of Gouverneur Morris.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Clerk read the title of the bill.

Mr. CURLEY. Mr. Speaker, will the gentleman from Michigan [Mr. WOLCOTT] withhold his objection so that I may make a statement?

Mr. WOLCOTT. I withhold my objection.

Mr. CURLEY. Mr. Speaker, I am the sponsor of this particular bill that the gentleman was so kind to withdraw his objection to.

I think this is an opportune time to take up this matter showing what the people of this country think about the Constitution. I have listened to a good many Members of the House discuss this question since the beginning of the session——

Mr. ZIONCHECK. Mr. Speaker, will the gentleman yield?

Mr. CURLEY. I shall be pleased to yield to the gentleman.

Mr. ZIONCHECK. Mr. Speaker, at this time I submit the unanimous-consent request that the gentleman be allowed to revise and extend his own remarks.

The SPEAKER. The gentleman from Washington cannot take the gentleman from New York off his feet by submitting a unanimous-consent request.

Mr. ZIONCHECK. Regular order, Mr. Speaker.

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

Mr. ZIONCHECK. I object, Mr. Speaker.

MEMORIAL TO THOMAS JEFFERSON

The Clerk called the next bill, H. R. 12027, to authorize the execution of plans for a permanent memorial to Thomas Jefferson.

Mr. WOLCOTT and Mr. ZIONCHECK objected.

Mr. BOYLAN. Mr. Speaker, I trust the gentlemen will reserve their objections, and if there are any questions, I will be pleased to answer them.

Mr. WOLCOTT. I shall be glad to withhold my objection.

Mr. ZIONCHECK. I withdraw my objection, Mr. Speaker.

Mr. BOYLAN. Mr. Speaker, I may say that this bill is the result of the work of a committee authorized in a resolution passed by the House last year. The committee was composed of 12 members, 3 appointed by the House, 3 by the Senate, 3 by the President of the United States, and 3 by the Thomas Jefferson Memorial Commission.

We have had plans prepared, and these plans were passed on by the committee and were submitted to the President of the United States. Upon further deliberation we thought a further study could be made of the matter, and in the meantime a bill should be introduced asking for an authorization in the amount of the smallest estimate received for the construction of the memorial, with the proviso that no application for funds should be made this year.

Mr. WOLCOTT. Mr. Speaker, if the gentleman will permit, I may say that Thomas Jefferson was one of the world's

greatest humanitarians, and Thomas Jefferson would never stand for the Congress of the United States appropriating $3,000,000 to erect a memorial to him if he knew of the suffering going on in the United States today.

Mr. BOYLAN. The Congress of the United States has already authorized the expenditure of much greater sums than this amount in memory of the patriots of our country, men who have rendered signal services to our beloved land. Thomas Jefferson himself was a modest and unassuming man, but it is not a question of Jefferson; it is a question of honoring the memory of Jefferson in these distraught times.

Mr. WOLCOTT. I agree with the gentleman that we should give all honor to the memory of Jefferson, because he was one of the most outstanding men this Nation has ever known, and when the proper time comes, when this Nation can afford it, when the people of New York and Michigan feel that they can afford to spend $3,000,000 to erect monuments, I shall be pleased to go along with the gentleman; but just so long as there is starvation in America, just so long as there is a lack of shelter for the poor people, I think it is unbecoming of us to spend $3,000,000 to erect a memorial even to George Washington.

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

Mr. WOLCOTT. I object, Mr. Speaker.

Mr. BOYLAN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

CONSTRUCTION OF CERTAIN BRIDGES

The Clerk called the next bill, H. R. 10589, to amend section 32 of the act entitled "An act to authorize the construction of certain bridges and to extend the times for commencing and/or completing the construction of other bridges over the navigable waters of the United States, and for other purposes", approved August 30, 1935.

Mr. ZIONCHECK. Mr. Speaker, reserving the right to object, is this with respect to a free bridge, or is it an amendment of a general law?

Mr. STEFAN. This has to do with a free bridge, and is merely a corrective amendment of an item passed in the omnibus bill.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That subsection (a) of section 32 of the act entitled "An act to authorize the construction of certain bridges and to extend the times for commencing and/or completing the construction of other bridges over the navigable waters of the United States, and for other purposes", approved August 30, 1935, is amended by striking out "the village board of the village of Niobrara, county of Knox, State of Nebraska", and inserting in lieu thereof the following: "the county of Knox, State of Nebraska, its successors and assigns."

SEC. 2. Subsection (b) of such section 32 is amended by striking out "the Village Board of the Village of Niobrara, county of Knox, State of Nebraska", and inserting in lieu thereof the following: "the county of Knox, State of Nebraska, its successors and assigns."

SEC. 3. (a) Subsection (c) of such section 32 is amended by striking out "The said Village Board of the Village of Niobrara, county of Knox, State of Nebraska", and inserting in lieu thereof the following: "The said county of Knox, State of Nebraska, its successors and assigns."

(b) Subsection (c) of such section 32 is further amended by striking out "to fix the charge tolls for transit" and inserting in lieu thereof the following: "to fix and charge tolls for transit."

SEC. 4. Subsection (d) of such section 32 is amended by striking out "After a sinking sufficient for amortization shall have been so provided, said bridge" and insert in lieu thereof the following: "After a sinking fund sufficient for such amortization shall have been so provided, said bridge."

SEC. 5. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

Page 2, line 3, strike out "its successors and assigns."
Page 2, line 8, strike out "its successors and assigns."
Page 2, line 13, strike out "its successors and assigns."

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.

BRIDGE ACROSS THE MISSISSIPPI RIVER BETWEEN NEW ORLEANS AND GRETNA, LA.

The Clerk called the bill (H. R. 11103) to extend the times for commencing and completing the construction of a bridge across the Mississippi River between New Orleans and Gretna, La.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the Mississippi River between New Orleans and Gretna, La., authorized to be built by George A. Hero and Allen S. Hackett, their successors and assigns, by an act of Congress approved March 2, 1927, heretofore extended by acts of Congress approved March 6, 1928, February 19, 1929, June 10, 1930, March 1, 1933, March 5, 1934, and June 4, 1935, are hereby further extended 1 and 3 years, respectively, from March 2, 1936.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

On page 2, line 3, strike out "March 2, 1936" and insert "the date of approval hereof."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS THE MISSISSIPPI RIVER AT NATCHEZ, MISS.

The Clerk called the bill (H. R. 11729) to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Natchez, Miss., and for other purposes.

The SPEAKER. Is there objection?

Mr. ZIONCHECK. I object.

AMENDMENT OF THE AGRICULTURAL ADJUSTMENT ACT

The Clerk called the bill (H. R. 11821) to correct an error in section 16 (e) (1) of the Agricultural Adjustment Act, as amended, with respect to adjustments in taxes on stocks on hand, in the case of a reduction in processing tax.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That paragraph (1) of subsection (e) of section 16 of the Agricultural Adjustment Act, as amended, is amended by striking out "subsequent to June 26, 1934" and inserting in lieu thereof "on or after June 1, 1934."

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.

AMENDING THE ACT AUTHORIZING CERTAIN TRIBES OF INDIANS TO SUBMIT CLAIMS TO THE COURT OF CLAIMS

The Clerk called the bill (H. R. 10001) to amend an act entitled "An act authorizing certain tribes of Indians to submit claims to the Court of Claims, and for other purposes", approved May 26, 1920.

The SPEAKER. Is there objection?

Mr. COCHRAN. Mr. Speaker, reserving the right to object, I have a report from the Comptroller General on this bill, and I ask unanimous consent to place it in the RECORD at this point, and then I will ask that the bill go over without prejudice.

Mr. WOLCOTT. Reserving the right to object to the bill's going over without prejudice, I want to call attention to the fact so that it may be considered in the meantime, that this bill is subject to the same objection which has been made against many Indian bills, in that it gives to the Indians an advantage not enjoyed by any other American citizen in prosecuting claims against the Government. This bill provides that the Indians may appeal their claims to the United States Supreme Court, whereas any other American citizen is obliged to take his case to the Supreme Court on certiorari. The technical difference is that the American citizen is confined in his argument before the Supreme Court to points of

law, but the Indian when he takes his appeal to the Supreme Court may argue questions of fact as well as of law.

I think we should remove the discrimination in favor of the Indians. The Indians are good enough citizens so that they are not going to ask any advantage not enjoyed by any other American citizen.

I am constrained to object to all Indian claims bills which give the Indians an advantage over other citizens in their appeals to the Supreme Court.

Mr. COCHRAN. Mr. Speaker, aside from that, there are other objections to this bill set out in the report of the Comptroller General. The only reason that I ask that the bill go over without prejudice is to give Members a chance to read the report. It is my purpose to object to this bill at the next call of the calendar.

Mr. PIERCE. This is my bill. I know all the conditions and the situation. The Klamath Indians owned a beautiful tract of timberland, 87,000 acres, which was taken from them in one of the timber frauds in Oregon by the Secretary of the Interior. It was stolen for less than 4 percent of its value. The Indians came here to Congress, through my predecessor, Mr. Sinnott, introduced a bill to give the Court of Claims the right to ascertain the facts, a jurisdictional act. That was 16 years ago. The suit was brought in the Court of Claims. It went to the Supreme Court of the United States, and that Court found, together with the Court of Claims, that this tract of land was worth $2,980,000. The Indians were paid the magnificent sum of $108,750. It was taken from them fraudulently and wrongfully. The Court said, however, that there was no way to give them redress except to have a new jurisdictional bill. I took up the fight. There never has been a more just, a squarer, or a fairer bill before the Congress. I am sure that upon examination the gentleman from Michigan and the gentleman from Missouri will see the justice of this claim. I ask a few minutes of their time before the next consent day that I may talk personally to both of them. I know this bill is just and right.

Mr. COCHRAN. Mr. Speaker, I am willing to let it go over without prejudice, but the report shows there are of record over $2,000,000 in advances to these Indians.

Mr. PIERCE. Not quite $2,000,000. The property was worth nearly $3,000,000. We do not claim the full $3,000,000. The amount due the Indians is a little less than one million.

Mr. COCHRAN. The amount is $2,207,329.50. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

The Comptroller's report is as follows:

COMPTROLLER GENERAL OF THE UNITED STATES,
Washington, April 20, 1936.

A-10096.

Hon. JOHN J. COCHRAN,
Chairman, Committee on Expenditures in the Executive Departments, House of Representatives.

MY DEAR MR. CHAIRMAN: Further reference is made to your letter of April 3, 1936, which was acknowledged by letter of April 4, 1936, requesting a report on H. R. 10001, Seventy-fourth Congress, second session, entitled "A bill to amend an act entitled 'An act authorizing certain tribes of Indians to submit claims to the Court of Claims, and for other purposes', approved May 26, 1920", as follows:

"That in the suit numbered E-346 heretofore instituted in the Court of Claims by the Klamath and Moadoc Tribes and Yahooskin Band of Snake Indians under an act entitled 'An act authorizing certain tribes of Indians to submit claims to the Court of Claims, and for other purposes', approved May 26, 1920, jurisdiction is hereby conferred upon said court and it is hereby authorized and directed to reinstate and retry said case and to hear and determine the claims of the plaintiffs on the merits, and to enter judgment thereon, irrespective of any release or settlement, and upon the present pleadings, evidence, and findings of fact, with the right of appeal, rather than by certiorari, to the Supreme Court of the United States by either party: *Provided*, That any payment heretofore made to the said Indians by the United States in connection with any release or settlement shall be charged as an offset, but shall not be treated as an estoppel."

The act of May 26, 1920 (41 Stat. 623), provided, in part, that all claims of whatsoever nature which the Klamath and Moadoc Tribes of Indians and the Yahooskin Band of Snake Indians might have against the United States which had not theretofore been determined by the Court of Claims, might be submitted to the court of Claims, with the right of appeal to the Supreme Court of the United States by either party, for determination of the amount, if any, due said Indians from the United States under treaties, agreements, or laws of Congress, or for the misappropriation of any of the funds of said Indians, or for the failure of the United States to pay said Indians any money or other property due; and that the Court of Claims should hear and determine all legal and equitable claims, if any, of said Indians against the United States, and to enter judgment thereon. The said act provided further that any payment which might be made upon any claim so submitted should not be pleaded as an estoppel, but might be pleaded as an offset in such suits or actions, and that the United States should be allowed credit for all sums, including gratuities, theretofore paid or expended for the benefit of said Indians or any band thereof.

Pursuant to the said act of May 26, 1920, the said Indians filed three petitions in the Court of Claims in one of which no. E-346, there was set up a claim for a tract of land located in the State of Oregon. No copy of the petition in that case was presented to this office for a report, but under date of June 19, 1928, this office forwarded to the Department of Justice in connection with case no. E-350 a report in detail of disbursements made by the United States under treaty and other than treaty appropriations. In the report of June 19, 1928, there were included possible offsets in the amount of $2,382,435.49.

In an opinion rendered November 5, 1934, the Court of Claims dismissed the petition in case no. E-346 but found that the United States was entitled to set-offs under the act of May 26, 1920, supra, in amounts aggregating $2,207,329.50, the same being a part of the amount reported by this office in case no. E-346 as disbursements under gratuity appropriations for the benefit of these Indians. In the opinion of November 5, 1934, in connection with the payment for the land which the Indians alleged was of a much greater value than the amount paid them, the court said:

"In this case we have not only a payment made and accepted, but a written release, comprehensive in terms, which was intended to and did extinguish any existing liability. No future claim could be based upon the transaction unless Congress waived the legal effect thereof. The issue here is not alone one of payment working an estoppel, but the setting aside of a release which admittedly closed the transaction and extinguished all liability under the claim. If Congress intended to nullify a release, it would have used language clearly evidencing that intention. In the choice of legal terms we cannot assume that Congress intended to set aside a release by using the words 'payment upon a claim.'" * * *

And—

"We have made the findings after a careful analysis of the record, but inasmuch as in our opinion the special jurisdictional act does not confer upon the court authority to determine the claim, we do not discuss the same. The petition will be dismissed. It is so ordered."

In an opinion rendered December 9, 1935, the Supreme Court of the United States affirmed the decision of November 5, 1934, of the Court of Claims, and stated in conclusion that "if plaintiffs are to have additional compensation, it must be obtained through legislation dealing with the merits or authorizing effective judicial determination."

There is nothing before this office suggesting why the Congress should now remove the bar of the payment, acceptance and release for the lands as enforced by the Court of Claims and the Supreme Court of the United States in their opinions of November 5, 1934, and December 9, 1935, respectively, but whether the Congress shall do so is, of course, a question of policy for its determination. However, if such bar is removed, as proposed in the bill, it would seem appropriate that there be contained in the bill a specific requirement that the courts shall consider and allow as offset against any amount which may be recovered for the lands the gratuity expenditures made by the United States on behalf of these Indians which were determined by the Court of Claims, as above stated, to aggregate $2,207,329.50 which have not been recouped to the United States.

Sincerely yours,

J. R. MCCARL,
Comptroller General of the United States.

BRIDGE ACROSS MISSISSIPPI RIVER AT NATCHEZ, MISS.

Mr. ZIONCHECK. Mr. Speaker, I ask unanimous consent to return to Calendar No. 689, H. R. 11729, to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Natchez, Miss., and for other purposes.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. ZIONCHECK. Mr. Speaker, I reserve the right to object. I was of the impression that this was another toll bridge. I never have liked toll bridges, and I distinctly dislike them now more than ever. I was going into Charleston, S. C., driving that bad, bad car you know that does so much damage around here, and had just run short of money. I spent the last few dimes I had for gasoline and oil. I did

not have any money, assuming that the best highway, the crack highway, from New York to Miami, Fla., so much advertised, would not have a toll bridge upon it; when, lo, and behold, I came to that great toll bridge just before you go into Charleston, S. C. I did not have any money. I offered to write a congressional check. I had my check book with me; but no. However, they said they would take a spare tire and then I could come back and get it for 65 cents. I told them I might need the tire, and I would not do that.

Mr. MARTIN of Colorado. Mr. Speaker, will the gentleman permit an interruption?

Mr. ZIONCHECK. Yes.

Mr. MARTIN of Colorado. It is worth 65 cents to drive over that bridge.

The SPEAKER. Is there objection to the consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of the bridge across the Mississippi River at or near Natchez, Miss., authorized by be built by the city of Natchez and county of Adams, State of Mississippi, by the act of Congress approved August 30, 1935, are hereby extended 1 and 3 years, respectively, from the date of approval hereof.

SEC. 2. Section 19 (d) of such act of August 30, 1935, is amended by striking out the words "twenty years" and inserting in lieu thereof the words "thirty years."

SEC. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Page 1, line 8, strike out "the date of approval hereof" and insert "August 30, 1936."

The committee amendment was agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BANKRUPTCY LAW

The Clerk called the bill (H. R. 149) to amend section 64 of the bankruptcy law of the United States.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That subdivision 4 of paragraph (b) of section 64 of the bankruptcy law be, and is hereby, amended to read as follows:

"(4) wages due to workmen, clerks, traveling or city salesmen on salary or commission basis, whole or part time, or servants, which have been earned within 3 months before the date of the commencement of proceedings, not to exceed $600 to each claimant."

With the following committee amendments:

Page 1, line 3, strike out "four" and insert "five."

Page 1, line 4, strike out "bankruptcy law" and insert "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."

Page 1, line 9, strike out "(four)" and insert "(five)."

The committee amendments were agreed to.

The bill as amended was orderd to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

The title was amended to read: "A bill to amend section 64 of the 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."

COMPENSATION OF DIRECTOR OF FEDERAL BUREAU OF INVESTIGATION

The Clerk called the next bill, H. R. 11616, to fix the compensation of the Director of the Federal Bureau of Investigation.

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

Mr. FADDIS. Mr. Speaker, I object.

Mr. ZIONCHECK. Reserving the right to object, Mr. Speaker, I should like to make a statement on that.

The SPEAKER. Objection has already been heard. The bill has gone off the calendar. The Clerk will report the next bill.

ADMISSIBILITY IN EVIDENCE OF CERTAIN WRITINGS AND RECORDS

The Clerk called the next bill, H. R. 11690, relating to the admissibility in evidence of certain writings and records made in the regular course of business.

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

Mr. KENNEY. Mr. Speaker, I object.

Mr. ZIONCHECK. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The Chair will count.

Mr. ZIONCHECK, Mr. Speaker, I withdraw the point of no quorum.

Mr. KENNEY. Mr. Speaker, I reserve my objection and I yield to the the gentleman from Texas.

Mr. SUMNERS of Texas. Mr. Speaker, this bill is intended to cure a condition that developed in Pennsylvania. A circuit judge in Pennsylvania sitting as a district judge——

Mr. ZIONCHECK. Mr. Speaker, will the gentleman yield?

Mr. SUMNERS of Texas. I yield.

Mr. ZIONCHECK. I think the gentleman is talking about a different bill. This is fixing the salary of J. Edgar Hoover.

Mr. SUMNERS of Texas. No.

This circuit judge, sitting as a trial judge, held that record books kept in the ordinary course, would not be admissible in evidence unless the Government produced the individual who had made the entry, who could testify with reference to the making of the entry, and so forth. Of course, according to the manner that books are now kept, many times entries are made by machines. It may be that a dozen or a half dozen people will make entries in a set of books and nobody will be able to swear that he made a given record.

Personally, I am ashamed to ask the House to pass this bill. This holding by this judge is ridiculous. It is worse than that, but that is the situation that has developed up there. I do not understand how any judge can hold, in view of what is generally accepted, that one must bring the identical person who made the identical entry, before that entry can be introduced in evidence where the books kept are regularly and properly kept in the ordinary course of business. But he has held it, and this bill has been introduced for the purpose of curing that situation.

Mr. KENNEY. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection?

There being no objection, the Clerk read as follows:

Be it enacted, etc., That any writing or record, whether in the form of an entry in a book or otherwise, made as a memorandum or record of any act, transaction, occurrence, or event, shall be admissible in evidence in proof of said act, transaction, occurrence, or event, if it shall appear that it was made in the regular course of any business, and that it was the regular course of such business to make such memorandum or record at the time of such act, transaction, occurrence, or event or within a reasonable time thereafter. All other circumstances of the making of such writing or record, including lack of personal knowledge by the entrant or maker, may be shown to affect its weight, but they shall not affect its admissibility. The term "business" shall include business, profession, occupation, and calling of every kind.

Mr. ZIONCHECK. Mr. Speaker, I move to strike out the last word.

Apparently, Mr. Speaker, one of the most popular illusions that the American people are suffering from today is the illusion that has been deliberately created and built up by the master of fiction, J. Edgar Hoover, the great "G-man." Mr. Speaker, since Congress was kind enough to favor him by allowing his men to run around with guns, machine guns, and sawed-off shotguns, four "G-men" have been killed and eight gangsters, and we cannot find out how many innocent people were killed in the process. Dillinger! Dillinger did not know and could not know that about 17 young boys with shaking hands were all leveled on the place where he was to come, and they let him have it. He looked like a sieve when they got through with him. That is law and order. That is effective justice. Incidentally, Mr. Speaker, if you

had happened to have been at that theater at the same time, and if you had gone out, you would have been killed. They did hit an innocent person.

But that is not the only case, Mr. Speaker. That was fine. Even Hearst praised them for it. So they continue to do that. An automobile with a gangster—it happened to be a gangster this time—tried to get away, so they sneaked up behind him and got him in ambush and they loaded that car up with holes. They killed the fellow all right. Real American justice! What if that had been a kidnaper? What if the little Lindbergh child had been in the botton of that car in a sack? They would have gotten the Lindbergh baby. They could not have missed it. The dictator, J. Edgar Hoover!

It has been said, Mr. Speaker, or it has been rumored that he may know the answer to the Hauptmann murder.

Mr. LEHLBACH. Mr. Speaker, will the gentleman yield? Everybody in the world knows the answer to that; as pronounced by Jersey justice.

Mr. ZIONCHECK. Jersey justice! Does it give cream or skimmed milk? Mr. Speaker, it is rumored that the great "G-man"—"G" not standing for God—may know under whose direction the ladder was built that convicted Hauptmann; that he may know why Hauptmann did not talk, because Hauptmann had nothing to say. He did not know anything.

The SPEAKER. The time of the gentleman from Washington has expired.

Mrs. KAHN. Mr. Speaker, I ask unanimous consent to speak for one-half minute.

The SPEAKER. The gentlewoman from California is recognized in opposition to the pro-forma amendment.

Mrs. KAHN. Mr. Speaker, I do not need that much time. Mr. Speaker, it seems to me we have come to a pretty pass when we must listen on the floor of this House to a defense of Dillinger, Hauptmann, and the gangsters. [Applause.]

Mr. ZIONCHECK. Who is defending Mr. Dillinger?

By unanimous consent, the pro-forma amendment was withdrawn.

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.

ORLAND RECLAMATION PROJECT, CALIFORNIA

The Clerk called the next bill, H. R. 11538, for the relief of the Orland reclamation project, California.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. TABER. Mr. Speaker, reserving the right to object, what does this bill do?

Mr. LEA of California. Mr. Speaker, this bill does four things: First, it permits the substitution of lands outside the project for lands inside the project to be excluded. The object of this is to exclude nonproductive gravel lands inside the project in order that they may be substituted by lands that can bear their part of the expense of the project.

Another provision is to change the time of payment of operation and maintenance charges so as to make them payable in advance instead of at the end of the year. In this way no annual appropriation by Congress will be required.

A third feature is to extend the time of payment on account of the new reservoir from 17 to 35 years. This is in line with the adjustments made on projects that came under the Adjustment Act of 1926.

The fourth provides for the extension of the canal to reach the new lands outside the project that may be taken in.

Mr. TABER. Will that be paid for at Government expense?

Mr. LEA of California. That will be paid out of the reclamation fund.

Mr. TABER. How much will it cost?

Mr. LEA of California. Thirty-five thousand dollars. There are about 3,000 acres inside that may be excluded in lieu of the lands that may be taken in from outside. These inside gravelly lands require too much water and fail to produce sufficiently to bear their full proportionate share of the costs of the project.

This bill does not reduce or cancel any obligation of the Government.

The SPEAKER. 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 Secretary of the Interior be, and he is hereby, authorized to execute or authorize the execution of amendatory contracts with the individual water users of the Orland reclamation project, California, by which (a) the time within which the cost of Stony Gorge Reservoir may be paid shall be 35 years in lieu of the 17 years allowed for such payment under existing contracts, the said annual payments to be graduated as the said Secretary may prescribe, and (b) any construction or operation and maintenance charges due from the individual water users and delinquent as of the date of this act, together with the accrued interest or penalties, may be added to their proportionate part of the cost of said reservoir.

SEC. 2. The said Secretary shall classify the lands of the Orland project and the owners of all lands found by the said Secretary to be permanently unproductive may, by supplemental agreement with the United States, be relieved of all liability for further operation and maintenance and construction charges on land so found to be permanently unproductive, and the credit for construction charges theretofore paid on such permanently unproductive lands may be transferred to other producing lands, as the owner of such permanently unproductive lands may designate in writing. The released water rights theretofore appurtenant to such permanently unproductive lands shall be transferred to other productive lands, as the said Secretary may designate and under such regulations as he may prescribe.

SEC. 3. After the plan prescribed in section 4 hereof becomes effective, all operation and maintenance charges shall be estimated annually by the Secretary and collected in advance on the Orland project on or before January 1 of each year for that calendar year, and no water shall be delivered to any water user failing to make such advance payment. Should the estimate by the Secretary of the amount of the operation and maintenance charges for any calendar year or the collections from water users for such year prove to be too small, the water users shall be required to make a further payment in advance of the additional amount then estimated to be sufficient to meet the remainder of the operation and maintenance cost for that year, and the delivery of water shall not be continued (a) to the project unless said additional amount is paid to the United States, or (b) to any water user failing to pay his proportionate share (as determined by the Secretary) of such additional operation and maintenance cost. Overpayments resulting from too large estimates for any year shall be adjusted by credits upon succeeding years after the amount of the overpayment is ascertained.

SEC. 4. For all water users executing supplementary contracts as permitted herein their proportionate share, as determined by the said Secretary, of the operation and maintenance charges for the first year in which this plan is made effective for the Orland project, by the execution of this agreement by at least 90 percent of the water users of the project, as conclusively determined by the Secretary, shall be consolidated with the construction cost of the Stony Gorge Reservoir and paid when such construction cost is paid as herein permitted. Water users failing or refusing to execute such supplementary contracts shall not be accorded the benefit of this act, nor shall they receive the benefit of any moratory construction charge legislation enacted in 1936 or thereafter unless otherwise specifically directed in such moratory legislation.

SEC. 5. An appropriation of $35,000 from the reclamation fund for the Orland project is hereby authorized to enable the Secretary to make the land classification provided for in section 2 hereof and to construct canals and other works necessary to conduct to new project lands the water supply to be released hereunder from permanently unproductive lands. The primary construction charge of $55 per acre on such new lands shall be payable in installments as provided in section 2 of the act of August 13, 1914 (38 Stat. 687). The supplemental construction charges for the new land shall be the same as for the old land, except that each acre of new land shall be required to pay in addition its proportionate part, as determined by the Secretary, of the construction cost of new work as authorized in this section. The supplemental construction charges for the new land shall be payable in installments over a period of 35 years, the first of such installments to be due 1 year after the due date of the last installment of the original construction charge on the new land. The supplemental construction charge installments for the new land shall be graduated in the same manner as for the old land as provided in section 1 hereof. The dates for the payment of the construction charges provided for in sections 1 and 5 hereof shall be as fixed by the said Secretary.

SEC. 6. The said Secretary is also authorized to enter into a contract with the Orland Unit Water Users' Association, a corporation organized under the laws of California, modifying said corporation's contract of April 3, 1909, with the United States, if and so far as in the opinion of the said Secretary modification of said contract is requisite by reason of the execution of agreements between the United States and the individual stockholders of said corporation as authorized herein.

SEC. 7. The Secretary of the Interior is hereby authorized to perform any and all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of this act into full force and effect.

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.

SALE OF ALCOHOLIC BEVERAGES IN ARMY POST EXCHANGES

The Clerk called the next bill, H. R. 11300, to provide that the sale of or dealing in beer, wine, or intoxicating liquor in Army post exchanges and military establishments shall be subject to regulation by the Secretary of War.

Mr. RICH. Mr. Speaker, reserving the right to object, will the sponsor of this bill inform us whether it will allow intoxicating liquors to be sold in these places without the tax being paid?

Mr. COSTELLO. Mr. Speaker, I may state to the gentleman from Pennsylvania that the author of the bill is unavoidably absent and unable to be present today. I do not believe this bill would waive the payment of tax on any alcoholic beverages.

Mr. RICH. I ask this because they sell merchandise through these commissaries without the regular tax; for instance, a package of cigarettes can be bought there without the tax, and I am just wondering whether, if this bill should pass, they would be able to sell alcoholic liquors without paying the tax.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

IRRIGATION CHARGES WITHIN PROJECTS ON INDIAN RESERVATIONS

The Clerk called the next bill, S. 1318, to authorize the Secretary of the Interior to investigate and adjust irrigation charges on irrigation lands within projects on Indian reservations, and for other purposes.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, I object.

BEQUEST OF THE LATE HENRY H. ROGERS

The Clerk called the next bill, H. R. 10273, to authorize the Secretary of the Navy to accept on behalf of the United States the bequest of the late Henry H. Rogers, and for other purposes.

The SPEAKER. Is there objection to the consideration of the bill?

There was no objection.

The SPEAKER. Without objection, a similar Senate bill (S. 3720) will be substituted for the House bill.

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized to accept on behalf of the United States the collection of ship models, with glass exhibit cases, bequeathed the United States Naval Academy by the late Henry H. Rogers, of Southampton, Long Island, N. Y.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $5,000 to carry out the purposes of section 1 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. 10273) was laid on the table.

ACQUISITION OF RAILROAD TRACKS, TRESTLE, AND RIGHT-OF-WAY OF THE GULF POWER CO., PENSACOLA, FLA.

The Clerk called the next bill, S. 3395, to authorize the acquisition of the railroad tracks, trestle, and right-of-way of the Gulf Power Co. at the naval air station, Pensacola, Fla.

Mr. ZIONCHECK. 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 Washington?

Mr. SEARS. Mr. Speaker, reserving the right to object, this bill does not cost the Government any money and has been pending for years. It is simply clearing up the title to this railroad property and does not involve a dollar of expense to the Government.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

Mr. WOLCOTT. Mr. Speaker, I object.

The SPEAKER. 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 Secretary of the Navy is hereby authorized to accept on behalf of the United States, free from encumbrance and without cost to the United States, all the right, title, and interest of the Gulf Power Co. of Pensacola, Fla., in its railroad tracks located upon the United States Naval Air Station, Pensacola, Fla.; its railroad trestle, including railroad tracks thereon, across Bayou Grande, beginning at the northern end of said trestle and extending across said Bayou Grande to the said naval air station; and its right-of-way 40 feet wide upon which the northern end of said trestle is located, and extending from said northern end of the trestle to the north shore of said Bayou Grande, together with all sidings, equipment, and appurtenant structures.

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.

ENCOURAGEMENT OF TRAVEL TO AND WITHIN THE UNITED STATES BY CITIZENS OF FOREIGN COUNTRIES

The Clerk called the next bill, S. 33, to encourage travel to and within the United States by citizens of foreign countries, and for other purposes.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. RICH. Mr. Speaker, I object.

MEMORIAL TO OFFICERS AND MEN OF UNITED STATES NAVY

The Clerk called the next bill, H. R. 3450, authorizing an appropriation for the erection of a memorial to the officers and men of the United States Navy who lost their lives as the result of a boiler explosion that totally destroyed the U. S. S. *Tulip* near St. Inigoes Bay, Md., on November 11, 1864, and for other purposes.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. ZIONCHECK. Mr. Speaker, I object.

COMMEMORATION OF THE BATTLE OF EUTAW SPRINGS, S. C.

The Clerk called the next bill, H. R. 255, to provide for the commemoration of the Battle of Eutaw Springs, in the State of South Carolina.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. ZIONCHECK. Mr. Speaker, I object.

Mr. FULMER. Will the gentleman withhold his objection for a moment?

Mr. ZIONCHECK. I withhold the objection.

Mr. FULMER. Mr. Speaker, may I ask the gentleman to give some good reason why he objects to this bill? It does not cost the Government anything and puts the Secretary of the Interior in the position to accept donations of land or money to take care of one of the most outstanding battlefields in the South. We have a favorable report from the Secretary and the matter has been passed upon by the Military Affairs Committee. It will not cost the Government anything.

Mr. ZIONCHECK. Mr. Speaker, I withdraw my objection.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. TABER. Mr. Speaker, I object.

DISTRIBUTION, PROMOTION, RETIREMENT, AND DISCHARGE OF COMMISSIONED OFFICERS OF THE MARINE CORPS

The Clerk called the next bill, H. R. 12032, to amend section 10 and to repeal section 16 of the act entitled "An act to regulate the distribution, promotion, retirement, and discharge of commissioned officers of the Marine Corps, and for other purposes", approved May 29, 1934 (48 Stat. 811), and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That so much of section 10 of the act entitled "An act to regulate the distribution, promotion, retirement, and discharge of commissioned officers of the Marine Corps, and for other purposes", approved May 29, 1934 (48 Stat. 811), as provides: "and officers in the upper four-sevenths of the grades below brigadier general, subject to selection as established by the first section of this act, shall be eligible for consideration by selection boards and for promotion without regard to length of service in grade: *Provided*, That no officer of the Marine Corps shall be ineligible for consideration for promotion by reason of completion of length of commissioned service until he shall have been once considered by a selection board", is hereby amended to read as follows: "and until January 1, 1938, officers in the upper three-sevenths of the grades below brigadier general, subject to selection as established by the first section of this act, shall be eligible for consideration by selection boards without regard to length of service in grade: *Provided*, That, except as herein otherwise provided, no officer of the Marine Corps shall be ineligible for consideration by a selection board or for promotion by reason of completion of length of commissioned service or because of age without having at least once been considered by a selection board and if selected shall be eligible for promotion: *Provided further*, That officers of the Marine Corps of the grade of second lieutenant and above, except those appointed or serving as major general commandant, as assistant to the major general commandant, as the head of a staff department, or whose names appear on an eligible list for appointment as head of a staff department, shall not serve on duty in the Marine Corps Headquarters, Washington, D. C., more than 4 out of any 8 consecutive years unless the President shall determine that the public interests so require."

SEC. 2. That section 16 of the said act of May 29, 1934 (48 Stat. 811), be, and the same is hereby, repealed.

SEC. 3. That officers of the Marine Corps in the grades of lieutenant colonel and major, who prior to June 30, 1935, have completed the designated periods of service for their respective grades, shall retain their eligibility for consideration for selection until June 30, 1936, and such officers who on that date are not on a promotion or retention list shall be transferred to the retired list: *Provided*, That a selection board appointed as provided by law shall be convened immediately after the approval of this act, which board, in recommending for promotion the number of officers of the grades of lieutenant colonel and major directed by the Secretary of the Navy in accordance with law, shall recommend, from the officers now on the active list in those grades, four officers of the grade of lieutenant colonel and nine officers of the grade of major, who held commissions in those grades, respectively, on May 28, 1934.

With the following committee amendments:

On page 2, line 13, strike out "except as herein otherwise provided" and insert "hereafter."

On page 2, line 18, strike out "if selected, shall be eligible for promotion" and insert "any officer of the Marine Corps now on a promotion list shall be eligible for promotion unless removed from said list in accordance with existing law."

On page 3, line 11, strike out "have."

Page 3, line 18, insert after the word "for" the words "selection for."

The committee amendments were agreed to.

Mr. MAAS. Mr. Speaker, I offer an amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. MAAS: On page 2, line 22, after the word "that", insert a comma and "commencing with existing tours of duty."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

UNITED STATES CONSTITUTION SESQUICENTENNIAL COMMISSION

The Clerk called the next resolution, House Joint Resolution 525, to enable the United States Constitution Sesquicentennial Commission to carry out and give effect to certain approved plans, and for other purposes.

The SPEAKER. Is there objection to the consideration of the House joint resolution?

Mr. WOLCOTT. Mr. Speaker, I object.

APPOINTMENT OF ONE ADDITIONAL DISTRICT JUDGE FOR THE EASTERN, NORTHERN, AND WESTERN DISTRICTS OF OKLAHOMA

The Clerk called the next bill, S. 2137, to provide for the appointment of one additional district judge for the eastern, northern, and western districts of Oklahoma.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, I object.

Mr. GASSAWAY. Will the gentleman withhold his objection?

Mr. WOLCOTT. I withhold my objection.

Mr. GASSAWAY. Mr. Speaker, may I make the statement that this is a bill which provides for the appointment of a roving judge in Oklahoma. That is, an itinerant judge to try cases in all the districts. This has been brought up by the judicial council, which approves of this additional judge. The Department of Justice approves it. I may say that we are at least 3 years behind with our docket down there due to the fact that a great deal of the land in Oklahoma is of Indian extraction so far as the titles are concerned. There has been the opening up of oil wells and all that and the lawyers are really in distress. I think we are entitled to this additional judge.

Mr. WOLCOTT. Being a lawyer myself I am glad to do anything to relieve the distress of lawyers, of course, but I may say that on the calendar today there are bills which will authorize, I think, about five additional district judges.

It seems rather unusual that all of a sudden we determine it necessary to increase the number of our judges throughout the United States. There is one here for Oklahoma, one for Kansas, and one for Kentucky, as I recall it. I, perhaps, would have no objection to these bills if a case were made out. The gentleman knows how easy it is to make out a case on this Consent Calendar, and so I am objecting for the purpose of calling the situation to the attention of the House, in order that the Judiciary Committee may, if, in its judgment, it sees fit to do so, put these in an omnibus bill, bring them out here, and give us an hour or half an hour, it does not make much difference how much time we have to discuss them, so long as we have a full understanding of the need for these judges.

I am protecting the gentleman from Oklahoma in this respect just as much as all the other Members of the House, because the charge has been made that you gentlemen over there, being in charge of legislation, are creating new jobs at the expense of the Federal judiciary. I do not think this is true—in fact, I am sure none of you would do it—and to prevent any stigma attaching to our actions with respect to Federal judges, I am objecting for the purpose of allowing the Judiciary Committee to embody this in one bill. We will then discuss all of them together and in this manner we can get the entire picture, instead of picking out a little bit here and a little bit there and trying to fill it all in and make sense.

Mr. SUMNERS of Texas. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from Texas.

Mr. SUMNERS of Texas. May I say to the gentleman that with regard to this particular bill, as I understand it, there has been a unanimous determination on the part of the Judiciary Committee, Republicans and Democrats, that the situation there requires this additional judge. I believe the record also shows that this judge has been recommended by the council made up of the chief justice and the presiding justice of each of the circuits. I think this is true.

Mr. WOLCOTT. Yes; the judicial council has made a recommendation.

Mr. SUMNERS of Texas. Well, that is all I can say about it.

Mr. WOLCOTT. I object, Mr. Speaker.

AMENDMENT OF SECTION 304 OF THE REVISED STATUTES, AS AMENDED

The Clerk called the next bill, S. 3258, to amend section 304 of the Revised Statutes, as amended.

Mr. ZIONCHECK. Mr. Speaker, reserving the right to object, what is this bill?

Mr. McLEAN. Mr. Speaker, the bill would permit the Treasurer of the United States, in an emergency, to appoint one of his deputies to sign certain routine matters in the Treasury Department, and the bill appeals to me as a meritorious one.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 304 of the Revised Statutes, as amended (31 U. S. C., sec. 144), is further amended to read as follows:

"SEC. 304. The Treasurer may, in his discretion, and with the consent of the Secretary of the Treasury, authorize the Assistant Treasurer to act in the place and discharge any or all of the duties of the Treasurer of the United States; and the Secretary of the Treasury may appoint from among the personnel of the Treasurer's Office any person to be Acting Treasurer during the absence or illness of both the Treasurer and Assistant Treasurer; and the Secretary of the Treasury may at any time, on the recommendation of the Treasurer, appoint from among the clerks in the Treasurer's Office any one or more of said clerks to be a Special Assistant Treasurer, with authority to sign certificates of deposit, checks, letters, telegrams, and other official documents in connection with the business of the Treasurer's Office, and who shall serve in this capacity without additional salary: *Provided, however*, That no appointments shall be made under the provisions of this section until the official bond given by the Treasurer shall be made in terms to cover and apply to the acts and defaults of every person appointed hereunder. Each person so appointed shall, moreover, for the time being, be subject to all the liabilities and penalties prescribed by law for the official misconduct in like cases of the Treasurer."

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.

SECTIONS 109 AND 113 OF THE CRIMINAL CODE AND SECTION 190 OF THE REVISED STATUTES

The Clerk called the next bill, S. 3781, limiting the operation of sections 109 and 113 of the Criminal Code and section 190 of the Revised Statutes of the United States with respect to counsel in certain cases.

Mr. MOTT. Mr. Speaker, I object.

Mr. WARREN. Mr. Speaker, will the gentleman from from Oregon withhold his objection for a moment? I think the chairman of the Committee on the Judiciary desires to make a statement.

Mr. MOTT. I withhold my objection, Mr. Speaker.

Mr. SUMNERS of Texas. Mr. Speaker, we appreciate the importance of what is in the minds of the gentlemen who are objecting to this bill. Of course, we hope to bring it to your attention again, and for that reason I want to make a very brief statement. The bill is going over, I understand, but here is what the measure does and this is the reason for the bill:

Mr. MacLean was connected with the Attorney General's office, and while in that office familiarized himself with this particular matter with reference to which it is desired to employ him. The plain, practical proposition is this: When the Attorney General goes out to employ somebody, as he must, I understand, to take this matter up, the question is whether he should employ this man, who is already familiar with the case, or employ somebody who is not familiar with it. This bill does just one thing. It permits the employment of Mr. MacLean in this particular case and prevents that particular employment from changing his general status with reference to the legislative propositions which deal with the right of persons engaged for the Government taking claims against the Government, and as my colleague reminds me, MacLean won the case in the lower court.

I thank you for the privilege of making this statement now, because I know the measure is going over.

Mr. ZIONCHECK. Mr. Speaker, will the gentleman who has the floor yield to me?

Mr. MOTT. Mr. Speaker, I yield.

Mr. ZIONCHECK. I may say for the information of the chairman of the Judiciary Committee that I have information which the gentleman should have not pertaining to this particular bill but pertaining to one almost identical with it, which was passed during my absence.

There was a man by the name of Calhoun who had some cases against the Government. He had all of his money invested, and they needed this man that I speak of in the worst way because of his expert advice. He was the only man available.

So a bill was passed by the Senate and passed by the House and signed by the President, and this gentleman appears at the Department of Justice arrayed in a cutaway coat, striped trousers, and a daisy or a gardenia. He was somewhat astonished because there were no photographers or newspapermen there when he was to take the oath of office. Then he was more astonished when there was no oath of office to take.

He was asked what he was going to do. Well, the Department could not get along without him, you know, but they did not know what he was to do, so they inquired. They assumed that by his appearing at the war-risk department it was something that was connected with the war-risk litigation. They asked him, "What do you know about it?" And he said that he knew all about it, generally speaking. They said, "Have you read the act?" And he said, "No; I haven't had time." They asked him what he knew about section 19. He did not know, but he was willing to learn. He broke down——

Mr. WOLCOTT. Regular order, Mr. Speaker.

Mr. ZIONCHECK. Mr. Speaker, I ask unanimous consent to extend my remarks.

The SPEAKER. Is there objection?

Mr. MOTT. I object.

Mr. WARREN. Mr. Speaker, I ask unanimous consent that this bill go over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

VALIDATING PAYMENTS ON ACCOUNTS OF DISBURSING OFFICERS

The Clerk called the bill (S. 3687) to validate payments and to relieve the accounts of disbursing officers of the Army on account of payments made to Reserve officers on active duty for rental allowances.

The SPEAKER. Is there objection?

Mr. ZIONCHECK. I object.

Mr. McSWAIN. Will the gentleman reserve his objection?

Mr. ZIONCHECK. I will.

Mr. McSWAIN. This bill is to correct technical errors made by disbursing officers in payments to Reserve officers on duty with the C. C. C. It is to validate payments and relieve the accounts of the disbursing officers of the Army on account of payments made to Reserve officers on active duty with the C. C. C. for rental allowances paid to them on the ground that the payments were lawful. The Secretary of War has determined that these payments are not technically legal. This involves a small sum of money which was paid to the officers in charge of the C. C. C. I hope the gentleman will see the reasonableness of it.

Mr. ZIONCHECK. Mr. Speaker, the reason I am objecting to this is that if you set a precedent for the Government to pay for the mistakes of its employees, there is no end to what the cost to the United States will be. It goes on back to the time of the adoption of the Constitution.

Mr. McSWAIN. Will the gentleman let me explain to him that there was a bill before our committee seeking to confer the power to allow such payments to be made general, but the committee turned it down. That was a general bill. This particular bill seemed to us to be so righteous and so fair that it ought to be passed, because these Reserve officers will have to pay the money back, and they are not able to do it.

The SPEAKER. Is there objection?

Mr. ZIONCHECK. Mr. Speaker, I reserve the right to object. The trouble with a bill like this is that it is like the camel getting his nose under the tent. If this bill passes, then someone will come around, some other and larger group, and will say, "Look what you did to these others; is not this a country of equal justice; why should somebody be treated like birds and others like fowls and others like fish and others like fishhooks?" Mr. Speaker, I object.

ADDITIONAL JUDGE, EASTERN AND WESTERN DISTRICTS OF KENTUCKY

The Clerk called the bill (S. 3344) to appoint one additional judge of the District Court of the United States for the Eastern and Western Districts of Kentucky.

Mr. McLEAN. Mr. Speaker, I object.

Mr. SPENCE. Mr. Speaker, will the gentleman reserve his objection?

Mr. McLEAN. Certainly.

Mr. SPENCE. Mr. Speaker, in the Seventy-first Congress a bill was introduced to create an additional district in the State of Kentucky. That bill was favorably reported by the committee. The minority report was signed by the distinguished chairman of the Judiciary Committee, and stated as follows:

We respectfully differ with the majority of the committee on the method they have adopted to grant relief from crowded court conditions in Kentucky. Some relief may be justified, but if those affected are to be consulted or believed, it should be given by the naming of an additional judge to serve the whole State and not by any creation of a new district. * * *

Several judgeships have been created to serve more than one district as the needs demanded, and have proven highly satisfactory, as testified to by the judges so arranged in South Carolina, Alabama, and elsewhere. Places can be added for holding court as they are needed under this plan, just as they are provided under a new district, and with much more economy as to officials and employees than a new district would require.

This bill merely provides for an additional judge. It does not provide for any of the additional machinery of justice. We all know that the jurisdiction of the United States courts has been greatly increased by reason of the activities of the National Government. Justice delayed is justice denied.

On the facades of the great building where sits the Supreme Court of the United States there are these splendid inscriptions:

Equal justice under law.
Justice the guardian of liberty.

But justice is never equal under the law and justice is not the guardian of liberty unless it is expeditiously administered.

One of the reasons assigned by Hamlet for "shuffling off this mortal coil" was the law's delay.

We have experienced this delay in the United States district courts of Kentucky.

The Constitution of the United States provides that in criminal cases the accused shall enjoy the right to a speedy and public trial, and the enjoyment of that right is often as important in civil cases as in criminal prosecutions.

There should be some additional places in the eastern part of Kentucky where this court should be held.

This could be very easily accomplished if an additional judge is appointed.

In Covington, the second largest city in the State, and where there are in unbroken settlement in Kenton and Campbell Counties 175,000 people, there is no marshal and it is difficult, indeed, to obtain provisional remedies because of the lack of adequate officers and organization.

Upon the speedy enforcement of the law depends the strength of our institutions, and certainly the National Government should provide an adequate number of judges to administer the law after sufficient consideration, and expeditiously.

The dockets of Kentucky are crowded, justice is delayed, the litigants suffer.

This bill has been passed by the Senate and reported favorably by the Judiciary Committee of the House. It has been approved by the Bar Association of Kentucky and the people generally are much interested in its passage.

I hope the gentlemen will withdraw their objections.

Mr. ZIONCHECK. Mr. Speaker, I demand the regular order.

The SPEAKER. Is there objection?

Mr. McLEAN. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

TO VALIDATE CERTAIN PAYMENTS TO RESERVE OFFICERS

The Clerk called the bill (S. 3688) to validate payments and to relieve disbursing officers' accounts of payments made to Reserve officers promoted while on active duty.

The SPEAKER. Is there objection?

Mr. ZIONCHECK. Mr. Speaker, I object.

LOANING BLANKETS, ETC., TO UNITED CONFEDERATE VETERANS

The Clerk called the bill (H. R. 11302) to authorize the Secretary of War to lend to the reunion committee of the United Confederate Veterans 3,000 blankets, olive drab, no. 4, 1,500 canvas cots, to be used at their annual encampment to be held at Shreveport, La., in June 1936.

The SPEAKER. Is there objection?

Mr. ZIONCHECK. Mr. Speaker, I object.

Mr. McSWAIN. Mr. Speaker, will the gentleman reserve his objection?

Mr. ZIONCHECK. Yes.

Mr. McSWAIN. It has been the invariable practice of Congress for nearly 16 years to my certain knowledge, to allow the use of cots, blankets, and so forth, to these national reunions of the Confederate Veterans and of the Grand Army of the Republic and similar Nation-wide organizations. There never has been any objection to it in all these years.

Mr. ZIONCHECK. Who pays for the freight when these things are sent down?

Mr. McSWAIN. The expenses are paid by the committee having the matter in charge. They are required to give a bond.

Mr. ZIONCHECK. Does the Government pay for the transportation?

Mr. McSWAIN. Oh, no.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. ZIONCHECK. Yes, Mr. Speaker, if I cannot get some information which the report does not show.

Mr. McSWAIN. We will be glad to give the gentleman the information.

Mr. ZIONCHECK. But I want other information.

Mr. McSWAIN. What is it? I shall be glad to answer any questions I can.

Mr. ZIONCHECK. Is this done every year?

Mr. McSWAIN. Every year since I have been here—15 years.

Mr. ZIONCHECK. Would it not be cheaper for the Government to give this property to them so that they could haul it around themselves wherever they go?

Mr. McSWAIN. No, indeed. The fact is that the committees are required to give bond to cover all expenses.

Mr. ZIONCHECK. The gentleman is not answering the question.

Mr. McSWAIN. I said no; it would not be cheaper, because it is a good thing for the property to be unpacked to see that weevils, moths, and other insects do not injure or destroy it.

The regular order was demanded.

The SPEAKER. Is there objection?

Mr. ZIONCHECK. Mr. Speaker, I object for the time being.

Mr. SANDLIN. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

ENLARGEMENT OF GOVERNORS ISLAND, N. Y.

The Clerk called the next bill, H. R. 12009, to authorize the enlargement of Governors Island and consenting to the use of a portion thereof as a landing field for the city of New York and its environs.

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

Mr. LEHLBACH. Mr. Speaker, I object.

Mr. MERRITT of New York. Will the gentleman reserve his objection and let that bill go over without prejudice?

Mr. LEHLBACH. No. New York Harbor belongs to two States.

Mr. CURLEY. Mr. Speaker, reserving the right to object, I will not object if the gentleman will yield for a question.

The SPEAKER. Is there objection?

Mr. LEHLBACH. Mr. Speaker, I object.

INCREASED EFFICIENCY OF AIR CORPS RESERVE

The Clerk called the next bill, H. R. 11920, to increase the efficiency of the Air Corps Reserve.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the President be, and he is hereby, authorized to call to active duty, with their consent, for periods of not more than 5 years, such number of Army Air Corps Reserve officers as may deem necessary, not to exceed 1,350.

SEC. 2. Upon the termination of such a period of active duty of not less than 3 years in duration, such Air Corps Reserve officers shall be paid a lump sum of $500, which sum shall be in addition to any pay and allowances which they may otherwise be entitled to receive.

SEC. 3. All laws and parts of laws insofar as they are inconsistent with this act are hereby repealed.

With the following committee amendment:

On page 2, strike out lines 3 and 4 and insert:

"SEC. 3. The sixth proviso of section 2, act of July 2, 1926 (44 Stat. L. 781), is hereby amended by striking out the words 'Whenever used in this act a flying officer in time of peace is defined as one who has received an aeronautical rating as a pilot of service types of aircraft', and by substituting in lieu thereof the following: 'A flying officer in time of peace is defined as one who has received an aeronautical rating as a pilot of service types of aircraft or one who has received an aeronautical rating as an aircraft observer: *Provided*, That in time of peace no one may be rated as an aircraft observer unless he has previously qualified as a pilot: *Provided further*, That any officer rated as an aircraft observer in time of war must subsequently qualify as a pilot before he can qualify as an observer in time of peace following such war.'

"SEC. 4. The President is authorized to appoint to temporary rank in the grades of colonel, lieutenant colonel, and major, without vacating their permanent commissions, such numbers of officers of the Regular Army Air Corps as the Secretary of War, from time to time, may determine as necessary to meet the administrative, tactical, technical, and training needs of the Air Corps; the then resulting numbers in each grade, permanent and temporary, to be further increased by 5 percent to meet the additional needs of the War Department for Air Corps officers: *Provided*, That such temporary appointments shall be made in order of seniority of the appointees in each grade in accordance with their standing on the relative rank list of Air Corps officers in their permanent grade, and that when an officer holding a temporary appointment under the provisions of this section becomes entitled to permanent promotion his temporary appointment shall be vacated: *Provided further*, That all Air Corps officers temporarily advanced in grade take rank in the grade to which temporarily advanced after officers holding such grade through permanent appointment, and among themselves in the order in which they stand on the relative rank list of Air Corps officers in their permanent grade: *Provided further*, That Air Corps officers temporarily appointed under the provisions of this act shall be entitled to the pay, flying pay, and allowances pertaining to the grade to which temporarily appointed: *And provided further*, That no officer holding temporary rank under the provisions of this act shall be eligible to command outside his own corps except by seniority under his permanent commission.

"SEC. 5. The President is hereby authorized, by and with the advice and consent of the Senate, to appoint from among the permanent colonels and lieutenant colonels of the Air Corps who are 'flying officers' as defined herein, or as may hereafter be defined, a commanding general of the General Headquarters Air Force with the rank of major general, and such number of wing commanders with the rank of brigadier general as may be determined by the Secretary of War. Officers temporarily appointed under the provisions of this section shall hold such temporary appointments until relieved by order of the President. Such temporary appointments shall not vacate the permanent commissions of the appointees nor create vacancies in the grades in which they are permanently commissioned: *Provided*, That the provisions of this section shall not be construed to exclude the assignment to Air Corps tactical or other appropriate commands of qualified permanent general officers of the line who are 'flying officers' as defined herein, or as may hereafter be defined.

"SEC. 6. Such laws and parts of laws as may be inconsistent with the foregoing are hereby repealed."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended to read: "A bill to increase the efficiency of the Air Corps."

ACQUISITION OF LAND FOR MILITARY PURPOSES IN CALIFORNIA

The Clerk called the next bill, H. R. 8050, to authorize the acquisition of land for military purposes in San Bernardino and Kern Counties, Calif., and for other purposes.

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

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill go over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

Mr. TABER. Mr. Speaker, I suggest the absence of a quorum.

The SPEAKER. Will the gentleman withdraw that temporarily?

Mr. TABER. I will withdraw it temporarily.

GREAT LAKES EXPOSITION

Mr. CROSSER of Ohio. Mr. Speaker, I ask unanimous consent for the present consideration of Senate Joint Resolution 233, providing for the participation of the United States in the Great Lakes Exposition to be held in the State of Ohio during the year 1936, and authorizing the President to invite the Dominion of Canada to participate therein, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

Mr. WOLCOTT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WOLCOTT. Is that bill not on the Consent Calendar?

Mr. JOHNSON of Texas. It is, but this is an emergency matter and it must be acted upon right away.

Mr. WOLCOTT. I will withdraw my reservation of objection.

The SPEAKER. Is there objection?

There being no objection, the Clerk read the Senate joint resolution, as follows:

Whereas there is to be held in the city of Cleveland, State of Ohio, during the year 1936 an exposition to be known as the Great Lakes Exposition, dealing with industrial, agricultural, commercial, educational, and cultural progress of the eight States bordering upon the Great Lakes, namely, New York, Pennsylvania, Ohio, Michigan, Indiana, Illinois, Wisconsin, and Minnesota; and

Whereas the city of Cleveland has made available 140 acres of land centrally located, its public hall, its lakeside exhibition hall, and its stadium, valued at more than $20,000,000, its adjacent streets and properties, its lake-front grounds, and its water-front privileges on Lake Erie; and

Whereas the exposition has been incorporated not for profit and has been amply underwritten; and

Whereas such exposition is worthy and deserving of the support and encouragement of the United States; and the United States has aided and encouraged such expositions in the past: Therefore be it

Resolved, etc., That the President of the United States is authorized and requested to invite the Dominion of Canada to participate in such proposed exposition.

SEC. 2. There is hereby established a commission, to be known as the United States Great Lakes Exposition Commission, and hereinafter referred to as the "Commission", and to be composed of the Secretary of State, the Secretary of Agriculture, the Secretary of Commerce, such other persons as in their discretion they may add; which Commission shall serve without additional compensation and shall represent the United States in connection with the holding of the Great Lakes Exposition in the State of Ohio during the year 1936.

SEC. 3. There is hereby created a United States Commissioner General for the Great Lakes Exposition, to be appointed by the President with the advice and consent of the Senate, and to receive compensation at the rate of not to exceed $10,000 per annum, and not to exceed one assistant commissioner for said Great Lakes Exposition, to be appointed by the Commissioner General, with the approval of the Commission herein designated, and to receive compensation at the rate of not to exceed $7,500 per annum. The salary and expenses of the Commissioner General and such staff as he may require shall be paid out of the funds authorized to be appropriated by this joint resolution, for such period prior to the opening of the exposition as the Commissioner may determine, for the duration of the exposition, and not to exceed a 6-month period following the closing thereof.

SEC. 4. The Commission shall prescribe the duties of the United States Commissioner General and shall delegate such powers and functions to him as it shall deem advisable, in order that there may be exhibited at the Great Lakes Exposition by the Government of the United States, its executive departments, independent offices, and establishments such articles and materials and documents and papers as illustrate the function and administrative faculty of the Government in the advancement of industry, science, invention, agriculture, the arts, and peace, and demonstrating the nature of our institutions, particularly as regards their adaptation to the needs of the people.

SEC. 5. The Commission and the Commissioner General are authorized to appoint, without regard to the civil-service laws, such clerks, stenographers, and other assistants as may be necessary, and to fix their salaries in accordance with the Classification Act of 1923, as amended; purchase such materials, contract for such labor and other services as are necessary, including the preparation of exhibit plans. The Commissioner General may exercise such powers as are delegated to him by the Commission as hereinbefore provided, and in order to facilitate the functioning of his office may subdelegate such powers (authorized or delegated) to the Assistant Commissioner or others in the employ

of or detailed to the Commission as may be deemed advisable by the Commission.

SEC. 6. The heads of the various executive departments and independent offices and establishments of the Government are authorized to cooperate with said Commissioner General in the procurement, installation, and display of exhibits, and to lend to the Commission and the Great Lakes Exposition, with the knowledge and consent of said Commissioner General such articles, specimens, and exhibits which said Commissioner General shall deem to be in the interest of the United States and in keeping with the purposes of such exposition, to be placed with the science exhibit or other exhibits to be shown under the auspices of such Commission or the Great Lakes Exposition, to contract for such labor or other services as shall be deemed necessary, and to designate officials or employees of their departments or branches to assist said Commissioner General. At the close of the exposition, or when the connection of the Government of the United States therewith ceases, said Commissioner General shall cause all such property to be returned to the respective departments and branches from which taken, and any expenses incident to the restoration, modification, and revision of such property to a condition which will permit its use at subsequent expositions, fairs, and other celebrations, and for the continued employment of personnel necessary to close out the fiscal and other records and prepare the required reports of the participating organizations, may be paid from the appropriation authorized herein; and if the return of such property is not feasible, he may, with the consent of the department or branch from which it was taken, make such disposition thereof as he may deem advisable and account therefor.

SEC. 7. The sum of $275,000 is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, and shall remain available until expended for the purposes of this joint resolution and any unexpended balances shall be covered back into the Treasury of the United States. Subject to the provisions of this joint resolution and any subsequent act appropriating the money authorized herein, the Commission is authorized to make any expenditures or allotments deemed necessary by it to fulfill properly the purposes of this joint resolution and to allocate such sums to the Great Lakes Exposition for expenditure by such body as the Commission deems necessary and proper in carrying out the purposes of this joint resolution. And, subject to the provisions of this joint resolution and any subsequent act appropriating the money authorized herein, the Commission is authorized to rent such space, not to exceed 30,000 square feet, without regard to the provisions of section 322 of Public Act No. 212, approved June 30, 1932 (47 Stat. 412), as it may deem adequate to carry out effectively the provisions of this joint resolution during the period of the exposition. The appropriation authorized under this joint resolution shall be available for the selection, purchase, preparation, assembling, transportation, installation, arrangement, safekeeping, exhibition, demonstration, and return of such articles and materials as the Commission may decide shall be included in such Government exhibit and in the exhibits of the Great Lakes Exposition; for the compensation of said Commissioner General, Assistant Commissioner, and other officers and employees of the Commission in the District of Columbia and elsewhere, for the payment of salaries of officers and employees of the Government employed by or detailed for duty with the Commission, and for actual traveling expenses, including travel by air, and for per diem in lieu of actual subsistence at not to exceed $5 per day: *Provided*, That no such Government official or employee so designated shall receive a salary in excess of the amount which he has been receiving in the department or branch where employed, plus such reasonable allowance for travel, including travel by air, and subsistence expenses as may be deemed proper by the Commissioner General; for telephone service, purchase or rental of furniture and equipment, stationery and supplies, typewriting, adding, duplicating, and computing machines, their accessories and repairs, books of reference and periodicals, uniforms, maps, reports, documents, plans, specifications, manuscripts, newspapers and all other appropriate publications, and ice and drinking water for office purposes: *Provided further*, That payment for telephone service, rents, subscriptions to newspapers and periodicals, and other similar purposes, may be made in advance; for the purchase and hire of passenger-carrying automobiles, their maintenance, repair, and operation, for the official use of said Commissioner General and Assistant Commissioner in the District of Columbia or elsewhere as required; for printing and binding; for entertainment of distinguished visitors; and for all other expenses as may be deemed necessary by the Commisison to fulfill properly the purposes of this joint resolution. All purchases, expenditures, and disbursements of any moneys made available by authority of this joint resolution shall be made under the direction of the Commission: *Provided further*, That the Commission, without release of responsibility as hereinbefore stipulated, may delegate these powers and functions to said Commissioner General, and said Commissioner General, with the consent of the Commission, may subdelegate them: *Provided further*, That the Commission or its delegated representative may allot funds authorized to be appropriated herein to any executive department, independent office, or establishment of the Government with the consent of the heads thereof, for direct expenditure by such executive department, independent office, or establishment, for the purpose of defraying any expenditure which may be incurred by such executive department, independent office, or establishment in executing the duties and functions delegated by the Commission. All accounts and vouchers covering expenditures shall be approved by said Commissioner General or by such assistants as the Commission may designate except for such allotments as may be made to the various executive departments, independent offices, and establishments for direct expenditure; but these provisions shall not be construed to waive the submission of accounts and vouchers to the General Accounting Office for audit, or permit any obligations to be incurred in excess of the amount authorized herein: *And provided further*, That in the construction of exhibits requiring skilled and unskilled labor, the prevailing rate of wages, as provided in the act of March 3, 1931, shall be paid.

SEC. 8. The Commissioner General, with the approval of the Commission, may receive contributions from any source to aid in carrying out the purposes of this joint resolution, but such contributions shall be expended and accounted for in the same manner as the funds authorized to be appropriated by this joint resolution. The Commissioner General is also authorized to receive contributions of material, or to borrow material or exhibits, and to accept the services of any skilled and unskilled labor that may be available through State or Federal relief organizations, to aid in carrying out the general purposes of this joint resolution. At the close of the exposition or when the connection of the Government of the United States therewith ceases, the Commissioner General shall dispose of any such portion of the material contributed as may be unused, and return such borrowed property; and, under the direction of the Commission, dispose of any structures which may have been constructed and account therefor: *Provided*, That all disposition of materials, property, etc., shall be at public sale to the highest bidder, and the proceeds thereof shall be covered into the Treasury of the United States.

SEC. 9. It shall be the duty of the Commission to transmit to Congress, within 6 months after the close of the exposition, a detailed statement of all expenditures, and such other reports as may be deemed proper, which reports shall be prepared and arranged with a view to concise statement and convenient reference. Upon the transmission of such report to Congress the Commission established by and all appointments made under the authority of this joint resolution shall terminate.

With the following committee amendments:

Page 2, line 10, after the word "agriculture", insert the word "and."

Page 2, line 11, strike out the words "such other persons as in their discretion may add."

The committee amendments were agreed to.

The Senate joint resolution 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.

ACQUISITION OF LAND FOR CEMETERIAL PURPOSES IN THE VICINITY OF NEW YORK CITY

Mr. McSWAIN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute to make an explanation.

The SPEAKER. Is there objection?

There was no objection.

Mr. McSWAIN. Mr. Speaker, I am asking this 1 minute to explain the very great urgency for action today on Calendar No. 723, H. R. 10847, to authorize the acquisition of land in the vicinity of New York City, N. Y., for cemetery purposes for United States soldiers and former soldiers. The report is that the existing cemetery facilities will be completely exhausted by June 1. This bill ought to be passed today and rushed to the Senate, so that arrangements may be made to acquire immediately additional ground. I am saying this in great earnestness because it is a matter of emergency and of serious importance.

I ask unanimous consent, Mr. Speaker, for the immediate consideration of H. R. 10847, to authorize the acquisition of land for cemeterial purposes in the vicinity of New York City, N. Y.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina [Mr. McSWAIN].

Mr. ZIONCHECK. Mr. Speaker, reserving the right to object, how many dead soldiers are there around that are not buried now?

Mr. O'CONNOR. Mr. Speaker, will the gentleman yield?

Mr. McSWAIN. I yield.

Mr. O'CONNOR. There are not over 200 graves left, and they use about 100 graves a month. Within 2 months' time there will be no place to bury these veterans.

The SPEAKER. Is there objection to the immediate consideration of the bill?

There being no objection, the Clerk read as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized to acquire by purchase, condemnation, or otherwise such suitable lands in the vicinity of New York City

as in his judgment are required for enlargment of existing national cemetery facilities, and the sum of $250,000, or so much thereof as may be necessary, is hereby authorized to be appropriated from any funds in the Treasury not otherwise appropriated, which sum shall remain available until expended.

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. TABER. Mr. Speaker, I insist on the point of order.

Mr. BANKHEAD. Will the gentleman withdraw that for a moment?

Mr. TABER. I am willing to withdraw it to allow the gentleman from North Carolina [Mr. LAMBETH] to come in, but it is costing about $500,000 a minute to withdraw it. I will withdraw the point, Mr. Speaker, to allow the chairman of the Committee on Printing to submit his proposition.

HEARINGS ON REVENUE ACT OF 1936

Mr. LAMBETH. Mr. Speaker, I send to the desk a privileged resolution and I ask unanimous consent for its immediate consideration.

The Clerk read as follows:

House Concurrent Resolution 48

Resolved by the House of Representatives (the Senate concurring), That, in accordance with paragraph 3 of section 2 of the Printing Act approved March 1, 1907, the Committee on Ways and Means of the House of Representatives be, and is hereby, empowered to have printed for its use 2,000 additional copies of the hearings held before the said committee during the current session on the bill entitled "The Revenue Act of 1936."

Mr. LAMBETH. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the passage of the concurrent resolution.

The House concurrent resolution was agreed to.

CALENDAR WEDNESDAY

Mr. BANKHEAD. Mr. Speaker, I desire to submit a unanimous-consent request, and that is that business on Calendar Wednesday this week may be dispensed with.

We are very anxious to take up the conference report on the Interior Department appropriation bill.

Mr. BIERMANN. Mr. Speaker, reserving the right to object, is the majority leader going to have any day set aside for the consideration of the omnibus claims bills?

Mr. ZIONCHECK. Regular order, Mr. Speaker.

Mr. BANKHEAD. Let me answer the gentleman from Iowa.

Mr. ZIONCHECK. I am getting tired of hearing this same question propounded every day.

Mr. BANKHEAD. I am not tired of hearing it.

Mr. ZIONCHECK. Go ahead.

Mr. BANKHEAD. Mr. Speaker, I think the gentleman from Iowa must understand, I hope he will accept my assurance that I am trying to find an opportunity to have the omnibus private claims bills considered. I should not have consented to the memorial day being set for tomorrow had my attention been called to the fact that was the regular day for the consideration of these bills. So far as I am concerned, I shall be delighted to meet here next Saturday to consider these bills, but the gentleman knows what the program is. We regard it as a matter of considerable importance to dispose of the tax bill, these appropriation bills, and the relief bill. The gentleman is not meeting with any opposition on my part to the consideration of this calendar. I would be delighted, I may say to the gentleman in all candor, to try to get it up by submitting a request.

Mr. ZIONCHECK. Mr. Speaker, will the gentleman from Alabama yield?

Mr. BANKHEAD. I yield.

Mr. ZIONCHECK. I notice only a few thousand dollars is involved in this bill. I think we can save time and our tempers by raising a collection around here and getting this claim paid off. I will contribute.

Mr. RICH. Mr. Speaker, will the gentleman from Alabama yield?

Mr. BANKHEAD. I yield.

Mr. RICH. The gentleman spoke of the conference report on the Interior Department appropriation bill. I call the gentleman's attention to the fact that last year we appropriated for this Department $77,000,000. The bill passed by the House this year carried $81,221,000, but as it comes back to us from the Senate the amount has been raised to $170,000,000, an increase of 110 percent. If we pass this bill as sent to us by the Senate, it will include one item which, while asking for only $200,000 now, will cost over $20,000,000 before it is completed.

Mr. ZIONCHECK. Mr. Speaker, I demand the regular order.

The SPEAKER. The regular order is, is there objection to the request of the gentleman from Alabama?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. ROBSION of Kentucky, for 2 days, on account of illness.

To Mr. BLACKNEY (at the request of Mr. MAPES), indefinitely, on account of illness in his family.

PERMISSION TO ADDRESS THE HOUSE

Mr. MITCHELL of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 30 minutes on Wednesday after the reading of the Journal and the disposition of business on the Speaker's table.

Mr. BANKHEAD. Mr. Speaker, I hope the gentleman will withdraw his request for the present. I shall be glad to confer with him about it.

Mr. MITCHELL of Illinois. Mr. Speaker, I withdraw my request.

THOMAS JEFFERSON

Mr. FADDIS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FADDIS. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following address which I delivered at a Jefferson Day banquet in Charleroi, Pa., on April 14:

We are gathered here tonight to honor the birthday of one of our country's most illustrious citizens—the man to whom more than all others we are obligated for national greatness, solidarity, and a status as individuals which makes us the envy of most of the earth.

Thomas Jefferson was one of the titans of history. He gave the world a new philosophy of government founded upon the theory that government to be practical should be conducted in the interest of all the people and be participated in by all the people. He was the champion of the rights of the masses as opposed to the privileges of the classes.

Time—that relentless annihilator of all that is unsound and unfit—has proven the value and soundness of his philosophy. It is a matter of record that every leader of our Nation, regardless of his political faith, has turned to it during national crises in order to save the Nation. Jackson's political philosophy came from Jefferson. Lincoln's "government of the people, by the people, and for the people" had its genesis in the principles of Jefferson. So did Theodore Roosevelt's "right of the people to rule." Woodrow Wilson borrowed heavily from Jefferson's deathless ideals during the trying days of the World War. Today even Franklin D. Roosevelt is adopting them to the needs and conditions of the times.

Jefferson's philosophy of government was utterly his own. History afforded him no similar pattern from which to copy or draw upon. In fact, all that history could show him was a record of tyranny, oppression, bloodshed, and the ruthless theory that might was right and that most men were born to be serfs. To him this was all wrong. He held that all men were free and equal and merited a place in the sun. Looking back today, it is amazing that he was able to have his theories considered, much less adopted.

Never an eloquent speaker but a prolific writer and a tireless student, he was entirely separated from the least suspicion of demagoguery. His modesty is best illustrated by his remarks at the French court where he had gone as American Minister: "I have not come to replace Franklin but rather to succeed him." He was not one to play to the grandstands. His works and his ideals spoke for themselves by the power of their logic and their conformity to reason. "He stood for freedom, a boundless faith in the potentialities and the ultimate supremacy of the masses—for democracy and the equality of the human race. His creed

was in the Declaration of Independence. His life was its embodiment."

Never did man come to the Presidency better trained. He had served in the Virginia House of Burgesses. He was a member of the Continental Congress. He served as Governor of Virginia, Minister to France, Secretary of State, and Vice President. In the Declaration of Independence he wrote the birth certificate of the United States of America. He had a first-hand knowledge of the foreign affairs of this Nation and an intimate personal contact with its domestic affairs—industrially, economically, politically, and socially. From the very first his viewpoint was national and his determination was for popular government. His vision was proved by the Louisiana Purchase and the expeditions he encouraged to explore the West. He knew the Pacific Ocean would soon be the western boundary of the growing Republic.

During the real formation of the Nation—namely, the adoption of our Constutition—his hand and genius molded that document into an instrument of government, popular and not autocratic in form. At this time our two major political parties came into being. The school of thought represented by Alexander Hamilton sought to establish a government founded upon the autocracy of the classes. Hamilton's forces were well organized and brought to the convention a constitution already drafted which they intended to railroad through. It provided for a President and Senators elected for life. Members of the House were to be elected for 3 years. Governors of the various States were to be appointed by the Federal Government and were also to serve for life, as were the judiciary officials. The veto of the President or Governor was to be final. The Senate could declare war, and the ballot was restricted by property ownership.

Jefferson brought to the Convention only his faith in the people and his diplomatic genius. He knew that time was his ally, and, by his logic and reason, one by one, his ideas were written into the Constitution, and it was written an instrument of popular government. It is interesting to note that the only concession to the Hamiltonians was the life tenure in office for judicial officials. Since that time our Constitution has stood—the only bulwark of the people against the onslaught of the privileged classes.

Let us compare our Nation as it was when Jefferson established his theory of government and as it is today. Then we were a fringe of States along the Atlantic seaboard. Today we stretch from ocean to ocean. Then we had less than 3,000,000 population, for the most part of Anglo-Saxon derivation. Today we have more than 120,000,000, composed of the blood of all the nations of the world. In those days our principal industry was agriculture. Today every known industry functions within our borders. Then we had very few enormously rich and very few wretchedly poor. Today we have many enormously rich and many, many more wretchedly poor—so poor, in fact, as to be bordering on actual starvation were it not for Federal aid. Then there were a few well-educated, but the masses were mostly illiterate. Today the difference in education is not so great.

During Jefferson's time the largest percent of our population was practically self-sustaining. Land was cheap and plentiful and each community produced almost everything it needed. Today we are practically interdependent upon each other for our livelihood and certainly dependent upon the aristocracy of wealth for greater opportunities than a mere living. In those days they had the Hamiltonians, who upheld class privilege. Today we have the Liberty Leaguers embattled in defense of the same principle.

We hear a great deal of mourning today that the Democratic Party has deserted the principles of Thomas Jefferson. Strange to say, it comes from those who have always been exponents of the Hamiltonian idea. They would like the people of this Nation to believe that they are the real unadulterated, thoroughbred champions of the people. Why are they so suddenly solicitous regarding Jeffersonian doctrines? Let me tell you how it comes about. Sometime after it became quite apparent that Hoover's meadows in the streets were going to be quite as complete failures as were his chickens in every pot and cars in every garage, the Republican board of strategy recalled how they had fooled the people of this Nation for ever so many years by pretending to represent the policies of Abraham Lincoln.

Of course, most of us know that they had never followed these principles since the day of his assassination, nor had they even consistently been behind him during his tenure of office. It was a good bait, however, with which to catch the not inconsiderable Negro vote. It was a good trick as long as it worked. By the way, can you picture Lincoln, that man who had such a deep love for the common people, at a Liberty League dinner? He would have been even more out of place than was Al Smith.

The board of strategy quickly realized from the results of the 1932 election that the people had become educated to the fact that the Republican Party no more represented Lincoln's idea of government than they did those of Voltaire. Bewildered in defeat they decided to go further back into history and fasten onto the shade of someone with whom the people were seemingly not so well acquainted. It almost baffles understanding, but they selected the finest Democrat of all time and then, like vain men blowing at windmills, tried to sell the country on the idea that President Roosevelt and the Democratic Party has renounced the Jeffersonian principle.

They also decided to raise the cry of State rights, freedom of the press, and freedom of the individual; to cease to wave the bloody shirt and wrap themselves in the Constitution. In their desperation they even conceived the despicable idea of issuing millions of sets of poster stamps consisting of ridiculous caricatures of President Roosevelt. These were to be added to letters by the faithful. How quickly they changed their minds about this when the temper of the people made itself known! By any means, fair or foul, apparently, they seemed bent on trying to destroy the faith of the Nation in the most popular President this Nation has ever had since the time of Jefferson.

Then there came that Liberty League dinner at which the speaker of the evening was the very man against whom 8 years ago they had raised the skull and crossbones of religious prejudice. Did it mean anything to them that the Constitution guaranteed religious freedom? Not so! Let us, as our erstwhile friend, Al Smith, says, examine the record. The record will tell us whether or not we have fallen into evil ways. Jefferson advocated a government in the interest of the masses and not the classes. Can anyone deny that Franklin D. Roosevelt is not doing everything within his power for the common people whom years of republicanism had almost submerged into the abyss of despair?

Let those who object to changes in government remember the immortal words of Jefferson in the Declaration of Independence—"That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed, and whenever any form of government becomes destructive of those ends, it is the right of the people to alter or abolish it, and to institute new government, laying its foundation on such principles, and organizing its powers in such forms, as to them shall seem most likely to effect their safety and happiness." These words prove that Jefferson realized that it is necessary for government to keep pace with changing economic and social conditions.

Jefferson, in his vision and wisdom, saw this Nation expanding until it reached from ocean to ocean. He knew that from utter necessity methods of government must change to meet the demands of territorial expansion, and he also knew the same of our inevitable industrial expansion. He knew that the Constitution was for the welfare of the Nation, and that to accomplish its purpose it must be elastic. He even admitted, when he purchased the Louisiana Territory, that he stretched it until it cracked. Show me a man today who dares to say he was not justified in that purchase.

A practical farmer, Jefferson clearly saw what floods and dust storms are teaching us in bitter lessons today—that poorly and ignorantly handled soil becomes a great national disaster.

In 1813, writing about his own farm, he said:

"Our country is hilly and we have been in the habit of plowing in straight rows, whether up or down hill or however they lead, and our soil was all rapidly running into the rivers. We now plow horizontally, following the curvature of the hills and hollows on dead level, however crooked the lines may be. Every furrow thus acts as a reservoir to receive and retain the waters, all of which go to the benefit of the growing plant instead of running off into the streams."

Now, a century and a quarter later, we are writing his principle of soil conservation into national law.

It must be recognized that there are certain fundamental principles which cannot change if popular government is to survive. Time and conditions may make necessary administrative changes in keeping these fundamental principles alive, but the great ideals of human freedom for which Thomas Jefferson stood are still as vital as ever.

Government is only a means to an end. Its form is immaterial, and its value can only be weighed by its contribution to the people in the way of life, liberty, and the pursuit of happiness. In the final analysis, the objective of government must be the happiness and contentment of the majority of the people. To this end, neither property nor contract rights can be absolute.

If, by exercising personal freedom, an individual were able to use his property to the detriment of his fellow men, then freedom would have given way to license and privilege. The rights of society must always continue to be paramount to the rights of the individual, else society will cease to exist.

Let us remember that the most severe critics are those who have either never tried or else who have tried and failed. Witness Mr. Hoover. Criticism becomes malignant in proportion to the passions of the critic or else helpful when his attacks are motivated by good intent.

Woodrow Wilson said, "The immortality of Thomas Jefferson does not consist in any one of his achievements, but in his attitude toward mankind." That quotation will apply as well to Jackson, Lincoln, Theodore Roosevelt, Wilson, and Franklin D. Roosevelt, or indeed toward any great world leader. The happiness, contentment, and well-being of the majority of the people is the sole reason for the existence of government. Jefferson, in all of his works and writings, recognized this fact and labored toward that end. Although we know that he believed in as little government as possible, we also know that he believed in all that was necessary to accomplish the welfare of the people.

Let the press of this Nation plaster the front pages with dire prophecies, but the financial pages with their records of increasing dividends contradict this propaganda. Let the children freed from labor, the bank depositors whose savings have been guaranteed, the boys in the C. C. C. camps, the home owners of the land, the laboring man, the honest investor who has been protected, the farmer with his increased income, the people from the homes and firesides of this Nation testify to the attitude of Franklin D. Roosevelt toward his fellow man. They are the vast majority of "we, the people of the United States", for whom the Constitution was written.

Theodore Roosevelt summed up the present situation and the personality of his illustrious cousin in a manner which could have been no more fitting if he had written it for the express time and individual:

"It is not the critic who counts; not the man who points out how the strong man stumbled, or where the doer of deeds could have done them better. The credit belongs to the man who is actually in the arena; whose face is marred by dust and sweat and blood; who strives valiantly; who errs and comes short again and again; who knows the great enthusiasms, the great devotions, and spends himself in a worthy cause; who at the best knows in the end the triumph of high achievement; and who at the worst, if he fails, at least fails while daring greatly, so that his place shall never be with those cold and timid souls who know neither victory nor defeat."

CONGRESSMAN GREEN'S RECORD

Mr. RICHARDS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include therein a statement of the services in Congress of my colleague the gentleman from Florida [Mr. GREEN].

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. RICHARDS. Mr. Speaker, our colleague from Florida, the Honorable R. A. (Lex) GREEN, has a record of achievement which is worthy of our commendation. Under leave to extend my remarks in the RECORD I include the following statement of Mr. GREEN's record and services:

The value of a Member of Congress rests largely in his understanding of the needs of his people and of the Nation; his vision to foresee the needs of the future and to meet these needs by appropriate action. His value is tested not by the number of bills introduced, but by the importance, directly and indirectly, of such bills, and their bearing upon legislation finally enacted.

During his service in Congress Mr. GREEN has proposed many bills of great importance. Among these measures are the following:

CANAL ACROSS FLORIDA

In his campaign for Congress 12 years ago, he promised his constituents to work for a canal across Florida, connecting the waters of the Atlantic Ocean and the Gulf of Mexico. On February 1, 1926, a few weeks after he was sworn in as a Member of Congress, Sixty-ninth Congress, first session, he introduced H. R. 8742 which provided for preliminary examination of the proposed waterway across Florida. This bill was included in the general river and harbor bill and passed.

Upon completion of preliminary examinations by the War Department, he introduced on February 7, 1930, H. R. 9650 which provided for actual physical survey of the proposed canal across Florida. This bill passed, became a law, and surveys involving the expenditure of about $400,000 and several years' work by the Board of Army Engineers were made.

Upon the basis of this survey, on January 3, 1935, he introduced H. R. 2785 providing for actual construction of a sea-level ship canal across northern Florida, connecting the waters of the Atlantic Ocean and the Gulf of Mexico.

During the past 11 years he has traveled, at his own expense, to different parts of the United States and addressed many audiences, including the National Waterways Association, in the interest of this project. At Wilmington, N. C., October 7, 1930, speaking before the twenty-third annual convention of the Atlantic Deeper Waterways Association, in part he said:

Today the most important inland waterway project of the United States is the proposed canal across north Florida, connecting the Atlantic Ocean with the Gulf of Mexico. The canal across Florida is the missing and final link of entire waterways chain, and it is obvious that the time is not distant when this final link will be constructed.

Through his efforts and the efforts of other friends of the project, endorsement was obtained by such important waterways organizations as the Atlantic Deeper Waterways Association, the Mississippi Valley Association, and the National Rivers and Harbors Congress.

He has addressed the House of Representatives a large number of times, but one of the most effective addresses ever delivered on the subject was made by him on the floor of the House on February 14, 1935. He spoke at length on the subject, using charts, maps, and diagrams, and explaining in detail the feasibility, the practicability, and the economic soundness of the project. He in part said:

The American shippers and consumers will save approximately $36,000,000 annually in transportation costs alone after this canal is constructed. It will carry one-third to one-half more tonnage every year than is now carried by the Panama Canal. This canal, when constructed across the State of Florida, according to conservative estimates, will carry from 42 to 60 million tons of commerce annually. It will give the United States an unparalleled advantage and absolute supremacy in all of the Caribbean Sea and the Gulf of Mexico. It will make quite impossible our attack by enemy from the south or by south Atlantic. It will make secure our position.

Our railroads and highways will act as feeders for tonnage traversing this canal. They will benefit.

Employment will be given to some 30,000 people over each year of construction. Seventy-five percent to eighty percent of the funds expended for construction will go direct to labor, and as an unemployment-relief project it is thoroughly justified. Thirty-eight States of the Union will be directly affected. Every one of them will have an indirect benefit. It will develop every great basic industry in our land.

He has discussed the subject a large number of times over radio. On February 9, 1935, in speaking over a national hook-up, he said in part:

Vast natural resources of this great valley will be developed and realized. Millions of acres of available lands in the States of the lower Mississippi and the lower Southeast will be filled with people who are now living to a disadvantage in congested centers. The pulp and timber industries in Florida, the iron industry in Alabama and Tennessee, the oil industry in the entire Mississippi Valley, the naval-stores and cotton industries, the manufacturing industries of the East, in fact, 95 percent of the capital now invested in industries of America will redound great benefits from the construction of this waterway.

He conferred several times with President Hoover, urging the President's approval. As a member of the Rivers and Harbors Committee of the House, he had discussed this subject a number of times with President Roosevelt prior to April 5, 1935. At a lengthy conference held with President Roosevelt on this occasion, he pointed out to the President the national importance of the project, and also the national support which the project had, and urged the President to begin construction. At the conference he was joined by Senator FLETCHER and other members of the Florida delegation. The President that day gave assurance that the project would be begun. On the 3d day of September 1935 actual construction was begun on the project as a result of allocation of $5,000,000 by the President from special funds. Since construction began, Judge GREEN, as a member of the Rivers and Harbors Committee of the House, has been active and aggressive in his efforts to carry on the project to completion.

On February 12, 1936, he addressed the House of Representatives at length on the subject and urged the Congress to continue appropriations for construction. On April 10, 1936, in addressing the House Committee on Appropriations, he in part said:

President Roosevelt properly began construction under general authority and direction given him under the emergency relief bill of 1935; the Chief of the Board of Army Engineers has approved and is carrying on the projects; the Director of the Budget has recommended funds to continue construction; the people of Florida have bonded themselves and are furnishing the right-of-way; more than 6,000 people are actually employed on the project; the Congress is actually and morally bound to complete the project, and should and will appropriate funds for completion. President Roosevelt and the Congress must and will keep faith with the people of Florida and of our country by completing the project.

IMPEACHMENT OF FEDERAL JUDGE RITTER

On May 31, 1933, Congressman WILCOX, of Florida, introduced a resolution to investigate the conduct of Halsted L. Ritter, a judge in the southern district of Florida. On the morning of February 14, 1936, the House Judiciary Committee, by a majority vote, adopted a report made by Congressman Miller, a member of the Judiciary Committee. This report turned Ritter loose. On the afternoon of the same day Mr. GREEN took the floor of the House and impeached Ritter for high crimes and misdemeanors. He filed nine specific articles of impeachment and at length discussed Ritter's unfitness for the bench. On March 2, 1936,

on the floor of the House, speaking on the subject, he said in part:

Ritter's usefulness on the bench has expired; he is corrupt. Will you not give us this relief? I plead with you, as the only court to which we can plead, to give my people this relief.

The Federal judiciary should be above suspicion. If there ever was a time in the history of our country when we should have an honest judiciary where people's rights are protected, it is now. The American people should never be permitted to lose faith in the judiciary. It has always been their haven of protection and refuge from injustice, inequality, and oppression. If we are going to permit a Federal judge to unlawfully and corruptly not only deny the people of their rights in courts but to accept bribes, gratuities, and favors from those who are trying to defeat justice, then undoubtedly the last respect which our people have had for the judiciary will vanish.

Ritter was flagrant, unconscionable, and deaf to justice and equity; and he and his fellow conspirators preyed upon and bled litigants who sought the protection of his court. The public has always regarded the courts of our land as a place of honor, dignity, and justice. To permit Ritter to continue his pernicious practices on the Federal bench will diminish the faith of our people in our courts; and, in fact, cause them to believe that our entire system of government is filled with collusion, corruption, and selfishness. Do not destroy their last vestige of hope in justice by vindicating one shown by the evidence so unworthy as is Ritter. I urge you to purge the judiciary of corruption by voting to impeach this man.

The House that day voted by a substantial majority to impeach Ritter. After several days of trial by the United States Senate, Ritter was on April 17, 1936, by a two-thirds vote, convicted and removed from office.

SOLDIERS' HOME

April 15, 1929, Mr. GREEN introduced a bill for the establishment of a national home for disabled soldiers in the State of Florida. This bill was passed and actually led to the establishment, not only of the home in St. Petersburg, Fla., but of similar institutions in Alabama, Mississippi, and South Carolina. It was one of the most important pieces of soldiers' relief legislation ever passed.

On December 1, 1930, he introduced a bill authorizing the Secretary of the Navy to return to Florida the silver service set donated to the U. S. S. *Florida* by the Florida people. The legislation was passed.

TROPHY CANNON FOR UNITED DAUGHTERS OF THE CONFEDERACY

On December 12, 1930, he introduced a bill providing for construction of post office buildings as an unemployment relief measure. His bill gave impetus to the gigantic Federal building program and led directly to the building of the Federal building at Lake City, Fla., and also of many other Federal buildings in Florida.

At his suggestion, a magnificent Federal building was in 1935 erected at Perry, Fla., and the Treasury officials have promised him to begin within the next few weeks construction of a Federal building at Madison, Fla. He has special bills pending for Federal buildings to be constructed at Jasper, High Springs, Williston, Starke, and Green Cove Springs. He hopes for favorable action on these bills at the next session of Congress.

TURPENTINE EXPERIMENT STATION

On December 21, 1929, he introduced a bill directing the establishment of a naval-stores experiment and demonstration station on the Osceola National Forest in Florida. The legislation was approved and the station established at Olustee, Fla., and is giving untold benefits to the naval-stores and pine-tree industries. It benefits not only Florida but the entire South.

During the past several days he has been in conference with the naval-stores producers of Florida and the officials of the Department of Agriculture in an effort to assist in working out a program whereby this great industry can share in benefits under the recent Farm Act.

CONFEDERATE GRAVE MARKERS

In 1928 and 1929 he introduced legislation providing for the Government to furnish tombstones or grave markers for the graves of Confederate veterans. It led to the appropriation of funds for this purpose, and today thousands of these stones have been distributed to Confederate graves throughout the country.

VETERANS' LEGISLATION

On December 10, 1931, he introduced a bill providing for payment of pension benefits to widows and orphans of World War veterans, regardless of the cause of the veteran's death. The substance of this legislation passed the House but died in the Senate. He has now pending H. R. 11715, which is a similar bill, and is before the committee. He also has introduced H. R. 9164, which is now before the committee. It would reestablish disability allowance for disabled World War veterans. It would allow for non-service-connected disability of 25 percent, $12 per month; 50 percent, $18 per month; 75 percent, $24 per month; and total disability, $40 per month. He is doing all possible to pass before adjournment these meritorious bills. On March 10, 1936, he addressed the House, urging prompt action. He signed a petition to bring up the soldiers' bonus bill and voted for its passage, and has been a consistent supporter of all veteran-relief legislation. He has assisted hundreds of veterans with their claims before the Veterans' Administration and the Pension Director. He has even taken them personally before the rating boards and urged for them just compensation benefits.

VETERANS' HOSPITAL, LAKE CITY

Mr. Green has earnestly worked for the enlargement and improvement of the hospital at Lake City, and many facilities have been added upon his request. On April 25, 1935, he introduced a bill calling for an appropriation of $600,000 for added facilities in this institution. As a result of same, on April 12, 1936, the Veterans' Administration assured him and American Legion representatives of Florida that $200,000 would be spent on improvements for this institution within the next few months. Mr. Green is also leading an effort to cause Negro patients of this hospital to be placed in a hospital of their own, and thus have separate institutions for the two races. In March, April, and May 1935, he entered a series of protests against mixing Negroes and whites in this institution, and has obtained assurance that this matter will be worked out satisfactorily in the hospital expansion program.

LEGION DISTINGUISHED-SERVICE MEDAL

The American Legion Post of his home county awarded him the Legion Distinguished Service Medal for 1933.

FEDERAL AID FOR ROADS

He has supported all legislation for Federal aid to roads, and on May 3, 1933, introduced a bill to appropriate $200,000,000 for highways. A greater amount was appropriated. On April 16, 1936, he addressed the House, favoring passage of the Cartwright road-appropriation bill. The bill passed.

REIMBURSEMENT FOR FRUIT-FLY DAMAGE

In 1930 Mr. GREEN introduced a bill for survey of fruit-fly loss in Florida and has consistently worked for this reimbursement. He now has a reimbursement bill before the Agriculture Committee.

FEDERAL FARM LOANS

On March 10, 1933, he introduced a bill providing for extension of time on Federal land-bank mortgages, and for other purposes. This bill gave impetus to the administration's legislation extending time on loans and permitting additional loans by the Federal land banks throughout the country. He has also been very active for legislation providing for crop loans. He has actively supported every farm-relief measure since he has been a Member of Congress. He is actively supporting the Frazier-Lemke farm bill and has signed petitions to force its consideration by the House.

SCREW-WORM CONTROL

On January 3, 1935, he introduced H. R. 3020, providing $2,000,000 for screw-worm control and for continuance of the tick-eradication program. Funds were provided for both purposes in the 1935 appropriation bill. About 2 months ago he appeared before the Director of the Budget and urged continuance of screw-worm control appropriation and voted for this appropriation which passed the House recently.

REFUND OF TOBACCO TAX

Mr. GREEN and a prominent southern Senator are now trying to work out legislation which will direct the refund

of tobacco tax collected from noncontract tobacco growers. He hopes for refund of these moneys at the present session of Congress.

MONUMENTS

He has introduced bills for monument markers for Indian forts in his district. He has obtained departmental approval and expects favorable action.

NO JOBS FOR ILLEGAL FOREIGNERS—ALIEN DEPORTATION

Mr. GREEN has introduced and has now pending before the House Immigration Committee H. R. 7079, which would not only deport habitual alien criminals, enemies of our Government, dope peddlers, alien smugglers, racketeers, and gangsters, but would restrict immigration almost entirely. Also, H. R. 11740 which would require the registration, photographing, and fingerprinting of all aliens and deportation for failure of aliens to have same. Also, H. R. 12083 which would prohibit giving employment or relief to illegally entered aliens. On many occasions he has addressed the Congress urging passage of these bills. On April 1, 1936, he urged his colleagues to pass these bills before adjournment.

OLD-AGE PENSIONS

Early during the Roosevelt administration he introduced a bill giving Federal pension to the aged without State contribution. He supported and voted for the administration of the old-age pension and security bill but worked for more liberal provisions, including Federal pension without State contribution. He now favors more adequate old-age and disability pensions, including the passage of the Townsend plan.

RAILROAD-RETIREMENT PENSION

He supported and voted for both of the Crosser railroad employees' retirement bills and has a consistent record favorable to labor legislation. He recently successfully protested consolidation of terminal facilities at Jacksonville on the ground that it would throw railroad employees out of positions. Recently in a public address, Mr. GREEN said: "I believe in the dignity of labor and the majesty of toil. There is no aristocracy except that of honor, and no rabble save that of crime. I have wielded both the sledge hammer and the broadax and am not too good to do it again if necessary. I honor the man who earns his bread by the sweat of his brow."

PAY-BANK DEPOSITORS

During the last Congress he joined in an effort to obtain payment of deposits in closed National and State banks. The Banking and Currency Committee gave favorable action upon a bill for this purpose, but it failed of passage. He is still working for this legislation.

RIVERS AND HARBORS

Mr. GREEN is an active member of the Rivers and Harbors Committee and has obtained Federal funds for the improvement of the harbors at Cedar Key and Fernandina, Jacksonville, and the Suwannee River. He has obtained committee approval for surveys of a large number of projects in his district and has been instrumental in the authorization of millions of dollars' worth of improvements to rivers and harbors throughout the entire State of Florida. He very recently obtained assurance from the Board of Army Engineers that jetty improvement on the harbor at Fernandina and dredging of the terminal channel at Jacksonville would be begun in the very near future.

STEINHATCHEE RIVER

In the 1934 river and harbor bill he included an item for the improvement of the lower Steinhatchee River. Surveys were made and, after two appearances before the Rivers and Harbors Engineering Board, the Board agreed to expend $68,300 to dredge and improve this river. This improvement will give accommodation to the sponge industry and general commerce.

SHORE EROSION

On April 13, 1936, he introduced H. R. 12258, which is a bill to provide for Federal cooperation to prevent erosion and destruction of beaches and water fronts throughout the country. This bill is referred to the Rivers and Harbors Committee, of which he is a member.

P. W. A. AND W. P. A.

He has been very instrumental in obtaining approval of projects and allocation of funds for a large number of improvements in his district. The Florida tuberculosis sanatorium, added facilities in the State institutions of higher learning, courthouses, city halls, armories, and a large number of other applications have received his successful support before the W. P. A. and P. W. A. officials.

AGAINST CARPETBAGGERS

On August 22, 1935, Mr. GREEN introduced House Joint Resolution 398, which provides that employees of the Federal Government shall be bona-fide residents of the State in which they are serving for a period of 2 years prior to appointment to such Government position. This was aimed to stop the practice of carpetbagging which was growing up in the Government. The introduction of this bill had a most wholesome effect for the employment of bona-fide citizens for Government positions.

RURAL ELECTRIFICATION—SUWANNEE VALLEY

On January 20, 1936, the House of Representatives passed H. R. 8300, introduced by Mr. GREEN. It provides for a survey, looking toward flood control in the Suwannee River Valley. Upon his suggestion, Hon. Morris L. Cooke, Administrator, Rural Electrification Administration, is now considering a survey looking toward the establishment of a monster rural electrification project in the Suwannee River Valley. Mr. GREEN has in mind the establishment there of a project similar to the Tennessee Valley and Muscle Shoals project for the production of fertilizer and electrical current.

In reviewing the record of my colleague [Mr. GREEN], I am reminded of an address made on March 16, 1916, by former Speaker Champ Clark at the Washington Press Club reception, and printed in the CONGRESSIONAL RECORD on March 17, 1916, as follows:

It is a high honor to be a Representative in Congress, if for only one term, and with the number of terms the honor increases in geometrical rather than in arithmetical proportion. A Member's usefulness to his country should increase in the same proportion. A man has to learn to be a Representative just as he must learn to be a blacksmith, a carpenter, a farmer, an engineer, a lawyer, or a doctor.

"Poeta nascitur non fit"—a poet is born, not made—says Horace; but Congressmen—that is, useful and influential Congressmen—are made largely by experience and practice.

The old Charlotte district in Virginia knew this and kept John Randolph, of Roanoke, in the House till he became a great national figure. Then the Old Dominion sent him to the Senate and General Jackson sent him to St. Petersburg. These are sporadic cases of similar action in other districts.

It is an unwise performance for any district to change Representatives at short intervals. A new Congressman must begin at the foot of the class and spell up. Of course, the more brains, tact, energy, courage, and industry he has the quicker he will get up. If he possesses these qualities, and if his constituents will keep him in the House, he is as certain to rise as the sparks are to fly upward. No human power can keep him down. It is only fair and rational to assume that every Representative's constituents desire to see him among the "topnotchers."

Let us take the present House and see how long the men who hold the high places have served. I cannot name all, but will cite a few as samples.

Mr. Speaker Cannon is serving his fortieth year. He holds the record, or, in pugilistic parlance, "he holds the belt", for length of service in the House in our entire history. In several Congresses he was chairman of the great Committee on Appropriations and then was Speaker 8 years, only one man, Henry Clay, having been Speaker longer.

I am serving my twenty-second year; Minority Leader Mann is serving his twentieth year; Mr. Kitchin, chairman of Ways and Means, his sixteenth; Mr. Fitzgerald, chairman of Appropriations, his eighteenth; Mr. Moon, chairman of the Post Office and Post Roads, his twentieth; Mr. Jones, chairman of Insular Affairs and "father of the House", his twenty-sixth; Mr. Flood, chairman of Foreign Affairs, his sixteenth; Mr. Hay, chairman of Military Affairs, his twentieth; Mr. Glass, chairman of Banking and Currency, his sixteenth; Mr. Adamson, chairman of Interstate and Foreign Commerce, his twentieth; Mr. Stephens, chairman of Indian Affairs, his twentieth; Mr. Slayden, chairman of the Library, his twentieth; Mr. Henry, chairman of Rules, his twentieth; Mr. Lever, chairman of Agriculture, his sixteenth; Mr. Padgett, chairman of the Navy, his sixteenth; Mr. Lloyd, chairman of Accounts, his twentieth; and Mr. Sparkman, chairman of Rivers and Harbors, his twenty-second. There are other big chairmanships, but these will suffice to show that as a rule the big places go to old and experienced Members, for most of the men who rank close to the chairmen are old-timers. The same thing holds good with

reference to members of the minority. As an illustration, Messrs. Gillett and Cooper, who are serving their twenty-fourth year, are the ranking Republicans on Appropriations and Foreign Affairs, almost certain to be chairman thereof should the Republicans ever again have a majority in the House, as in that event, in all probability, Mr. Mann will be Speaker, unless he is nominated for President next June.

Go through the whole list and you will find, with few exceptions, that the men of long service have the high places.

New England and the cities of Philadelphia and Pittsburgh have understood the value of long service all along, and, having elected a fairly good man to Congress, they kept him in the harness.

The Member of longest consecutive service is called the "father of the House." Five Philadelphians in immediate succession bore that honorable title—Randall, Kelly, O'Neill, Harmer, and Bingham. Then it went to Mr. Dalzell, of Pittsburgh. When General Bingham announced the death of General Harmer, his immediate predecessor as "father of the House", he stated that the five Philadelphia "fathers of the House" had served a total of 147 years, and he served 8 or 10 years after making that interesting statement.

In the second and third Congresses in which I served, Maine, with only four Members, had the Speakership and the chairmanship of the great Committees on Ways and Means, Navy, and Public Buildings and Grounds—a most remarkable circumstance—giving the Pine Tree State an influence in the House and the country out of all proportion to her population and wealth. These four men—Reed, Dingley, Boutelle, and Millikin—each served in the House 20 years or more. Other States might profit by her example.

No man should be elected to the House simply to gratify his ambition. All Members should be elected for the good of the country.

The best rule, it seems to me, is for a district to select a man with at least fair capacity, industrious, honest, energetic, sober, and courageous, and keep him here so long as he discharges his duties faithfully and well. Such a man will gradually rise to high position and influence in the House. His wide acquaintance with Members helps him amazingly in doing things.

I can speak freely on this subject without violating the proprieties, for my constituents have kept me here 22 years, and for 20 years have given me nominations without opposition, for all of which favors I thank them from the bottom of my heart. Their generous action and unwavering friendship have enabled me to devote all my time to the public service. I have not been compelled to spend any portion of my time in "mending my fences." My constituents have attended to that. God bless them.

The speech of Speaker Champ Clark is deserving of the thoughtful study of every voter of the country.

It is a nationally known fact that those districts which have retained their Representatives in Congress for the longest continuous terms have received the best service and the greatest recognition. The present Speaker of the House, Mr. J. W. BYRNS, has been in Congress for 28 years. The majority floor leader has been in Congress for 20 years. The chairman of the Ways and Means Committee, and the chairman of the Appropriations Committee, and the chairman of the Judiciary Committee all have been Members of Congress for more than 22 years—the longer the successive tenure of office the greater the service and usefulness of the Representatives. Why should a constituency exchange experience and efficiency for inexperience? The Congress, since the inauguration of President Roosevelt, has responded nobly to the call of duty and should receive the endorsement and approval of a nation now upon the high road to recovery.

EXTRACT FROM MR. GREEN'S ANNOUNCEMENT FOR CONGRESS

My record is an open book; upon it I stand. There is nothing hidden, and your examination of it is invited. During the past 11 years as your Congressman I have done all within my power to bring to you every possible protection and assistance from our Federal Government. Possibly, mistakes have been made, because we all make mistakes, and probably none are without fault. I shall be satisfied, however, if upon examination of my record you will give careful consideration to each vote cast and official acts which I have performed; place the good on one side of the scales and the errors on the other side of the scales and vote for the side that weighs heavier. I have no fear of the outcome of such ballot, because I feel certain that you will find in my record more merit and perfection than demerit and imperfection.

I bring this high office back to you without stain or tarnish. Even my most severe critics have always admitted that I have been honest and industrious and that I have always been faithful to the interest of the plain people and loyal to my esteemed friends. I trust that it may be your desire to continue me as your Congressman for another term.

Many of you will recall how I was criticized during my first campaign 12 years ago. The special interests and two or three hostile newspapers have continued to oppose and persecute me ever since. Their criticism has been very acute during the past 3 or 4 years, but such is to be expected during the unusual and tragic times through which we are now passing. Those in public office must suffer criticism and persecution. This is one of the penalties of public office, especially during times so trying. I hold no ill will against my accusers, because they have been misled, and are now being daily misled by the whisperings of the enemy.

WHISPERING CAMPAIGN

The special interests are conducting a whispering campaign against me although I am 800 miles from the district, here in Washington at my post of duty trying to represent you. I can hear these whisperings conveyed to me by my friends throughout the district. Do not be misled by the whisperings, because you have known me these long years. My belief in the fundamental principles of democracy and my sincerity of purpose to serve the plain people of our district shall never change. My sympathy and effort for the laboring man and the underprivileged will be forever paramount. My ardent belief in the true principles of Americanism and white supremacy grows stronger with age, and with a keener sense of the importance of same.

In defending the weak and aiding the helpless I am happy. In honestly serving to the best of my ability my fellow man I am content. I am the same man you voted for 12 years ago. My faith in you, my friends, is founded upon the strong rock of hope and confidence. We shall withstand the whisperings of the enemy, and I have no fear.

RIVERS AND HARBORS COMMITTEE

Among other things, my committee assignments have been criticized. I am chairman of the Territories Committee, which is the only chairmanship held by a House Member from our State. As chairman of this committee I have been able to prevent passage of legislation which would have proved detrimental to Florida. I am very near the top of the Rivers and Harbors Committee. This, to Florida, is the most important of all committee assignments. Through the defeat of Congressman Sparkman, almost 30 years ago, Florida lost an assignment on the Rivers and Harbors Committee and was unable to obtain another assignment on the committee until recently. This committee is the key to further necessary legislation for the Florida canal. This project has got to be authorized by direct legislation. This legislation must go through the Rivers and Harbors Committee. I am on this committee, have a canal bill pending before the committee, and shall get favorable action on it during the next Congress.

This committee also handles legislation for improvement of harbors and rivers on Florida's 1,300 miles of coast line. This committee last session approved twelve or fifteen million dollars' authorization for Florida waterway improvements. It approved my survey bills for the Florida canal, and if I remain on it I am confident that our Florida canal legislation will be approved at the next session of Congress.

SOLDIERS' BONUS

I have been criticized adversely for voting for the payment of the bonus. I have voted for it for the past 5 years and believe that its payment this summer will do more to stimulate and help business than any other measure passed. I also believe it to be a just debt and have no apology to make for voting to pass it.

Many of these ex-service men left good businesses and good jobs to go to the World War, and the payment of the bonus represents only a small amount compared to wages that were paid by industry during that period. We have also during the past 3 or 4 years spent billions of Government money for other purposes, and I think it only right and proper to pay the veterans for the adjusted-service certificates.

I have been severely criticized on the account of postmaster appointments. All Democratic Congressmen have likewise. This is a very unpleasant duty that we have to perform. By party custom it is a responsibility falling on a Member of Congress, and I have not dodged or ducked this responsibility, as unpleasant as it has been. It is impossible to give the postmastership to everyone who desires it or to everyone who merits it. Only one can be appointed, and I have tried in each case to recommend a Democrat who will give honest and conscientious service to the patrons and to the Government.

Postmasterships should be taken out of patronage and placed absolutely under the civil service, and I am earnestly supporting the Ramspeck bill for this purpose. Members of Congress have plenty to do without the responsibility of appointment of postmasters, and, furthermore, it would be better for the service. We are trying to pass this bill now.

The special interests have carried on a whispering campaign about relatives on the pay roll. The facts are none of my family are on my pay roll. My secretaries are Miss Essie Coleman, Miss Carolyn Hutto, Miss Freda Lopatin, and Miss Arline Mann. In addition to these, Mrs. Green works daily in the office without remuneration. Thus also giving her services free of charge to the people of our district. I have had since I have been a Member of Congress from three to six clerks all of the time and have paid them from my own pocket when the allowance for this purpose has been exhausted. I have also paid rent for an office in the district at my own expense.

Since President Roosevelt's inauguration I have endorsed about 17,000 Democrats for appointment to Federal positions. Many of these have been given places. Listed in this 17,000 are 3 or 4 relatives who secured minor positions. Should I have withheld my endorsement of them because they were related to me? What would you have done under the circumstances? In your own business, whether it be a farm, office, or store, would you refuse employment to someone because he was related to you? Many of President

Roosevelt's relatives are assisting him in key positions in his administration. Vice President Garner's wife has been his secretary for many years. I do not deem it dishonorable to try to assist one's own relative.

GIVES SERVICE

When you elected me to Congress I promised to give up my law practice and serve no interest except the best interest of the people of the Second Congressional District. This promise has been faithfully kept, and I am giving to the people of our district the very best service of which I am capable. Many congressional offices are closed during the vacation of Congress, but your Washington office has been kept open every day except Sundays since I have been your Representative, and in addition to this I have kept for your service an office in Starke during the vacations of Congress. In these offices I have had the assistance of competent secretaries who have cooperated for your interest.

PAYS OWN EXPENSES

Our critics have had considerable to say in newspapers and from the stump about Congressmen traveling on junketing trips. I have never traveled a mile on any junketing trip at the expense of the Government.

NOT FED BY LOBBYISTS

Neither have I been dined by the special interests and the lobbyists. I have paid for meals that I have eaten in Washington since I have been a Member of Congress.

ANSWERS REQUESTS PROMPTLY

I have spared no efforts or pains in my desire to be of service to my people. No constituent of mine in all these 11 years can say that he ever asked a service within my power which I did not cheerfully perform, even though such services often kept me away from meals and needed hours of sleep. No letter, regardless of how poorly written or how humble the writer, has gone unanswered. It has given me pleasure to comply promptly with the requests and wishes of my people. If I were President and possessed a vast fortune, I still would want the same friends which I now enjoy. In Holy Writ we read, "Blessed are the meek, for they shall inherit the earth." In this I firmly believe.

HAS ANSWERED ROLL CALLS

It is my earnest desire to meet and shake hands with each of you and personally ask you to vote for me before the primary election, but such probably will be impossible, because I feel that my first duty is to work for and guard the interest of my people here in the Capitol while the Congress is in session. The Florida canal appropriation matter and two or three other matters of vital interest are pending. I hope that these can be disposed of in time to permit me to return home before the primary, but I expect to stay here at my post of duty just as long as occasion demands same even though my political interest would require that I be in the district.

Twelve years ago, when you elected me, I promised you that I would answer your roll calls unless providentially hindered. It gives me much pleasure to tell you that this promise has been faithfully kept. Until 3 or 4 years ago I never missed a single roll call or meeting of the House of Representatives. This perfect record was kept for over 8 years. On one occasion I was at the White House in conference with President Hoover and left this conference to return to the Capitol to answer a roll call. On another occasion I was confined to a Washington hospital with influenza and left my sickbed and, slipping out, went to the Capitol and answered your roll call. This record has not been made, I believe, by any other House Member or Senator, and was broken only recently through my own very severe illness and that of a member of my family. During these trying and critical times a Congressman should be on the job here in Washington, and believing that this is my first duty, and that I can do more here working for you than I can annoying you with political speeches, I shall remain here while important matters are pending before the Congress, and leave my fate for the present in the hands of my loyal friends in the district. They have never failed me.

ASSISTANT DEMOCRATIC WHIP

During the 11 years which I have served you, all except the last 3 have been under the Republican rule. Even under Republican domination I did all that I could for legislative proposals which were for the interest of my people, and, as my record will reveal, many comprehensive and constructive bills introduced by me were written on the statute books. With the coming in of the Democrats I am now in a position to render greater service to my district, State, and country. The Speaker of the House and Whip of the House saw fit to appoint me as assistant majority whip before President Roosevelt's inauguration, which, so far as I know, is the first party honor accorded a Florida House Member during the past half century. I was reappointed by Speaker BYRNS, and I am most grateful for this party honor at the hands of the Roosevelt administration.

During my 11 years in the House I have made friendships with the Speaker, the leader, high Government officials, and Senators, which are all of great assistance to me in presenting all just claims for my constituency. With this experience and these friendships I can, during the next 2 years, render you better service than I have ever been able to in the past.

ACCOMPLISHMENTS

In my campaign 10 years ago I promised to work toward definite goals. Among these were the following: First, to convert Muscle Shoals into a plant for the production of fertilizer. I voted for the Muscle Shoals bills twice during the Republican administration and it was vetoed by President Hoover and President Coolidge, but under President Roosevelt I voted for the Muscle Shoals bill and he signed it. Second, cheaper freight rates. Freight rates have been reduced and should and will be further reduced in the future. Third, increased loans to farmers. Since the Democrats came into power we passed the Federal farm-relief bills which have loaned to the farmers of our Nation more than a billion dollars. Also, the A. A. A. and other farm measures which have doubled and trebled prices of farm commodities. Fourth, Federal aid to schools. The Government is now expending a greater amount in this direction. Fifth, increased Federal aid for roads. Since I have been a Member of Congress we have appropriated probably five times as much for Federal roads as during any other similar period. Sixth, extended hospital treatment for veterans. Hospital facilities for veterans have been about trebled since I have been a Member of Congress. Seventh, restriction of immigration. We have restricted immigration about 90 percent since I have been a Member of Congress. Eighth, the construction of a canal across Florida. I have introduced and the Congress passed bills on the canal since I have been in Congress and work is now going on on the canal.

If continued in Congress, I will work for: First, the actual completion of the Florida canal. As a member of the Rivers and Harbors Committee and as author of the legislation, I promise, if I am returned to Congress, the canal will be completed. Second, I will support and vote for the passage of the Townsend old-age-pension plan. I am for an adequate pension for the aged and disabled, and voted for the present Federal old-age-pension law. It was the best obtainable at that time. Third, I will continue my efforts for the reimbursement of Florida growers for damage sustained during the fruit fly eradication campaign. Fourth, I have pending a bill for the payment of depositors in closed National and State banks. If we can obtain passage of this legislation, our financial troubles will be practically over. Fifth, I shall continue my efforts for disability pensions for all World War veterans, regardless of the cause of disability, and for pensions for widows and orphans of veterans, regardless of the cause of the veteran's death. I also will support all other legislation endorsed by organizations of World War veterans and/or Spanish-American War veterans. I shall continue my efforts for segregation of white and Negro soldiers in separate veterans' hospitals. Sixth, I shall continue my efforts for adequate Federal assistance for public roads and public education. Seventh, I shall support all farm-relief measures which are for the best interests of the farmers of our district. This includes the Frazier-Lemke bill, the passage of which I have signed a petition for. I am earnestly working for the refund to our growers of tobacco tax paid. Eighth, my efforts will continue for rural electrification project and flood control in the Suwannee River Valley. Ninth, you can depend upon my further earnest efforts for immigration restriction, the deportation of undesirable aliens, and taking illegal aliens off relief rolls; and also my efforts will continue for a Government-owned building for every second- and third-class post office in the district. Tenth, I shall carry out Democratic principles in tariff matters and shall support all legislation which is for the benefit of the turpentine, lumber, forestry, and other industries of our district.

PRESIDENT ROOSEVELT'S ADMINISTRATION

A clear understanding of the President's emergency-relief program is needed. In order to thoroughly understand and fully appreciate the scope and purpose of this gigantic relief program, it is well to refresh our memories of the chaotic condition which faced the American people about 12 months before his election. At this time business and industry was at its lowest ebb since the beginning of the depression. Agriculture was in the depths of despair; 10 or 12 million idle men and women were walking the highways and streets in increasing numbers, looking for jobs. By the 1st of March 1933 a banking holiday had been declared in many States of the Union. The people had almost lost confidence in the ability of their Government to bring about a recovery. Economic chaos threatened the country to a more alarming extent than in the darkest days of the preceding years. Wheat had sold as low as 18 and 25 cents per bushel; cotton 5 to 6 cents per pound; and corn as low as 10 or 12 cents per bushel; in fact some of the corn growers of the Middle West were burning their corn for fuel, while the coal miners were without food and in need of this very corn for food for themselves and families. There was an abundance of wheat, corn, cotton, wool, and meats, yet millions of people hungry for the want of these foodstuffs and cold from lack of cotton and woolen garments. Granaries and warehouses were filled to capacity, yet railroad cars stood idle and rusting out in the railroad yards, and idle freight boats rode at anchor throughout the harbors of our country. Industry was paralyzed, credit was destroyed. In fact, local credit was almost nonexistent. The old custom of 150 years ago of trade and barter and exchange was in common use. One individual would trade and barter products or commodities for some other needed product or commodity, in order to obtain cloth, food, fuel, and necessities of the body. Agriculture was on the very brink of bankruptcy. Money had either gone into hiding or was locked up in bank vaults.

The then remaining banks in the country were closing in alarming numbers, carrying with them the life savings of honest American citizens. Church and charity funds and the trust funds of orphans were not even spared. There was a deficit even in the Budget of our Federal Government which had occurred for the past 3 years and which aggregated over $5,000,000,000. But what was even worse than all of this, there were forces of doubt, suspicion,

and destruction at work in our midst which threatened our social and civic institutions and the very foundation of our Government itself. In part, these were the chaotic conditions which faced the American people in the most trying times in the peacetime history of our country; but our American Government was founded through valor and courage, and in its darkest hours it has always produced leadership. The American people have in this darkest hour of the country's history found courageous and able leadership which has come forth and proceeded unafraid. A New Deal was not only required but a leader of kind heart, firm hand, and quick decision was needed to put the New Deal into effect and to inspire that confidence in the American people which was all-essential to recovery. Such leadership appeared in the person of Franklin D. Roosevelt. Probably the most fateful hour and fateful minute in the history of the American Republic was on the 4th day of March 1933, when, in his inaugural address, he said:

"So, first of all, let me assert my firm belief that the only thing we have to fear is fear itself, nameless, unreasoning, unjustified terror which paralyzes needed effort to convert retreat into advance. In every dark hour of our national life a leadership of frankness and vigor has met with that understanding and support of the people themselves which is essential to victory. I am convinced that you will again give that support to leadership in these critical days."

To this clarion call the American people in all walks of life have responded most nobly and have almost shaken off the shackles of depression. President Roosevelt is a man of action. Through his able leadership, the Congress has passed during the past 3 years a series of measures which have reshaped the economic and industrial life of the Nation. I will briefly mention a few of these measures.

First among all is that of farm relief. Through the bills passed on this subject, 30,000,000 citizens of our country who dwell on the farms have had returned to them an increased purchasing power of $2,773,000,000 during the past 3 years. This was brought about through the passage of the A. A. A. bills, the Mortgage Refinance Acts, and a number of others. Muscle Shoals, which had been idle for 12 years, has been converted into a fertilizer and power-producing plant. It is reducing the price of fertilizer and electrical power to consumers throughout the country.

The Glass-Steagall Banking Act, the deposit insurance or guaranty law, and other bills passed have stabilized the currency; reopened banks throughout the country; loosened up credit in practically all places; made sound the general finance institutions in our country; and given adequate protection to money deposited in banks now and in the future. The safety of our finance institutions and the loosening up of credit have started the wheels of industry and progress to turning in all parts of the country.

The Federal Securities Act provides for Federal supervision through the Federal Trade Commission of interstate traffic in investment securities and is protecting the American public against flotation of securities of doubtful value. It has almost stopped swindling and cheating in securities.

Under the Home Owners' Loan and Housing Acts, hundreds of thousands of homes have been protected from foreclosure and people of limited means have been enabled to build their own homes, thus relieving unemployment and stimulating the building industries.

The unemployment-relief measures have resulted not only in the employment of the needy and heretofore unemployed but have given lasting improvements to communities throughout the United States.

Under a special act, the President was given power to fix and adjust tariff rates in the interest of American producers and consumers. Also, he was given power to impose embargoes to meet damaging foreign competition, made possible through depreciating currency. He is using this power in what he believes to be for the best interests of the American people. In the revenue acts which have been passed during this administration consideration has been given to those least able to pay and the burden and financial responsibility of the Government has been largely shifted to those most able to pay. This is particularly the purpose of the tax bill which will be presented to the Congress this week.

In the benefits brought to the American people through these various measures Florida has indeed received a great portion. Millions of dollars of Federal money have been expended in Florida by the administration. Upon payment of the bonus this summer twenty or more millions additional will be sent to Florida and will be turned into the channels of business, trade, and industry.

It is true that mistakes have been made during the Roosevelt administration, but I have far greater respect for the one who tries and does something, even though mistakes are made, than I do for the one who sits idly by and criticizes and obstructs.

Splendid results toward recovery have occurred in all parts of the country. Practically every industry in the country is now manufacturing twice the amount of goods as was manufactured in 1932. More automobiles are being made now in 2 or 3 months than were made during an entire year before Roosevelt went in. Bank deposits have increased from $41,643,000,000 on December 31, 1932, to $44,771,000,000 in December 1934. A large increase has occurred since this date. There are now almost $4,000,000,000 more deposited in banks than when Roosevelt was inaugurated. The annual farm income has increased about $3,000,000,000. The cotton growers of the South have themselves received about $1,000,000,000 of this farm increase. The farmers of the South during the 3 years under President Roosevelt have received more benefits than they did all the other time since the World War. Factory pay rolls have increased 50 percent or more. Four or five million who were out of work have been employed. Banking institutions are safe now and are beginning to loan money again.

TIMES BETTER

Practically every farm and business man in your country is better off now than he was 3 years ago. I have done all that I could to assist in this great program and, on every occasion, protected, the very best that I could, the interest of our people. Times are growing more normal now and the Federal Government should, as rapidly as possible, revert to normal governmental functions, duties, and operations. Such experiments as have been inaugurated which have not proved for the best interests of our people should be promptly abandoned, and I frankly believe that they will be at the next session of Congress. We should jealously guard the financial integrity of our Nation and retrench expenditures in such places as this can be done. All Government agencies which have served their purpose should be disbanded and give room for local industries, local capital, and local agencies to perform. If President Roosevelt is reelected, and I am confident that he will be, it is my belief that the next Congress will initiate rapid returns to sane, conservative, democratic principles of government. This I favor. Through all of these turmoils and trials I have stood with the Democratic Party and have in the Congress voted for what I felt was for the best interests of the constituents whom I represent, and the Democratic Party. I do not believe that you would want me to vote one day with the Democrats and the next day with the Republicans.

DON'T SWAP HORSES IN THE MIDDLE OF THE STREAM

Times are improving and conditions are better, yet the battle is not won, because the reconstruction adjustment period is now facing us. I am familiar with the conditions here and earnest in my service for the best interests of the people of our district. I should like to serve you another term. If you had a house almost completed, I do not believe you would change carpenters without good cause. If you were improving from a serious illness, I do not believe you would change doctors if your doctor was faithful and sincere. If you were almost to the end of your journey I do not believe you would stop to trade automobiles if the one you had was running smoothly. If you had a faithful and experienced employee in your own business, I do not believe you would replace him with one without trial and experience. While I have had 11 years' experience in Congress, I am still only 44 years of age, at the time of life when I should be able to render you the best services. It is my desire to do this, and I hope that the people of our district will see fit to continue my services here. I hope you will not swap horses while in the middle of the stream. You have kept me here long enough for me to be a committee chairman and to hold high and responsible committee assignments which will benefit the interests of our district. My friends and acquaintances here are beneficial to me in obtaining the things to which our district is entitled. My assignment on the Rivers and Harbors Committee was very instrumental in persuading the President to begin work on the Florida canal, and even if work should cease on this project, we still will have had expended in our State more than five and one-half million dollars and great benefits in purchasing power to our people; however, rest assured, if I am returned to Congress, the canal will be completed and more adequate pensions will be paid to the aged of our country.

If you send me here for another term, I shall continue to labor for the things of interest and benefit to our district and for the cause of the plain people. Enemies of the Florida canal are trying to defeat me. Big money and the special interests are also trying to defeat me. They are trying to betray and mislead my friends into voting against me because I have stood by the masses and in the interests of the rank and file. This I shall do as long as I live. I cannot forget my own handicaps and struggles in trying to obtain an honest education. I plowed, hoed, dug ditches, chipped pine gum, and cut cross ties. I can do it again if necessary. I believe in the dignity of labor and the majesty of toil. There is no aristocracy except that of honor and no rabble save that of crime. I honor the man who earns his living by the sweat of his honest brow. For his betterment my ark covenant is launched. I do not light my candle and place it under a bushel. I am out in the open, fighting against the special interests and will fight to the end. I will go up or I will go down in the cause of the common people, and I urge that you do all that you can for me. Every victory I have won and every worth-while accomplishment has been made possible only through the efforts of my loyal friends. You have stood by me in the past and never permitted me to go down in defeat. My faith in you abides.

JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee did, on April 18, 1936, present to the President, for his approval, a joint resolution of the House of the following title:

H. J. Res. 568. Joint resolution to provide an additional appropriation for fees of jurors and witnesses, United States courts, for the fiscal year 1936.

ADJOURNMENT

Mr. BANKHEAD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 30 minutes p. m.) the House adjourned until tomorrow, Tuesday, April 21, 1936, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INVESTIGATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization in room 445, old House Office Building, at 10:30 a. m. on Tuesday, April 21, 1936, on H. R. 11172 (continued).

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

790. A communication from the President of the United States, transmitting for the consideration of Congress, in compliance with the provisions of the act of September 30, 1890 (U. S. C., title 31, sec. 226), and the act of April 27, 1904 (U. S. C., title 31, sec. 583, par. 2), a list of judgments rendered by the Court of Claims, which have been submitted by the Attorney General through the Secretary of the Treasury and require an appropriation for their payment amounting to $368,224.87 (H. Doc. No. 458); to the Committee on Appropriations and ordered to be printed.

791. A communication from the President of the United States, transmitting for the consideration of Congress, pursuant to the provisions of section 2 of the act of July 7, 1884 (U. S. C., title 5, sec. 266), schedule of claims allowed by the General Accounting Office, as shown by certificates of settlement forwarded to the Treasury Department for payment, covering judgments rendered by the United States District Court for the Southern District of New York against collectors of customs, as provided under section 989 of the Revised Statutes (U. S. C., title 28, sec. 842), amounting to $23,945.39 (H. Doc. No. 459); to the Committee on Appropriations and ordered to be printed.

792. A communication from the President of the United States, transmitting for the consideration of Congress, in compliance with section 2 of the act of July 7, 1884 (U. S. C., title 5, sec. 266), schedule of a claim allowed by the General Accounting Office pursuant to Private Act No. 172 of the Seventy-fourth Congress, amounting to $1,174.19, and which requires an appropriation for payment (H. Doc. No. 460); to the Committee on Appropriations and ordered to be printed.

793. A communication from the President of the United States, transmitting for the consideration of Congress estimates of appropriations submitted by the several executive departments and independent offices to pay claims for damages to privately owned property in the sum of $17,198.69 which have been considered and adjusted under the provisions of the act of December 28, 1922 (U. S. C., title 31, sec. 215), and which require appropriations for their payment (H. Doc. No. 461); to the Committee on Appropriations and ordered to be printed.

794. A communication from the President of the United States, transmitting for the consideration of Congress supplemental estimates of appropriations for the Department of Commerce for the fiscal year 1936 amounting to $164,600 (H. Doc. No. 462); to the Committee on Appropriations and ordered to be printed.

795. A communication from the President of the United States, transmitting for the consideration of Congress a draft of a provision pertaining to an existing appropriation of the Panama Canal to make available the funds required to give effect to the provisions of the act entitled "An act to provide for the measurement of vessels using the Panama Canal, and for other purposes", approved April 13, 1936 (H. Doc. No. 463); to the Committee on Appropriations and ordered to be printed.

796. A communication from the President of the United States, transmitting for the consideration of Congress a draft of a proposed provision pertaining to an existing appropriation of the Agricultural Adjustment Administration, Department of Agriculture, to make available to the Secretary of Agriculture the funds required to give effect to sections 56–60 of the act entitled "An act to amend the Agricultural Adjustment Act, and for other purposes", approved August 24, 1935, relating to anti-hog-cholera serum and hog-cholera virus (H. Doc. No. 464); to the Committee on Appropriations and ordered to be printed.

797. A communication from the President of the United States, transmitting for the consideration of Congress an amendment to the deficiency estimate of appropriation for payment of rewards, Post Office Department, fiscal year 1935, transmitted, together with other estimates, to Congress by his letter of March 13, 1936 (H. Doc. No. 424) (H. Doc. No. 465); to the Committee on Appropriations and ordered to be printed.

798. A communication from the President of the United States, transmitting for the consideration of Congress, in compliance with section 2 of the act of July 7, 1884 (U. S. C., title 5, sec. 266), a schedule of claims amounting to $206,735.82, allowed by the General Accounting Office, as covered by certificates of settlement and for the services of the several departments and independent offices (H. Doc. No. 466); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. MILLER: Committee on the Judiciary. H. R. 11372. A bill to amend Public Law No. 215, Seventy-fourth Congress, first session; with amendment (Rept. No. 2450). Referred to the House Calendar.

Mr. CELLER: Committee on the Judiciary. H. R. 11917. A bill 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; with amendment (Rept. No. 2451). Referred to the House Calendar.

Mr. BLAND: Committee on Merchant Marine and Fisheries. H. R. 12305. A bill to extend the jurisdiction of the Coast Guard; with amendment (Rept. No. 2452). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROGERS of New Hampshire: Committee on Military Affairs. S. 2460. An act to amend the act of June 6, 1924, entitled "An act to amend in certain particulars the National Defense Act of June 3, 1916, as amended, and for other purposes"; with amendment (Rept. No. 2453). Referred to the Committee of the Whole House on the state of the Union.

Mr. CELLER: Committee on the Judiciary. H. R. 11337. A bill to amend the Federal Register Act; without amendment (Rept. No. 2474). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. ROGERS of New Hampshire: Committee on Military Affairs. S. 724. An act for the relief of James T. Moore; without amendment (Rept. No. 2454). Referred to the Committee of the Whole House.

Mr. TOLAN: Committee on Claims. H. R. 297. A bill for the relief of William C. Reese; with amendment (Rept. No. 2455). Referred to the Committee of the Whole House.

Mr. EVANS: Committee on Claims. H. R. 610. A bill for the relief of Matt E. Saylor; with amendment (Rept. No. 2456). Referred to the Committee of the Whole House.

Mr. STACK: Committee on Claims. H. R. 761. A bill for the relief of Nick Gruich; with amendment (Rept. No. 2457). Referred to the Committee of the Whole House.

Mr. PITTENGER: Committee on Claims. H. R. 1549. A bill for the relief of Joshua L. Bach; with amendment (Rept. No. 2458). Referred to the Committee of the Whole House.

Mr. GWYNNE: Committee on Claims. H. R. 1739. A bill for the relief of Frank Gedney; with amendment (Rept. No. 2459). Referred to the Committee of the Whole House.

Mr. PITTENGER: Committee on Claims. H. R. 2121. A bill for the relief of Jane Murrah; with amendment (Rept. No. 2460). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 5877. A bill for the relief of William O'Connell; with amendment (Rept. No. 2461). Referred to the Committee of the Whole House.

Mr. EVANS: Committee on Claims. H. R. 6404. A bill for the relief of D. B. Carter; with amendment (Rept. No. 2462). Referred to the Committee of the Whole House.

Mr. SMITH of Washington: Committee on Claims. H. R. 6749. A bill for the relief of Mrs. Louis Abner; with amendment (Rept. No. 2463). Referred to the Committee of the Whole House.

Mr. HOUSTON: Committee on Claims. H. R. 8482. A bill for the relief of Jacob G. Ackerman; with amendment (Rept. No. 2464). Referred to the Committee of the Whole House.

Mr. PITTENGER: Committee on Claims. H. R. 8502. A bill for the relief of Theresa Link, Wencel Link, Edward Block, and John Meyers; with amendment (Rept. No. 2465). Referred to the Committee of the Whole House.

Mr. EVANS: Committee on Claims. H. R. 8720. A bill for the relief of Louis Manzumin; with amendment (Rept. No. 2466). Referred to the Committee of the Whole House.

Mr. HOUSTON: Committee on Claims. H. R. 9078. A bill for the relief of Bertha W. Lamphear; with amendment (Rept. No. 2467). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 9313. A bill for the relief of Anna Leak; with amendment (Rept. No. 2468). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 9314. A bill for the relief of Carrie R. Samms; with amendment (Rept. No. 2469). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 9315. A bill for the relief of Galen B. Fry; with amendment (Rept. No. 2470). Referred to the Committee of the Whole House.

Mr. SMITH of Washington: Committee on Claims. H. R. 10174. A bill for the relief of Ezra Curtis; with amendment (Rept. No. 2471). Referred to the Committee of the Whole House.

Mr. EVANS: Committee on Claims. H. R. 10242. A bill for the relief of Charles Weisz; with amendment (Rept. No. 2472). Referred to the Committee of the Whole House.

Mr. SMITH of Washington: Committee on Claims. H. R. 11379. A bill for the relief of William H. Milton; with amendment (Rept. No. 2473). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CARPENTER: A bill (H. R. 12370) to authorize a preliminary examination of Big Blue River and its tributaries, with a view to the control of their floods; to the Committee on Flood Control.

By Mr. CROSSER of Ohio: A bill (H. R. 12371) to establish a United States Court of Patent Appeals, and for other purposes; to the Committee on the Judiciary.

By Mr. CHANDLER: A bill (H. R. 12372) 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; to the Committee on the Judiciary.

By Mr. DIRKSEN: A bill (H. R. 12373) to prohibit the sale in the District of Columbia of products of convict labor; to the Committee on the District of Columbia.

By Mr. SCRUGHAM: A bill (H. R. 12374) to amend the act entitled "An act for the relief of unemployment through the performance of useful public work, and for other purposes", approved March 31, 1933; to the Committee on Mines and Mining.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of New York, regarding relief of unemployed transients; to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CASEY: A bill (H. R. 12375) for the relief of Julia Glynn; to the Committee on Claims.

Also, a bill (H. R. 12376) for the relief of Marion L. Gates; to the Committee on Claims.

By Mr. FENERTY: A bill (H. R. 12377) for the relief of Peter Mee; to the Committee on Military Affairs.

Also, a bill (H. R. 12378) granting an increase of pension to Joseph Brown; to the Committee on Pensions.

By Mr. GRAY of Pennsylvania: A bill (H. R. 12379) granting an increase of pension to Frank B. Ritzie; to the Committee on Pensions.

By Mrs. JENCKES of Indiana: A bill (H. R. 12380) granting a pension to Fern Galloway; to the Committee on Pensions.

Also, a bill (H. R. 12381) granting a pension to John R. Rogers; to the Committee on Pensions.

Also, a bill (H. R. 12382) granting a pension to Jesse L. Fisher; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12383) granting an increase of pension to Virgil O. Adams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12384) granting a pension to Gold Gray; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12385) for the relief of Charles W. Sumner; to the Committee on Claims.

By Mr. KRAMER: A bill (H. R. 12386) granting a pension to Milka N. Robbins; to the Committee on Pensions.

Also, a bill (H. R. 12387) granting an increase of pension to Frank Arthur Parsons; to the Committee on Pensions.

By Mr. MITCHELL of Illinois: A bill (H. R. 12388) to provide for the recognition of the heroic conduct and devotion to duty of Matthew A. Hensen, one of the survivors of the polar expedition of Admiral Peary, and to provide a life pension for the said Matthew A. Hensen; to the Committee on Coinage, Weights, and Measures.

By Mr. SCOTT: A bill (H. R. 12389) for the relief of Harry C. Hall; to the Committee on the Civil Service.

By Mr. TAYLOR of Tennessee: A bill (H. R. 12390) granting a pension to Mrs. James B. Warwick; to the Committee on Pensions.

Also, a bill (H. R. 12391) for the relief of Arthur D. Sullivan; to the Committee on Claims.

By Mr. TOLAN: A bill (H. R. 12392) for the relief of Samuel Orie Johnson; to the Committee on Claims.

By Mr. VINSON of Kentucky: A bill (H. R. 12393) granting a pension to Jesse Johnson; to the Committee on Pensions.

By Mr. WERNER: A bill (H. R. 12394) to recognize and reward the accomplishments of the pilots of the stratosphere balloon *Explorer II;* to the Committee on Military Affairs.

By Mr. CONNERY: Joint resolution (H. J. Res. 570) authorizing the President of the United States to award posthumously a Distinguished Service Medal to Maj. Gen. Clarence Ransom Edwards; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

10746. By Mr. BEITER: Petition of the American Society of Civil Engineers, urging adoption of legislation (H. J. Res. 492) to provide funds for continuing the Public Works program; to the Committee on Appropriations.

10747. Also petition of the New York State Assembly, urging Congress to accept immediate responsibility for relief

and employment of transients; to the Committee on Appropriations.

10748. By Mr. JOHNSON of Texas: Petition of Mrs. E. L. Evans, corresponding secretary of the Worth While Club, Frost, Tex., favoring House bill 11225, the Disney bill; to the Committee on Education.

10749. Also, petition of the County Commissioners' Court of Limestone County, Tex., composed of Hon. Lewis Seay, county judge; J. Clonts, Ike Kennedy, Frank Burke, and John Mackey, county commissioners; also Judge Alex Smith, Judge Fountain Kirby, Henry Jackson, Lester Sheppard, Carl Cannon, and Scott Reed, all of Groesbeck, Tex., opposing termination of white-collar Works Progress Administration projects; to the Committee on Appropriations.

10750. By Mr. LAMNECK: Petition of Mrs. Luther Beck, secretary, Eastern Child Conservation League of Columbus, Ohio, urging early hearings on the motion-picture bills now in Congress; to the Committee on Interstate and Foreign Commerce.

10751. By Mr. McLEAN: Petition of the Elizabeth Democratic Club, Elizabeth, N. J., relative to the Wheeler-Crosser bill; to the Committee on Interstate and Foreign Commerce.

10752. By Mr. MEAD: Petition in the nature of a resolution of the Assembly of the State of New York, requesting the Congress of the United States and the Federal Works Progress Administration to accept the immediate responsibility for relief and employment of transients, urging that this relief and employment be made effective through permanent departments of State government and coordinate local units of administration and that funds be made available by the Federal Government on a grant-in-aid basis; to the Committee on Appropriations.

10753. By Mr. O'CONNELL: Resolution urging the President of the United States to act promptly under the provisions of the Soil Conservation Act to restrict the imports of cotton texiles from Japan; to the Committee on Agriculture.

10754. By Mr. PFEIFER: Petition of the New York State Legislature (concurred in by the senate, Albany, N. Y.), urging Congress to accept immediate responsibility for relief and employment of transients; to the Committee on Appropriations.

10755. Also, petition of the Fur Trade Foundation, of the city of New York, concerning the Wagner-Ellenbogen housing bill; to the Committee on Labor.

10756. By Mr. THOMASON: Petition of residents of Valentine, Tex., urging passage of House bill 11609, the Crosser-Wheeler bill; to the Committee on Interstate and Foreign Commerce.

10757. By the SPEAKER: Petition of the city of Cleveland, Ohio; to the Committee on Banking and Currency.

10758. Also, petition of the New York Board of Estimate and Apportionment; to the Committee on Banking and Currency.

10759. Also, petition of the New York State Board of Housing; to the Committee on Banking and Currency.

SENATE

TUESDAY, APRIL 21, 1936

(Legislative day of Monday, Feb. 24, 1936)

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

THE JOURNAL

On request of Mr. ROBINSON, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Monday, April 20, 1936, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. LEWIS. I note 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	Connally	King	Pope
Ashurst	Coolidge	La Follette	Radcliffe
Austin	Copeland	Lewis	Reynolds
Bachman	Couzens	Logan	Robinson
Bailey	Davis	Lonergan	Russell
Barbour	Dickinson	Long	Schwellenbach
Barkley	Dieterich	McAdoo	Sheppard
Benson	Donahey	McGill	Shipstead
Bilbo	Duffy	McKellar	Steiwer
Black	Fletcher	McNary	Thomas, Okla.
Borah	Frazier	Maloney	Thomas, Utah
Brown	George	Metcalf	Townsend
Bulkley	Gibson	Minton	Truman
Bulow	Glass	Moore	Tydings
Burke	Guffey	Murphy	Vandenberg
Byrd	Hale	Murray	Van Nuys
Byrnes	Harrison	Neely	Wagner
Capper	Hastings	Norris	Walsh
Caraway	Hatch	Nye	White
Carey	Hayden	O'Mahoney	
Chavez	Holt	Overton	
Clark	Johnson	Pittman	

Mr. LEWIS. I announce the absence of the Senator from Alabama [Mr. BANKHEAD], the Senator from Colorado [Mr. COSTIGAN], the Senator from Nevada [Mr. McCARRAN], and the Senator from Florida [Mr. TRAMMELL], caused by illness; and the absence of the Senator from Washington [Mr. BONE], the Senator from Oklahoma [Mr. GORE], the Senator from Rhode Island [Mr. GERRY], the Senator from South Carolina [Mr. SMITH], and the Senator from Montana [Mr. WHEELER], who are necessarily detained from the Senate.

Mr. AUSTIN. I announce that the Senator from New Hampshire [Mr. KEYES] is unavoidably absent.

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

LOUIS M'HENRY HOWE

Mr. WALSH. Mr. President, on Saturday last, April 18, Louis McHenry Howe, a resident of Massachusetts, secretary to and a trusted and intimate friend of the President, died. The extent and character of his public service is so conspicuous that references to it made through editorials published in the press should be embodied in the CONGRESSIONAL RECORD. Therefore, I ask unanimous consent that several editorials commending the loyal and devoted service of Mr. Howe be printed in the RECORD.

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

[From the Washington Post of Apr. 20, 1936]

LOUIS M'HENRY HOWE

It is reiterated in the obituary summaries of Louis McHenry Howe's career that he was the "no" man of the President's entourage. "The Colonel" himself would have subscribed to the statement. From the beginning, when this Albany newspaper correspondent first recognized the possibilities of young Senator Roosevelt, of Dutchess County, and forthwith enlisted in the Roosevelt forces, he saw that his principal service would lie in balancing his older years and broader political experience against the eager enthusiasm of the younger man. "To provide the toe weights", was Mr. Howe's description of his own role.

But, in another sense, Mr. Howe was Mr. Roosevelt's "yes" man. He it was who took up the banner when, at the opening of the Dutchess County campaign for reelection, the young senator was stricken with typhoid fever. "Yes", Louis Howe said, "you can be reelected." And, undertaking a campaign by proxy, he returned his man to office. The partnership was sealed.

Up through the ranks these two friends progressed together. When Mr. Roosevelt became Assistant Secretary of the Navy, Howe, for his effective behind-scenes maneuvering, earned the jocular title of "Daniels' spy", which pleased him greatly. Their next campaign, for the Vice Presidency, is said to be one of the few instances in which the older man's advice was disregarded. Then poliomyelitis struck. Again Louis Howe offered his encouragement and advice. Mr. Roosevelt's destiny, he argued, was not necessarily affected; and, ever at his friend's side, he plotted the political strategy and supervised its execution to win their way first to the Governor's mansion in New York State and from there to the White House.

It is declared that the friendship of the two men is without parallel in the history of American politics. For one man to dedicate himself utterly to another's progress is not a common sight. Of course, Mr. Howe himself would have been the first to point out that in so doing he was advancing his own hopes. He was fated for politics. With a high talent for complete analysis, a sureness in gaging men, and a flair for the dramatic, he was admirably equipped for the game. Add to these a delight in success and the result is political genius. Such a man was Louis McHenry Howe; and, because his ability was always tempered with honesty and loyalty, the Nation will share with Mr. Roosevelt what must be for him a deep sense of loss in the passing of his "fidus Achates."