Henry Van Arsdale to be Assistant Commissioner of Patents.

Floyd J. Porter to be examiner in chief, United States Patent Office.

POSTMASTERS

ALABAMA

James A. Sanders, Beatrice.
Clyde H. West, Center.
Hettye M. Snell, Clio.
Leslie D. Stallworth, Cordova.
James Claude Golden, Dora.
James Davis Hilyer, East Tallassee.
Clellon L. Wager, Heflin.
Albert C. Blacklidge, Phil Campbell.

ARKANSAS

David Compton, Bentonville.
Logan Stafford, Green Forest.
Carrol L. Bird, Wilmar.

COLORADO

Leo F. Houston, Sugar City.

CONNECTICUT

Catharine W. Quinlan, North Haven.
James H. Morrissey, Unionville.

FLORIDA

Nancy L. Mims, Deerfield.
Rondal B. Handley, Holopaw.
Claudine J. Hansel, Pinecastle.

GEORGIA

Anna Morrison, Mount Vernon.

INDIANA

Pierre Helms, Centerville.
Jesse L. Hoppes, Farmland.
John F. Mitchell, Jr., Greenfield.
John G. Harding, Kirklin.
Clarence A. Washler, Lynn.
Melvin Woods, Milroy.
Maurice C. Ingerman, Milton.
Albert E. Sewell, Pleasant Lake.
Guy R. Sears, Red Key.
Fred B. Pickett, Richmond.
John E. McFarland, Ridgeville.
Rollin J. Clark, Topeka.
Orvah L. Hindsley, Union City.

IOWA

Raymond F. Sullivan, Afton.
Rex O. Mayhew, Blairstown.
Joseph Benesh, Chelsea.
Palmer H. Hedges, Hedrick.
John M. Stephenson, Mediapolis.

KENTUCKY

Joseph E. Langley, Clarkson.

MAINE

Ralph H. Egan, Ashland.
James G. O'Connor, Bangor.
Herbert Fred Hanson, Belfast.
Arthur J. Remillard, Biddeford.
Ralph H. McEwen, Bowdoinham.
Perl E. Woodbury, Damariscotta.
David H. Smith, Darkharbor.
George R. Desjardins, Old Town.
Ella Mae Quimby, Oquossoc.
Allston M. Hatch, Stonington.
Thomas G. Burdin, Turner.

MARYLAND

Isaac Henry Morris, Federalsburg.
Ethel W. Gallagher, Preston.

MASSACHUSETTS

Eugene J. LeMaire, Fisherville.
George F. McNamara, Haverhill.
John R. Walsh, Topsfield.

MINNESOTA

Claude C. Stubbe, Ashby.
Ethel F. Lerohl, Bovey.
Owen J. Regan, Butterfield.
Milton O. Perry, Dodge Center.
Christopher J. Keefe, Eyota.
Elisha L. Creech, Grand Marais.
Frank M. Holecek, Jackson.
Carl T. Torgerson, McIntosh.
Walter B. Gislason, Minneota.
Dolphin W. Forsmark, Palisade.
Raymond C. Faust, Pierz.
Chester C. Gallagher, Plainview.
T. Donald O'Connor, Renville.
John F. Hawley, Sandstone.
Joseph H. McCaffrey, Wabasha.
Minor Buckingham, West Concord.

MISSOURI

Walter Fraser, Bolckow.
Charles V. Hollady, Illmo.
Anna L. Robinson, Oak Grove.
Willie L. Hixson, Ozark.
Leonard V. Parker, Plattsburg.
Edward P. Mullaley, Sedalia.

NEW JERSEY

Carl Shurts, Lebanon.

NORTH CAROLINA

Robert Boyd Patterson, Littleton.

TENNESSEE

George V. Anderson, Gates.
Hugh B. Milstead, Hornsby.
Allen N. Williams, Newbern.
Hughes H. Hunt, Rives.

VERMONT

Alice C. Carr, Derby.

WEST VIRGINIA

Arling C. McGee, Elkins.
Austin H. Elrick, Gormania.
Edson Stout, Nutter Fort.
Swepson J. Richter, White Sulphur Springs.

HOUSE OF REPRESENTATIVES

MONDAY, JUNE 1, 1936

The House met at 11 o'clock a. m.

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

God be merciful unto us and bless us, and cause His face to shine upon us; that Thy way may be known upon earth, Thy saving health among all nations. Let the people praise Thee, O God; let all the people praise Thee. O let the nations be glad and sing for joy; for Thou shalt judge the people righteously and govern the nations upon earth. Let the people praise Thee, O God; let all the people praise Thee; then shall the earth yield her increase, and God, even our own God, shall bless us. God shall bless us, and all the ends of the earth shall fear him. We pray in the name of our Savior. Amen.

The Journal of the proceedings of Friday, May 29, 1936, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Horne, its enrolling clerk, announced that the Senate had passed, with amendments, in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 6772. An act to amend the Grain Futures Act to prevent and remove obstructions and burdens upon interstate commerce in grains and other commodities by regulating transactions therein on commodity futures exchanges, to limit or abolish short selling, to curb manipulation, and for other purposes.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

The message also announced that the Senate agrees to the amendments of the House to the amendments of the Senate to the bill (H. R. 11418) entitled "An act making appropriations for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1937, and for other purposes", nos. 85 and 86.

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

S. 4622. An act to amend section 2 of the act entitled "An act granting the consent of Congress to the Alabama State Bridge Corporation to construct, maintain, and operate bridges across the Tennessee, Tombigbee, Warrior, Alabama, and Coosa Rivers, within the State of Alabama", approved May 26, 1928.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 267) entitled "An act for the relief of certain officers and employees of the Foreign Service of the United States who, while in the course of their respective duties, suffered losses of personal property by reason of catastrophes of nature."

The message also announced that the Senate had appointed Mr. CLARK and Mr. LA FOLLETTE additional members of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9185) entitled "An act to insure the collection of the revenue on intoxicating liquor, to provide for the more efficient and economical administration and enforcement of the laws relating to the taxation of intoxicating liquor, and for other purposes."

WILLIAM WALLER RUCKER

Mr. NELSON. Mr. Speaker, it is with real sorrow that I announce the death of William Waller Rucker, at his home in Keytesville, Chariton County, Mo., on Saturday, May 30. Judge Rucker was for 24 consecutive years an honored and influential Member of the National House of Representatives, representing the Second Missouri Congressional District, which I now have the privilege of representing. Mr. Rucker was born February 1, 1855.

Following his retirement at the end of the Sixty-seventh Congress, Judge Rucker returned to his home, where he had extensive farming interests, and to which he had since devoted his time. No district has ever had in Congress a more faithful representative than was Mr. Rucker. He was true to every trust. Popular with his colleagues, he had a wide influence in legislative matters. His judgment was excellent and friends consulted him with confidence. His popularity in Congress was exceeded only by that among his constituents, to whom he gave his very best. No commission was too small for him to attend to with the greatest care, and none too big for him to undertake and carry through to a successful conclusion. The old Second Missouri District was fortunate in being represented for many years by one so capable, conscientious, and courteous as was Mr. Rucker.

Only 2 weeks ago it was my privilege to visit for an hour with this grand old man at his home. I was saddened, though, as we sat there and faced the sunset, by the realization that he was rapidly approaching the sunset of his long and useful life; that soon, in all human probability, he would be called upon to travel, as each of us must, alone down the long lane that leads to the Father's house. The journey came, though, sooner than I had anticipated. I shall always count it a pleasure and a privilege to have had this last talk with one to whom I am so greatly indebted, to one who left his impress deep on the State of his adoption, and whose death has brought genuine sorrow to so many.

MEMORIAL DAY ADDRESS

Mr. DONDERO. Mr. Speaker, I ask unanimous consent to revise my remarks and to include therein a short Memorial Day address I delivered to Spanish-American War veterans on Memorial Day.

The SPEAKER. Without objection it is so ordered.

There was no objection.

Mr. DONDERO. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following address which I delivered on Memorial Day, at Cedar Hill Cemetery, Washington, D. C., 1936:

It is springtime. The fragrance and beauty of flowers fill the land. The flag is at half mast. The loom is hushed, and the wheels of industry stand still. It is Memorial Day; a day on which to rekindle the fires of patriotism and love for the land we call home. It is a day of memories.

With heads bowed reverently and respectfully, Americans gather today on the hillsides, in the valleys, and on the plains to honor the Nation's dead. A grateful people pause to perpetuate the memory and recall the unselfish devotion and sacrifice of those who died that the Nation might live.

Yonder across the river on the inspiring dome of the Nation's Capitol, kissed by the sun of day and watched by the stars at night, floats the unconquered flag of the country they preserved for us.

When Jefferson penned the Declaration of Independence he included in that sacred document the thought that men were endowed with certain inalienable rights. Those rights were not granted by man. We do not inherit them from our ancestors; neither can we pass them on to our posterity. We are endowed with them at birth by the Great Creator. They come down to us from Heaven. They belong to us and die with us. Those rights are life, liberty, and the pursuit of happiness. They are interwoven in the fabric of our Government.

The American ideals which we have inherited are lofty ones. They mean courage in the face of difficulty, loyalty to truth, sympathy, and courtesy, industry, and reverence to God and to our fellow men. These have been American ideals since the *Mayflower* crossed the sea.

The principles for which the embattled farmers left their plows on an April morning in the long ago, when reduced to a single thought can be couched in one sentence: "They fought and died to lift the weights from the shoulders of men."

Your fathers in offering all they could give in the great War between the States were ready to yield life freely in order that those principles might be preserved. We who now live in this day and generation, who have inherited the country which our ancestors nobly won and gave to us, may not fully appreciate the sacred heritage which we have received. There is a tendency today on the part of some of the people to forget that which was so nobly achieved and preserved for us and take up the "isms", the imagined glories and benefits of some foreign notions of government.

I, for one, hope this Republic will never grow old enough to forget the sacrifices and devotion of the men who wore the uniform of the American soldier in preserving intact every human principle of right and justice included in the Declaration of Independence and the Constitution of the United States. If that time should ever come in this land when we can no longer remember what the men who followed the flag did for us, then the Republic no longer deserves to remain. Our form of government may not be perfect, but with all its faults, it stands out as the last and best hope of man—freedom to rule himself.

The Government, through Congress, makes laws to rule the people; but the people made the Constitution of the United States to rule their Government. Therefore, any assault on the fundamental law of the land is a direct attack on the rights of the people themselves—rights which were born in death and baptized in the blood of the Nation's soldiers.

To those who would destroy this Government by force and bloodshed from within, let us, the living, join in the silent appeal of the dead, and declare that America needs none but those who appreciate her institutions and cherish the rights and liberties they enjoy under them.

To all others we invite attention to the fact that all ports of departure are open, and if there be any who are dissatisfied with life beneath the Stars and Stripes, the most beautiful flag ever to float beneath an azure sky, then let them return to the land whence they came and no longer remain here to desecrate the soil purchased by the blood of free men.

These dead, in memory of whom we are gathered, are sacred to us. They will remain sacred as long as the generations honor the supreme virtures of manhood.

These honored dead were patriots. Though dead we are inspired and ennobled by the memory of their deeds. Their dust remains an inspiration to their countrymen.

Patriotism consists of doing one's utmost to make one's own country strong, glorious, and honorable among the nations of the world in order that it may thereby best benefit all humanity and serve the race.

Under our form of government every citizen is a sovereign, and no one cares to wear a crown. We are what we are because we have accomplished. Without these honored dead it would not be so. America is not a creed, not a dream, but a breathing actuality with a magnificent past and we hope with a great future still unborn.

Who is an American? He who looks with pride upon the history which his fathers have written by their heroic deeds, who accepts with gratitude the inheritance which they have bequeathed

to him, and who highly resolves to preserve that inheritance unimpaired and pass it on to his descendants, enlarged and enriched, is a true American, be his birth or parentage what it may.

War under any flag means destruction. If these noble dead could stand among us this morning their prayer would be one of peace and good will among men as taught by the white-souled Man of Galilee 2,000 years ago. They died to bring peace to their fellowmen. All the progress of the world has not solved the heinous crime of war. Happy that day, my fellow countrymen:

"When the war drums throb no longer
And the battle flags are furled,
In the parliament of man,
The federation of the world."

A government like ours is the best example in the world as a force for peace and justice. We have no greater security against war than the Constitution of the United States and we will act wisely in this country if we move slowly before we malign the Magna Charta of our liberties. The underlying idea of our Government does not need change, for truth is always unchanging and eternal. What was so when the morning stars sang together will be so when time shall be no more.

St. Paul said, "I am a citizen of no mean country." The Romans challenged the world with the slogan, "I am a Roman." Let no prouder boast fall from our lips than for us to say "I am an American." No man has a right to demand a better government than that toward which he is willing to contribute.

The fathers who founded this Government understood so clearly the full meaning of our great triumph of independence and knew so well the long struggle of those who had fought for liberty that they were unwilling to commit the full measure of their blood-bought rights unto the keeping of any man. So when they formed the Union, before they entrusted any power to any man, they first set down in a written constitution, beyond the profane touch of any official hand, those fundamental rights which neither Congress nor the President could alter or abridge; and for further assurance they established the judicial power to lay the restraining hand upon Congress and to nullify and to make of no effect any act which ran counter to the Constitution. Thus was the light of liberty set upon a hill and so far their blessed rays have spread over the earth since that day that the oppressed of all the world have sought our shores.

When our majestic Capitol was built in Washington, it was proposed to put a liberty cap upon the figure which was to surmount the dome. Jefferson Davis, then Secretary of War, objected because the liberty cap worn by the Liberati in Rome had a significance too narrow to measure our conception of liberty. The classic sculptures of the ancients were studied to find an appropriate suggestion.

At last the goddess of the classics was agreed upon, but with a headdress borrowed from the American Indian in commemoration of his courage in his losing fight for his happy hunting grounds, rather than the ferocious quality of his warriors. Then there was placed in her hands a sword and a new character was given to the goddess of the old Celestials and they called her "Armed Liberty." Whether she is to remain there depends upon us. The soldiers of the Republic have always done their duty to keep her there. May the people be inspired by their example to do likewise.

When the struggle to preserve for our children the constitutional system under which we have so long prospered comes, may the historian of the future who records the part we play in that contest be able to set down opposite our names, "They also kept the faith."

"God of our fathers, known of old,
Lord of our far-flung battle line;
Beneath whose awful hand we hold
Dominion over palm and pine;
Lord God of Hosts, be with us yet,
Lest we forget—lest we forget."

Mr. TREADWAY. Mr. Speaker——

The SPEAKER. The Chair may state that there are pending a number of special orders which will take about 70 minutes, as well as a matter of unfinished business, the vote on the Jefferson Memorial bill. Except for corrections of the RECORD we will take up matters that have priority.

THOMAS JEFFERSON MEMORIAL

The SPEAKER. The question is on the passage of the bill (H. R. 12027), to authorize the execution of plans for a permanent memorial to Thomas Jefferson.

The question was taken; and there were on a division (demanded by Mr. SNELL)—ayes 73, noes 18.

So the bill was passed.

A motion to reconsider was laid on the table.

PERMISSION TO ADDRESS THE HOUSE

Mr. TREADWAY. Mr. Speaker, I ask unanimous consent that, following the address of the gentleman from Missouri [Mr. NELSON], I may address the House for 3 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. TARVER. Mr. Speaker, I ask unanimous consent that on Wednesday next immediately after the reading of the Journal and the disposition of business on the Speaker's table I may be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. DALY. Mr. Speaker, I ask unanimous consent that following the address of the gentleman from Massachusetts [Mr. TREADWAY], I may address the House for 3 minutes.

Mr. BANKHEAD. Mr. Speaker, reserving the right to object, and I shall not object, last week special orders were passed which will take up 70 minutes, and this morning about 15 additional minutes' time has been added by way of further special orders. This is the regular Consent Calendar day and many Members on the floor have bills on this calendar they are anxious to dispose of. I shall be compelled to object to any further requests for time this morning.

The SPEAKER. The gentleman from Pennsylvania [Mr. DALY], asks unanimous consent to address the House for 3 minutes following the address of the gentleman from Massachusetts [Mr. TREADWAY]. Is there objection?

There was no objection.

THE PROMISED LAND

Mr. LARRABEE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a speech delivered by Hon. Harold L. Ickes, Secretary of the Interior.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. LARRABEE. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following address delivered before the United Palestine Appeal, at the Hotel Astor, New York City, on May 24, by Hon. Harold L. Ickes, Secretary of the Interior:

In man's struggle to civilize himself his inveterate and implacable foe has been ignorance—ignorance which from its noisome cave spawns cruelties, injustice, oppressions, prejudices, and intolerances, myriad in number and of infinite variety and form. Ignorance shackled the timid feet of prehistoric man as he ventured the first faltering step along the road toward enlightenment. Ignorance has forced us back time and again, even after we had firmly set out upon the path that, in our lucid moments, we sought to tread. Ignorance will continue to dog our footsteps to the end of time and will outpatience patience itself in waiting watchfully for opportunities to stir our latent prejudices, our corroding fears, and our all-too-easily stimulated hates.

Most frequently and quickly can this be done against those whom we regard as outlanders merely because they have differently colored skins or speak languages that we do not understand or worship according to beliefs that are alien to us. Although, intellectually, we know all too well the subtly sinister methods resorted to by ignorance to bring about discord, disunion, and disharmony; although from bitter experience we have learned that ignorance, more than all other physical and spiritual forces together, has been responsible for the injustices, the cruelties, and the savageries of mankind, nevertheless, we have so far failed to face it with that courage and will, without which we will continue to be its victims. Instead of letting in the light, we have opposed ignorance with ignorance, thus closing our eyes to the fact that when ignorance meets ignorance, ignorance cannot fail to win.

More than any other race of men that has ever lived, so far as history records or archeological researches have disclosed, has the Jew been the victim of an ignorance that has expressed itself in prejudice, persecution, intolerance, and hate. A race less generously endowed with courage would long ago have perished if called upon to endure half of the miseries that the Jew has stoically and philosophically withstood. Nor has the Jew been lacking in physical stamina of such a high order that he has been able to withstand hunger and thirst, the burning suns of the desert, and the freezing winds of the Arctic. Yet physical stamina he might have had in that measure which has not yet been vouchsafed to men of any other race, and still he would not have been able to survive the forces that throughout the ages have been unleashed to his destruction.

Above all else it has been the spiritual qualities of the Jew that have made it possible for him to survive trials and tribulations to which even the strongest body and the stoutest heart, lacking such spiritual qualities, would long since have succumbed. Time after time recurring tempests of bitter human passions have smashed and torn and battered until only the hardiest were able to survive. Looking back over the boundless sea of tossing, mountainous

waves, upon the crests and in the troughs of which the peoples of the world from time to time have been thrown about or have floundered, one beholds the miracle of a single people savagely flung about whenever there was a storm, and time after time, apparently drowning, yet always in the end emerging with unimpaired vigor, ready and eager once more to resume the road leading to the promised land of the spirit.

How many nations have been born, have flowered, and then have died, the wisest historian would scarcely venture to answer. But throughout the colorful story of submerging and emerging peoples, one thread has been intricately interwoven, but never severed. Sometimes it was snarled; sometimes it was twisted and frayed almost beyond seeming in the hands of cruel and malevolent men, who sought to destroy the wonderful pattern which life was determined to save from them. Merged with other strands, at times it almost became lost. Yet, lost it never has been, and in the light of its sturdy survival who would be so bold as to predict that, come what may, it ever can be destroyed.

This strand, whose origin lies deeply hidden beyond the far horizon whence recorded history finally emerged, in these latter days stands out once again sharp and clear in the design of our slowly developing civilization. It is not important whether those early shepherds, who later were brought together by their common needs and their common aspirations, had a common origin or not. We do know that they regarded themselves as the descendants of a line of patriarchs who were half shepherd kings and half shepherd prophets. We know that in course of time a tribal organization came into being. There followed the selling of Joseph into Egypt and his spectacular rise into the foremost statesman of his age just in time to save from starvation, not only the momentarily grateful Egyptians, but his own kith and kin as well.

Then evil days befell during which the Jews continued to persevere in the development of those qualities of patience, of steadfast endeavor, and of adherence to their belief in one God, which distinguished them from all other peoples of their time, and which, above all else, was the granitic binder that held them together, steadfast in the faith that enabled them to endure and to conquer, to be submerged and to rise again, during the cruel centuries that lay ahead of them. At last throwing off the bondage of Egypt, during 40 years of wandering in the desert in search of the promised land, they had further tragic opportunity to develop to a still higher degree their great qualities of heart and spirit. Then in the promised land, having at last attained it after great travail, they built and maintained the outstanding civilization in the known world, a civilization that has profoundly influenced all succeeding ones and will continue to furnish the woof for the warp of the civilizations that are to come.

But, once again, just when it seemed that they had attained heights upon which they might dwell securely forever, they were brought face to face with the greatest tragedy in their history as a nation. As the result of schisms from within and of the pressure of covetous foes from without, Jerusalem fell and Palestine became for centuries merely a cherished memory to the Jews scattered in all parts of the civilized world.

Always have the Jews been a people of spiritual vision. It is their prophets and their holy men that they have revered throughout the ages—not warriors, not conquerors of foreign lands, not merchants nor bankers nor lawyers. They ever have had leaders of courageous vision to sustain their hopes when the road was the roughest and the night the darkest. The body of the Jew might be making bricks without straw for his oppressive taskmasters in Egypt, but his spirit was always projected toward the promised land. From the day when he was driven from Jerusalem, during all of those ages which, while murky even for those newer civilizations newly emerging from the barbarism of the great forests of Europe, were Stygian in their blackness for the friendless and the outcast Jew, was there mixed with his longing for the promised land that had been won and lost to him the unquenchable hope that it was still the promised land of the Jew of some future generation.

And just as the Jew, escaping finally from Egypt, after long years found his way to the promised land, so latterly the far-off descendants of this same people once again have retraced their steps to that same promised land. Here, indeed, is the fulfillment of the destiny of a people that has no parallel in history. And it is this destiny, this conquering of what seemed to be fate itself, which has brought us here tonight to acclaim what has already been accomplished toward the rehabilitation of the homeland of the Jew, while giving our encouragement and support to a movement which must not be permitted to fail.

With all of their vision the Jews would have failed to take even the farthest outpost of their objective if the social idealism which inspired him had not been supported by practical ability of a high order. It is inspiring to think of a people, scattered and comparatively few in numbers, undertaking a task that is without comparison in the history of the human race. It is even more inspiring to contemplate what has already been accomplished in Palestine and what is now taking place there. Despite what seemed to be insurmountable difficulties, notwithstanding misconceptions and misunderstandings that have developed from unforeseen circumstances or that have been deliberately created for the confusion of a great people intent upon doing a tremendous task, wonderful progress has been made. Despite a financial catastrophe that seemed to threaten the very foundations of our civilization, there is apparent no other disposition than to keep the hand to the plow until the soil has been turned clean and true to the very end of the furrow.

The purpose underlying the repossession of Palestine by the Jews was, of course, to provide a homeland for a people who, by stress of circumstances, had become nomads against their will; a people in whose hearts the hope had never become extinguished, however dim it grew at times, that a wandering and persecuted people would again, sometime or other, return home. Those who, with praiseworthy patience and vision, have made themselves responsible for the success of this unique and significant undertaking have encountered tremendous discouragements.

Men of lesser spirit would long ago have abandoned an enterprise that on many occasions must have seemed impossible of attainment. Yet always they have persevered, just as they will continue to persevere. They have been beset with problems of diplomacy, with problems of internal adjustments, with problems involving the most efficient development of Palestine, with problems of finance. Yet, despite all of these and other seemingly insuperable obstacles notwithstanding the fact that at times there has been far from unanimity even among Jews themselves, leaders who had the vision have persevered, with results that are no less heartening for the future than they are significant of the past.

I was amazed to learn that of the 300,000 Jews who have migrated from various countries, particularly in Europe, during the last 8 years, 162,000 have been admitted to Palestine. It was enlightening to me to learn that more than 60,000 were admitted there during the past year and that, given normal opportunities, another half million will knock on the doors during the next decade.

Those who are creating a home in Palestine are not only helping themselves; they are helping civilization. The world is so closely knit together now that we cannot say that that which is happening in one section will be without influence and effect in another. When we contemplate that the third of a million Jews who now inhabit that famous area have built more than 300 schools, that their hospitals are giving aid to all who apply, that the application of scientific methods to soil reclamation and to agriculture is producing marvelous results, that scholarship is being given a tremendous impetus by virtue of the establishment of that magnificent institution of higher learning on Mount Scopus, we cannot but believe that the effect of a liberal, advanced civilization in the new Palestine will react to the benefit of the whole world. I may say parenthetically that the members of the Department of the Interior are proud of the fact that it was our distinguished reclamation expert, the late Dr. Elwood Mead, who was head of a commission which made a report upon which the program of reclamation in Palestine has been based.

Like any other person of broad interest I have been fascinated to watch this activity in Palestine. From my office in the Interior Building in Washington I have frequently noted the construction of the new Department building. From a large hole in the ground there has risen a skeleton of steel around which the mortar and brick and stone are now being placed which will give character and graceful shape to the building. In a broad way I see in this Interior Building construction an analogy to the building of Palestine. For our project we were concerned with starting with a good and firm foundation. We selected the best steel, we were careful of our cement, we choose as workmen those who were competent to give the best results. And you, in building Palestine, are doing likewise. The foundation upon which you are now engaged must be well and firmly set and the framework upon which the completed homeland ultimately will rise must be solidly constructed by artisans who are both loyal and capable.

In this work, American Jewry has taken a leading part. That is as it should be. It seems to me that there is a form of self-taxation which every understanding and fair-minded person imposes upon himself in behalf of a good cause. Palestine is such a cause. Although the Jews in the United States are comparatively small in numbers, nevertheless they represent a much larger proportion of the wealth of the Nation. And by wealth I do not mean money alone. I refer rather to the important elements of education, industry, loyalty, integrity, and vision.

Certainly no cause confronting the Jews of the world is deserving of more sympathetic consideration than that of the reestablishment of the homeland. There is no inconsistency between that true Americanism which is bred of real understanding and patriotism and participation in the upbuilding of a Jewish homeland. Jews of America are giving their less fortunate brothers a new deal in Palestine, just as we Americans have been endeavoring in the last 3 years to give ourselves a new deal.

It seems to me that those who are devoting their energies to the reestablishment of Palestine must perceive a parallel between what they are trying to do and one of the efforts of our own administration. In the Jewish homeland you are seeking to provide a sanctuary where many of your race who might otherwise be engulfed in the struggle for existence may work and dwell in economic security. In our own land the Government in seeking, through Rural Resettlement and the housing division of the Public Works Administration, to establish social and economic cases where some of those who are having great difficulty in maintaining their economic footing may be given a new start on the road to success.

In rebuilding a Jewish civilization in the land where a great Jewish civilization ages ago held aloft the torch of learning and philosophy and religion, the hope may be voiced that you will construct it around a cornerstone of enduring granite hewed from the mine of true political freedom. Let not your spirit become embittered because for so long a time you have been the outstanding victims of intolerance, of the lust of the ignorant mob to offer up

living sacrifices to its own ignorance, the objects of persecution and of religious bigotry.

I beg of you ever to have in mind that one of the curious phenomena of human nature is the disposition of the oppressed themselves, after they have achieved power in their turn, to use the instrumentalities of even greater oppression. Remember also that not only does a liberal government promise the greatest possible happiness and welfare for those who follow the majority in its thoughts and opinions, it is equally true that only under liberal government can minority groups prosper and thrive. The Jew knows well enough from his own story that only where there is enlightenment can there be peace and freedom.

We Americans pride ourselves on our freedom of press and speech, of assembly and of religion. We must never forget that not one of these can stand alone. If we encroach on one, we soon will limit or altogether destroy the others. There are active and malignant forces in our own Nation now which, while demanding liberty of one sort for themselves, ruthlessly would abridge a constitutional right that is precious to another. This must not be. Always in times of economic upheaval and social stress there is an accelerated tendency in some quarters to insist upon a limitation of the freedom of thought and expression on the part of others. The exponents of one idea would bind and crush those who cherish another. To permit that would be to undermine and ultimately destroy that which is most vital to our national unity and to the orderly progress of our civilization.

The Bill of Rights in our Constitution is for the protection of minorities. A majority needs no protection. Except when subjected to restraint, it is all powerful. It is the minority which requires to be safeguarded from the ruthlessness that sometimes possesses the majority and which is all too likely to possess it in that degree in which it is an overwhelming majority. All too frequently we have seen in this country the stirring up of a mob to wreak vengence on a helpless individual or a forlorn minority group. Even more dangerous, because more insidious and more persistent, is the more refined mob spirit that binds together witch hunting, character assassinating, atavistic superpatriots, whose congenital ignorance calls for all the tolerance and pity that we can muster. Because a man's race, his political beliefs, or his religion are unintelligible or displeasing to us we lynch him physically or spiritually, in total disregard of his natural or political rights or of our own obligations and responsibilities as citizens under the Constitution.

The history of America contains all too many disgraceful instances of suppressions and oppression; of tyrannies by the mob; of ruthless disregard of the rights of individuals and of minority groups, sometimes under the lash of a hydrophobic yellow press, oftentimes with the acquiescence, if not at the secret instigation of constituted authorities, such as to bring the blush of shame to the cheek of every true American who believes in the civil liberties that were written into our Constitution. But be it said to our credit that the record of our Nation is studded with incidents in which we, as a liberty-loving and tolerant people, have expressed our sympathy in behalf of oppressed minorities in other lands.

President Roosevelt was a true spokesman for the America that we love, when, in discussing our foreign policy in his message to Congress last January 3, he said:

"It is idle for us or for others to preach that the masses of the people who constitute those nations which are dominated by the twin spirits of autocracy and aggression are out of sympathy with their rulers, that they are allowed no opportunity to express themselves, that they would change things if they could.

"That, unfortunately, is not so clear. It might be true that the masses of the people in those nations would change the policies of their governments if they could be allowed full freedom, full access to the processes of democratic government as we understand them. But they do not have that access; lacking it, they follow blindly and fervently the lead of those who seek autocratic power. * * *

"They have therefore impatiently reverted to the old belief in the law of the sword or to the fantastic conception that they, and they alone, are chosen to fulfill a mission and that all the others among the billion and a half of human beings in the world must and shall learn from and be subject to them. * * *

"We have sought by every legitimate means to exert our moral influence against repression, against discrimination, against intolerance and autocracy, and in favor of freedom of expression, equality before the law, religious tolerance, and popular rule." * * *

It is my privilege to bring to you tonight a greeting from the President of the United States, expressing his interest in what you are trying to do. He has charged me to say to you who are an integral and valued element in the Nation, that he is distressed and disturbed by the reversion in certain parts of the world to days and deeds of an era which all enlightened people had long hoped would never return. It is his conviction that so long as minorities of the nations of the world are deprived of liberty of thought and religion, and the right to lead a normal, civilized life, there can be no true and permanent understanding between nations.

The President expresses through me to you, the representatives of a great and virile race, the hope that calmer and more dispassionate judgments will prevail, and asserts the belief that the Government of the United States, in carrying out the will of the people, will ever give watchful care to the minorities within its borders, and will maintain inviolate those vital rights that are guaranteed by the Constitution even to the most humble of our citizens.

CENTRAL VALLEY WATER PROJECT

Mr. GEARHART. Mr. Speaker, I ask unanimous consent to include in the RECORD at this point a letter from Mr. Edward Hyatt, State engineer of the State of California, answering certain assertions made on the floor by the gentleman from New York 2 or 3 days ago which pertained to the Central Valley water project.

Mr. BANKHEAD. Mr. Speaker, reserving the right to object, I must object to that part of the gentleman's request to insert at this point in the RECORD. I think it is a bad practice. I must object to this part of the request.

Mr. GEARHART. Mr. Speaker, will the gentleman withhold his objection for just a moment?

Mr. BANKHEAD. No; I shall insist upon my objection to that part of the gentleman's request to insert it at this point in the RECORD.

Mr. GEARHART. Then, Mr. Speaker, I modify my request to that extent.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GEARHART. Mr. Speaker, under leave granted by the unanimous consent of the House, I am including in the CONGRESSIONAL RECORD a letter which I today received from the Honorable Edward Hyatt, State engineer of the State of California, which relates to certain phases of the great Central Valley project in California.

My purpose in soliciting this letter from Mr. Hyatt and for asking its incorporation in the RECORD is to dispel certain doubt in respect to the attitude and professional opinions of this eminent engineer, doubt which has arisen as a consequence of certain assertions, astonishing to those Californians who heard them, that were made upon the floor of this House some few days ago by the gentleman from New York [Mr. TABER].

It seems quite unnecessary to comment upon Mr. Hyatt's professional standing or the esteem in which he is held throughout the West. Let it suffice to say that, among all of those who have down through the fastly multiplying years labored for the realization of this great project, no one is held in warmer affection nor are the professional opinions of anyone held in higher regard.

The letter follows:

WATER PROJECT AUTHORITY OF THE STATE OF CALIFORNIA,
Sacramento, Calif., June 1, 1936.

Hon. B. W. GEARHART,
Member of Congress, Ninth California District,
Washington, D. C.

MY DEAR CONGRESSMAN GEARHART: In compliance with your request for a statement concerning the accuracy of statements attributed to the State engineer of California in the CONGRESSIONAL RECORDS of May 20 and May 29, in connection with Central Valley project of California, the following is submitted.

The CONGRESSIONAL RECORDS of May 20 and 29 have been examined. In the RECORD of May 20, on page 7639, the following statement occurs:

"Mr. TABER. Let us take the Central Valley project in California, the first item. That project is said by reclamation people to be subject to a cost of $170,000,000. I have in my hand a document issued by the State engineer of California, and on page 37 it is shown that the project will cost $683,000,000 before being completed."

This statement is clearly incorrect. The $683,000,000 figure quoted relates to the State water plan of California and not to the Central Valley project, two separate things. The Central Valley project is known and definite; it has been specifically described by a statute of the State of California, which was upheld at a referendum election; therefore, there can be no mistaking what the words "Central Valley project" mean. This act also limits the expense in connection with the project to $170,000,000, which is somewhat in excess of the engineering-cost estimates.

On pages 8325 and 8326 of the RECORD of May 29, Mr. GEARHEART made the statement that no definite plan had been offered for the saving of the parching lands of the upper San Joaquin other than through the utilization of some, if not all, of the units of the Central Valley project. Quotations follow:

"Mr. TABER. Does the gentleman recognize the State engineer of California as an authority? He has studied the project and has demonstrated it clearly in his report?"

"Mr. TABER. And he has said that what the gentleman has asked is not necessary."

This statement is likewise erroneous. Units of the Central Valley project are the only solution found for the saving of the lands suffering from water shortage in the upper San Joaquin Valley, since the necessary water is not available locally. This has been clearly stated in the reports of the State engineer dealing with the subject, and has been concurred in by Federal agencies who have investigated the problem. Friant Dam on the San Joaquin River and the Madera and Kern Canals are integral parts of the Central Valley project, as are the San Joaquin pumping system and the Kennett Reservoir in Sacramento Basin, all of these units are necessary to remedy the water-shortage conditions in the upper San Joaquin Valley.

With assurances of highest official and personal regard, I remain,

EDWARD HYATT,
State Engineer of California.

THE PROPOSED NEW TAX BILL

Mr. JENKINS of Ohio. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. JENKINS of Ohio. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following address which I delivered over the National Broadcasting System from the National Capital at Washington, on May 29, 1936:

For the past few months the business world has been in a state of uncertainty as to what Congress would do with reference to the passage of a new tax bill. This uncertainty has been caused principally by the uncertainty which prevails in Congress itself. Will there be a tax bill and what will be its provisions is still uncertain. The morning papers indicate a bitter strife between the President, who is demanding the limit in taxation, and the members of his own party on the Senate Finance Committee, who are refusing to follow the dictates of the administration. A showdown came today when the Senate Finance Committee decided to disregard the orders of the President and to exercise their own judgment—in part, at least.

Early last January the President in his message to Congress assured the Nation that he saw no probable need for increased taxation, yet 2 months later he insisted that Congress should proceed immediately to the passage of a tax bill that would net the Government $1,137,000,000 in additional revenues. This was an urgent message, and the Ways and Means Committee of the House proceeded immediately to the task of bringing forth a bill in obedience to the orders of the President. The President demanded a new form of taxation by a levy upon the undivided profits of corporations. There was a wide division in the Ways and Means Committee, especially among the Democratic members themselves, as to how to meet this demand. For 6 weeks they wrestled with the problem. Troubled by doubts as to the wisdom of any tax bill at this time, and recognizing the impossibility of preparing a fair and scientific bill in a limited time and under pressure of administration spendthrifts, the House committee voted out a hodgepodge bill which was satisfactory to no one. The bill was opposed by the solid Republican membership on the committee. But under the lash of the administration this half-baked bill was forced through the House in short order and with little ceremony.

The Senate, although usually tractable and very responsive to the wishes of the administration, gagged at the unsound and unwise provisions of this bill and proceeded to rewrite it. According to the morning papers, the Finance Committee of the Senate, either from sheer exhaustion by reason of their long and tedious efforts or in abject surrender, were about ready to give up the ghost and to report out some sort of a bill that is certain to be unscientific, ill-prepared, and consequently unfair.

I should probably not be too harsh with these legislative committees, because their trouble is due solely to the fact that the administration had no tax program which would meet the test of consistency with any recognized taxation theories. The sole aim of the administration is to get its hands on great sums of money, without regard to the disastrous consequences to business, and for the sole purpose of carrying on its extravagant orgy of spending at least until the November election.

The levying of taxes in a great country such as ours is now almost a science. There is such correlation between all business that an unreasonable burden placed hurriedly upon any one branch may throw out of joint the whole business structure, with the result that the loss in other directions will be much greater than the tax collected.

There is no denying the fact that sooner or later we must embark upon a program that will provide for large additional tax levies. But I maintain that it is unwise to do so before and until the administration has shown a determination to curb the wasteful extravagant course it is now pursuing. At present our Federal Government is running behind at the rate of $15,000,000 every working day. Forty years ago the total cost of government was approximately $1,000,000 per day. The interest on the public debt now greatly exceeds the total cost of government 25 years ago.

This administration has increased taxes four times and the expenditures of the Government within that time have increased as follows:

In the fiscal year ending June 30, 1932, the cost of Government was $3,062,000,000.

In the fiscal year ending June 30, 1933, the cost of Government was $3,574,000,000.

In the fiscal year ending June 30, 1934, the cost of Government was $5,187,000,000.

In the fiscal year ending June 30, 1935, the cost of Government was $6,536,000,000.

In the fiscal year ending June 30, 1936, the cost of Government was $7,025,000,000.

In the fiscal year ending June 30, 1937, the cost of Government is estimated to be $8,612,000,000.

As long as the administration shows no inclination to keep its expenditures within receipts it will be unwise for the tax committees of Congress to assume the impossible burden of taking from disorganized and frightened businessmen and property owners the money necessary to match the easy and carefree expenditures of the National Government, whose mind is centered only on spending.

The bill today recommended by the Senate Finance Committee provides for an increase in the present corporation-tax rate of 12½ to 15 percent to 15½ to 18 percent, or an increase of 3 percent. Also a new tax of 7 percent on the undivided profits of corporations. Also a 1-percent increase in the surtaxes on individual incomes between $6,000 and $50,000. Also for the continuance without change of the present excess-profits and capital-stock taxes which the House bill would have repealed.

Instead of yielding a billion dollars per year as the President urged, it is likely that the new bill will not carry more than an increase of $500,000,000 per year. While this is a colossal sum, yet it is only enough to run the Government about 3 weeks at its present rate of spending.

This extravagance unless curbed is bound to lead to national bankruptcy. It is to lead to destructive inflation or to ruthless repudiation. A course of inflation will burst as every bubble must burst, and a course of deflation through repudiation will drag everybody and every business to destruction.

As I see it the only sensible course to pursue is to halt extravagant expenditure, and to do this in such a positive way as that it will carry conviction to the people of the country.

The President has deviated so far from his campaign promises and has changed his mind so conveniently since he has been in office that he can blame no one but himself if the people now are distrustful of his pledges.

I repeat that the only course out is a positive halting of expenditures so that the people of the country may definitely believe that a new course has been determined upon. When this is done business will revive to such an extent that the people will be more ready to assume the burden of paying the colossal debt under which the Government is now staggering.

Being a Republican I naturally think that this much-desired situation will not come about until a Republican administration is established in Washington. In 1920 our Government was then staggering under the greatest burden of debt that it had ever accumulated up to that time. The Republican administration assumed that debt courageously and inspired confidence in the American people, with the result that for 10 years the debt was reduced at the astounding rate of a billion dollars a year.

And during that time the rate of taxation was reduced several times, but the volume of taxes was increased with each reduction, because the business of the country increased and the confidence of the people in their Government was complete.

Let us restore confidence to the American people. To do this, those responsible for the operation of the Government must carry on so that the people will have confidence in them.

Let us end this reckless joyride of New Deal squandering.

Let us again recognize that thrift is a virtue.

THOMAS JEFFERSON MEMORIAL

Mr. MAIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. MAIN. Mr. Speaker, on last Friday afternoon, when the majority leader made some remarks concerning the authorization for the construction of a memorial to Thomas Jefferson, to be erected in the city of Washington, his persuasive eloquence overcame the reservations and doubts which I then entertained as to the wisdom of such legislation at this particular juncture in our Nation's history.

I have been charmed and impressed by the diction and logic of the gentleman from Alabama on other occasions, but when he referred to his own father, the plans for the Lincoln Memorial and the participation of the Democratic Party in the consummation of those plans for the magnificent structure on the banks of the Potomac dedicated to Abraham Lincoln, I was carried along with the surge of patriotic pride that irresistibly rises in my breast a response to patriotic appeals clothed in choice language and framed in well-turned phrases. The gentleman from Alabama has added one more bit of sparkling oratory to the collection of literary gems with which he has adorned the RECORD during this session of Congress.

But, Mr. Speaker, during the period which has elapsed since the House adjourned on Friday, I have viewed the site upon which I am told the Commission expects to locate the proposed memorial. In my humble opinion the site is entirely unworthy of such a distinction.

In fact, sir, it is my opinion that a memorial costing $3,000,000 could not be effectively located or adequately landscaped on any vacant parcel of land in the vicinity of the Capitol without detracting from the beauty and effectiveness of public buildings and monuments already in existence. It would be most unfortunate, sir, if any part of the Archives Building should be put into eclipse by any building or monument in its immediate vicinity. The new super-super greasing palace of the Standard Oil Co. and the other glorified filling stations nearby have effectively precluded the possibility of any thoroughgoing beautification of Constitution Avenue. In fact, Mr. Speaker, on more mature thought, why should another expensive memorial be added to the very impressive group of monuments already existing in our Nation's Capital? Without attempting to detract one iota from the significance of the towering shaft erected in honor of Washington, nevertheless, I do not hesitate to assert that the simple, classic beauty of Mount Vernon is enshrined in the hearts of the American people in a manner that can never be approximated by any shaft of granite, no matter how stately or unique that structure may be.

The city of Washington was not the scene of the most notable of Jefferson's achievements. In fact, sir, as sometimes happens, in these latter days, so in the case of Jefferson, his accession to the Presidency did not bring the glow of satisfaction; but on the contrary there were the bruises of disillusionment. Thomas Jefferson was more influential in theory than he was impressive in practice. As President he did only that which any other good Republican of his day would have done. As a leader in thought and a shaper of political progress he stands unique and supreme in American history. His stature in Philadelphia, Richmond, or Charlottesville is infinitely greater than in Washington. His memorial should be erected where his figure bulks largest in his service to his country.

When Jefferson became President he no longer wielded the trenchant pen of a political crusader. The responsibilities and exigencies of the office cramped his style and thwarted his ideals. Let this monument, sir, be constructed in some spot already dedicated to the memory of Thomas Jefferson. In this city nothing can escape the benevolent but omnipresent shadow of General Washington. With the advantage of an exceptional location and because of surpassing beauty, the memorial to Lincoln has achieved distinction and acclaim. But I venture the assertion that the proposed memorial to Jefferson cannot attain a fair degree of attention or respect in this city already overadorned with monuments and statues that are obscured and rendered commonplace by their surroundings.

Moreover, Mr. Speaker, I cannot forget that the morning papers announce a new all-time peak for the national debt. Even though this is not the appropriation measure, nevertheless, an authorization of a project to cost $3,000,000 implies and assumes an ultimate expenditure of that amount, or more. And $3,000,000 is too much money to put into a project at this time that does not contribute in some recurring and continuous manner to the well-being and improvement of social and economic conditions.

Three million dollars, Mr. Speaker, would build and equip 10 school buildings designed for special education of youth comparable to the Ann J. Kellogg School, dedicated to the problems of special education in my home city of Battle Creek. Three million dollars would richly endow a school of government in connection with the university which Thomas Jefferson founded. When $3,000,000 are expended to honor the name of Thomas Jefferson, it is my opinion that those millions should be devoted to keeping the idealism of Jefferson a living, vital force throughout the length and breadth of our land. Carving on a marble surface in the city of Washington will not inscribe his name more deeply in the minds of the school children of the Nation.

Casting his figure in bronze, set on a pedestal in the District of Columbia, will not lengthen the shadow of Thomas Jefferson as it betokens the principles of religious liberty in America. Mr. Speaker, I submit that at this time we can do greater honor to the name and memory of Thomas Jefferson by observing and honoring the Constitution itself, rather than by planning to spend borrowed millions to add another ornament to the avenue in the city of Washington named after the Constitution. In the name of the principles established by Jefferson, let us beware of any procedure that may, in years to come, make the name of that avenue but a hollow mockery.

VETERANS, WORLD WAR, EMPLOYEES' COMPENSATION ACT

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to have until noon tomorrow to file minority views upon the bill (H. R. 12869) to liberalize the provisions of Public Law No. 484, Seventy-third Congress, to effect uniform provisions in laws administered by the Veterans' Administration, to extend the Employees' Compensation Act with limitations to certain World War Veterans and other persons, and for other purposes.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

EXTENSION OF REMARKS

Mr. GEARHART. Mr. Speaker, I ask unanimous consent to include in the RECORD a resolution passed by the Senate of the State of California on May 26, 1936, which relates to legislation pending before the Congress.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. GEARHART]?

Mr. O'CONNOR. Mr. Speaker, reserving the right to object, the ordinary practice is to file these resolutions and have them referred to in the RECORD, rather than set the resolution out in full. During the last session of Congress we had hundreds of these resolutions inserted in the RECORD. All Members get memorials from their respective legislatures. They are filed at the desk and referred to under the head of "Memorials" in the RECORD. For this reason I am compelled to object.

Mr. RICH. Mr. Speaker, this is a resolution to the Congress of the United States and the gentleman from California has a right to have it inserted in the RECORD.

The SPEAKER. The gentleman from New York [Mr. O'CONNOR] objected.

Under the special order for today the Chair recognizes the gentleman from Maryland [Mr. GOLDSBOROUGH] for 15 minutes.

MONETARY LEGISLATION PASSED DURING THE PRESENT ADMINISTRATION

Mr. GOLDSBOROUGH. Mr. Speaker, I am not at this time going into an extended analysis of the monetary accomplishments of the present administration in the interest of the people. I do at this time, however, have in mind placing in concrete form the specific legislative acts passed during the administration which are in the public interest.

Each of these acts tends to withdraw the control of the people's money from private interests and place that control in the hands of Government agencies which represent all of the people.

For the convenience of the people of the United States, I have undertaken to list this legislation in concrete form and hope that this attempt will meet with the approval of the Congress and of the country.

The legislation to which I am calling your attention is as follows:

(1) All coins and currencies made legal tender: All coins and currencies of the United States including Federal Reserve notes heretofore or hereafter coined or issued have been made legal tender for all purposes, public and private. (Sec. 43 (b) (1) of the Agricultural Adjustment Act; Emergency Banking Act, sec. 2 (U. S. C., 1934 ed., title 31, sec. 462).)

(2) Circulating notes of national-bank associations abolished: By the expiration of the circulation privilege of United

States bonds under section 29 of the act of July 2, 1932, and by the calling for redemption of 2-percent consols and Panama bonds, there are no bonds eligible for deposit as security for such circulating notes.

(3) Gold removed from domestic circulation: The Secretary of the Treasury was authorized to require the delivery to the Treasurer of the United States of all gold coin, bullion, and certificates, in return for other lawful money, by the Emergency Banking Act of 1933 (U. S. C., 1934 ed., title 12, sec. 248 (n)), Gold Reserve Act of 1934 (U. S. C., 1934 ed., title 31, sec. 443).

(4) Gold held in the Treasury in the form of bullion: No gold may be coined, and no gold coin may be paid out or delivered by the United States, and all gold coin withdrawn from circulation shall be formed into bars. (Gold Reserve Act of 1934, secs. 5 and 6 (U. S. C., 1934 ed., title 31, secs. 15b and 408a).)

(5) Contracts called for payment in gold weight prohibited: Provisions purporting to give the right to require payment in gold or a particular kind of coin or currency declared to be against public policy by the act of June 5, 1933 (U. S. C., 1934 ed., title 31, sec. 463).

(6) All contracts calling for payment in gold by weight were made dischargeable by payment in any coin or currency which is legal tender. (Act of June 5, 1933 (U. S. C., 1934 ed., title 31, sec. 463).)

(7) Sale of gold for industrial uses and for settlement of international balances: The Secretary of the Treasury, with the approval of the President, is authorized to prescribe conditions under which gold may be acquired and held or used for industrial purposes and for the settlement of international balances, and he is authorized to sell gold at home and abroad by sections 3 and 9 of the Gold Reserve Act of 1934 (U. S. C., 1934 ed., title 31, secs. 442 and 733).

(8) Expansion of the currency by issuance of silver certificates: The Secretary of the Treasury is authorized to issue silver certificates by section 43 (b) (2) of the Agricultural Adjustment Act, section 12 of the Gold Reserve Act of 1934, and section 5 of the Silver Purchase Act of 1934 (U. S. C., 1934 ed., title 31, sec. 821b (2) and sec. 405a).

(9) Expansion of the silver base for money: The Secretary of the Treasury is authorized to purchase silver so long as the proportion of silver stocks of the United States is less than one-fourth of the monetary value of the gold stock, by section 3 of the Silver Purchase Act of 1934 (U. S. C., 1934 ed., title 31, sec. 734a).

(10) Bank deposits guaranty: A system of bank deposits guaranty under the management of the Federal Deposit Insurance Corporation was established by the Banking Act of 1933 (U. S. C., 1934 ed., title 12, sec. 264).

(11) Regulation of securities and exchange transactions: Substantial laws to regulate the sale of securities, transactions on the securities markets, and to prevent wild speculation arising from inflated credit, in the Securities Act of 1933, the Securities and Exchange Act of 1934, the Banking Act of 1933, and the Banking Act of 1935. Limitations on the extent of loans secured by stock and bond collateral in relation to capital and surplus of member banks of the Federal Reserve System, and limitations on loans secured by stocks or bonds of affiliates in relation to the capital and surplus, have been prescribed in such banking acts (U. S. C., 1934 ed., title 12, sec. 248 (m) and sec. 371c).

(12) Banks prohibited from having security-selling affiliates: By section 20 of the Banking Act of 1933, as amended by the Banking Act of 1935, member banks of the Federal Reserve System were prohibited from being affiliated with any company engaged in the issuance, underwriting, or sale of stocks, bonds, or other securities (U. S. C., 1934, ed., title 12, sec. 377).

(13) Strengthening the Federal Reserve System: Title II of the Banking Act of 1935 provided for the reorganization of the executive control of the Federal Reserve System, establishing the Board of Governors of the Federal Reserve System, with seven members.

(14) Increased control over Federal Reserve banks: Section 201 of the Banking Act of 1935 gave the Board of Governors the power to veto the election of the president of any Federal Reserve bank (U. S. C., 1934 ed., title 12, sec. 341).

(15) Regulation of interest and discount rate of Federal Reserve banks: The Board of Governors has been given control of the interest and discount rates by sections 206 (b), 208, and 324 of the Banking Act of 1935. The Board of Governors is authorized to define the various kinds of deposits, payment of interest on demand deposits by member banks is prohibited, and the Board of Governors is authorized to limit by regulation the rate of interest payable by member banks on time and savings deposits (U. S. C., 1934 ed., title 12, secs. 461 and 371). The discount rate of Federal Reserve banks is made subject to review and determination by the Board of Governors every 14 days, or oftener if deemed necessary by the board (U. S. C., 1934 ed., title 12, sec. 357).

(16) Control of reserves to meet credit expansion: The Board of Governors may change the requirements as to reserves against deposits, with the power to raise the requirement up to not more than twice the requirement in force prior to the Banking Act of 1935, by section 207 of the Banking Act of 1935 (U. S. C., 1934 ed., title 12, sec. 426b).

(17) Control of open-market operations and policies: Section 205 of the Banking Act of 1935 places the open-market operations of Federal Reserve banks under the control of the Board of Governors through the Federal Open Market Committee created by such section (U. S. C., 1934 ed., title 12, sec. 263).

(18) Bank loans on real estate: The power of banks to make loans on improved real estate was expanded by sections 208 and 328 of the Banking Act of 1935 (U. S. C., 1934 ed., title 12, sec. 371).

(19) Expansion of discount facilities of Federal Reserve banks: Section 9 of the Banking Act of 1933 and section 204 of the Banking Act of 1935 expanded the discount facilities of Reserve banks for the benefit of member banks (U. S. C., 1934 ed., title 12, sec. 347 and sec. 347b).

(20) Use of public credit to relieve from effects of depression: Numerous acts enabling greater use of Government credit and numerous acts appropriating funds for relief of depression, unemployment, and distress. The amendment to the Second Liberty Bond Act of February 4, 1935, increased the limits of indebtedness which may be incurred by the issuance of bonds, Treasury notes, and other Government securities. The Home Owners' Loan Act of 1933; the Emergency Farm Mortgage Act of 1933; the Farm Credit Act of 1933; title II of the National Industrial Recovery Act, relating to public works, of June 16, 1933; the Federal Emergency Relief Act of 1933, passed May 12, 1933; the Emergency Appropriation Act, fiscal year 1935, approved June 19, 1934; the Emergency Relief Appropriation Act of 1935, approved April 8, 1935; and the First Deficiency Appropriation Act, fiscal year 1936, are some of the acts involving the larger appropriations and expansions of Government credit.

I have an abiding conviction that if the present administration is continued in power by the action of the American people at the coming election in November, there will be undertaken directly the solution of the problem of "poverty in the midst of plenty." In other words, legislation will, in my opinion, be passed looking to the distribution of all the wanted goods and services which can be produced by all the people. If this legislation is successful it will result in the people of the United States getting in the neighborhood of $80,000,000,000 more in wanted goods and services than they are now receiving, with greater prosperity for every class and without taking from one to give to another.

MY DOG

Mr. FLANNAGAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. FLANNAGAN. Mr. Speaker, under leave to extend my remarks in the RECORD I include the following address delivered by me before the Tenneva Field Trial Banquet, held at Hotel Bristol, Bristol, Va., on the night of April 27, 1936.

Inquire about the ownership of many things, and although the owner may be present, silence reigns. But inquire about the ownership of any dog, even the measliest, God-forsaken cur to be found, and although the owner may be as forsaken looking as his cur, he will straighten his shoulders, look you in the eye, and answer with pride in his voice, "He is my dog."

And so I am thinking today about "my dog" of the yesterdays of long ago.

They called him a cur, and by all man-made standards I reckon he properly fell in that class, and yet to me he was a thoroughbred to the manner born. I know that the blood of the great generals and war lords of dogdom coursed through his veins, because he was brave and courageous. I know that the blood of the stately matrons and royal ladies of dogdom was his heritage, because he was kind-hearted, tender, and compassionate. No; he wasn't a cur, but the legitimate heir to all the noble traits of all the good and brave dogs of the ages.

There were those who seemed to take a delight in commenting upon his personal appearance because he was in color what is known as a brindle, and his legs were not exactly straight, and his hair was more or less woolly, and his carriage was not what you would term regal, but they only saw a portion of Old Ned. He was white, clean white, inside.

And there were those who even found fault with his conduct and manners, because he would chase the cats through the house without stopping at the door to wipe his feet, scratch fleas in the presence of company, and purloin this, that, and the other when left alone with the cupboard, but you know Old Ned was only human. And, I pray, what red-blooded boy ever took time to wipe his feet when in a hurry to find his ball or fishing line; who ever had such respect for the proprieties of polite society as not to scratch in the presence of company around chigger time; or who ever refused, because of moral reasons, to take a piece of juicy pie or chocolate-covered cake that happened to be laying around and looking sorter lonesome? Yes; when it came to manners and conduct Old Ned was only a boy.

But in spite of his ancestry, in spite of his looks, in spite of his manners and conduct, Old Ned was a great pal and, above all, a great teacher.

We played together, we hunted together, we fished together, we went swimming together, we hoed corn together, went after the cows together, milked together, and, when mamma was not acting the part of the detective, slept together.

And many lessons that have stood me in hand I learned from Old Ned.

Though small of stature, bigness never frightened Old Ned. In defense of his rights he would fight anything, large or small, from a tomcat to a vicious bull. And I learned the lesson of courage from Old Ned.

Though ofttimes neglected and mistreated, nothing could come between our friendship or cause him to turn against his pal. And I learned the lesson of loyalty from Old Ned.

Though ofttimes he went without his meals or shivered through the cold winter night, there was never a whimper. And I learned the lesson of fortitude from Old Ned.

Ever appreciative of every act of kindness, he would express it in his doggish way by licking my face, or jumping up on me with his paws, or barking out words of love. And I learned the lesson of gratitude from Old Ned.

And then one day in the spring Old Ned, my dog, passed on. And over in the orchard under the June apple tree where we had often played and frolicked together, where we had often lay down and watched the clouds go by or listened to the music of the birds, I buried Old Ned and erected a marker over his grave, and that night a country boy sobbed himself to sleep with a petition upon his lips for the dog he loved.

Oh, it may be just a boyish dream, a fancy that found lodgment in my boyish mind, but somehow down through the years I have nurtured the belief that my dog had the spark of immortality, and that God just borrowed him for a season to gladden the heart of some lonesome little boy up there, and that Old Ned hasn't forgotten any more than I have forgotten, and that when I arrive one of the first to greet me will be Old Ned, who will run up, put his paws upon my breast as he did in the days of yore, look up with those knowing eyes, wag his tail, and bark out a greeting that I will understand.

And there in the presence of that heavenly throng, if the expressions on their faces indicate that they do not understand how Old Ned recognized the newcomer, I will not wait for them to ask, but with joy in my heart and pride in my voice I will answer, "He is my dog."

FRANCIS E. TOWNSEND

The SPEAKER. Under the special order for today the Chair recognizes the gentleman from Montana [Mr. MONAGHAN] for 10 minutes.

Mr. MONAGHAN. Mr. Speaker, I must make what might be termed an ex-post-facto speech here this morning. I would have made this speech here last Friday had I been allowed the time, but as the man whose lawyer stated, "You should not be in jail", replied "But here I am." This often happens, and might be the case with Dr. Townsend. However, I believe that if the courts will look into the law there will be no such miscarriage of justice, even though there may have been a miscarriage of legislation in this House last Friday.

The purpose of the Constitution of the United States, and the Bill of Rights especially, was to preserve and safeguard first and foremost the citizen's individual rights, to keep him free from unreasonable search and seizure, and to prevent inquisitions against the individual. The right of Congress to investigate is only an implied right growing out of the general provision in the Constitution that the Congress shall have the authority to make all laws that are necessary for carrying into execution the expressed powers granted in the Constitution of the United States. Therefore the power to investigate is implied. It is not a real or express power.

The power to cite for contempt, therefore, is likewise an implied power, which has been construed and interpreted by the courts to exist merely to safeguard the rights and to preserve intact the legislative powers of the Congress of the United States. In order to legislate more properly the courts have permitted Congress to question witnesses to get information which might be necessary to properly enact laws, but the courts have constantly, consistently, and without exception held that the rights of a witness to refuse to answer questions when the scope of the congressional inquiry is exceeded is a real right which arises under the fourth and fifth amendments to the Constitution of the United States.

The resolution was, in my judgment, out of order, inasmuch as the investigating committee exceeded its legislative bounds. Plainly there could be no reason for such an investigation as that authorized by House Resolution 443 unless it were looking to and springing from the desire for legislation—either positive legislation or repeal legislation; that is, legislation for the enactment of pension legislation or for the repeal of existing pension legislation. There can be no question in the mind of anyone that the purpose of House Resolution 443 was not to get information to pass pension legislation but rather, if possible, to destroy the greatest single movement for the promotion of pension legislation in this country ever organized, the Townsend movement; and take a fine, upstanding citizen, whose greatness and whose conscientiousness and integrity exceed by far many of those who occupy seats in this body, and tear his character to pieces and thereby prevent passage of legislation which he sponsored.

The questions propounded during the course of the inquiry, which was set in motion by House Resolution 443, clearly showed that the investigating committee was an inquisitive, rather than a legislative, committee.

Let me give you a citation from the case of *Seqmour* v. *The United States* (77 Fed. at p. 580):

The limitation of power of investigation is that it must be germane to some matter concerning which the House conducting the investigation is about to act, whether such action be enactment of statutes or something else, and not a mere inquisition into the private affairs of the citizen.

In the case of *McCracken* v. *Jurney* (72 Fed. at p. 565), they cited Kilbourne against The United States as holding that "A witness rightfully may refuse to answer where the bounds of the power are exceeded or the questions are not pertinent to the matter under inquiry."

Also in the Marshall against Gordon case the Supreme Court—wherein a United States attorney wrote a very critical letter about the Judiciary Committee, which was trying him for nonfeasance and malfeasance in the Supreme Court—held that—

The proceedings concerning which the alleged contempt was committed were not impeachment proceedings; that, whether they were impeachment proceedings or not, the House was without power by its own action, as distinct from such action as might be taken under criminal laws, to arrest or punish for such acts as were committed by appellant.

And the opinion of the Court cited on page 115 of Jefferson's Manual expressly is:

No express power to punish for contempt was granted to the House of Representatives save the power to deal with contempts committed by its own Members.

In MacCracken against Jurney this same doctrine was expounded, and while the Court held in MacCracken against Jurney that the Congress had the power to cite MacCracken for contempt it did so upon the theory of self-preservation of the powers of Congress; that is, the power of Congress to legislate, using this language: That—

The legislative powers granted and secure their free exertion, and yet, at the same time, not substantially interfere with the great guaranties and limitations concerning the exertion of the power to criminally punish.

Let me distinguish the MacCracken against Jurney, McGrain against Daugherty from the instant case. In both these cases the contempt would have prevented a legislative act. In the instant case the action of Dr. Townsend in refusing to testify before the Bell House Investigating Committee was with no view to preventing pension legislation, but rather to prevent the committee from destroying pension legislation and movements for pension legislation in this country.

The power of Congress was clearly exceeded in the Townsend case. The witness was questioned on the receipt of a dollar from some widow, asking the good doctor what he had done with that dollar. What possible connection there can be between that transaction and information necessary for Congress to legislate is beyond my comprehension.

I rise, therefore, today, with the limited time at my disposal, which, thank God, I had previously obtained by unanimous consent, or I know I would never have been allowed to obtain it afterward, because it seems Congress does not want the country to know the true legal status of this situation—I have risen today and have taken time to look up all of the legal authorities in the matter. Unfortunately, I shall not have time to cite them all. I am going to ask unanimous consent, however, to put such of them as are necessary in the RECORD to prove the case in point.

It is clear to me, and it should be clear to anyone, that if we are going to preserve the Constitution of the United States intact we must destroy the power of any legislature to wage an inquisition into the affairs of a citizen.

In *McGrain* v. *Daugherty* (273 U. S. 137) it was argued that each House of Congress has power to conduct an investigation in aid of its legislative functions.

Each House of Congress has power to conduct an investigation in aid of its legislative functions, to compel attendance before it of witnesses, and the production of books and papers which may throw light upon the subject of inquiry; subject, of course, to protection against the invasion of such privileges as those against unreasonable searches and seizures, etc. This power is for the purpose of aiding each House more fitly to discharge its legislative duties.

In all cases where the power of the courts to punish for contempt was upheld the case was decided solely on whether or not the action of the witness was obstructing legislation and preventing the Congress from exercising a legislative function. The report of the committee which was read before the House of Representatives itself shows that the line of questioning to which the doctor was subjected and to which the members of the Townsend organization were subjected were such not as to glean information for a legislative purpose but for the purpose of discrediting, if possible, those men who were engaged in promoting pension legislation. The action of the committee was inquisitive rather than legislative.

In refusing to testify, Dr. Townsend himself first attempted to read into the record a brief statement by himself, which right the committee denied him. In making an oral statement, he said:

In view of the unfriendly attitude of this committee and its attempt to discredit the movement with which I am connected, I am refusing to return to this inquisition.

A subpena issued on May 18 to one of the witnesses to be cited for contempt stated:

Come and bring exact copies of your income-tax returns.

What in the name of creation can income-tax returns have to do with the old-age pension legislation? On the contrary, this subpena itself is prima-facie evidence that the committee was not seeking information with which to legislate but seeking information for the sole purpose of discrediting the movement. In so doing it was violating the Constitution of the United States. Amendment 4 and amendment 5 provide that:

The right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures shall not be violated, and no warrants shall be issued but upon probable cause.

Amendment 4 provides:

No person shall be held to answer for a capital or otherwise infamous crime unless on a presentment or indictment of a grand jury.

The same conclusion may be obtained from a thorough reading in re Chapman (166 U. S. 661).

Without going into further detail, and to summarize, it is patent: First, that the committee was conducting its investigation as a criminal inquiry, not as a legislative inquiry; second, that its intent in so doing was to destroy, not to promote, legislation for the aged.

In the kingship of old was vested the power to execute, to make laws, and at the same time to be the judge and jury. If the Congress of the United States is going to be given this kingship power, and, seemingly, it has taken it and assumed it in this citing of Townsend for contempt, it ceases to be the legislative branch of the Government, and as the gentleman from Texas said the other day in making his point of order, it becomes a judicial or a quasi-judicial branch of the Government.

We have established courts, we have established Federal judges and United States district attorneys. The unfortunate part of it is that half of them should be impeached, because when it comes to a case of real violation of law they refuse to act, even when the Attorney General of the United States is called upon, as I did in the case where the KGIR radio station was openly and flagrantly violating the law. My letter to the Attorney General was as follows:

MAY 7, 1936.

Hon. HOMER S. CUMMINGS,
Attorney General of the United States,
Department of Justice, Washington, D. C.

MY DEAR MR. CUMMINGS: I have your letter of May 1, 1936, which is a reply to my telegram to you of April 27 with respect to the difficulty I am encountering in obtaining time from radio station KGIR, Butte, Mont.

I note you are of the opinion that since the definition of "carrier" does not include a person engaged in radio broadcasting the rights of citizens under the Communications Act of 1934 to obtain time from a radio station are thereby annihilated; but I refer you to section 201 (a) of the Communications Act, which provides as follows:

"It shall be the duty of every common carrier engaged in interstate or foreign communication by wire or radio to furnish such communication service upon reasonable request therefor."

Carrying your contention to its logical conclusion would destroy the very intent and purpose of Congress in enacting the communications law, since Congress sought destruction of control over the radio stations of the country. In further support of the contention that it was the Congress' intent to make radio facilities available to all who desired, I cite you to section 202 (a) of the Communications Act, under which I am proceeding.

You are also of the opinion which was erroneously maintained by United States Attorney Tansil that the only rights which might accrue to me under the Communications Act of 1934 are those of a candidate for public office. Since I am not "a legally qualified candidate" for the United States Senate as yet, the sentence in section 315 which you quote, to wit: "No obligation shall be imposed upon such licensee to permit the use of its facilities to any such candidate," is not applicable. I am a person within the meaning of the act as defined in section 3, subparagraph (i), as follows:

"'Person' includes an individual", etc. Under this definition I am an individual. As such person I have sought from KGIR a definite contract for time. KGIR has refused such definite contract for time and in the process of refusing a definite contract admits discrimination and the giving of unreasonable preference which violates section 202 (a) of the Communications Act providing:

"It shall be unlawful for any common carrier to make any unjust or unreasonable discrimination in charges, practices, classifications, regulations, facilities, or services for or in connection with like communication service, directly or indirectly, by any

means or device, or to make or give any undue or unreasonable preference or advantage to any particular person, class of persons, or locality, or to subject any particular person, class of persons, or locality to any undue or unreasonable prejudice or disadvantage."

And to specifically include radio broadcasting within the definition of the act (b) specifically sets forth:

"(b) Charges for services, whenever referred to in this act, include charges for, or services in connection with, the use of wires in chain broadcasting or incidental to radio communication of any kind."

It will be readily seen by one who is not attempting to find loopholes in the Federal Communications Act of 1934 that its purpose is clear and definite; that its intent was to prevent just such situations as have arisen in the instant case. I may say, Mr. Attorney General, that if this were merely a matter of my obtaining time on the radio the night before election, I should not have gone to such great lengths in attempting to see that specific action be taken. But it is because it involves the very fundamental principle of the Communications Act itself, namely, keeping the radio waves of our country free from domination and control by anyone, that I have fought this matter right to the highest authority of this Nation. Evidence of the bad faith of radio station KGIR in the premises is the fact that the easiest way out of the difficulty would have been to furnish me with a definite contract, which that station has stubbornly refused to do—that is, unless they were advised beforehand that they could flaunt the law with impunity. It was with the most profound regret and disgust that I read the following telegram which was incorporated in a letter directed to me on April 29, 1936, by Mr. John Tansil, and which was sent to him from the Department of Justice on April 28:

"Retel April 23, station KGIR, Butte department, is informally advised by Communications Commission that complaint referred to is without merit. Department approves your action thus far. It is suggested that you advise interested persons to present the matter to the Communications Commission."

This telegram, in effect, says this: "The Communications Commission favors violating the Communications Act and will protect KGIR in defying the law. Otherwise, the Attorney General's office will protect KGIR. But to give the appearance of justice, tell Monaghan to go to the Communications Commission, which has already decided to decide against him, and thus rob him of any further remedy under the act." See section 207, Communications Act of 1934.

It was collusion such as this, in defiance of law and order, that led the pioneers of the western country in which I was born to organize into vigilante committees. If you wink at such violations of the law, no alternative is left but to seek the highest executive of the Nation, charged with the responsibility of executing the laws of the land. That I have done.

This country has in the past known a siege and orgy of crime that has shocked the world. It is time that our law enforcers awakened to their duty to respectable citizens. If departments of Government are to condone evil and garb with a cloak of innocence those forces that defy law and order and decent and orderly Government, the very foundations of our Nation are at stake and the rights of the people in jeopardy.

I, therefore, urge you, in the interest of orderly Government and due process of law, to instruct the United States District Attorney for Montana to institute immediate action to enforce the Communications Act of 1934 to the end that the rights of citizens under the act be protected.

Very truly yours,

——— ———.

But they will not waste any time in dragging Dr. Townsend into court, because it seems to be the wish and will of those who are embarrassed to destroy any real legislation for the people of the country. [Applause.]

[Here the gavel fell.]

Mr. Speaker, I asked unanimous consent during the course of my speech to revise and extend my remarks.

Mr. BLANTON. Mr. Speaker, reserving the right to object, I want to ask the gentleman if he thinks that where a man uses the mails to take dimes and nickels out of poor people, to whom he knows he can give nothing in return, and says "there are millions in it", the Congress then has not the right to investigate him.

Mr. MONAGHAN. I will say to the gentleman that that has been investigated, and they gave the doctor a clean bill of health. Notwithstanding this, the Congress would be exceeding its constitutional authority in investigating except for legislative purposes.

Mr. BLANTON. Oh, the committee had just begun to uncover that stuff and to show over a million dollars he had taken from aged, poor people who needed it themselves.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

The SPEAKER. The Chair recognizes the gentleman from Kentucky [Mr. ROBSION] for 30 minutes.

Mr. ROBSION of Kentucky. Mr. Speaker, ladies and gentlemen of the House, I wish to take this opportunity to thank the Speaker and the Members of the House for giving unanimous consent for me to address you at this time.

As you well know, I am a Republican. I come from the great highland district of Kentucky. I represent a wonderful people. They had an important part in winning the Revolution; they were with General Jackson at New Orleans, with General Taylor at Buena Vista, and helped General Scott to raise the Stars and Stripes over the ancient capital of the Montezumas in Mexico. They were with the great "Teddy" Roosevelt at San Juan Hill, with Admiral Dewey at Manila, and helped to carry the Stars and Stripes to victory on Flanders Fields.

These hill people, like the hill people throughout all the ages, loved freedom and despised slavery. Like Abraham Lincoln, they have always believed in a government of all the people, by all the people, and for all the people. Abraham Lincoln was a product of the Kentucky hills. He, too, had a great passion for the Union and was a consistent opponent of Negro slavery. It is not strange, therefore, that there were more men and boys who entered the Union Army from my district than there were voters in the counties now composing that district. They were with Grant, Sherman, Sheridan, Garfield, McKinley, and other great Union commanders on many of the bloodiest battlefields of the great Civil War.

It is not my purpose on this occasion to fight over again the great Civil War or to refer to the stirring scenes that culminated in that war, or the questions relating to parties, policies, and government, only insofar as it may be necessary to present the facts and clarify the issues raised wherein our colored Democratic colleague, Mr. MITCHELL, of Chicago, in his political speech on the floor of the House on April 22, 1936, made an attack on Abraham Lincoln and the Republican Party. I thank God that great war is over. The sons of those who wore the blue on the Republican side of this House, as well as the sons of those who wore the gray, on the Democratic side, may justly point with pride to the military genius and accomplishments of the respective commanders of their armies and the unfaltering devotion and courage of those who served under them.

Every good American should be grateful that Divine Providence so guided the affairs of our Nation in that trying period that we are today united and not divided, and that the darkest blot on the pages of American history, Negro slavery, is no longer sanctioned by law.

On May 30, our national Memorial Day, in the great cities of the dead, in the quiet country churchyard, amid the tangled vines, under the spreading oaks and elms, kindly hands strewed flowers over the graves of the Blue and the Gray and tears were shed over the last resting places of the Gray and the Blue.

RACE HAS MADE GREAT PROGRESS

I yield to no man in my appreciation of the accomplishments of this race or the fine qualities of mind, high character, and loyal patriotism of the Douglasses, the Washingtons, and other great men and women of the colored race. I am in accord with the opinion expressed by a great many of the white race that the colored race in this country has made more progress in the last 65 years than any other race of people under like circumstances. As a race of people they are grateful, courteous, kind, and forgiving. I have wondered at their magnanimity and forbears, especially during the Civil War. While their masters were away in the army fighting to keep them in bondage, the slaves remained at home and took care of the missis and the children. No other race of people has been so loyal, generous, and magnanimous. [Applause.]

I am informed that the father and mother of our colored colleague [Mr. MITCHELL] were slaves. It is most gratifying to me that he has overcome so many handicaps.

REPUBLICAN PARTY CONCEIVED IN AND DEDICATED TO HUMAN RIGHTS

The Republican Party is the only party born on American soil that was conceived in and dedicated to human rights. It placed humanity above dollars. It claimed that the traffic in human beings was barbarous and an outrage against humanity. It insisted that the Declaration of Independence and the Constitution of the United States contemplated a government of all the people, by all the people, and for all the people in this Nation alike, without regard to race, color, or creed. [Applause.]

The Democratic Party believed in African slavery and its extension throughout this Nation. It seceded from the Union, established the Confederate States of America, the cornerstone of which was the continuation and perpetuation of African slavery.

The Republican Party has always held to the belief that the black man, although kissed by the shadow of God's love, is a human being and has an immortal soul. On the other hand, the doctrine has been preached through all the years in the Democratic States that the black man was not a human being—he ought to be a chattel, bought and sold. Study as carefully as you will the history of this country, and almost without exception every effort made for the advancement of the colored race, securing its freedom, educational, industrial, economic, and political rights, has been sponsored and put through by the Republican Party and over the active and bitter opposition of the Democratic Party. Many of our Democratic friends from the South opposed the bonus, and one of the main objections was that it would give a lot of money to a lot of trifling "niggers" in the South, although these black boys had responded to their country's call under a great Democratic President, Woodrow Wilson. The Republican Party has always held that if a black father and a black mother can bring forth sons who may be called to the defense of their country, and they meet, as they have, the carnage of battle heroically and unfalteringly, they certainly ought to have the right on election day to cast their ballots for the person and party of their choice.

The Democratic platform adopted at the Democratic national convention at Cincinnati, Ohio, June 2–6, 1856, among other things, as to slavery declared as follows:

> * * * that all efforts of the abolitionists, or others, made to induce Congress to interfere with questions of slavery, or to take incipient steps in relation thereto, are calculated to lead to the most alarming and dangerous consequences, and that all such efforts have an inevitable tendency to diminish the happiness of the people * * *.
>
> 3. That the Democratic Party will resist all attempts at renewing, in Congress or out of it, the agitation of the slavery question, under whatever shape or color the attempt may be made.
>
> * * * and repudiating all parties and platforms concerning domestic slavery, which seek to embroil the States and incite to treason and armed resistance to law * * *.

Our Democratic colored colleague of Chicago included in his speech on April 22 only a part of section 4 of the Republican platform of 1860. If he had included all that section anyone could see at once that the section of the platform related only to what was known as the Kansas-Nebraska contention. The national Democratic administration was trying to force the free people of the Territories of Kansas and Nebraska, through their Democratic Governors and by the use of the torch and sword, to adopt a constitution favoring African slavery; and this section 4 of the Republican platform denounced this action and claimed that the Federal Government had no right to force the free people of those States to admit Negro slavery into those two free Territories.

In order that we may get the attitude of the Republican Party and the Democratic Party, as expressed in their platforms in 1856, 1860, and 1864, I invite your attention to the Democratic platform of 1856. You can see at once that the Democratic Party stood unfalteringly for the continuation of Negro slavery and denounced all parties and platforms favoring the abolition or control in any way of Negro slavery.

The Republican platform adopted at its first national convention at Philadelphia, Pa., on June 17, 1856, among other things, declared as follows on African slavery. I quote from sections 1, 2, and 4:

> "SECTION 1. *Resolved*, That the maintenance of the principles promulgated in the Declaration of Independence and embodied in the Federal Constitution are essential to the preservation of our republican institutions, and that the Federal Constitution, the rights of the States, and the Union of the States must be preserved.
>
> "SEC. 2. *Resolved*, That, with our republican fathers, we hold it to be a self-evident truth that all men are endowed with the inalienable right to life, liberty, and the pursuit of happiness. * * * it becomes our duty to maintain this provision of the Constitution against all attempts to violate it for the purpose of establishing slavery in the United States, by positive legislation, prohibiting its existence or extension therein. * * *
>
> "SEC. 3. * * * and that in the exercise of this sovereign power it is both the right and the imperative duty of Congress to prohibit in the Territories those twin relics of barbarism, polygamy and slavery."

Can anything be more positive and explicit than that platform in expressly denouncing slavery and the slave trade? It declares that the attempt of the Democratic Party to perpetuate and expand Negro slavery is a crime against humanity and a burning shame to our country and age, and they call upon Congress to take prompt and efficient measures to abolish this barbarous practice.

The Democratic platform adopted by the national Democratic convention held in Baltimore, Md., June 18–23, 1860, declared:

> SEC. 6. *Resolved*, That the enactments of States' legislatures to defeat the faithful execution of the fugitive slave law are hostile in character, subversive of the Constitution, and revolutionary in their effect.

Section 2 declares that the Democratic Party will abide by the decisions of the Supreme Court of the United States on questions of constitutional law. In this day and time we hear very little about the Democratic Party standing by the decisions of the Supreme Court on questions of constitutional law. We hear a lot of criticism and derision by the New Dealers of the Supreme Court and the Constitution itself. They call it "horse and buggy" stuff.

Why was the Democratic Party so anxious to stand by the decision of the Supreme Court of the United States in 1860? Many of the Republican and free States had passed laws against pursuing and arresting Negroes in free territory. Chief Justice Taney, a Democrat of Maryland, had upheld the fugitive slave law and announced that the Negro was just a chattel—property like a horse, a cow, or a hog—and that slave owners could carry their slaves, just like they could any other property, into any State of the Union. That decision held that any Negro who was a descendant of African Negroes, even though his ancestors had been freed by their masters, could not maintain an action in court, could not be a party to any lawsuit in any court, and could not even testify as a witness for himself even though he might have been unlawfully and wrongfully picked up and held by some slave trader. This is the decision that the Democratic Party in 1860 wanted the American people to uphold and stand by.

The Republican platform adopted by its national convention May 16–18, 1860, at Chicago, which nominated Abraham Lincoln, denounced the fugitive-slave law, the Kansas-Nebraska bill, the efforts of the Democratic administration to force slavery into the free Territories of Kansas and Nebraska, and in section 9 of that platform used the following language:

> That we brand the recent reopening of the African slave trade, under the cover of our national flag, aided by perversions of judicial power, as a crime against humanity and a burning shame to our country and age, and we call upon Congress to take prompt and efficient measures for the total and final suppression of that execrable traffic.

Abraham Lincoln stood on that platform in the election of 1860 and was elected. Abraham Lincoln was a delegate to the Republican national convention in 1856, and helped to write that platform expressing opposition to and denouncing human slavery. Yet our colored colleague from Chicago says that the Republican Party and Abraham Lincoln were not against Negro slavery.

The Democratic platform adopted by the Democratic national convention at Chicago August 29, 1864, in section 2

denounced Abraham Lincoln and the Republican Party for violating the Constitution in freeing the Negroes, and called upon Abraham Lincoln and the Republican Party to stop the war, pull down the Stars and Stripes, and run up the white flag of surrender, and permit the Democratic Party to continue to enslave human beings.

The Republican Party wrote a very different platform. The Republican platform adopted at Baltimore on June 7, 1864, with Abraham Lincoln as the candidate, in section 3 of that platform declared as follows:

3. *Resolved*, That as slavery was the cause and now constitutes the strength of this rebellion, and, as it must be always and everywhere hostile to the principles of republican government, justice and the national safety demand its utter and complete extirpation from the soil of the Republic; and that while we uphold and maintain the acts and proclamations by which the Government, in its own defense, has aimed a deathblow at this gigantic evil, we are in favor, furthermore, of such an amendment to the Constitution, to be made by the people in conformity with its provisions, as shall terminate and forever prohibit the existence of slavery within the limits of the jurisdiction of the United States.

You can see at once that section 3 again denounces slavery and declares that—

The principles of republican government, justice, and the national safety demand its utter and complete extirpation from the soil of the Republic.

It also urges the adoption of amendments to the Constitution—

As shall terminate and forever prohibit the existence of slavery within the limits of the jurisdiction of the United States.

Why did not our colored colleague from Chicago give these planks of the Republican platforms and why was he as silent as the tomb in quoting anything in his speech from any Democratic platform from the days of Thomas Jefferson down to now that was favorable to the Negro race, and especially why did not he quote from the Democratic platforms of 1856, 1860, and 1864?

ATTACK UNJUSTIFIED

Our colored Democratic colleague had the right to make a political speech on the floor of this House for himself and the Democratic Party. It is his constitutional right as well as any other person, black or white, to leave one party and join another party. The Republican Party now stands and has always stood for a free ballot without regard to race, creed, or color; but was our colleague justified in his great desire for political preferment and in his zeal for his newfound political friends to fly in the face of recorded history and the testimony of mankind to belittle, misrepresent, and assail the great services rendered by Abraham Lincoln and the Republican Party to his own father and mother and to millions of his own race and with little-concealed scorn to make this attack in the presence of the sons who sit on the Republican side of this Chamber whose sires helped to hold the lines at Vicksburg, Gettysburg, Petersburg, and on a hundred other battlefields that his own father and mother as well as millions of others of his own race might be free, so that they might bring forth sons in freedom such as our colored colleague from Chicago? It does not seem to me that the political exigencies of himself and the Democratic Party required our Democratic colored colleague to so forget the sacrifices that were made for him, his loved ones, and those of his race.

Of course, if our colored colleague from Chicago now takes delight in being politically grouped with the sons of some of the sires who consistently favored Negro slavery and fought desperately under the Stars and Bars to keep his own father and mother in bondage and did all they could to prevent the adoption of the thirteenth, fourteenth, and fifteenth amendments to the Constitution and deny to our colored colleague the right to be born a freeman, the right to be a citizen, the right to vote, and the right to hold any office of trust or honor, that is a matter that addresses itself to his own conscience.

One of the noblest emotions that ever animated the human heart is gratitude. Can there be anything more ignoble than ingratitude? I have seen the swine in the mountains of Kentucky fill themselves day by day on the choicest nuts that fell from the oak, the chestnut, and the beach, but I have never yet seen one hog look up to seek the source of its bounty.

Ten lepers appealed to the Savior to cleanse them. He did cleanse them. One returned and, falling on his knees before the Savior, poured out his heartfelt gratitude. The Savior said to him, "Were there not ten healed? Where are the nine?"

I have pointed out that one of the finest traits of the colored people is their gratitude. Where you find one that has forgotten, there are thousands that have not forgotten.

Mr. MITCHELL of Illinois. Mr. Speaker, will the gentleman yield?

Mr. ROBSION of Kentucky. I desire to finish my statement and hope the gentleman will not take any of my time.

Mr. MITCHELL of Illinois. I simply want to ask the gentleman what it was that I said about Abraham Lincoln as a reflection on him. I quoted from his speech. Does the gentleman deny the quotation?

Mr. ROBSION of Kentucky. Why did not the gentleman tell the whole truth about Abraham Lincoln?

Mr. MITCHELL of Illinois. I told it as he told it.

Mr. ROBSION of Kentucky. Our colored colleague from Chicago quoted only a few words from one of the many speeches of Abraham Lincoln and said nothing of his activities. Our colleague from Chicago belittled Abraham Lincoln and his service. The speech shows for itself.

Mr. MITCHELL of Illinois. Mr. Speaker, will the gentleman yield?

Mr. ROBSION of Kentucky. I cannot yield further. Our colleague from Chicago left the emancipator in the attitude of being an impostor and a deceiver of the colored race.

Mr. BLANTON. Mr. Speaker, I make a point of order that where a speaker refers to another Member of this House and misquotes him, he ought to yield, and that he has no right to refer to him as "you", but it must be in the third person.

Mr. ROBSION of Kentucky. That is not true, and I object to the statement.

Mr. BLANTON. Well, I am making the statement on my own responsibility. I heard the speech, and say that he was misquoted in some particulars.

Mr. ROBSION of Kentucky. I have the speech of our Democratic colleague of Chicago before me, and I have not misquoted him or misinterpreted his slur on Abraham Lincoln. Of course, when one Member refers to another Member of this House it must be in the third person.

The SPEAKER. The rules are that a Member must address another Member in the third person. Of course, it is up to the gentleman who has the floor as to whether he yields. The Chair sustains the point of order that Members must refer to their colleagues on the floor in the third person.

LINCOLN, THE EMANCIPATOR AND MARTYR

Mr. ROBSION of Kentucky. I have been a Member of the House and Senate for many years. I have heard many speeches made on Abraham Lincoln by Republicans and northern and southern Democrats. They were all highly eulogistic. I have never heard any Democrat on the floor of the House or Senate contend that Abraham Lincoln and the Republican Party did not free the black race. Is not it a sad commentary on the intelligence of Fred Douglass, Booker T. Washington, and thousands of other intelligent men and women of his race that they never discovered that Abraham Lincoln and the Republican Party freed the black race until 4 or 5 years ago?

I am told that our colored colleague, Mr. MITCHELL, was born in Alabama. He was a Republican and many times lauded Abraham Lincoln and the Republican Party for having freed his father, mother, himself, and his race. I am also informed that he lived in Alabama until he was past 40 years of age, but he never voted. He migrated from Alabama to the city of Washington, and about 1928 located in the big colored Republican congressional district in Chicago. He attached himself to the Republican organiza-

tion, and I am also informed that he was employed and paid by the Republican Party at least for much of the time until near about 1932, when, according to his own statement in his speech, he thought the Republican Party was headed for defeat by the Democrats at the November election in 1932. He says he met a great Democratic leader in Washington and from his statement I assume that this great Democratic leader took him up on a high mountain and showed him the kingdoms of the earth. This is not a new experience. Nearly 20 centuries ago a certain character took the Savior of man up on a high mountain and showed him the kingdoms of the earth.

I am surprised that our colored colleague did not mention the name of Fred Douglass. He is by common consent regarded by his race as the greatest Negro this country ever produced. He was a slave. He had felt the anguish of being taken from his own mother. He had felt the sting of the taskmaster's lash. Two of his sons and his son-in-law served loyally in the Union Army. He electrified not only this country but England with his great plea to uphold Abraham Lincoln and the Republican Party who were trying to free his unfortunate race. Fred Douglass said on many occasions and up to the time of his death—"The Republican Party is the great ship of safety for the Negro, and all else is the great wide seething seas." He sought out no big Democratic politician to tell him that Abraham Lincoln was a deceiver and that the Republican Party was an impostor.

Abraham Lincoln, privately and publicly, expressed himself against African slavery long before 1860. When he visited, as a young man, the slave market in New Orleans and saw the golden chord of mother and child rudely broken by the slave trader, his great heart moved him to say "If I ever get a lick at that terrible institution, I will hit it hard."

In his memorable debates with Stephen A. Douglass in 1858, did he not declare—

> This Nation cannot long endure half slave and half free. A house divided against itself cannot stand. I do not expect the house to fall, but I do expect it to cease to be divided.

He was a delegate to the new Republican Party national convention in 1856. It denounced African slavery. The Republican platform on which Abraham Lincoln stood in 1860 declared against Negro slavery, denounced the inhuman fugitive-slave law and the Kansas-Nebraska bill, while on the other hand the Democratic Party in its platform in 1856 declared itself in favor of slavery and denounced all parties and platforms that were opposed to slavery. In 1860 the Democratic Party again declared in favor of slavery and it again denounced all parties and platforms that were against slavery.

Chief Justice Taney, a Democrat of Maryland, some time before that convention had announced the famous "Dred Scott decision" which held that slaves were simply personal property like horses, hogs, and cattle, and their owners could carry them into all parts of the Union. It also held that a Negro, even though his parents had been made free by their masters, and even though the son was born of free parents, yet he could not be a party to a suit or testify in any court in his own behalf.

The Democratic platform of 1860 called upon the people to stand by the Constitution as interpreted by the Dred Scott decision. The Republicans were opposed to the principles and policies enunciated in that decision. Mr. Lincoln stood on that Republican platform and was elected.

It is true that Mr. Lincoln and others believed it would take perhaps constitutional amendments and congressional action to do away with slavery. It is true that he was trying to avert a civil war and preserve the Union. It is history that it was his purpose to have the Federal Government pay the slaveholders for their slaves. He did offer the slaveholders the sum of $400,000,000 from the Government to purchase the freedom of the slaves, but the Democratic Party haughtily rejected his generous offer and insisted upon going on with the war, dividing the Union, and perpetuating Negro slavery.

But let us not be deceived. The Republican platform in 1856 and in 1860 in no uncertain terms denounced the traffic in human beings. Mr. MITCHELL only quoted a part of section 4 of the Republican platform of 1860. The Democratic administration had appointed Democratic territorial governors for Kansas and Nebraska. The power and influence of the Democratic national administration with the bayonet and torch was trying to force slavery upon the free people of Kansas and Nebraska, and section 4 of that platform denounced the attempt of the National Government to extend slavery into those territories. Section 9 of the Republican platform of 1860 declared:

> That we brand the recent reopening of the African slave trade, under the cover of our national flag, aided by perversions of judicial power, as a crime against humanity and a burning shame to our country and age, and we call upon Congress to take prompt and efficient measures for the total and final suppression of that execrable traffic.

Was our Democratic colored colleague [Mr. MITCHELL] knowingly attempting to deceive the people of his race in not telling the whole story about the Republican platform of 1860? Why did not he quote the Democratic platform of 1860?

Our colored colleague from Chicago says that the Negroes found out only 4 or 5 years ago that Abraham Lincoln and the Republican Party did not free the Negroes and did not intend to free the Negroes. The Democratic Party after the election in 1860 did not share that belief. The Democratic Party and its leaders were so certain that it was the purpose of Lincoln and the Republican Party to free the slaves that they immediately set about to secede. They did secede from the Union and established the Confederate States of America and asserted that African slavery was its chief cornerstone. They pulled down the Stars and Stripes and hoisted a new flag, the Stars and Bars.

Some contend that the war was over States' rights. Yes, but what was the matter that was pinching? The Republican Party was against slavery. The Democratic Party was in favor of slavery. The only real point at issue was the claim of the Democratic Party that they had a right under States' rights to continue to traffic in human beings and to carry on unmolested Negro slavery. The North and the South were not quarreling over the money question—it was the slave question. The Democratic Party saw the anti-slavery sentiment growing. New States were about to be admitted and they felt that the Republicans would amend the Constitution and abolish slavery.

The only two speeches of any American ever written in stone were Abraham Lincoln's Gettysburg speech and his second inaugural. He said at Gettysburg: "We must go forward and complete the work that those who died here have so nobly begun." And he further says, "Let us renew our devotion to a government of the people, by the people, and for the people." This meant, then, to Abraham Lincoln and the Republican Party that we cannot have a real government of the people, by the people, and for the people unless you give to all our citizens alike, without regard to race, creed, or color, the rights vouchsafed to them by the Constitution.

In 1864 the Republican Party, in its platform, again denounced slavery and pledged itself to go forward with the war "until African slavery was extirpated"—dug up root and branch—and that platform approved the emancipation proclamation of Abraham Lincoln and pledged the Republican Party to amend the Constitution so as "to forever bar human slavery in this country." The great Democratic Party—new friend of our colored colleague from Chicago—also wrote a platform. It denounced the war and called upon Abraham Lincoln and the Republican Party to pull down the Stars and Stripes and run up the white flag and permit Negro slavery to continue in this Nation.

The Union soldiers and sailors had been sorely pressed for 4 long years, the Federal Treasury had been greatly depleted, the credit of the Nation was strained, and strong appeals had been made to Lincoln and the Republican Party to cease the

war. What did he say in response to the Democratic platform and these appeals in his second inaugural address on March 4, 1865?—

If every dollar piled up by the 250 years of unrequited toil of the bondmen must be sunk, and if for every drop of blood drawn by the lash another must be drawn by the sword, I will still say, as the prophet of old said 3,000 years ago, the judgments of the Lord are just and righteous altogether.

Is this the language of the dodger, the deceiver, or quitter? It is sublime courage. What devotion to a great cause. He was told many years before he became President: "Mr. Lincoln, if you continue to fight against slavery, it will ruin your career." What was his response? "I, too, may be destroyed by it, but yield to it I never will."

FREED SLAVES' LINCOLN MEMORIAL

Our colored Democratic colleague from Chicago says that he and the other Negroes of this Nation have discovered within the last 4 or 5 years that Lincoln was a deceiver and the Republican Party was an impostor. I wish to invite him to visit Lincoln Park, in the Nation's Capital. There is a fine statue of the emancipator. How majestic, how wonderful, how gracious and kindly he looks. Bowing before him is a magnificent specimen of young colored manhood with the shackles on his wrists making an appeal to Father Abraham to break them. But more significant than anything else are the words written in brass on that monument:

Freedom's memorial. In grateful memory of Abraham Lincoln this monument was erected with funds contributed solely by emancipated citizens of the United States declared free by his proclamation January 1, A. D. 1863. The first contribution of $5 was made by Charlotte Scott, a freedwoman of Virginia, being her first earning in freedom, and consecrated at her suggestion and request, on the day she heard of President Lincoln's death, to build a monument to his memory.

Is this not an answer to the attack of our colored Democratic colleague from Chicago on Lincoln and the Republican Party? No orator could speak words so eloquent—"In grateful remembrance of Abraham Lincoln." The money was contributed by emancipated slaves. The first contribution of $5 was made by Charlotte Scott, a freedwoman of Virginia, it being her first earnings in freedom, and consecrated, at her suggestion and request on the day that she heard of President Lincoln's death, to build a monument to his grave. This money came in, no doubt, in nickels, dimes, and dollars through the outpouring of the freed, grateful, black men and women of America.

Hundreds of thousands of Union soldiers were killed, crippled, or broken in health. Billions of dollars were contributed by the Republican Party, but freedom and the Union required also the blood sacrifice of the Great Emancipator. Magnificent memorials and monuments throughout the Nation still stand, even after the speech of our colored Democratic colleague from Chicago. All men and women, whether white or black, who love freedom and justice, except our Democratic colleague from Chicago, have enshrined in their hearts the image of the Great Emancipator, and all of these standing at his tomb, except our colored Democratic colleague from Chicago, might well say of the Emancipator:

O death, where is thy sting?
O grave, where is they victory?

The sting of death was healed with the love and affection of the millions of black men, women, and children. The grave itself was robbed of its victory by his supreme triumph in death. [Applause.]

WHAT AND WHERE IS THE DEMOCRATIC PARTY?

Our colored colleague [Mr. MITCHELL] states in his speech that the Negroes have found out during the last 4 or 5 years that the "Democratic Party is a safe place to live and vote." Let us understand where the Democratic Party is and what it is.

A great majority of the Democrats from the North, East, and West come here because of division or dissension in the Republican Party. They come and go, but the Democrats of the South stay on forever. They have had control of the Democratic Party since the days of Thomas Jefferson. We have to but look around to see where the real Democratic Party is and the section that furnishes the leadership and power of the Democratic Party.

Our distinguished, able, and splendid Speaker comes from Tennessee. Our distinguished and capable Democratic leader, Mr. BANKHEAD, comes from Alabama. Distinguished and able Democrats are chairmen of all the powerful and influential committees of the House: Ways and Means, Mr. DOUGHTON, of North Carolina; Appropriations, Mr. BUCHANAN, of Texas; Agriculture, Mr. JONES, of Texas; Judiciary, Mr. SUMNERS of Texas; Interstate and Foreign Commerce, Mr. RAYBURN, of Texas; Rivers and Harbors, Mr. MANSFIELD, of Texas; Public Buildings and Grounds, Mr. LANHAM, of Texas; Military Affairs, Mr. MCSWAIN, of South Carolina; Naval Affairs, Mr. VINSON of Georgia; Foreign Affairs, Mr. MCREYNOLDS, of Tennessee; Banking and Currency, Mr. STEAGALL, of Alabama; World War Veterans, Mr. RANKIN, of Mississippi; Pensions, Mr. GASQUE, of South Carolina; Indian Affairs, Mr. ROGERS of Oklahoma; Merchant Marine, Mr. BLAND, of Virginia; Public Lands, Mr. DEROUEN, of Louisiana; Roads, Mr. CARTWRIGHT, of Oklahoma; Territories, Mr. GREEN, of Florida; Education, Mr. PALMISANO, of Maryland; Flood Control, Mr. WILSON of Louisiana; Civil Service, Mr. RAMSPECK, of Georgia; Accounts, Mr. WARREN, of North Carolina; Elections No. 1, Mr. DEAR, of Louisiana; Elections No. 3, Mr. KERR, of North Carolina; Printing, Mr. LAMBETH, of North Carolina.

Think of it—these 12 so-called solid year-in and year-out Democratic States with the Speaker and the Democratic leader, and control of these powerful committees! They give chairmanships of the so-called minor committees to border States like Maryland, Missouri, and West Virginia, and the Clerk of the House to Kentucky. [Applause.]

I point out this great number of powerful and outstanding Democratic leaders not in any sense of criticism but that we may show the power and preponderance of influence in this House from the so-called Democratic States. I must congratulate them upon their solidarity and their stick-to-it-iveness. I make bold to say that the group I have named could put through most any measure, not only that the President might desire but that they might desire.

It was the South that put the two-thirds rule on the Democratic Party and maintained it through all the years, and I think they will still maintain it, Mr. Farley to the contrary notwithstanding.

What I have said of the preponderance of leadership from the so-called 12 or 13 Democratic States in the House is matched in the Senate. The Vice President is from Texas, the Democratic leader is from Arkansas, the chairman of the great Finance Committee is from Mississippi.

THE LAW VERSUS ANARCHY

The taking of human life by the mob is anarchy. It is the overthrow of county and State governments and the courts where lynchings occur. It is substituting anarchy for the orderly processes of the law and the courts. Lynchings are universally condemned by all civilized peoples. It has received universal condemnation by the press, pulpit, platform, public officers, high and low, and citizens without regard to race, creed, or color in every walk of life, yet nothing effective is done about it where this monster crime is most prevalent. There are those who, in a roundabout way, assert that lynchings and mob violence are necessary to protect the womanhood of this country. None of us who favor antilynching legislation endorse crimes against women, murders, or any other crime for which men and women have been lynched. There is not a man in this House but who looks with horror upon the crime of rape. To me it is an unspeakable crime. Any man who is guilty of such a crime, whether white or black, should be put to death. This is the law in Kentucky. Any man who is half man desires more than anything else to see the womanhood of this country not only protected but respected. Let us bear in mind that all the chivalry and gallantry is not in the Democratic Party or in the Republican Party, or in any particular section of our Nation.

Our forefathers sacrificed their fortunes and their lives in order to establish a Constitution, laws, and courts. Our Fed-

eral and our State Constitutions provide that every person is entitled to the equal protection of the law and that every person charged with a crime is entitled to a fair and impartial trial, to be confronted by his accusers before an impartial tribunal. The mob in its wild spirit of frenzy and hate is the arresting officer, the accuser, the prosecutor, the jury, the court, and the executioner. This crime has been indicted by the enlightened public opinion of the civilized world, and the thing that causes many of us to blush with shame is the fact that your country and mine sins more grievously in this respect than any other civilized country in the world.

I am opposed to mob violence and lynching. I spoke and voted in favor of H. R. 13, the Dyer antilynching bill, in 1922, and I am now more convinced than I was then of the justice and necessity of this legislation.

The record shows that in 16 States there have been no lynchings since 1889. The South is the place where lynchings are most prevalent, and in about 95 percent of the cases the persons lynched are Negroes.

If a Negro is charged with crime, his case goes before a white grand jury. He is tried by a white jury before a white judge, and is confronted usually with white witnesses. Is there any doubt in any sane person's mind but what a Negro under such circumstances will get all that is coming to him? If the crime justifies the death penalty the juries in those States and under those circumstances do not hesitate to inflict it. Ought the law exact any higher penalty than the life of the accused? Or do we want to let the mob and the lynchers go unrestrained so that they may burn people at the stake and in many cases burn innocent people?

There are others in favor of this legislation besides the Republican Party. The legislatures of 12 great States, all of them Republican States, have urged Congress to act. Among those organizations that favor this legislation are the following, with their memberships:

ORGANIZATION	*Membership*
The Federal Council of Churches	26,000,000
American Federation of Labor	5,000,000
National Baptist Convention	3,196,623
Young Women's Christian Association	404,632
Young Men's Christian Association	857,241
National Association for the Advancement of Colored People	100,000
National Association of Colored Women	250,000
American Federation of Teachers	----------
National Council of Women	----------
National Council of Jewish Women	50,000
The Protestant Episcopal Church	2,000,000
Board of National Missions of the Presbyterian Church (United States of America)	1,969,788
Congregational and Christian Churches	1,000,000
Women's Missionary Council of the Methodist Episcopal Church, South	225,000
Synagogue Council of America	1,000,000
Christian Youth Council	10,000,000

I have given only a partial list. The membership of all the organizations, industrial, civil, religious, and political, exceeds 40,000,000. They recognize this blot upon our country and that lynching and mob violence is not only a crime against the individual but it is an outrage against our twentieth century civilization.

NECESSITY FOR ANTILYNCHING LEGISLATION—DEMOCRATS IN ABSOLUTE CONTROL

The Democrat Party came into absolute control of the executive and legislative branches of the Government on March 4, 1933, and, of course, have been in absolute control ever since. Soon after they secured control there was introduced in the Seventy-third Congress in the House and Senate a great many antilynching bills by Republicans and Democrats. Extensive hearings were held by the Judiciary Committee on these bills—the Wagner-Costigan bill, and others. There appeared before that committee many distinguished men and women, Republicans and Democrats, urging favorable action on this legislation. The Senate Judiciary Committee is about three to one Democratic and made up of many distinguished lawyers, and I understand it made a favorable report in the Seventy-third Congress. Of course, when the Seventy-third Congress ended, all these antilynching and other bills died.

Early in the Seventy-fourth Congress more than 30 antilynching bills were introduced in the House and Senate. The Judiciary Committee of the Senate on March 18, 1935, submitted a favorable report on the Wagner-Costigan bill, and in this report it used the following very significant language:

> The committee, during the Seventy-third Congress, and during the Seventy-fourth Congress, has given much consideration to this bill. Hearings were held by a subcommittee at which evidence was presented demonstrating to the committee's satisfaction the continuing and increasing need for Federal legislation of this character. When a measure similar to the pending reported bill was before Congress in 1934 and its enactment into law appeared to be more than a possibility, two lynchings occurred in January 1934, a month prior to the public hearings conducted by this committee. During the months from January 30 to June 8, 1934, when public opinion in favor of legislation to curb the practice of lynching was particularly articulate, no lynchings occurred. During the first week in June 1934, word was generally circulated that hope for the enactment of the proposed measure had been abandoned. On June 8 there was a lynching in Mississippi, followed in rapid succession by two lynchings in Alabama, one in Texas, one in Tennessee, one in Louisiana, a third in Mississippi, a third in Alabama, one in Georgia, and one in Florida. * * * In the committee's opinion it is more than a coincidence that the practice of lynching is practically stopped when Federal legislation designed to curb this practice is pending in Congress. A continuation of the practice of lynching, coupled with a complete failure of the government of those States involved to apprehend and punish the participators of these crimes, supports the need for Federal legislation.
>
> In the Sixty-seventh Congress a bill (H. R. 13) having similar purposes to the pending measure was passed by the House of Representatives, but was not allowed to reach a vote in the Senate. At that time the constitutionality of this legislation was discussed in much detail. * * * Favorable reports of the Judiciary Committees of the House of Representatives and the Senate arrived at the conclusion that the legislation was clearly constitutional. * * *
>
> After giving earnest thought to the consideration of S. 24, the committee has reached the conclusion that as amended the bill is constitutional and should be passed. It is the opinion of the committee that the proposed legislation is "appropriate legislation" to discourage and prevent the evil of lynching wherever in the United States that evil exists or is or may be committed.

A BLACK RECORD

I have called the attention of the House to the report of the Senate committee in which it is said—

> A continuation of the practice of lynching, coupled with a complete failure of the government of those States involved to apprehend and punish the participators of these crimes, supports the need for Federal legislation.

Who is making this terrible indictment? It is the great Democratic Judiciary Committee of the United States Senate. In 1922, when we had up the Dyer bill, our Democratic friends complained that it was the Republican Party expressing its dislike to the South when similar charges were made. Where is the practice of lynching and in what States is there a complete failure to apprehend and punish those guilty of lynchings and mob violence? Upon what evidence did the Senate Judiciary Committee make its report?

They heard many witnesses and had before them many records. The testimony and records submitted showed for the period beginning in 1889 and extending to March 1935 there were 3,216 lynchings in 13 States, and were distributed as follows:

Georgia	458
Alabama	340
Kentucky	174
Mississippi	455
Florida	242
South Carolina	140
Texas	373
Arkansas	242
Oklahoma	107
Louisiana	249
Tennessee	209
Missouri	92
North Carolina	90

If we count from 1882 to date, there have been 582 lynchings in the State of Mississippi alone.

More than 100 of these were women, and according to the statement of Professor Chadbourn, law professor of the University of North Carolina, and others, less than one out of

every six lynched was even charged with rape or attempted rape. Hundreds and hundreds if guilty of any offense, they were trivial offenses. The records disclosed that 186 of these 3,216 lynched persons were innocent of any crime, and of these, 33 were in Louisiana, 32 in Georgia, 25 in Alabama, 17 in Kentucky, 15 in Mississippi, 18 in Texas, and 13 in Arkansas. These seven States provide 148 of the innocent people who were lynched, and the 13 Democratic States provide 3,216 lynched from 1889 to March 1935.

Only in about 12 cases were the lynchers apprehended and convicted, and they were given inconsequential sentences according to the evidence submitted. It is little wonder that the Judiciary Committee of the Senate in its report declared:

> A continuation of the practice of lynching, coupled with a complete failure of the government of those States involved to apprehend and punish the participators of these crimes, supports the need for Federal legislation.

How can our colored colleague, with this record staring him in the face and with the report of the Judiciary Committee, sponsored by Democrats, say that his race has found in the last 4 or 5 years that the Democratic Party is a safe place to live?

DEMOCRATS INSINCERE AND ARE DECEIVING NEGROES

The Democrats have 322 of the 435 Members of the House. They have 70 of the 96 Senators. I am sure that at least 90 percent of the Republicans, Progressives, and Farmer-Laborites in the House and Senate favor antilynching legislation. The 6 Republicans on the Judiciary Committee of the House have been willing and are now willing to help the 18 Democrats on that committee bring the antilynching bill to the floor of the House, and I am sure the Republican leadership will help the 322 Democrats to bring the bill up in the House and to help them pass it.

Mr. MAVERICK. Why did not the gentleman have those bills enacted during the Republican administration? [Applause.]

Mr. ROBSION of Kentucky. I thank the gentleman from Texas for asking that very question.

Mr. MAVERICK. I want to know why that was not done.

Mr. ROBSION of Kentucky. We did pass the Dyer antilynching bill in 1922 over the active, vigorous opposition of the Democrats by a vote of 231 to 119. The Democrats at that time had 139 Members of the House, and every Democrat voted against the bill or was paired against it, except 6 Democrats in the North, East, and West voted for it and 1 was paired for it. Not a Democrat in the Democratic States raised his voice in support of the measure, but many of them made very vigorous speeches against it. [Applause.]

This report says the Dyer antilynching bill, while reported favorably by the Judiciary Committee to the Senate in 1922, "was not allowed to come to a vote." Who did not allow it to come to a vote? The Democrats of the Senate organized a filibuster, led by that distinguished Democratic leader, Senator Oscar Underwood, of Alabama, and he announced that no bills would be permitted to be considered in the Senate, however important they might be, until the antilynching bill was laid aside, and, in response to the Republicans, he stated: "The Democratic Party will assume full responsibility for the defeat of the Dyer bill." An organized minority in the Senate can accomplish things like this, and it was accomplished.

I am not surprised to see our two Democratic friends from Texas [Mr. MAVERICK and Mr. BLANTON] seeking to interrupt me. Our colored Democratic colleague from Chicago ought to go down in Texas and try to vote in the Democratic primary and try to attend a Democratic convention. The Democrats have put through a law in the State of Texas forbidding a Negro to participate in its Democratic primaries or in a Democratic convention. [Applause.]

Mr. BUCK. Will the gentleman yield?

Mr. ROBSION of Kentucky. I do not have the time. I cannot yield. If the Democrats do not pass this bill when the Republicans are offering to help them to do so, every colored man or woman must know and the country will know that they are doing nothing more or less than attempting to deceive the colored race of this Nation.

Now if this measure is not permitted to come up in the House and Senate with the big Democratic majorities and with the Republicans willing to assist, it will be because the Democratic Party is opposed to the antilynching bill and will not permit it to come up and be passed.

The Democrats of the North, East, and West are becoming alarmed over the failure of the Democratic Party to act on this important measure. They got up a petition urging the Democratic caucus leader to call a caucus of the Democratic Party in the House to consider whether or not the antilynching bill should be brought up. The caucus was called for Friday night, May 22, 1936, but no action was taken because they could not get a majority of the Democrats there. The Democrats let the antilynching bill die in the Seventy-third Congress and they are going to let all these thirty-odd antilynching bills die in the Seventy-fourth Congress.

These Democrats who come and go, from the North, East, and West, can talk around, but the real Democratic Party from the South will see to it that this bill is not passed. They have never intended to pass any antilynching bill and will not do so. In fact, our distinguished Democratic floor leader of the House, according to press reports, says it will not be passed.

The National Association for the Advancement of Colored People has something to say on this subject. Some uninformed people think that this association is made up wholly of Negroes. It is true that there are many outstanding colored men and women active in this great association, with its thousands of members, but it has among its officers and executive boards many of the outstanding white leaders of this country, Democrats and Republicans—for instance, Senator CAPPER, Republican, of Kansas; Governor Lehman, Democrat, Governor of New York; and Hon. Frank Murphy, Democrat, former mayor of Detroit and former Governor of the Philippine Islands.

On or about May 7, 1936, the officers of this great organization sent to President Roosevelt the following earnest message:

FORTY MILLION ENDORSEMENTS

> At Colbert, Ga., on April 28 and at Lepanto, Ark., April 29, occurred the seventy-first and seventy-second authenticated lynchings since you took office on March 4, 1933. These killings by mobs have occurred at an average of 1 every 15½ days since you have been the Chief Executive of this Nation. * * * Since January 1934 the Government has had it within its power to pass a Federal antilynching law, but thus far the Costigan-Wagner bill has been sidetracked while unchecked mobs stage grisly parades every fortnight.
>
> The National Association for the Advancement of Colored People, together with more than 40,000,000 persons who have endorsed this legislation, urgently request your administration to bring this legislation to the floor of both Houses so that it may be considered upon its merits.

The records show that about every 15 days since President Roosevelt and the Democrat Party have been in absolute control there has occurred a lynching, and in more than 95 percent of these cases these lynchings have occurerd in the real Democratic States.

Yet this administration fails and refuses to act. A quorum of the Democrats have failed to meet and even caucus on the question. A petition has been filed at the Clerk's desk to discharge the Judiciary Committee of the House and bring this bill out on the floor. This petition has been numerously signed by Republicans; 129 Members, including myself, have signed this petition. There are about 200 Democrats in the House now from the North, East, and West. If all the Democrats of the North, East, and West would join the Republicans who signed this petition, it would force the antilynching bill out on the floor of the House for consideration. There are 21 Democrats in the House from Illinois. There are five Republicans. These 5 Republicans have signed this antilynching bill petition, but I am informed that only 4 of the 21 Democrats from Illinois up until now have signed it.

Since the National Association for the Advancement of Colored People sent that message to President Roosevelt, there have been more lynchings. Within 10 days after our

Democratic colored colleague made his speech, there were three lynchings—two in Georgia and one in Arkansas. What has the President and the Democratic Party done in response to that appeal? There still have been no hearings on the thirty-odd antilynching bills in the House Judiciary Committee. No effort has been made to report out any bill. I predict there will be no hearing and there will be no report.

Our distinguished chairman, Judge SUMNERS of Texas, is opposed to this legislation. I have heard many able speeches from our Judiciary Committee chairman and other distinguished Members from these Democratic Southern States, and they say they are opposed to this legislation as it will increase mob violence and increase lynchings, and that it is unconstitutional, although the Judiciary Committees of the House and Senate in 1921 reported the Dyer bill favorably, stating that it was necessary legislation and that it was constitutional. Two Democratic Judiciary Committees of the Senate have declared this legislation essential, proper, and constitutional.

PEANUT, POTATO, COTTON, PIG, RICE, BUT NOT NEGRO

The President had no trouble in having our Democratic Congress rush through the "must" bills for peanuts, potatoes, rice, and to plow up cotton, corn, and wheat, and kill the pigs. Our Democratic friends had no qualms about offending against the Constitution then. They have no objection to a peanut, a potato, a bale of cotton, a sack of rice, or a pig coming between them and the Constitution, but the threatened black man, woman, and child, even though innocent, cannot and must not come between them and the Constitution. [Applause and laughter.]

The Democratic Party in the House and Senate are giving these antilynching bills a long, long "Rip Van Winkle" sleep. While, as said in this message of the National Association for the Advancement of the Colored People to the President:

> Since January 1934 the Government has had it within its power to pass a Federal antilynching bill, but thus far the Costigan-Wagner bill has been sidetracked while unchecked mobs stage grisly parades every fortnight.

How can the Democratic Party escape the charge of double-dealing and insincerity with the colored people of this country? I challenge the Democratic Party of the House to bring the antilynching bill to the floor of the House for consideration. I call upon President Roosevelt to make this a "must" bill and put behind it the power and influence of his administration.

They bury the antilynching bills, and then send out our colored Democratic colleague from Chicago to tell the colored people—in the States where the Negroes are allowed to vote—how deeply interested the Democratic Party is in the black race. He says, in effect, that they are going to give to "my President" and this administration, that has denied to them the equal protection of the law as is provided in the Federal Constitution, more votes than they gave to General Grant, to the gallant McKinley, and the reliable defender of the black people, Gen. Rutherford B. Hayes. Yes; they would send him forth to belittle Abraham Lincoln and denounce the Republican Party.

There is no real reason on earth why the colored people should turn on their real friend and back the party that has fought them through all the years and the party that now refuses to protect the lives and votes of the colored people.

The intelligent, fair-minded, appreciative black men and women of this race may have been deceived in 1932, but I predict that they will not be misled in 1936. They are sure to find out that the leopard has not changed its spots and neither has the tiger lost its stripes. It is the same Democratic Party that has fought every step of advancement of the Negro throughout all the years.

MITCHELL'S ANTILYNCHING BILL

Our colleague [Mr. MITCHELL] in his speech tells the House and the country that he, too, is deeply interested in antilynching legislation; that he, too, introduced a bill, and I wish to take your time to point out the wonderful protection afforded to the colored people by his bill if it should pass. In section 3 of his bill he uses this remarkable language:

> Any officer, agent, or employee of any State or governmental subdivision thereof, acting as such officer, agent, or employee under authority of law, having in his custody or control a prisoner, who shall conspire, combine, or confederate with any person to injure or put such prisoner to death, or who shall conspire, combine, or confederate with any person to suffer or permit any person to take such prisoner from his custody or control, to be injured or put to death, shall be guilty of a felony * * *. On conviction the parties participating therein shall be punished by imprisonment for not less than 2 years and not more than 10 years.

Is not that a wonderful protection to throw about the people of his race from mob violence? To fix the punishment of an officer who has a person in his care and who conspires with the mob to put his prisoner to death at from 2 to 10 years. Everyone knows that such an act would be willful murder. It would be murder in the first degree. The law in no State of this Union or in any civilized country, unless it is Russia, fixes the penalty for willful murder, or first-degree murder, at anything less than death or life imprisonment. Our colored colleague said nothing about the thousands of people of his race that were hanged, burned, and drowned in the States where they have a real Democratic Party all the time. He was very careful not to say that he appeared before our committee and urged our committee to report out his bill. He tells us about calling on "my great President", Mr. Roosevelt, and of his undying loyalty to the Democratic Party. Why does he not demand that "my great President" make the antilynching bill a "must" bill, and why does he not insist on his Democratic Party passing an antilynching bill? If "my President" could force through the peanut bill, the potato bill, the cotton bill, the pig bill, and other bills, why not do something for these millions and millions of loyal colored people Mr. MITCHELL says have been and are willing to vote for "my President"?

The SPEAKER. The time of the gentleman has expired. [Applause, Republicans rising.]

Mr. ROBSION of Kentucky. Mr. Speaker, I ask unanimous consent to proceed for 5 additional minutes.

Mr. DEEN. Mr. Speaker, I ask unanimous consent that the gentleman be given 2 minutes, so that I may ask him a question.

The SPEAKER pro tempore (Mr. COOLEY). Is there objection to the request of the gentleman from Kentucky?

Mr. MITCHELL of Illinois. Mr. Speaker, I object. [Laughter and applause.] Mr. Speaker, I withdraw the objection.

Mr. BANKHEAD. Mr. Speaker, I understood the gentleman from Illinois desired an additional 5 minutes.

Mr. MITCHELL of Illinois. I withdrew my objection.

Mr. KNUTSON. No. The gentleman from Illinois has not withdrawn his objection.

Mr. ROBSION of Kentucky. There were some facts I wanted to submit which were considered by the Democratic Judiciary Committee and the action taken by the Democratic Judiciary Committee of the Senate, and I wish to discuss the action taken thereon and the discrimination shown therein in relief and in other matters in the States where the Democratic Party is in control.

Mr. MAVERICK. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky may have 5 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

Mr. O'CONNOR. Mr. Speaker, I object.

Mr. ROBSION of Kentucky. Mr. Speaker, ladies and gentlemen of the House, because of the expiration of my time I was unable to complete all that I desired to say, and under the unanimous consent given to me by the Speaker of the House I extend the remainder of my speech in the RECORD.

IS THE DEMOCRATIC PARTY A SAFE PLACE FOR NEGROES TO VOTE?

Our colored Democratic colleague from Chicago informs an awaiting world that the Negro race of this country found out that the Republican Party was its enemy and "had done the Negro more harm than it had done harm to this country, and had found out that the Democratic Party is a safe place for the Negro to live and vote." We have pointed out how

unsafe it was for the Negro to live in the States that are now and have been before and since the war controlled by the Democratic Party. The next question arises, Is the Democratic Party a safe place for the Negro to vote? Our colleague says that he and others "were able" to bring to the fold of the Democratic Party 60 percent of the Negro votes in the States where Negroes can vote. He also tells us that he is going to make a great campaign this year in the States where Negroes are permitted to vote. The Democratic Party is now flirting with the Negroes because the Negroes have one thing that the Democratic Party want, and they want and need it very much—that is their votes. Is not this a very, very strange situation? It was Abraham Lincoln and the Republican Party that gave the Negroes their freedom and their right to vote. It was the Republican Party that required the Democratic States to adopt constitutions and laws recognizing the freedom of the Negro and his right to vote.

The Republican States of the North, East, and West freely adopted such constitutions and laws, and these free Republican States have always maintained these constitutions and laws, and but for this action and this persistent defense and protection by the Republican Party through all the years, our colored colleague would not have the right to vote. He would not be in Congress; he would not be going over the Republican States "where Negroes vote" urging the Negroes to vote the Democratic ticket. Why does he not go where the Democratic Party really is, and where there are seven or eight million of his race and some three or four million of votes? Why not go there and make his appeal? For instance, in his native State of Alabama, and to Texas, South Carolina, Georgia, Louisiana, Florida, Arkansas, and North Carolina. It seems to me that those are fertile fields.

IS THE DEMOCRATIC PARTY SAFE PLACE FOR NEGROES TO VOTE?

Our colleague Mitchell, Booker T. Washington, or even the great Fred Douglass could have lived in those States for a hundred years and not one of them could have been elected as dog catcher. I am informed that in 15 counties of one of these States in recent elections not a single negro vote was cast, and in another of these States there was not a Negro vote cast in 5 counties. He can sit among his Democratic colleagues here on the floor of the House; but if he should campaign down in Alabama, Texas, South Carolina, Mississippi, or other real Democratic States, he would not be permitted to ride in the same railroad coach with his Democratic colleagues from those States. The laws of those States would permit the vilest criminal and the lowest-down white man to ride in the same railroad coach with them, but it would not permit their Democratic colored colleague from Chicago to do so.

We have pointed out how powerful and great the Democratic Party is in the State of Texas. Under the laws passed by a Democratic legislature in that State, our Democratic colleague would not be permitted to vote in a Democratic primary and he would not be permitted to attend a Democratic convention, and I am informed that the Democratic Legislature of Texas some months ago adopted a resolution calling upon the Democratic Party of the Nation to prevent Negro delegates from sitting in the Democratic national convention.

It would be easy for our colored colleague [Mr. MITCHELL] to vote the Democratic ticket in South Carolina. The Democrats have put on their statute books a law giving a Negro a right to vote in a Democratic primary—there is no real Republican Party in South Carolina—providing 10 good Democrats will make a sworn affidavit that they know the particular Negro and to their own personal knowledge he voted for Wade Hampton in 1876 and has been supporting the Democratic Party ever since. Wade Hampton was a candidate in 1876, 60 years ago. Our colored colleague from Chicago is less than 60 years of age. You can see how easy and safe it would be for him to vote in and for his new-found love, the Democratic Party in South Carolina.

It is interesting to study what effective efforts have been put forth in Mississippi to take away the right of the Negro to vote. He must first register. In order to register he must be able to satisfy the clerk of the court, before whom he registers, of his ability to read and interpret the Constitution of Mississippi and the Constitution of the United States. In order to make it easy for him to read the Constitution, the clerk presents him a copy, so I am informed by many of the leading educated reliable Negroes of that State, with some of the lines arranged perpendicularly and other lines horizontally on the page. If a Negro can figure out that puzzle, they proceed to ask him some real questions about "what is an ex-post-facto law, and what does it mean to suspend the writ of habeas corpus?" If the clerk refuses to permit the Negro to register there is no appeal from his decision. A recent census shows there are 1,009,781 Negroes living in Mississippi, more Negroes than whites. Only about six or eight thousand Negroes vote in that State.

In some of these Democratic States some years ago they adopted the so-called "grandfather clause", denying the right to vote to those Negroes whose parents or grandparents were slaves. So far as I have been able to learn, there is not a real Democratic State in the Union, or border State, that the Democrats have not adopted the grandfather clause, or something equally as effective, or has not attempted to do so. The Democrats made tremendous efforts to adopt the grandfather clause to the State Constitutions of Kentucky, Missouri, and Maryland. Who prevented these grandfather clauses from being adopted and the disfranchisement of the black people? It was accomplished through the leadership of the Republican Party in those States. What party has been busy trying to take away the right to vote of the colored people ever since they were granted the right to vote by Abraham Lincoln and the Republican Party? It has been the Democratic Party. The Democratic Party, where it controls—and the leaders off the record make no denial—are opposed to the Negroes participating in politics. They contend the Negroes are not qualified or fit to participate in government.

It is the Republican Party, through all the years, that has fought these efforts of the Democratic Party to disfranchise the Negro, and the Republican Party has never ceased in its efforts to preserve a free ballot for the Negro and all citizens alike without regard to race, creed, or color. Yet, in the face of this record and these admitted facts, our Democratic colored colleague from Chicago tells us and the country that the Negroes found out 4 or 5 years ago that Abraham Lincoln was a deceiver; that the Republican Party has been through all the years the enemy of the Negro race, and they have found that the Democratic Party is the safe place for them to live and to vote.

NEGROES ELECTED TO OFFICE

Our colored colleague [Mr. MITCHELL] says that he is the first Negro to be elected to Congress by the Democratic Party. I assume that is true. Under the free-election laws that the Republican Party, after the war, required these real Democratic States to adopt, at least two Negroes were elected to the United States Senate and many more Negroes to Congress. In the free States (where Negroes vote) the Republican Party has elected a hundred Negroes where the Democratic Party has elected one, but let us bear in mind that Mr. MITCHELL would never have been elected in his district if the Democrats could have elected a white Democrat. The colored race has about 70 percent of the population. In 1928 the Republicans elected De Priest, a colored man. From 1928 to 1932 the Democrats tried in every way possible to defeat De Priest with a white Democrat. In 1932 they nominated a Mr. Baker, a white man in that district, but he died before the election. There was some division among the colored Republicans. Certain Democrats of the Chicago ring thought it was a good time to further split the Republican Party in that district, and a small committee nominated our colored colleague [Mr. MITCHELL].

You will find that the Democrats never give their support to any Negro anywhere until after the Republican Party has

honored the Negroes and the Democrats cannot beat the Negro Republican with a white Democrat, but if the real Democratic Party really wants to send Negroes to the American Congress they should permit the Negroes in these Southern States to vote. They should not be content to send only one Negro to Congress, and he a renegade Republican. Why not send some real Negroes from the South? When De Priest, the colored Republican from this same colored district of Chicago, was elected to Congress some of our Democratic friends almost blew the lid off the Capitol. They claimed that it was an outrage and a disgrace for any district to send "a nigger to Congress", and our colleague [Mr. MITCHELL] can mark it down, if the Democrats in that district ever get in shape to send a white Democrat to Congress he will be out. I understand, however, that the Republicans are now united in that district. They have nominated De Priest, and he will return to Congress at the November election.

HOWARD UNIVERSITY—TUSKEGEE INSTITUTE

Our colored colleague speaks eloquently about the Tuskegee Institute and Booker T. Washington. Tuskegee Institute was founded through the generosity of northern Republicans and those who, like the Republican Party, have always been deeply concerned in promoting the welfare of the colored race.

The great Howard University is called the Harvard of the Negro race of this country. It is a great institution. Was it founded by the Democratic Party or the Democrats of this Nation? No. A few years after the war, through the generosity of outstanding Republican philanthropists and those sincerely interested in the progress and development of the colored race contributed the money out of their own pockets to found that great institution. It was named "Howard" out of respect to General Howard, one of the commanders of the Union forces and a great friend and admirer of Abraham Lincoln. It was a Republican Congress that initiated the policy of the Federal Government making appropriations to Howard University. For years and years every step taken in this direction was vigorously resisted by the Democratic Party in Congress.

It was the Republican Party that established the Freedmen's Bureau and the Freedmen's Hospital, and it was the Republicans that established scores and scores of other splendid educational and hospital institutions throughout the land for the benefit of the colored race.

DISCRIMINATION

Our Democratic colored colleague speaks of the dole that has been handed out to the colored people. According to reliable reports, even in this there is the worst sort of discrimination against his people. There have been great State meetings of colored people in various Democratic States. In one State a great gathering of colored people pointed out that while more than 50 percent of the population was colored, and the colored people need relief more than any other class, yet they had received only about 5 percent of the relief sent to that State. In a certain Democratic State it is reported that not one single colored contractor has received a contract under this relief work. The white-collared colored workers were even denied opportunities to help administer relief to their own race with only rare exceptions, and they were paid only about half what the white Democratic workers received for the same character of work.

The colored people have been discriminated against in these Democratic States in the distribution of the Federal funds for building schools, gymnasiums, playgrounds, and so forth.

In some of the Democratic States the per capita for the colored children is about one-fifth or one-sixth of what it is for the white children. School busses are supplied in abundance for the white children, but only in rare instances are busses provided for the black children in those States.

What chance have the toilers among the black people to organize and maintain labor unions and farm unions to promote the welfare of themselves and their families in the Democratic States?

One of the greatest discriminations against colored people, especially in the South, was the passage of the Bankhead Act and the A. A. A. This is made clear in the report of the Committee of Thirteen sent by the Administrator of the A. A. A. to visit the South and find out the effect of the Cotton Act and the A. A. A. measures, especially on the tenant farmers or croppers and laborers of the South. They were appointed by the New Deal. They were acting for the New Deal. They made their report last September. It was kept secret until recently, when the Republicans forced it from under cover.

That report disclosed how hard the colored tenant farmers and laborers were hit in the South. It was an easy matter for that great British corporation that held 50,000 acres of cotton and sugar land in Mississippi, and others, to secure a million dollars in these free checks, but it was a rare thing for a poor Negro to receive one of the checks of the A. A. A., and so forth. The effect of these measures, this report says, was to drive approximately a million tenant farmers and laborers from the farms and force them on relief. They number, with their wives and children, perhaps more than 4,000,000 people, and this is one of the reasons that the relief rolls have grown so rapidly under this New Deal administration.

The black people for the most part are wage earners. The high processing taxes hit them harder than any other group in this country. In many instances it doubled the cost of flour, meal, meat, and other necessities of life.

Yes, this New Deal administration took the means of making a livelihood from these millions of colored people and now they are using the dole to capitalize on the miseries of these needy people, to club them and force them to support the Democrat Party.

I am not ready to believe that the millions of honest, industrious black men and black women of this country are willing to exchange their liberties for a mess of Democratic pottage. I am unwilling to believe that they are not ready and anxious to have honest-to-God work with honest-to-God wages to support themselves and their families as honest-to-God American citizens. I know they think more of their liberties, lives, and their rights as freemen and free citizens than they do of this small dole.

The alien, yes, even the smuggled-in alien and the criminal alien, in the North and East under this New Deal secures a much larger portion of dole and higher wages under the work relief than do the black citizens of these Democratic States.

The Republican Party stands for adequate relief for its needy citizens. They have put forth every effort in Congress to help secure adequate relief and to have this relief administered without regard to politics, so that every needy person may receive just and fair treatment without regard to politics, race, creed, or color, and so that this relief may go to those who need relief and not be squandered on this great army of approximately 300,000 Democratic politicians who have been put on the backs of the black as well as the white taxpayers or our Nation.

The Republican Party stands four-square for relief to the needy, but it is opposed to this relief being consumed by white Democratic politicians and so-called overhead expenses. In some instances 90 cents of the dollar appropriated for relief goes to the Democratic politicians and for overhead, and only 10 cents of the dollar goes to the needy. The Republican Party is unalterably opposed to any such policy, and it is now and has been through all the years unalterably opposed to these discriminations against the black people.

CAN THE DEMOCRATIC PARTY DO SOMETHING FOR THE NEGRO?

The Democratic Party has absolute control. It can do many things for the black race. What is dearer to any man than life? What next does he hold as one of his inalienable rights and priceless possessions? The right to be free and vote. The Democrats can join with the Republicans and pass an antilynching bill which will, especially in those States now where they are denied equal protection of the law

according to the report of the Democratic Judiciary Committee of the Senate. It will save innocent men, women, and children from being hanged, burned, and drowned by the mobs. It has the control, and especially in the States where the political rights given to the black race by the Republican Party have been taken from it by the Democratic Party. It can restore these rights vouchsafed to them by the Constitution. It can provide a free ballot. It is said that the ballot will solve every question in this great Republic. Under the present general denial of the right to vote in these Democratic States, Democratic officers may permit mobs, and in some instances actually conspire with the mobs to murder and burn Negroes. The Negro has no way to correct conditions like that. In States where Negroes have the right to vote, they can protect with their votes their lives, and help to correct such conditions.

The Democratic Party can change its policy of discrimination against the black people in educational, industrial, and economic opportunities. A large percentage of the black population must depend upon their wages as workers for the support of themselves and their families. It has been charged on the floor of this House and in the Senate by Democrats that this administration has been trying to force through the Kerr-Coolidge immigration bill, and thereby break down the wholesome immigration laws passed by Republican Congresses and signed by Republican Presidents. This, of course, would increase the number of alien job holders and relief clients. A lot of us, Democrats and Republicans, have been trying to get through the Starnes-Reynolds anti-immigration bill. It would apply the quota to the Western Hemisphere and keep out millions of Mexicans and others who have been coming into our country and taking the jobs from our black as well as our white workers. We have a great army of criminal aliens in this country. We have millions of aliens who have come into this country unlawfully. Millions are on relief and have relief jobs. These should be deported. In the North, East, and West such aliens as I have enumerated receive better wages and larger portions of relief than do the loyal Negro citizens of the South.

This administration could have avoided and should not continue its unconstitutional program of scarcity in this country. It could have adopted a policy and program of plenty. Instead of forcing millions of black people from their farms and jobs, they could urge them to produce at least enough food and raw materials to supply our own country, and if there should be a surplus that might beat down the market a plan could be arranged to take care of that surplus, even out of the Treasury, and maintain fair prices. This administration could stop this tremendous flow of foreign farm products and foreign goods into our country that take away the jobs of black as well as white workers.

This administration took more than 40,000,000 acres of productive land out of production and forced the Negro and others to pay heavy processing taxes in order that the checks might be handed out by the million dollars each to the big landowners and plantation owners of this country. Yes; it turned out that one big wheat farmer was renting Indian lands at from 50 cents to $1.50 per acre, and the Government then handed him not less than $7.50 per acre not to produce wheat. Under this transaction, sanctioned by the A. A. A., more than $28,000 in easy money was handed to him. The black man and his family, who attempt to eat biscuits or white bread, was taxed more than 20 cents a sack on flour.

Yes; this administration handed a British corporation down in Mississippi nearly a million dollars not to produce cotton, and forced its Negro tenants and Negro workers from the lands and forced these black folks to pay a high processing tax on their shirts, overalls, and other clothing for themselves and their families.

This administration could protect our white farmers and the black farmers from the imports of foreign farm products. Its processing tax destroyed the export market for more than 4,000,000 bales of cotton. If we had a sane American policy it would require at least 40,000,000 acres or more of good land to replace these foreign products from foreign lands, and to produce these millions of bales of cotton. This administration could prevent discrimination against the black people of the South in the way of direct relief and work relief. This administration has created a deficit of at least $12,000,000,000, and before the end we will have a national debt of approximately $40,000,000,000. The black people, as well as the white, their children, and their childrens' children must help to pay these deficits and debts, and to meet this wild squandering and wasting of the taxpayers' money because taxes must come from those who consume, it matters not how poor or how black you are.

If you consume, you must pay taxes. No administration in all history has soaked the common people, black and white, with taxes as this administration has. This administration could adopt sane, sound, and economical policies, cut down the taxes, and increase opportunities. It could shut out the products that are coming into this country from Japan and every other country of the earth. These take away the jobs of white and black workers in the shops, mills, factories, and mines of our country. We must work out a plan where our people, black and white, may be gainfully employed and not depend upon the little dole handed out by the Democratic Party, and this great Nation must always be ready and willing to help those who cannot help themselves. Let this be a land of equal opportunity to all, with special privileges to none.

OUR COLORED DEMOCRATIC COLLEAGUE SHOULD TELL HIS BRETHREN

Our colored colleague should tell his brethren the whole truth. He gravely tells us that Abraham Lincoln is dead and that he has been dead for 70 years. The Savior of Man has been dead for 1,900 years, but His spirit still lives. The purpose for which the Man of Galilee died is yet a great living ideal in charting the lives and guiding the footsteps of men.

The Great Emancipator shed his blood that the father and mother of our colleague might be free and to save him from the curse of being born a slave. The spirit of Abraham Lincoln and his wonderful work as the chief exponent of the Republican Party and the great ideals that he and that party espoused at the time, still live and will live so long as the people of this Nation love freedom and the Union.

When our colored colleague goes out to campaign this year in the free Republican States to urge the colored people to support the Democratic ticket, may we urge him to tell the whole story and the true story about Abraham Lincoln and the Republican Party? Let him say to his audience, "Brethren, I would not be holding a high office and would not be here to address you and you would not be here to hear me as freemen with the right to vote, and my own father and mother would have continued to feel the sting of the lash and would have died with their chains on but for Abraham Lincoln and the Republican Party."

Let him tell them the whole sordid, terrible story of approximately 3,000 of their black brethren being hung, burned, and drowned by mobs between 1889 and 1935 in the 13 Democratic States of the Union. Tell them that more than 175 of these upon investigation were found to be innocent and guiltless of any crime. Tell them that approximately 100 of these were women and not more than one-sixth of these 3,000 black folks were charged with rape or even attempted rape.

Tell them about section 3 of his antilynching bill that fixes the punishment of an officer who conspires with a mob to lynch a black prisoner with punishment from 2 to 10 years in the penitentiary, and that only in 12 cases out of more than 3,000 has anyone been apprehended and convicted for these mob crimes and then given but little punishment.

Tell them that he has not appeared before the Judiciary Committee or urged his bill or any other antilynching bill to be reported.

Tell them that his great President pushed through the peanut, pig, cotton, and potato bills, and with an overwhelming majority in both the House and Senate, with an

offer of support of at least 90 percent of the Republicans, he has turned deaf ears to the black race of this country to save their people from the mobs, and all of the thirty-odd antilynching bills have been allowed to sleep for more than 3 years.

Tell his brethren that the Democratic Party has always fought any effort to put through antilynching bills, and that they will not put one through this time, although the Republican minority has urged them to do so.

Tell them that the real Democratic Party of the Nation has fought bitterly every step taken by the Republican Party and others for the advancement of this race.

Tell them that even the enemy aliens of this country in the North and East receive a larger portion of the dole and a larger wage for relief work than the honest, law-abiding colored citizens in these Democratic States.

Tell them that the Democratic Party, where it has control, has been busy through all the years to take away and nullify the franchise rights given to them by Abraham Lincoln and the Republican Party.

Tell them that approximately 200 Democrats in the North, East, and West could have long ago brought out the antilynching bill to the floor for action if these Democrats of the North, East, and West had signed the petition to bring out the antilynching bill. This petition has been numerously signed by Republicans.

Tell his brethren about the great Democratic leader taking him up on a high mountain between 1928 and 1932 and showing him "the kingdoms of the earth."

Tell them that during President Roosevelt's administration there has been a lynching approximately every 15 days, but still the President and his big majorities in the House and Senate take no steps, and "the mob rides on."

Tell them that, even after the speeches of himself, the magnificent monuments and memorials built to the immortal Lincoln and the Union soldiers and sailors still stand throughout this land and in every country and nation of the earth.

Tell them the Republican Party will still live on through the years to save our country and fight for the rights of the colored race.

The SPEAKER pro tempore (Mr. COOLEY). Under the special order of the House, the Chair recognizes the gentleman from Missouri [Mr. NELSON] for 15 minutes.

Mr. MITCHELL of Illinois. Mr. Speaker, I want to submit a unanimous-consent request.

The SPEAKER pro tempore. Does the gentleman from Missouri yield to the gentleman from Illinois?

Mr. NELSON. I yield.

Mr. MITCHELL of Illinois. Mr. Speaker, I ask unanimous consent that I be given 5 minutes to reply to the gentleman's talk.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

Mr. MICHENER. Mr. Speaker, reserving the right to object, when the gentleman from Chicago addressed the House the other day he refused to yield, and I think it is ill-becoming the gentleman to insist on interrupting the gentleman from Kentucky and then to ask for time.

Mr. SCHULTE. Regular order, Mr. Speaker.

The SPEAKER. The regular order is, Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MITCHELL of Illinois. Mr. Speaker, it was not my purpose when I entered this Chamber today to make a speech. My only excuse for asking the time of this House to address you at this time is to reply to some of the misstatements of fact made by the gentleman from Kentucky in his attack on me and my speech delivered on this floor April 22 last. Had the gentleman from Kentucky yielded as I so requested and permitted me to correct some of the most glaring misstatements of facts made by him during his tirade, I would not now ask this time to address you; but, Mr. Speaker, I wish to assure you that while it was not my purpose to speak, I am happy to have this opportunity to stand here once again for the purpose of affirming every word I said in my speech April 22 last, notwithstanding the gross misquotations that have been brought to you by the gentleman from Kentucky.

To begin with, I may say that when I stood here on the 22d of April I read Abraham Lincoln's own speech, and I read every word that he used discussing the question of the abolition of slavery and the paragraph which he took from the Republican platform of 1860, and I defy any man, living or dead, to show the contrary. I shall repeat or read the same later.

ROBSION'S SPEECH SAME OLD REPUBLICAN STORY

What have we done here this morning? We have listened to a typical Republican campaign speech. We have listened to the speech that has been made by Republicans to my people for 70 years, and all the while they have kept us in political slavery [applause], and now one of my colleagues from Kentucky [Mr. ROBSION] has the audacity to wish to continue that kind of political slavery.

What is the purpose of this speech? It has but one purpose, coming as it does from the distinguished gentleman from Kentucky. It has been made to order for no purpose except to continue to deceive the Negro voters of this country and to bind upon them the shackles of political slavery, in order to use them as tools for the Republican Party. I should like to remind the gentleman that the Negro of 1936 is not the Negro of 1870, 1880, and 1890, but a new Negro with political vision and ambition. He has struggled for political freedom, and it will do your cause no good to go back to 1860 and wave the red flag before our faces. We have too long tried you and your party, to our sorrow.

SEVENTY YEARS OF NEGRO LOYALTY TO REPUBLICAN PARTY

For 70 years we followed you blindly; for 70 years we perpetuated you in power; and for 70 long years you promised relief, and forgot your promises the minute you found yourself in office. You have had your day with the Negro vote.

Granting that all you contend is true—and I say it is not—has not the Negro paid you for what you did for him in 1861, 1863, and 1865? Is it your idea that because he was liberated during the administration of a Republican President he must still vote your ticket as a matter of gratitude, with his eyes closed toward his present and future needs? I deny that this should be the requirement of any party. Does not 70 years of unbroken loyalty to you and your party even up the debt, or is it your contention that this party loyalty you are claiming is to be an eternal thing? Can you not cease to talk about what your party did 70 years ago, and tell the aspiring youth of this country what your party proposes to do in 1936 and the years to follow? Do you think we are so blind and so dumb as to be led again to the political slaughter by Republicans seeking to hold office, whose record insofar as we are concerned is a chain of broken promises reaching across three-quarters of a century?

REPUBLICAN PARTY NO LONGER GENEROUS TO THE NEGRO

It has well been said by an outstanding Negro Republican:

> The generous attitude of the Republican Party toward the Negro ended with the administration of Theodore Roosevelt, 28 years ago. Since then the Grand Old Party has deviated from its ancient doctrine of human rights in quest of material prosperity. It has grown cold and indifferent toward its black ward and beneficiary, as if in the process of weaning him. In the meantime the Democratic Party has been gradually growing, not only less hostile but more friendly.

I repeat to you, my friends, what I said April 22 are the words of Abraham Lincoln. Lincoln said himself. He did not expect to interfere with slavery where it existed. I was making no particular attack on Abraham Lincoln. I take second place to no person from Kentucky or any other State in admiring that great statesman, but I deny that he is President now, and that his party has by its political conduct bound me or my people to follow their lead blindly.

LINCOLN—STATESMAN AND POLITICIAN

Abraham Lincoln has been dead 70 years. If the gentleman does not know it, there are people who know that when he lived he was a politician like all the rest of us. He worked to get into office. He served in this House. He served in the legislature of his State. He served in various offices. He even served in the Presidency of the United States, and he made no effort to free the Negro until 1863, almost 2 years after he came into the Presidency, and I am told, and those who have read the story know, the difficulty that Republicans and Democrats alike throughout this country, who believed in the abolition of human slavery, had in getting him to sign the emancipation proclamation, which was not signed until January 1, 1863. If he and his party were so bent on freeing the Negro, why did they have to wait all those 2 years to start about it? They started about it when we had conscription riots in New York City and German war vessels were standing off the coast of that State and helping to suppress the riots, and Abraham Lincoln had to free the Negroes in order to bring conscripts into the Army to save that situation.

LINCOLN'S ATTITUDE ON SLAVERY TAKEN FROM INAUGURAL ADDRESS (MARCH 4, 1861)

Apprehension seems to exist among the people of the Southern States that by the accession of a Republican administration their property and their peace and personal security are to be endangered. There has never been any reasonable cause for such apprehension. Indeed, the most ample evidence to the contrary has all the while existed and been open to their inspection. It is found in nearly all the published speeches of him who now addresses you. I do but quote from one of those speeches when I declare that "I have no purpose, directly or indirectly, to interfere with the institution of slavery in the States where it exists. I believe I have no lawful right to do so, and I have no inclination to do so." Those who nominated and elected me did so with full knowledge that I made this and many similar declarations and had never recanted them. And, more than this, they placed in the platform for my acceptance, and as a law to themselves and to me, the clear and emphatic resolution which I now read:

"*Resolved*, That the maintenance inviolate of the rights of the States, and especially the right of each State to order and control its own domestic institutions according to its own judgment exclusively, is essential to that balance of power on which the perfection and endurance of our political fabric depend, and we denounce the lawless invasion by armed force of the soil of any State or Territory, no matter under what pretext, as among the gravest of crimes."

I now reiterate these sentiments, and in doing so I only press upon the public attention the most conclusive evidence of which the case is susceptible, that the property, peace, and security of no section are to be in anywise endangered by the now incoming administration.

REPUBLICANS AND DEMOCRATS ALIKE FOUGHT TO SAVE THE UNION

These are the words of the sainted Abraham Lincoln, after he had been elected and was no longer seeking votes, he had adopted his party's platform, not in 1854 or 1856, but in 1860, when he was that party's candidate. Why does the gentleman come here and tell us about a whole lot of platforms that were written just for the same purpose you are writing them now? We have the story of the man's work, we have the story of the man's life, and we know that Democrats as well as Republicans joined the Union Army and fought to preserve this Union. [Applause.]

I want to say that I have to take a second look at any man who comes here and tells us that the Republican Party is the party that saved the Union and the Democratic Party had nothing to do with it.

[Here the gavel fell.]

Mr. BEAM. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois may proceed for 5 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MITCHELL of Illinois. I thank you.

REPUBLICAN PARTY NO LONGER ABLE TO DECEIVE THE NEGRO

Now, my friends, what is the matter with the gentlemen on this side? I sounded an alarm to you the other day, and whether you believe it or not, you are going to witness not only difficulty but an impossibility in putting the Negro vote in your vest pocket this year. You can no longer fool the Negroes as you have done for 70 years. [Applause.]

You have boasted that you carry us in your vest pocket. That boast, thank God, is no longer true. In 1928, over here in the Barr Building, when Hoover was running for President of the United States, his campaign manager was approached and asked to give some money to maintain a Negro headquarters in Chicago, and he said, "We will not give another dime; we have the Negro vote in our vest pocket, and we can win without spending another cent on them."

Now, the Negroes have learned you do not want them.

NEGRO VOTERS THINK FOR THEMSELVES

You have said here today that the Democratic Party does not want them. I am inclined to concede that neither party particularly wants us. You, the Republicans, had us for 70 years, and kicked us around like footballs, and showed you have no real respect for us.

It is not a question now of which party wants us; it is a question of which party offers us a better opportunity to rise in this country and live as citizens should live. In other words, the question is this, which party does the Negro want? And I say frankly that the Negro not only wants but he is going to work for that party that assures him of the largest opportunity to enjoy the blessings of freedom, justice, and an opportunity to develop into the fullest degree of manhood. We shall not take either party all together upon its past record; we shall deal with both parties as they show an interest in us and deal with us in 1936. For my part there is no question in my mind but that the Democratic Party, as constituted today, offers the Negro by far the best opportunity in this country, and I shall use all the influence and all the power that I possess to drive this truth home to the Negroes in this country.

Today the Negro refuses to stand by you simply on 60-year-old promises still unfulfilled. Until you make good the promises that you have made for the last 70 years, we shall try new political fields not marked "G. O. P." [Applause.]

Mr. ROBSION of Kentucky. Will the gentleman yield?

Mr. MITCHELL of Illinois. I refuse to yield. The gentleman from Kentucky told you about conditions in Texas and what the Democratic Party would do to you. I come from Alabama and I would like to tell you what the Republican Party will do to you in Alabama.

REPUBLICAN PARTY DESERTED NEGRO IN THE SOUTH

I was a Republican and in a Republican convention in Alabama when the "lily white" Republican Party came into existence. I, with many others, was driven out of the Republican convention in City Hall just across from the big Hilman Hotel in Birmingham. The "lily whites" marched into the hotel. The Negroes were told to go out where they belonged, and no Negro could be admitted to the "lily white" party.

There were a few of us who met the educational qualifications, a few who met the property qualifications, and the Democrats registered us. After we were registered it was left to the Republican Party of Alabama to drive us out, although we were registered voters there. They said they were going to have a real white party. [Applause.] It is high time that you Republicans stopped playing the hypocrite. When the Democratic Party kicked us out they told us they did not want us. You told us that you wanted us and then kicked us out of the party. [Laughter and applause.]

The Republican Party has conjured with the name of Lincoln long enough. Lincoln has been dead for 70 years, and his party as the party of human rights died years ago. [Laughter and applause.]

Now, I am going to conclude with this story: There were two Irishmen—and I am making no reflections on the Irish; they are my friends—there were two Irishmen walking

through the cemetery and reading the inscriptions on the tombstones. They came to one and they read, "Not dead but sleeping." Mike said to Pat, "What does it say there?" Pat says, "Not dead but sleeping." Mike says, "Listen, if I was dead I would confess it and not tell a lie about it, would you?" [Laughter and applause.]

FEDERAL-AID HIGHWAY ACT—CONFERENCE REPORT

Mr. CARTWRIGHT, from the Committee on the Post Office and Post Roads, submitted a conference report and statement on the bill (H. R. 11687) to amend the Federal Aid Highway Act, approved July 11, 1916, as amended and supplemented, and for other purposes, for printing under the rule.

ROOSEVELT THE HOME SAVER

The SPEAKER pro tempore (Mr. COOLEY). The Chair recognizes the gentleman from Missouri [Mr. NELSON] for 15 minutes.

(By unanimous consent, Mr. NELSON was granted leave to extend his remarks in the RECORD and to include official figures showing Federal aid extended to the Second Missouri Congressional District.)

Mr. NELSON. Mr. Speaker and Members of the House, "home" is the greatest of all words and Franklin D. Roosevelt the greatest of all home savers.

I like—

Says the President—

to think of our country as one home, in which the interests of each member are bound up with the happiness of all.

Under his guidance farm homes have been saved, town homes have been saved, old homes have been improved, and new homes have been built.

In this modern day, with its crowded cities, where so many are born in hospitals, live in apartment houses, and are buried from funeral homes, the anchor which in other days held fast in stress and storm had largely been lost. Happily, though, because we have in the White House a true home lover, a home saver, and a home helper, we are witnessing a new appreciation of the home and all that it means to America.

A little more than 3 years ago, when millions of homes—country homes and city homes—were about to be lost to their owners, a home-helping and home-saving program was proposed. It has worked wonderfully well. The story of how millions of home owners have been helped is one of the brightest in all our history. The benefits have included every State, every congressional district, and each of the more than 3,000 counties in the United States.

I shall refer especially to the 15 counties in Missouri's Second Congressional District, which I have the honor to represent. These counties are Benton, Boone, Camden, Carroll, Chariton, Cole, Cooper, Hickory, Howard, Lafayette, Miller, Moniteau, Morgan, Randolph, and Saline. In beauty of streams and lakes, in superiority of soil and citizenship and of homes and herds, this district is excelled by none.

Before referring in general to home saving, I want especially to speak of the farm home. I was born on a farm. My boyhood days, and, in fact, many years of my life, were lived on the old home place, which I still own and farm. My entire life thus far has been spent in the farm cause, so you will pardon me if I seem doubly interested in these homes out in the country, where those who till the soil and love the land live in close partnership with the Master of the Vineyard. I just cannot help feeling as I do, for down deep in my heart is a sympathy which comes only as a result of country living. I understand the farmer's battles. I know how great is his gamble; how he must contend with frost, flood, and drought, and unfavorable seasons in many forms. But he does not quit. If he did, famine would follow.

While home saving, under the leadership of our great President, has been confined to no class or group, the farmer has, I believe, received the greatest benefits, and justly so, because his needs were greatest, because he had held on just as long as he could.

On the Union Station here in Washington are the words, "The farm, best home of the family." It should be so. We must preserve this farm home. Having in the White House an understanding friend under whose leadership the American farmer was for the first time permitted to enjoy the benefits of a farm program which the farmer himself approved, a new prosperity and a new sense of security came to the country.

It is a sad day for the individual; yes, and a sadder day for America when, because of debt, the farm family is forced to leave the old home and pass for the last time from the house, which somehow seems almost to have a soul, and start out for, God only knows where.

I love old houses, with vines running over,
Set in a riot of roses and clover,
Set in a wonder of old, old trees,
Dreaming of far, dim memories.

It is important that the farmer-minded man be kept on the farm, just as it is that the farmer-minded Member be kept in Congress. With the farm problem the greatest of all, there is need in legislative halls of men who speak and understand the farm language; men who know the meaning of "gee" and "haw"; who know that the now frequently used term "earmarking", as applied to money, had its origin on the farm, where hogs' ears were marked with crops and slits and underbits; men who have heard the expression, "busted hame strings"; and who not only know the meaning of "time to take out" but who will never consent to "take out" until the fight for a square deal for the farmer has been won. So it behooves agricultural districts to be truly represented by those who have, during the darkest days, stood on the firing line for the farmer.

I have referred to the loss of farm homes. When a great tree falls it may not mean much but the loss is there, and when a million trees fall the loss in the forest is felt. When one farmer loses his home it may falsely be thought of as an individual matter. It is, though, a part of a national problem. The helpful, anchoring influence of one farm family, the members of which have for generations owned and lived upon the same land, may be greater than that of a thousand families crowded together, yet strangers, in an immense apartment house. The touch of the soil is a human touch. There is, too, the financial side. Every forced sale of a farm reduces the sale value of every other farm in the neighborhood.

There is justifiable pride in ownership. Only the man who has owned land can fully appreciate the meaning of the term "the home place." As he improves this place it becomes a part of himself. It has been said that nobody fights for a boarding house and, although some of the best farmers I have ever known are tenants, few fight for rented farms, unless they may look with hope to the day of ownership. Under the Roosevelt plan it is being made possible for many to buy farms, while others are enabled to hold on to what they have. The same applies to city homes.

A GLAD DAY AND A SAD DAY

In the home-saving, farm-betterment battle as it has been fought under the Roosevelt administration, 2 days—one glad, the other sad—stand out in my mind. One of these days was when, as a member of the Agricultural Committee, I, with others, stood on the south porch of the White House and looked into the faces of more than 5,000 farmers as they listened to an address by President Roosevelt. These men had come to Washington to express their appreciation of the A. A. A. program. The other day was that on which the United States Supreme Court, by a divided vote, declared the Farm Act unconstitutional. When decision was made known in the House there was cheering on the Republican side but none on the Democratic side. In justice let it be said that not all minority Members applauded. Some, like the Democrats from farm States, were sad and silent.

No wonder that farmers who had suffered heavy losses under the Hoover Farm Board, when farm prices fell to one-third of what they had been, were distressed when the Supreme Court put an end to the A. A. A., under which prices had more than doubled.

THE NEW FARM PROGRAM

When the A. A. A. was knocked out, friends of the farmer did not "take out." Following the Supreme Court decision, our House Agricultural Committee, carrying out the known wishes of the home saver in the White House, went to work to frame a bill to, insofar as possible, take the place of the Agricultural Adjustment Act. Using as a basis the Soil Erosion Act, which our committee had reported in the first session of the present Congress, a bill was soon agreed upon, reported out, and passed. It is under this law, "An act to promote the conservation and profitable use of agricultural land resources by temporary Federal aid to farmers and by providing for a permanent policy of Federal aid to States for such purposes", the act being approved February 29, 1936, that the new farm program, for which this Congress has appropriated $500,000,000, is being carried on. So, under President Roosevelt, home saver, all Federal aid for farmers who voluntarily cooperate, but without contracts, has not been lost. Rather is the farmer now put in a position where he can afford to do what he has long wanted to do, to build up and save the soil. In this work, so necessary if agriculture is to survive and if those who follow after us are to be fed, unless it be by foreigners, the entire Nation will share.

PAYING EVERY DOLLAR DUE

Not only was the new farm-help bill hurried through ahead of the 1936 planting season, but Congress, and especially those of us on the Agricultural Committee, saw to it that every dollar needed, $296,000,000, was provided to pay in full every farmer who had signed, or agreed to sign, a crop-production contract under the A. A. A. The last of thousands of these corn-hog checks, totaling $50,000 or more for each of many counties, are now being mailed out from Washington and are helping save more farm homes.

MORE THAN $6,000,000

The following table, showing rental and benefit payments received by farmers of our congressional district from May 12, 1933, to January 31, 1936, under the A. A. A., later payments not being included, speaks for itself. Without such payments, sometimes referred to as the farmer's tariff, thousands of farm owners would have been unable to meet interest and taxes.

Rental and benefit payments made to farmers of Second Congressional District in Missouri

County	Total	Wheat	Tobacco	Corn-hogs
Benton	$203,902.02	$10,458.20		$193,443.82
Boone	452,104.17	32,748.68	$6,764.31	412,591.18
Camden	68,558.85	1,068.21		67,490.64
Carroll	778,425.57	199,611.33	1,928.65	576,885.59
Chariton	697,515.16	136,504.33	6,476.84	554,533.99
Cole	189,363.64	55,096.83		134,266.81
Cooper	579,397.15	71,890.94	776.04	506,730.17
Hickory	93,619.15	8,477.77		85,141.38
Howard	476,704.31	72,659.38	6,578.14	397,466.79
Lafayette	853,023.08	168,934.58	924.89	683,163.61
Miller	136,643.72	15,058.31	80.50	121,504.91
Moniteau	267,753.44	36,943.00	346.63	230,463.81
Morgan	195,656.78	15,898.31		179,758.47
Randolph	274,400.73	8,734.98		265,665.75
Saline	911,118.53	125,518.49		785,600.04
Total	6,178,186.30	959,603.34	23,876.00	5,194,706.96

As showing some of the activities of the Roosevelt home-saving program, not including the Works Progress Administration, there follows a report showing Federal allotment totaling for our congressional district $2,686,933, with practically a million and a half dollars expended as of January 31, 1936.

County and town	Agency	Type	Allotment	Expenditures
Boone:				
Boone County	P. W. A. (non-Federal)	School addition	$69,000	$217,411
Columbia	do	Reservoir	15,300	47,666
Do	do	Jail	11,800	40,486
Do	do	Building improvement	662,727	116,127
Centralia	do	Gymnasium	16,109	
Camden:				
Camden County	do	Toll bridge	666,000	397,479
Stoutland	do	School	37,000	
Carroll: Bosworth	do	Auditorium	8,000	6,231
Chariton: Keytesville	do	Waterworks	56,364	46
Cole:				
Jefferson City	do	Capital annex	6,500	15,018
Do	do	Sanitary sewer	2,450	9,242
Do	do	City hall	10,500	29,562
Do	do	Fire department	13,500	65,563
Do	do	Sanitary sewer	18,945	4,170
Do	do	Building improvement	81,818	3,245
Do	do	Jail	29,454	
Jefferson	do	Office building	27,889	587
Jefferson City	War (Quartermaster)	Cemetery improvement	500	
Cooper:				
Pilot Grove	P. W. A. (non-Federal)	Waterworks	36,364	3,565
Prairie Home	do	School	11,758	
Boonville	P. W. A. (Federal)	Install beacon	295	235
Howard: Fayette	P. W. A. (non-Federal)	Highway	45,000	676
Lafayette: Higginsville	do	Park improvement	12,500	37,717
Miller:				
Miller County	do	High school	48,300	60,419
Do	do	School	700	2,192
Moniteau:				
Tipton	do	Disposal plant	41,494	33,383
Do	do	Waterworks	48,000	43,915
Fortuna	do	School	1,800	7,025
California	do	Electric plant	145,000	151,574
Tipton	do	School	22,500	
Morgan: Florence	do	do	3,000	9,723
Saline:				
Marshall	do	Jail	12,800	52,129
Do	do	Disposal plant	40,200	121,507
Saline County	do	Highways	67,900	2,167
Slater	do	do	81,818	762
Gilliam	do	do	68,727	2,010
Saline County	do	Highway	28,636	969
Saline	do	do	44,195	1,706
Fairville	do	do	33,545	
Marshall	do	Electric plant	158,545	
Total			2,686,933	1,484,272

WORKS PROGRESS ADMINISTRATION

The Works Progress Administration, affording employment as it does, has proved a real home saver, splendidly managed as it is in Missouri.

Second Congressional District in Missouri, Works Progress Administration; report of State accounts office as of Mar. 31, 1936

STATUS OF PROJECTS

County	Project limitation	Administrative allotment	Obligations incurred	Checks issued
Benton	$151,063.80	$53,798.00	$44,874.27	$32,579.95
Boone	418,639.60	102,752.00	93,245.75	74,538.11
Camden	281,166.60	75,269.00	58,472.88	48,634.91
Carroll	265,771.70	47,291.00	40,030.00	33,381.94
Chariton	398,363.00	52,102.00	46,567.88	38,825.42
Cole	1,317,190.40	353,463.00	132,761.30	91,865.25
Cooper	361,345.80	73,070.00	55,495.20	41,255.70
Hickory	137,282.20	39,720.00	34,019.65	29,256.70
Howard	306,694.30	54,095.00	45,435.99	35,342.93
Lafayette	347,628.90	87,407.00	73,199.10	49,903.04
Miller	367,196.30	69,135.00	60,358.97	48,548.79
Moniteau	138,874.60	51,834.00	43,656.52	33,624.15
Morgan	253,776.90	95,684.00	80,484.36	59,813.47
Randolph	552,899.90	87,474.00	79,254.50	66,014.11
Saline	986,376.30	131,570.12	97,192.01	71,921.40
Total	6,284,270.30	1,374,664.12	985,048.38	755,495.87

Thousands of homes in our congressional district have been saved to their owners by employment provided, and without which the ordinary family needs could not have been met. Here are figures as of May 7, 1936, showing Federal fund participation under the Federal Emergency Relief Administration, Civil Works Program, and the Works Progress Administration:

County	Obligations incurred from Federal funds, through December 1935, F. E. R. A.[1]	Expenditure of Federal funds, C. W. A., through April 1934	Approved cost in Federal funds for projects selected for operation, through Apr. 15, 1936, W. P. A.
Benton	$88,017	$32,345	$53,683
Boone	189,474	344,676	114,613
Camden	92,963	30,262	78,538
Carroll	86,133	56,925	50,191
Chariton	101,438	45,835	63,556
Cole	251,165	113,400	585,884
Cooper	99,106	48,054	77,241
Hickory	54,144	16,103	40,820
Howard	89,206	39,893	65,876
Lafayette	119,300	71,228	93,833
Miller	92,525	35,837	72,201
Moniteau	86,417	29,144	59,392
Morgan	133,556	35,335	112,646
Randolph	185,539	81,926	103,588
Saline	209,084	122,458	133,212
Total	1,878,067	1,103,421	1,705,274

[1] Prior to May 1934 State funds may be included in these figures.

LOANS AT LOW INTEREST RATES

Under the Roosevelt home-saving program the Farm Credit Administration made loans in Missouri, from May 1, 1933, through March 31, 1936, as follows: Farm mortgage loans—Federal land banks, 6,634, totaling $21,265,700; Land Bank Commissioner, 13,518, totaling $21,903,200. Short-term credit—Production credit associations, 9,484 loans totaling $4,510,033; emergency crop loans, 12,042, totaling $874,836; drought relief loans, 20,605, totaling $2,030,507.

A long-time loan at a low rate of interest is one of the greatest needs of the man deeply in debt. The object in making farm loans has been to provide a rate of interest that the borrower can afford to pay and to give him time in which to pay. Such loans have brought new hope to many farm families. Here is a report, by counties, in the Second Congressional District in Missouri:

Number and amount of Federal land bank and Land Bank Commissioner loans closed by counties in the Second Congressional District of Missouri for the period May 1, 1933, to Jan. 1, 1936

County	Federal land bank		Land Bank Commissioner		Total (bank and Commissioner)	
	Number	Amount	Number	Amount	Number	Amount
Benton	57	$158,000	114	$177,100	171	$335,100
Boone	43	147,900	98	198,800	141	346,700
Camden	7	17,800	39	56,400	46	74,200
Carroll	48	248,500	64	140,600	112	389,100
Chariton	104	364,300	156	300,100	260	664,400
Cole	20	52,900	41	83,400	61	136,300
Cooper	49	173,600	75	165,800	124	339,400
Hickory	24	56,200	82	112,400	106	168,600
Howard	51	190,900	105	233,800	156	424,700
Lafayette	112	536,000	113	237,100	225	773,100
Miller	60	123,700	119	161,700	179	285,400
Moniteau	38	109,400	67	127,700	105	237,100
Morgan	26	65,800	47	68,400	73	134,200
Randolph	45	124,200	108	157,100	153	281,300
Saline	89	513,300	121	280,200	210	793,500
Total		2,882,500		2,500,600		5,383,100

PRODUCTION CREDIT LOANS

As it has been found impossible to secure figures showing, separately, loans made to each county in the Second Missouri District under the Production Credit Administration, there is given figures for associations in the several divisions of the State, which include the following counties: Chariton, Carroll, and Randolph, 1,073 loans for $510,585; Lafayette, 332 loans for $228,579; Hickory, 1,284 loans for $492,872; Benton, Boone, Camden, Cole, Cooper, Howard, Miller, Moniteau, Morgan, and Saline, 559 loans for $234,162.

R. F. C. LOANS

The Reconstruction Finance Corporation had, up to February 29, 1936, made loans within counties shown as follows:

Loans by Reconstruction Finance Corporation, Second Congressional District of Missouri

County	Amount authorized	Amount disbursed
Benton	$80,000	$75,000.00
Boone	270,000	240,229.98
Camden	15,000	
Carroll	120,000	120,000.00
Chariton	144,000	115,399.94
Cole	798,000	785,775.00
Cooper	398,300	255,600.00
Hickory	20,000	20,000.00
Howard	13,000	13,000.00
Lafayette	83,000	60,500.00
Miller	60,000	43,792.80
Moniteau	34,000	34,000.00
Morgan	83,000	72,600.00
Randolph	205,070	170,760.42
Saline	109,500	108,900.00
Total	2,432,870	2,115,55[illegible].14

H. O. L. C. LOANS

As I have said, home-saving loans have been made, both in city and country. Second Congressional District loans, as reported by the Home Owners' Loan Corporation up to January 2, 1936, totaling $2,209,228, are as follows: Benton County, 5 loans, $4,050; Boone County, 189 loans, $544,929; Camden County, none; Carroll County, 25 loans, $48,765; Chariton County, 32 loans, $48,861; Cole County, 93 loans, $315,149; Cooper County, 21 loans, $68,416; Hickory County, 2 loans, $2,942; Howard County, 58 loans, $94,384; Lafayette County, 29 loans, $60,243; Miller County, 29 loans, $40,861; Moniteau County, 18 loans, $27,049; Morgan County, 12 loans, $14,389; Randolph County, 304 loans, $609,272; and Saline County, 174 loans, $329,918.

The almost total failure in Missouri of some crops in 1934 caused many farmers to seek emergency loans in order to carry on and save their homes.

Emergency loans—Number and amount of loans made in the Second Congressional District of Missouri, by counties, Jan. 1, 1933, through Sept. 30, 1935

County	Emergency crop and feed loans		Drought loans	
	Number	Amount	Number	Amount
Benton	72	$4,060	179	$20,057
Boone	90	5,150	208	18,538
Camden	76	4,365	135	20,859
Carroll	111	9,850	686	121,631
Chariton	193	15,720	282	26,869
Cole	18	1,155	62	5,037
Cooper	67	5,745	337	44,660
Hickory	16	600	61	4,166
Howard	175	13,200	80	10,255
Lafayette	90	6,655	168	17,884
Miller	70	3,645	147	14,180
Moniteau	45	2,475	120	8,993
Morgan	140	7,235	183	14,831
Randolph	122	8,065	253	21,418
Saline	111	8,525	455	60,928
Total	1,396	96,445	3,356	410,306

CASH INSTEAD OF CARRION

Bad as was the 1934 drought in our district, hardships were made less and losses reduced because of action taken by the Roosevelt administration. For instance, livestock was not "sold for a song" or allowed to die on the farms as in other droughts. Instead the Federal Government provided funds for the purchase at reasonable prices of drought cattle, sheep, and goats in our congressional district as follows, farmers in this way receiving almost three-quarters of a million dollars:

Drought purchases of livestock, Second Congressional District of Missouri

Counties	Cattle		Sheep		Goats	
	Number	Dollars	Number	Dollars	Number	Dollars
Benton	5,892	80,741	94	188		
Boone	2,527	39,124				
Camden	4,759	74,332			182	254.80
Carroll	3,451	48,108	202	404		
Chariton	3,193	49,378	113	226		
Cole	1,850	28,537				
Cooper	1,766	25,191				
Hickory	2,711	36,068				
Howard	2,809	45,309	314	628		
Lafayette	2,215	30,898	27	54		
Miller	3,445	53,332				
Moniteau	1,413	19,620				
Morgan	3,680	56,163				
Randolph	4,979	76,447	238	476		
Saline	3,613	56,073				

LOANS, GRANTS, AND ADJUSTMENTS

The beginning of the Roosevelt administration found farmers deep in debt, due largely to less than cost-of-production prices for which they had been forced to sell livestock and grain during the latter part of the preceding administration. These ruinous prices also applied to eggs and butter and everything else offered for sale by the thrifty farm woman. As a result of such markets and other contributing causes, President Roosevelt approved a rural-help program. The following figures show some of the work up to April 30, 1936, in the Second Congressional District in Missouri:

County	Number of farmers to whom loans have been made	Amount of approved loans
Benton	6	$3,524.50
Boone	39	13,964.08
Camden	46	13,241.77
Carroll	42	17,162.89
Chariton	18	6,361.83
Cole	31	15,804.43
Cooper	22	9,124.85
Hickory	11	4,228.16
Howard	33	16,485.24
Lafayette	27	7,541.61
Miller	58	19,310.83
Moniteau	35	12,302.40
Morgan	12	$6,726.13
Randolph	20	11,070.47
Saline	59	22,094.53
Total	459	178,943.72

County	Number of farmers to whom grants have been made	Amount of grants made
Benton	113	$5,521.24
Boone	153	10,636.25
Camden	107	4,800.50
Carroll	77	3,542.00
Chariton	81	3,528.00
Cole	137	7,453.00
Cooper	117	7,401.90
Hickory	83	4,001.65
Howard	92	5,995.00
Lafayette	50	2,064.00
Miller	114	4,151.60
Moniteau	95	5,072.97
Morgan	124	7,792.49
Randolph	51	3,647.00
Saline	55	3,060.00
Total	1,449	78,667.60

FARM-DEBT ADJUSTMENTS

An important help in the Roosevelt home-saving program has been in the scaling down of debts to a point where they could be refinanced, with justifiable hope of final payment. So agricultural advisory councils were formed, and in thousands of cases debt adjustments favorable to both parties concerned have been agreed upon. These advisory councils were set up in 2,752 counties, and it is estimated that the scale-downs amount to well above $2,000,000.

Total farm debt adjustment cases, Second District of Missouri

County	Total number cases	Cases adjusted	Original indebtedness	Debt reduction	Taxes paid	Number of acres affected[1]
Benton	10	1	$6,360	$2,360		
Boone	19	6	28,414	7,744		636
Camden	1					
Carroll	11	7	50,647	12,507		1,038
Chariton	12	4	18,100	5,800		260
Cole	11	3	4,383	1,763	$210	334
Cooper	12	5	47,182	19,009	236	650
Hickory	9	4	1,400	100		
Howard	9	1	6,000	96		
Lafayette	13	5	63,828	18,303	125	847
Miller	11	4	6,226	69	19	414
Moniteau	16	7	49,252	28,304	647	967
Morgan	8	1	275	245		126
Randolph	8	1	3,100	1,100		
Saline	5	2	1,908	214		213
Total	155	51	287,075	97,614	1,237	5,485

[1] No acreage figures stated on reports from September to December 1935.

BIG APPROPRIATIONS, BUT BETTER OFF

Money appropriated is not going in loans to foreign countries which will never repay. Every dollar stays at home, where it goes to save homes and help millions of needy men and women and boys and girls. True, billions of dollars have been spent—spent to save, not to destroy life. Of this money much has gone out in loans and will be repaid. And get this: The estimated gain in wealth of the United States since the beginning of the present administration on March 4, 1933, is double that of every dollar appropriated for relief under President Roosevelt, who has made a sincere effort to correct a condition not of his making. Best of all, the time seems in sight when emergency appropriations will no longer be necesary. We are digging out.

With the lowest interest rates the farmer has ever had—and as a member of the Agricultural Committee, I am glad to have voted to continue these rates, including 3½ percent

on land-bank loans—the debt burden is lighter. Then, with prices of hogs three times higher than under the Hoover low, where 1 pound of live hog formerly paid the interest on but 50 cents, it now pays interest on $2.

MORE THAN LOUISIANA PURCHASE PRICE

I am sorry that I do not have late figures showing total amounts received by our district from various Federal sources. While some of the figures which I use are almost a year old and are incomplete, they do show average payments of more than a million dollars per county, as follows: Benton, $655,454; Boone, $2,885,877; Camden, $449,254; Carroll, $1,518,959; Chariton, $1,249,160; Cole, $2,311,282; Cooper, $1,383,163; Hickory, $315,893; Howard, $1,090,191; Lafayette, $1,554,472; Miller, $582,178; Moniteau, $596,417; Morgan, $715,355; Randolph, $1,802,610; and Saline, $3,122,416.

In other words, under the Roosevelt home-saving administration, more Federal money has come to the Second Congressional District in Missouri than was paid for the entire Louisiana Purchase, which, under the leadership of Thomas Jefferson, was acquired for $15,000,000.

WORK OF THE C. C. C. CAMPS

Of all the emergency and relief work of the Roosevelt administration, none is more popular than that of the Civilian Conservation Corps. These C. C. C. camps make for home saving, boy saving, and soil saving.

When, a few weeks ago, word went out that more than 700 of these camps, including some in our district, were shortly to be discontinued, with others to follow later, I, with many of my colleagues who believed in this great cause, got busy. As one of an executive committee of eight, named to carry on the fight and empowered to act, I am glad to say that the camp-closing order was withdrawn and assurance given that all camps, where there is unfinished work and where the enrollment can be kept up to 163 men, will be continued. Only those of us who were in the thick of this fight to prevent the closing of the camps know how discouraging the outlook was for a while. As a part of the agreement reached, appropriations have been made to keep the camps going until the expiration of the law on April 1, 1936, at which time continuing legislation will, no doubt, be passed.

During the 3 years the Civilian Conservation Corps has been in operation, direct employment for varying periods of time has been afforded 44,666 Missouri men.

The estimated obligations for Emergency Conservation work in Missouri from April, 1933, through March 20, 1936, approximate $22,459,000. Of this sum, a total of $12,459,000 was obligated during the first 2 years of the program and the balance of $10,000,000, obtained from the Emergency Relief Appropriation Act of 1935, was obligated between April 1, 1935, and March 20, 1936.

It is estimated that from the beginning of the program through February 29, 1936, Missouri enrollees have allotted home to dependents approximately $6,590,000 of their earnings. The basic cash allowance of each enrolled man in the corps is $30 per month. All of the young men and many of the war veterans allot from $22 to $25 of their monthly cash allowances to needy dependents, and these allotments are mailed directly to the families of the boys by the War Department. In addition to receiving cash allowances which permit them to contribute substantially to the support of their families, C. C. C. enrollees are housed, fed, clothed, given medical care, and afforded adequate recreational and educational opportunities.

At the present time there are 52 C. C. C. camps within the 13 congressional districts comprising the State of Missouri, of which 5 are located in the Second Congressional District, as follows: D-2, Carroll County, Carrollton, Mo.; SCS-20, Chariton County, Salisbury, Mo.; SCS-21, Moniteau County, California, Mo.; SCS-26, Randolph County, Moberly, Mo.; and SP-20, Miller and Camden Counties, Kaiser, Mo.

MORE MONEY FOR FARM ROADS

Most important in the life of the Nation is not the superhighway, the peacock boulevard, but the farm-to-market or neighborhood road which leads to a home, however humble.

It is for money to build such roads that I have worked as for no other cause, and, under the leadership of President Roosevelt, home saver, a new day has come in the country. Happy the man whose home is on a byway, yet who can travel a highway. With many more millions of dollars appropriated by the present Congress for farm-to-market and neighborhood roads, added comfort is coming to thousands of farm families. First consideration is being given to roads, not primarily for the tourist, but for the homefolk. We need the long, broad highways, but in common justice means should be provided so that they can be reached by all.

The following figures, as of April 30, 1936, supplied by Thomas H. MacDonald, Chief of the Bureau of Public Roads, United States Department of Agriculture, relate to highway projects in the Second Congressional District, under the supervision of the Federal Bureau and the State Highway Department of Missouri, and which are financed by funds made available by Congress since March, 1933:

Funds programmed, plans approved but not yet under construction, projects under construction, and projects completed

County	Estimated total cost	Federal funds	Miles
Benton	$217,487	$168,371	21.5
Boone	192,300	178,123	25.7
Camden	391,029	228,125	23.3
Carroll	456,856	341,633	38.8
Chariton	294,803	289,085	30.0
Cole	200,177	179,951	8.7
Cooper	68,569	59,689	9.9
Hickory	37,135	37,135	15.4
Howard	89,953	89,711	14.2
Lafayette	305,511	305,067	28.9
Miller	60,942	56,663	15.7
Moniteau	37,631	37,631	6.8
Morgan	63,531	47,737	20.5
Randolph	283,542	256,662	49.1
Saline	654,610	496,011	46.0
Total	3,354,076	2,771,602	354.5

On April 1 of the present year 215 miles of the more than 354 miles of road for our district had been completed, at a cost of $1,788,582, of this amount $1,440,072 being Federal funds.

SAVE THE SMALL TOWN, TOO

To save the farm and the small town is to save America and her homes. No red flag ever floated from a farm. We owe much to the villages, to the tiny towns which never grew up, but which, like little children, are most lovable. Calamity would long ago have come to our country had all the Main Streets grown to be Wall Streets. Lovers of country life and intent upon home saving, both the Roosevelts—two great Presidents—have seen this. Undue concentration of wealth builds crowded cities, homes of millionaires, and many mendicants. The country, whence come the durable satisfactions of life, is the ever-normal granary of real citizenship, and under the present administration more country homes have been saved than ever before. Better is it to have a farm within a mile of a live town of 1,000 people than own one on rural route 9,999 of a city of 1,000,000 population.

A BELIEVER IN BETTER HOMES

President Roosevelt is not only a home saver but he is also a believer in better homes. Following is a report of the Federal Housing Administration business in the Second Congressional District in Missouri through March 31, 1936:

Modernization notes insured: Benton County, 12, for $2,531; Boone County, 119, for $40,347; Camden County, 28, for $13,120; Carroll County, 9, for $3,561; Chariton County, 12, for $3,327; Cole County, 224, for $61,558; Cooper County, 34, for $7,655; Hickory County, 2, for $384; Howard County, 23, for $6,780; Lafayette County, 36, for $7,378; Miller County, 20, for $13,391; Moniteau County, 2, for $817; Morgan County, 10, for $2,656; Randolph County, 79, for $26,404; and Saline County, 39, for $7,866. Total, 669 notes, insured for the sum of $197,775.

RESETTLEMENT AND LAND UTILIZATION

The land-utilization program directed by the present administration involves the purchase of approximately 9,300,000 acres of land comprising 206 approved projects throughout the country. Land-utilization activities in the

Second District in Missouri comprise the acquisition of land for the development of several land-use projects.

The University of Missouri Game Preservation involves the acquisition of approximately 2,253 acres in Boone County at an estimated cost of $29,073. The land-development plans for this acreage include forestation, reforestation, erosion, and flood control by tree planting and reseeding of barren areas, and so on. The authorized cost of the development work is $74,250.

The Swan Lake Migratory Waterfowl Refuge involves the acquisition of approximately 5,534 acres in Chariton County at an estimated cost of $162,124. The land purchased for this project by the Resettlement Administration is to be developed by the Bureau of Biological Survey of the Department of Agriculture as a migratory-bird refuge.

The Lake of the Ozarks project includes 14,782 acres in Camden and Miller Counties at an estimated cost of $257,282. The land-development plans for this acreage provide for the establishment of a public-park area with many facilities open to Boy Scouts, Camp Fire Girls, charity organizations, and the public in general. The present authorized cost of the development work is $208,450. On April 24 there were 689 men employed on the project.

Recently a rural resettlement project, which includes acreage in our district, has received final approval. This project, known as Osage Valley Farms, means the buying of approximately 10,500 acres of farming land in Cooper, Moniteau, Morgan, and Pettis Counties for the resettlement of 150 farm families on individual farms. The sum of $525,000 has been authorized for land purchase. The total estimated cost of the project is $1,641,500.

ASSISTANCE TO YOUTH

President Roosevelt, more than any other President, has given much sympathetic consideration to youth. For the first time millions of dollars have been set aside in a special fund for the boys and girls of America, the home owners and home builders of tomorrow.

The following shows National Youth Administration assistance given youth of the Second Congressional District in Missouri: Benton County: Monthly allotment of $264 to 44 high-school students at Cole Camp, Lincoln, and Warsaw. Boone County: Monthly allotment of $7,709 to 57 high-school students, 520 students at the University of Missouri, 27 students at Christian College and 9 students on projects. Camden County: Monthly allotment of $216 to 34 high-school students at Climax Springs, Linn Creek, Macks Creek, Montreal, and Stoutland. Carroll County: Monthly allotment of $236 to 31 high-school students at Bosworth, Carrollton, Norborne, and Tina. Chariton County: Monthly allotment of $198 to 37 high-school students at Bynumville, Dalton, Keytesville, Mendon, Rothville, Salisbury, Sumner, and Triplett. Cole County: Monthly allotment of $1,551 to 37 high-school students at Eugene and Jefferson City, 12 students at Jefferson City Junior College, 50 students at Lincoln University, and 33 on projects in Jefferson City. Cooper County: Monthly allotment of $162 to 28 high-school students at Blackwater, Boonville, Otterville, Pilot Grove, and Wooldridge. Hickory County: Monthly allotment of $849 to 4 high-school students at Glasgow and New Franklin, and 90 college students at Central College. Lafayette County: Monthly allotment of $270 to 30 high-school students at Alma, Concordia, Dover, Lexington, Mayview, and Odessa. College aid to six students at St. Paul's College. Miller County: Monthly allotment of $300 to 34 high-school students at Brumley, Eldon, Iberia, Olean, and School of the Osage. College aid to 15 students at Iberia Junior College. Moniteau County: Monthly allotment of $144 to 24 high-school students at Clarksburg, Fortuna, Jamestown, Latham, and Tipton. Morgan County: Monthly allotment of $534 to 47 high-school students in Gravois Mills, Oak Hill, Stover, Syracuse, and Versailles. Randolph County: Monthly allotment of $2,215 to 37 high-school students at Higbee, Huntsville, and Moberly; 17 college students at Moberly Junior College and 115 students on library project in the county. Saline County: Monthly allotment of $932 to 41 high-school students in Malta Bend, Marshall, Miami, Napton, Nelson, Slater, and Sweet Springs; college aid to 24 students at Missouri Valley College, and 20 students on library-extension project throughout the county.

RURAL ELECTRIFICATION

Ever mindful of the comforts of the farm family, and especially of the homemaker, President Roosevelt early advocated legislation which would make possible electric light and power on farms. With Congress enthusiastically supporting the plan, there has been provided millions of dollars for rural electrification, and in our district hundreds of farmers have organized to take advantage of the new law. Think what a blessing this will be to the average farm home and how electricity will lighten the work of the woman in the house.

BANKS SAFE AND HOMES SAVED

Of all the home-saving moves made by President Roosevelt, his handling of the banking situation, taken a few hours after he became President, deserves first rank. Where, under the Harding, Coolidge, and Hoover administrations, there were thousands of bank failures, today a bank failure is almost unknown. Owing to the passage of the Federal deposit insurance law, for which I voted, a bank depositor can know that his money is absolutely safe, and homes are no longer lost because of "busted banks." It is a new day and a new deal.

SAFETY AND SECURITY

After all, though, higher prices, better business, and more employment are not enough. There must be a sense of safety and security. So our President proposed and witnessed the passage of the first Social Security Act ever enacted by Congress. Glad, indeed, was I to vote for this measure, which will benefit aged men and women and many others. The average home, too, has been made safer—safer against disease—because of the enlarged field of the United States Bureau of the Public Health Service; safer against gangsters, kidnapers, and other criminals, due to the work of G-men and other law-enforcing agencies.

Labor, never before having had such a friend in the White House, can today, with President Roosevelt advocating justice and right and placing the man above the dollar, share in the blessings of a new day.

SOME MISTAKES MADE, OF COURSE

In President Roosevelt's humanity-helping, home-saving program some mistakes have, of course, been made. But think what a terrible mistake it would have been, a mistake tragic beyond description, had nothing been tried. Not only would millions of average homes, since saved, been lost but no multimillionaire, once the masses had been driven to desperation, would have been secure in his possession. There is a point, in the search for right, where reason rests and radicalism rules.

In conclusion, I would say that greatest of all, and most worthy to be remembered, stand the home saver and the homemaker. The pioneer mother was the greatest character America has ever known. She was a "homebody", making of her dwelling place, humble as it might have been, "a little bit of heaven here." Nor have her daughters and granddaughters fallen short of the standard which she set. The American home is the best in the world and most important to be saved.

So, truly do I believe that in the years to come the highest tribute that the historian can possibly pay to Franklin D. Roosevelt, our great President, is to record that he was America's foremost home saver.

So long as there are homes to which men turn at the close of day;
So long as there are homes where children are, where women stay;
If love and loyalty and faith be found across those sills,
A stricken nation can recover from its gravest ills.

So long as there are homes where fires burn, and there is bread,
So long as there are homes where lamps are lit and prayers are said;
Although a people falter through the dark, and nations grope,
With God Himself back of these little homes, we have sure hope.

[Applause.]

Mr. FULMER. Mr. Speaker, will the gentleman yield?

Mr. NELSON. I yield.

Mr. FULMER. I have enjoyed very much the splendid speech which the gentleman has made. I realize the gentleman is somewhat modest, and perhaps will not refer to himself, but in view of the fact that I have had the pleasure of serving with the gentleman for many years on the Committee on Agriculture, I would like for the people of his district to know and realize his deep interest in agriculture, and the type of service he has been rendering here for the people of his great State. I am delighted to put this much into the RECORD at this place. [Applause.]

Mr. NELSON. I thank my colleague, one of the veteran Members of the House and whose work is outstanding, very much.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. NELSON. I yield.

Mr. BLANTON. It should be mentioned also the splendid services which the gentleman from Missouri has given not only on agriculture but on every other subject that comes up in Congress. [Applause.]

Mr. NELSON. I thank the gentleman.

PERMISSION TO ADDRESS THE HOUSE

Mr. GIFFORD. Mr. Speaker, I ask unanimous consent that on tomorrow after the special orders already on the calendar I may address the House for 25 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. KELLER. Reserving the right to object, Mr. Speaker, may I ask on what subject?

Mr. BANKHEAD. Reserving the right to object, Mr. Speaker, tomorrow is Private Calendar day.

Mr. O'CONNOR. Mr. Speaker, reserving the right to object, we not only have the Private Calendar but there are two special orders. We want to take up some rules also. For a week or two objection should have been made to all these speeches. If we are going to finish at any time in the near future, we must object to special orders.

At the close of the Congress every Member will be given at least 2 weeks within which he may insert in the RECORD any speech he cares to. There must be an end to these speeches. We had some political speeches today. We must consider these rules.

Mr. SNELL. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR. I yield.

Mr. SNELL. Considering the fact that Members on the Democratic side have about an hour tomorrow, I do not think it would be unfair to give the gentleman from Massachusetts 25 minutes. I suggest that the gentleman object to further requests after that.

Mr. O'CONNOR. I do not know who has allowed all these special orders, but we are not going to get through at this rate.

The SPEAKER pro tempore. Objection is heard.

Mr. GIFFORD. Mr. Speaker, I renew my request with the modification that I may address the House for 15 minutes.

Mr. O'CONNOR. Mr. Speaker, if the gentleman will modify his request and make it 10 minutes I shall not object, but I am afraid we have got to object to a longer time.

Mr. SNELL. I did not object to the request of Members on the gentleman's side of the aisle.

The SPEAKER pro tempore. Objection is heard.

PRESENTATION TO MR. SNELL

Mr. TREADWAY. Mr. Speaker, a week from tomorrow the Republican National Convention assembles in the city of Cleveland. In all human probability one of our own Members will be the permanent chairman of that gathering. [Applause, the Members rising.] The hearty applause of the House is indicative of the feeling these Members have, irrespective of party, toward the skill and ability of the gentleman from New York [Mr. SNELL] properly to preside over that great gathering. [Applause.]

Mr. COX. And their great confidence and love.

Mr. TREADWAY. His Republican colleagues are very glad to present him at this time with the proper implements of his office. In behalf, therefore, of the Members of this side—and I know the Members on the other side feel the same toward him as we do—it is my privilege to present him with an excellent block and a very sturdy gavel to use in that convention. [Applause.] They are properly marked. I shall read the inscription:

Hon. BERTRAND H. SNELL, chairman, Republican National Convention, Cleveland, June 9–13, 1936, from his Republican congressional colleagues.

In addition to presenting him with a very firm and useful implement, which we want him to use at the convention, we want him to have a souvenir not so rugged but more appropriate to preserve and hand down to posterity as a souvenir of that great event; and on behalf of his Republican congressional colleagues I now present him with this second gavel.

In connection with securing these articles, I want particularly to thank the Clerk of the House, Mr. South Trimble, who has so kindly cooperated with us in securing the gavels and having them properly inscribed.

I am sure I voice the sentiment of the entire House when I say that the gentleman from New York will preside over that deliberative body with dignity, success, and honor to us as Members of Congress. [Applause.]

Mr. SNELL. Mr. Speaker, may I proceed for a minute and a half?

The SPEAKER. The gentleman from New York is recognized.

Mr. SNELL. Mr. Speaker, a few minutes ago my friend the gentleman from Massachusetts [Mr. TREADWAY] said, "I want you to stay and hear my speech." I wondered just why I had to listen to what the gentleman had to say today; but since I have listened and heard not only his speech but the generous response from the House, I thank him for what he said and for having requested me to remain to hear it.

To be designated chairman of a history-making Republican convention I considered was a great honor, and I appreciated it; but it is really a double honor to have that recognition approved by my Republican colleagues here in the House, and I want them to know I thank them from the bottom of my heart for what they have done in presenting me with this gavel. In the same breath I desire to thank the Speaker and my Democratic colleagues for the generous applause and cooperation in allowing this gavel to be presented on the floor of the House.

I assure my Republican colleagues these gavels will remain most sacred treasures and be carefully guarded. I hope I may hand at least one of them down to my young grandson, Bertrand Snell Cheel, who now is about a year and a half old. [Applause.] I think he is sturdy enough to handle one of these gavels and will make a good lumberjack like his grandfather.

In closing let me say that I trust, in presiding over this convention, I may use these gavels in such a way as to reflect nothing but respect, dignity, and honor to the House of Representatives. [Applause.] I thank you.

The SPEAKER. Under the special order the gentleman from Pennsylvania [Mr. DALY] is recognized for 3 minutes.

Mr. O'CONNOR. Mr. Speaker, will the gentleman yield that I may submit a unanimous-consent request?

Mr. DALY. I yield.

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. O'CONNOR. Mr. Speaker, I want to say this in respect to the presentation of the gavel to the distinguished minority leader: I congratulate his party for again this year recognizing the House of Representatives to participate in its convention. Another great party which holds conventions almost invariably recognizes only Members of another body. As a matter of fact the platform is so crowded with

those Members that Members of the House of Representatives cannot find a place to sit.

If the great convention to be held in Cleveland ever gets past the preliminary stages and up to the point of electing a permanent chairman, we all feel sure the distinguished minority leader will preside with all the grace, and all the ability, and with the outstanding parliamentary skill which he has displayed as chairman of the Rules Committee and on the floor of this House.

Of course we should like to see an advance copy of the speech before the gentleman leaves for Ohio, because we know it is going to be a great historic document—from the standpoint of the Republican Party. [Applause.]

[Here the gavel fell.]

The SPEAKER. Under the special order for today the gentleman from Pennsylvania [Mr. DALY] is recognized for 3 minutes.

Mr. DALY. Mr. Speaker, I thought it would be interesting to call to the attention of the membership that 147 years ago today there was enacted into law the first bill that was ever passed by an American Congress. This occurred on the 1st of June 1789.

It might be interesting in connection therewith to note that the bill which became a law on the 1st of June 1789 has remained inviolate and unchanged to the present day. It was the law that prescribed the manner in which the oath of office should be administered to officials of the United States.

It might be interesting further to note that when the first session of the First Congress convened on the 4th of March 1789 the House had a membership of 66. There were only 13 Members present when it opened, and the House could transact no business by reason of a lack of quorum for 1 month and 2 days. It was April 6, 1789, before the House was able to secure a quorum in order to proceed to the transaction of business. As Texas was not a part of the Union at that time and had no representation in Congress, I am not prepared to say how many quorum calls were asked for during this month.

It is interesting to note also that the Speaker of the House at that time was a Democrat, and of the 13 Members that did attend the Congress, 6 of the 8 Pennsylvania Members attended and remained in attendance all the way through.

Possibly we do not get quorums today, and we do not transact business as rapidly as we should because of the precedent set by our forbears.

There were three sessions of the First Congress, the first extending from March 4, 1789, to August 8, 1789; the second from January 4, 1790, to August 12, 1790; and the third from December 6, 1790, to March 3, 1791. In all, the House of Representatives was in session for 591 days out of the 730 days comprising the 2 years. It was not until 1820 that the first Monday of December of each year was agreed upon as the time for the regular meeting of each session of Congress and that practice was continued until 1932.

Just a word apart from the historical fact just stated. Mention was made a moment ago of the first Republican convention in 1856. The gentleman from Kentucky did not state who the permanent chairman of that convention was. The Members on that side have just presented a gift to our distinguished minority leader [Mr. SNELL], who will be the permanent chairman of the last Republican convention that this country will ever know. If I might be so bold, I would ask that there be placed on the gavel just presented to Mr. SNELL an amended inscription calling attention to this fact.

[Here the gavel fell.]

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent that the gentleman may proceed for 5 additional minutes, as he is about to pronounce a eulogy, and I think he should proceed.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

Mr. COSTELLO. Mr. Speaker, reserving the right to object, are there any further special orders?

The SPEAKER. This is the last one.

Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. DALY. Mr. Speaker, the gentleman from Kentucky propounded a query a few moments ago. He wanted to know where the Democratic Party was. He is even worse off than that patriot, and I presume he was one, who is now buried in that great cemetery referred to by my good friend from Illinois [Mr. MITCHELL]. I think he is blind. He has only to look at this House; he has only to go to the other end of the Capitol; he has only to go to the other end of Pennsylvania Avenue; he has only to go into every department of the National Government to find where the Democratic Party is and where the Democratic Party is going to stay.

May I say that he very graphically and eloquently spoke of the fact that the Republican Party struck from the black man the shackles and the chains that bound him, although I disagree with the gentleman. If that be true, and if it was done entirely by the Republican Party that he represents here today, may I ask him if it was done for the purpose of accomplishing that which they thereafter accomplished; that is, the reforging of new chains and new shackles to be placed upon the industrial workers of this country, white and black, at the behest of the monopolistic powers of the country? [Applause.]

There is no greater slavery existing in this country or any other country today, nor has there ever been, than that which was imposed upon the people of this Nation by the Republican Party with the bills they enacted and steadfastly tried to have enacted in the House of Representatives.

I want to say to my friend from Kentucky that when he returns from the last Republican convention to be held in the history of this Nation next week and comes back to this House next year—and I hope he does come back—he will know that the Democratic Party will have a larger membership in this House and a larger membership in the other body, which will devote itself toward the enactment of legislation that will improve the condition of every toiler in this country and strike from his wrist and his ankles the shackles placed upon him by Republican legislation.

Mr. KNUTSON. Will the gentleman yield?

Mr. DALY. I yield to the gentleman from Minnesota.

Mr. KNUTSON. I think the gentleman from Pennsylvania is unduly pessimistic. I realize the country is going to the dogs just as fast as it can. Of course, the gentleman from Pennsylvania is proceeding on the premise that the Democrats will win again this year and there will be no Republic in 1940.

Mr. DALY. There will be no Republican Party.

Mr. KNUTSON. There may not be either Republican or Democratic Party. I admit that the country is going to the dogs very fast, but I do not think as fast as the gentleman intimates.

Mr. DALY. I did not mean to imply that it was going to the dogs. The Nation, as a matter of fact, is on the road to recovery.

Mr. KNUTSON. There was only one inference I could draw, and that is that the country is going to the dogs.

The regular order was demanded.

Mr. DALY. I am not responsible for inferences drawn by an irresponsible party. [Laughter and applause.]

ONE HUNDRED AND FORTIETH ANNIVERSARY OF THE ADMISSION OF THE STATE OF TENNESSEE INTO THE UNION

Mr. CHANDLER. Mr. Speaker, inasmuch as this is the one hundred and fortieth anniversary of the admission of the State of Tennessee to the Union, the State from which comes our distinguished Speaker, I ask unanimous consent to proceed for 5 minutes.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to address the House for 5 minutes on the occasion of the one hundred and fortieth anniversary of the admission into the Union of the State of Tennessee. Is there objection?

There was no objection.

THE ONE HUNDRED AND FORTIETH BIRTHDAY OF TENNESSEE

Mr. CHANDLER. Mr. Speaker, shortly after 5 o'clock in the afternoon of June 1, 1796, 140 years ago today, and in the last hour of the first session of the Fourth Congress of the United States, Samuel A. Otis, Secretary of the Senate, appeared at the bar of the House of Representatives and delivered this message:

Mr. Speaker, I am directed to inform this House that the President of the United States did this day approve and sign an act which originated in the Senate, entitled "An act for the admission of the State of Tennessee into the Union."

Thus Tennessee became the sixteenth State, preceded only by Vermont and Kentucky in annexation to the Original Thirteen States. Thus also came true the dreams of those restless pioneers who, oppressed by the despotism of colonial rulers, had penetrated the Great Smoky Mountains in search of freedom before the Declaration of Independence was even contemplated.

The struggle for statehood had been long and heartbreaking. Isolated from the seats of existing governments, the early settlers of the Tennessee country had to form their own institutions; and the first written constitution adopted by a community of American-born freemen was the "Articles of the Watauga Association" promulgated in 1772. These Watauga pioneers were "destined to play a most important part in the successful termination of the Revolutionary War and in the winning of the West." Indeed, the Battle of King's Mountain on October 7, 1780, has always figured in American history as the turning point in the War for Independence, and it has been said that that battle connected the history of Tennessee with Bunker Hill and the early annals of the United States.

When North Carolina, in 1784, offered to cede to the Confederation the territory west of the watershed of the mountains, the settlers therein immediately set about to form a separate State, resolving that if the Confederation would not admit the new government, the settlement would remain a sovereign Commonwealth, independent of the general Government. Accordingly the ill-fated State of Franklin was created; and, in May 1785, William Cocke went to New York, where the Continental Congress was in session, and presented the memorial of the Assembly of Franklin to accept the cession proffered by North Carolina and "admit Franklin into the sisterhood of sovereign States."

In the meantime, however, North Carolina had repealed the First Cession Act, and as a consequence the State of Franklin ceased to exist after about 4 years of independent government. During that period the Federal Convention had met and adopted the Constitution of the United States of America, and in 1790 North Carolina ceded to the Union all of her western territory, an area of 45,600 square miles, or 29,184,000 acres.

By the terms of the deed of cession and the Ordinance of 1787, the new Territory was entitled to become a State whenever the population amounted to 60,000. The census properly should have been taken under Federal supervision, but the legislature of the Territory, in ignorance or in disregard of that fact, passed an act in July 1795 for the enumeration of the people. The population was found to exceed 75,000, and a convention was called to meet in Knoxville in January 1796, when a constitution, which Thomas Jefferson said was "the least imperfect and the most republican" of the State constitutions, was adopted. The name Tennessee was given to the new government, and Joseph McMinn was appointed messenger to transmit to the Secretary of State of the United States in Philadelphia a copy of the census return and a copy of the State constitution. He arrived there on February 28, 1796, and these documents were transmitted by President Washington to the Senate on April 11, with a message submitting the matter to Congress. In the meantime, the territorial government had ceased, and on March 28, 1796, the State legislature convened, inaugurated John Sevier as Governor, and prematurely elected William Blount and William Cocke as United States Senators. Their credentials were presented to the Senate on May 9 and on May 23 they were invited to occupy seats in the Senate chamber as spectators.

The President's message was referred to a special committee, which filed an adverse report 25 days later to the effect that Congress, and not the people of the Territory, should lay out and form the Territory and make proof of the population. A storm of protest arose, largely because it was evident that party interest was the underlying motive for the unfavorable report. The Federalists opposed the admission of Tennessee, believing that its vote would be given to Jefferson in the approaching election. In this they were right, and their course in opposing admission had the effect of confirming the State's Democracy. The people were indignant, and for many years no public man in Tennessee dared to admit that he entertained Federalist principles. James Phelan, once a Member of Congress from Tennessee, tells us in his history of the State:

For a time the question assumed serious proportions and threatened to convulse the country. The balance of power, as a determinative principle in the admission of States, had not yet attained the full development of later years when slavery became a deeply rooted institution; but it was there, and derived an increased vitality, not only from local prejudices existing between North and South, but also from the fear on the part of the older States that their power might ultimately slip from them and fall to the share of those yet to be created.

However, after amendments and conferences and active championship by Senator Aaron Burr, the bill passed. Tennessee had volunteered herself into the Union; and ere long came to be known as the Volunteer State.

To look back today over the intervening 140 years is to fill the heart of every loyal Tennessean with pardonable pride and patriotic emotions. In Tennessee, within the limits of a century and a half, we have a picture of national life as complete as that of England through her thousand years. It is a story of stout hearts, intrepid souls, and high ambitions.

In the building of the Nation, Tennessee has furnished more than her quota of leaders in every phase of public service. Three Presidents, each illustrating distinctive traits of national character which stand out vividly in American life, have come from Tennessee. Andrew Jackson, seventh President and the State's first Representative in Congress, with his dauntless courage, his dominating will, and his loyalty to friends and hatred of enemies, represented the fireat new West and its Democracy. He was the idol of the mass of the people, and literally "took the West to Washington." He exemplified his belief that the "President should be the interpreter of the will of the people and must execute that will independently of and without interference from Congress or the Supreme Court."

James K. Polk, the second President from Tennessee, was an educated gentleman of Scotch-Irish descent. He had served 14 years in the House and was twice Speaker before he became President. Polk was an ardent expansionist, and one of the most constructive of American statesmen. During his term about 1,000,000 square miles of new and valuable territory were annexed to the United States. While few Presidents met such powerful opposition as did Polk, yet few Presidents placed upon the Federal statute books as many and such vital general laws.

The unlettered Andrew Johnson, who had come across the mountains from North Carolina at the age of 18, leading a blind pony hitched to a cart carrying his widowed mother and a few of the necessities of life, was called to the Presidency in one of the most difficult and trying periods in history. He strove to take Lincoln's place and to carry out Lincoln's plan of reconstruction. With unlimited trust in the people, an unswerving devotion to the letter and spirit of the Constitution, and with his back to the wall, Andrew Johnson kept the faith of Abraham Lincoln with tragic consequences to himself.

Many Tennesseeans have been appointed to the Cabinets of the Presidents. George W. Campbell was Secretary of the Treasury under President Madison; John H. Eaton,

Carey E. Harris, John Bell, Luke E. Wright, and Jacob M. Dickinson were Secretaries of War; Felix Grundy and James C. McReynolds, Attorneys General; Cave Johnson, Aaron V. Brown, David M. Key, and Horace Maynard became Postmasters General; and the present Secretary of State, Cordell Hull, long an outstanding Member of this House, is an honored Tennesseean. In addition to James K. Polk, John Bell, who later was the Constitutional Union candidate for the Presidency in 1860, was Speaker of the House; and Tennessee is proud to claim as a native son the distinguished and beloved Speaker who presides today.

Five Justices of the United States Supreme Court have been appointed from Tennessee: John Catron, Howell E. Jackson, Horace H. Lurton, James C. McReynolds, and Edward T. Sanford; and each of them served ably, honorably, and efficiently on this the greatest Court in the world.

It is of interest that Matthew Fontaine Maury, the "Pathfinder of the oceans", spent his early years in Tennessee and was appointed to the United States Navy by Representative Sam Houston.

On land and sea in all the country's wars, Tennesseeans have played conspicuous parts. The heroic deeds of John Sevier, Andrew Jackson, Sam Houston, David Crockett, Nathan Bedford Forrest, Sam Davis, David G. Farragut, and Alvin York are known far and wide. To the War of 1812 Tennessee sent 28,000 troops and had double the number of men from any other State in the decisive Battle of New Orleans. Incidentally, the vanquished British who survived that rout went back to Europe and aided in the defeat of Napoleon at Waterloo. The State furnished four of the commanders and nearly all the soldiers engaged in the several Indian wars which brought peace and security to the life and property of the people east of the Mississippi. At the outbreak of the Mexican War, when 2,800 volunteers were called for in Tennessee, more than 30,000 men responded for duty; and although Tennessee was the last Confederate State to secede from the Union and the first to return, she furnished more soldiers than any other Southern State, even sending 30,000 men to the Federal Army. Next to Virginia, more battles have been fought on Tennessee soil than on that of any other State in the Nation. In the World War, Tennesseans maintained the traditional valor and spirit of their forefathers, and distinguished themselves on the crimsoned fields of France and Belgium.

Today Tennessee is a prosperous State with almost 3,000,000 inhabitants. Theodore Roosevelt wrote in his "Winning of the West" that the purest strain of Anglo-Saxon blood extant in America would be found in Tennessee, and the descendants of those hardy pioneers who came into the Federal Union 140 years ago constitute more than 60 percent of the population now.

Tennessee is truly American in temperament and sentiment. Her people are deeply grateful for the glorious privilege of statehood in an indivisible nation of self-governing citizens, who have their internal contentions, and sometimes emulations, as to who can best govern and best achieve, but who, when a common enemy appears, join hands and hearts and work and serve and fight and die for America! [Applause.]

KEEP FAITH WITH PUERTO RICO

Mr. IGLESIAS. Mr. Speaker, I ask unanimous consent to extend my own remarks and to include therein a memorial of the Legislature of Puerto Rico and letters from the Banco of Ponce and the Chamber of Commerce of Puerto Rico.

The SPEAKER. Is there objection to the request of the gentleman from Puerto Rico?

There was no objection.

Mr. IGLESIAS. Mr. Speaker, please give some attention to the facts which I shall explain below. Permit me also to express to you my sincere protest against the surprise action of Senator TYDINGS, chairman of the Senate Committee on Territories and Insular Affairs, by reporting out his resolution, Senate Joint Resolution 270, "To provide for the appointment of a committee to study the question of Puerto Rican independence", and also S. 5428, "To regulate the conduct of elections in Puerto Rico", without, at least, giving the proper and accredited representatives of the island an opportunity to express their opinions of so far-reaching legislation. I never thought that a Senate committee would have taken such action on legislation so vital to the rights, liberties, and social and political life of over 1,700,000 without the proper consultation and hearings.

ASKING FOR REPRESENTATION

It is my honest conviction that, if a true study of conditions in Puerto Rico is desired, that study should be unbiased and thorough, encompassing the economic, social, and political aspects, both present and future, without reference to, or mention of, independence, statehood, or complete self-government with a permanent union with the United States.

Any commission recommended to study conditions there should include representatives of agriculture, commerce, labor, and sugar-industry associations of the island.

The Commission should begin its work on November 20, after the general elections are held. The report of the findings of the Commission would be presented to the President on April 20, 1937, pursuant to which the President would send the report to Congress with his own recommendations.

Hearings should have been held on a resolution affecting more than 1,700,000 American citizens who for 38 years have maintained their loyalty to the United States, and who desire a permanent union with the people of the United States. They would have been happy, I am sure, to have made their position clearly known before the committee and to have demonstrated their faith in the noble and inspiring intention on the part of the people of the United States and the administration to do justice toward Puerto Rico's future.

SELF-GOVERNMENT OR STATEHOOD MEMORIAL

No political status should have been mentioned, having in consideration that there is in the Committee on Territories and Insular Affairs, of which Senator TYDINGS is chairman, an official memorial from the Legislature of Puerto Rico which asks for complete self-government and final statehood. The Senator mentions independence alone, when, it seems to me, some attention should have been paid to the memorial of the legislature of the island which was referred to his committee.

The memorial, in part, is as follows:

PETITIONS AND MEMORIALS

The Vice President laid before the Senate the following concurrent resolution of the Legislature of Puerto Rico, which was referred to the Committee on Territories and Insular Affairs:

"Whereas during that interregnum in which the people of Puerto Rico has lived, trusting in the justice of the people of the United States of America, the latter believing the former capable of living a life of equality, dignity, and honor in their relations with each other, granted to the Puerto Ricans, through Congress, American citizenship with all the prerogatives inherent therein;

"Whereas the people of Puerto Rico have always aspired and continue to aspire to the fulfillment of the words which, in the lexicon of liberty of the United States of America, involving the consecration of the principle that 'peoples have the right to determine their own destines': Now, therefore, be it

"*Resolved by the Legislature of Puerto Rico*—

"SECTION 1. That the people of Puerto Rico desire that Puerto Rico become a State and be admitted to the Union under the same conditions as the States which integrate the same.

"SEC. 2. To request from the Congress of the United States of America, as it is hereby requested, legislation authorizing the people of Puerto Rico to frame its own State constitution in order to submit it for the approval of the Congress of the United States of America after it is ratified by the electoral body of Puerto Rico, to which it shall be submitted through a plebiscite for such purpose, the result of which shall be certified by the executive secretary of Puerto Rico; and the Governor of Puerto Rico shall give notice thereof to the President of the United States for the proper purposes.

"Whereas with the enactment of measures of this kind, while the proceedings are being carried out and the obstacles in the way of enjoying the final status of statehood are being overcome, the people of Puerto Rico shall have full political and fiscal autonomy to solve its own problems, and may temporarily enjoy its internal independence and its internal sovereignty: Now, therefore, be it further

"*Resolved by the Legislature of Puerto Rico*—

"SEC. 3. That the people of Puerto Rico demand an immediate liberalizing reform, of a political and economic nature, of the autonomic regimen of government which it now enjoys, petitioning the Congress of the United States of America, as it is hereby peti-

tioned, to amend the Organic Act of Puerto Rico, in force, in accord with the following:

"1. Recognizing the right of the people of Puerto Rico to elect its own Governor.

"2. Granting powers to the Governor of Puerto Rico, so that he may, with the advice and consent of the insular senate, appoint all the heads of department of the insular government of Puerto Rico.

"3. Authorizing the Governor of Puerto Rico to fill the vacancies among senators and representatives without the need of holding partial elections, and on proposal of the directing body of the party to which the legislators whose post is vacant belonged.

"4. Granting power to the Legislature of Puerto Rico to revoke the veto of the executive by the vote of two-thirds of the total number of members of each legislative house.

"5. To request the Congress of the United States of America, as it is hereby requested, to authorize the Legislature of Puerto Rico to adopt legislation tending to solve the problem of absenteeism and, as a consequence thereof, the concentration of property of nonresidents.

"(Signed) MIGUEL A. GARCIA MENDEZ,
"Speaker, House of Representatives of Puerto Rico.
"RAFAEL MARTINEZ NADAL,
"President of the Senate of Puerto Rico."

REGULATING ELECTIONS

Regarding the bill of Senator TYDINGS (S. 4529) about the elections in Puerto Rico, and which tends to regulate voting at the general elections of 1936 and at subsequent elections, I desire to say that as regards the process of voting, the bill is substantially the same as the bill (S. R. 20) recently passed by the insular legislature, especially as regards the isolation of voters until a fixed hour on the day of elections, so that afterward these voters may vote during the rest of the day. But section 3 of the bill of Senator TYDINGS, which provides that the lists of registered voters shall be those of the persons appearing in the statistics of the Federal census of 1935–36, has to meet with the vigorous objection of all the political parties and of all the citizen voters of Puerto Rico. The measure is arbitrary and implies by itself an act of coercion and tyranny against the voters of Puerto Rico.

Against the measure seven strong objections occur to me at this moment: First, because it annuls with a single stroke of the pen the election registrations made in Puerto Rico by virtue of the laws in force, and it tends to deprive thousands and thousands of Puerto Ricans of the rights acquired by them when registering in Puerto Rico under the provisions of the insular laws.

Second. Because said measure is in open conflict with all the precedents in election matters, inasmuch as when the Federal census of 1935–36 was made no intervention was given to the political parties which represent the organized public opinion in Puerto Rico.

Third. Because, in accordance with said statistics of the said Federal census, thousands of lawful voters in Puerto Rico would be deprived of the right to vote, inasmuch as we know that there are numberless voters with ample rights recognized by our laws who do not appear enumerated in said census, and the approval of such measure by Congress would illegally deprive the thousands of citizens of their right to vote in Puerto Rico.

Fourth. Because the data for said Federal census were taken by employees politically partial in general, practically chosen by only one of the political sectors of Puerto Rico to the detriment of the other political sectors which have been fighting against the activities of the Federal agency, P. R. R. A., which furnished the personnel for said census.

Fifth. Because said Federal measure would double the cost of the election expenses to the treasury of Puerto Rico, inasmuch as the approval of said measure would ipso facto annul all the lists already prepared, which have cost thousands of dollars to the public treasury, and if said measure is approved the whole work will have to be started again, preparing the general lists of voters and the special lists for each and every one of the precincts and polling places for election day.

Sixth. Because the approval of said measure by Congress would make it necessary to hold new registrations for which we have neither the time nor the money, inasmuch as in the statistics of the census all the conditions required by the laws in force for voting are not shown.

Seventh. Because the approval of said measure would be the greatest encouragement for promoting and establishing the most scandalous fraud in Puerto Rico, inasmuch as by the mere declaration of persons when giving the data for the census, without any intervention whatsoever by the political parties and without any proceedings for verifying such data, the right to vote would be given to thousands and thousands of persons who are not legally qualified for suffrage, and with such a measure the parties and the voters would not be given a reasonable opportunity to purge the elections lists.

The idea that Congress should say by law who are the voters in Puerto Rico is a reactionary and tyrannic idea without precedent in all the electoral legislation for the States and Territories of the United States. If this principle be accepted, the doors would be open for Congress to establish at any moment in Puerto Rico an aristocratic form of government, inasmuch as Congress could at any moment say what persons are considered as registered and with the right to vote in Puerto Rico. I do not believe that there is a single Puerto Rican who, for political or personal convenience, can accept the indignity of having Congress adopt such a measure for our island.

CHAMBER OF COMMERCE OF PUERTO RICO

MAY 28, 1936.

Senator MILLIARD E. TYDINGS,
Chairman, Committee on Territories and Insular Affairs,
United States Senate, Washington, D. C.

MY DEAR SENATOR TYDINGS: The resolution introduced by your good self, and providing for a committee to study and investigate the economic consequences of a change in the political status of Puerto Rico, will be interpreted here, in America, and throughout the world as an indication that the administration has realized that it blundered when it decided to sponsor the bill providing for a plebiscite on the question of independence for the island, introduced by you in the Senate recently.

In my humble estimation, that bill was ill conceived and amounts to a negation of the spirit of fair play so highly prized by the American people. Furthermore, it was evidently based on an utter ignorance of the true feelings of the people of Puerto Rico, ignoring entirely the political aspirations of a large section of the community whose feelings were as much worthy and entitled to respect and consideration as those of any other group or sector of opinion.

But, undoubtedly, the biggest defect of the proposed legislation is its failure to recognize the responsibility of the United States in the present social and economical conditions of the Puerto Rican people. Allow me to say, in passing, that I do not share the view of our local extremists who would place all of the blame for the present conditions at the door of the United States. Yet I am fully convinced that in taking over Puerto Rico the American people assumed a responsibility before the world and civilization that no administration could ignore without damage to the prestige of the Nation and without betraying the feelings of its own people.

Perhaps the biggest evil caused by that bill has been the manner in which it has affected the spiritual and economical relations between the United States and Puerto Rico; it played into the hands of the irresponsible extremists and zealots, bringing about a number of incidents which all patriotic islanders deeply regret and disown, in the first place, because we consider them unworthy of a self-respecting community, and, in the second place, because they are liable to cause resentment and a distorted impression of our real feelings amongst our fellow citizens of the mainland. I am afraid that the damage thereby caused is irreparable and that it will take time to blot out its consequences.

The introduction of the plebiscite bill caused a bewildering conflict of policy on the part of the administration that could not but add confusion to the local political situation. It was impossible for us, impartial observers, to reconcile the manifest determination of the administration to correct the evils of the palpably defective economical system allowed to be established here, and then, when its efforts toward the realization of that aim had hardly been initiated, to turn around and, violently thrusting aside such high purpose, offer the Puerto Rican people a sort of independence which spells utter economical ruin. Such inconsistency could not possibly be justified in the light of true statesmanship or the exigencies of an inescapable moral responsibility. I sincerely believe that the above expresses the reaction caused in the mind of the average observer, both here and in the mainland.

Your resolution providing for the appointment of an investigating committee is bound, therefore, to have a salutary effect here and elsewhere. It will do away, to a large extent, with the justified indignation aroused by that proposed measure; it will renew our faith in the spirit of fair play of the American people, and it will go a long way to enable our people to make a sober and dispassionate analysis of the matter. In so doing the administration not only gives proof that it fully realizes the moral and human responsibility that the American people assumed when they undertook to guide the destinies of this island, but, furthermore,

clears it of the widespread suspicion that it was determined to coerce the people of Puerto Rico.

There is no self-respecting islander who is not sincerely convinced that the Government of the United States has made a great mistake by allowing the political status of the island to remain undetermined for such a long time. They are equally convinced that such an error has been a constant source of irritation, friction, confusion, and uncertainty which has adversely affected our normal development. I feel that I make no mistake in saying that there is not a single Puerto Rican who is not anxious to see the error corrected and have the political status of Puerto Rico definitely settled. Consequently, any plan that will bring about the realization of that purpose in a fair and generous manner will be heartily welcomed by everyone here and, I dare say, by everyone in continental United States who realizes the true import and significance of the community of interest which has been developed between the United States and Puerto Rico during the last 38 years.

As a nonpartisan organization we are not directly concerned in the political possibilities of your resolution. As self-respecting members of the community who have always striven to advance its best general interest, we do not wish to unduly influence the political sentiment of our people; but since the fundamental purpose of any form of civilized government is to seek the welfare and happiness of the people, we are naturally concerned over the economical consequences of any change in our political status, and are convinced that we owe it to our people and are in duty bound to assist them in appreciating the economical meaning and consequences of any change, so that, when the time comes to pass upon the matter, they may have a fair notion of it and may be able to vote in an enlightened and conscientious manner.

Your resolution will accomplish that very purpose, and we are naturally anxious to participate in the work to be performed through it. We note that the same provides for a committee of 17 and that it is silent as to the manner in which a portion of its membership will be appointed. Considering the purpose and scope of its mission, we think it is logical to assume that the intention of the legislator has been to give representation in the said body to other than purely political organizations. This has seemed to us all the more plausible since it will be the only means of securing an accurate cross section of the opinion of the island as a basis for an intelligent, authoritative, and unbiased report on the matter. Resting on that assumption, we believe that, as the oldest business organization of the island, we are entitled to have a voice in the said commission, and with that aim in view we telegraphed you on the 26th instant as follows:

"Respectfully request that provision be made to include in investigating committee to be appointed under Tydings resolution two members from Chamber of Commerce of Puerto Rico to represent Puerto Rican business interests. Considering fundamental purpose of investigation, strongly submit that business interests are fully entitled to be represented in said committee and that such representation will greatly assist in its work."

which we now beg to confirm.

I believe that it is generally admitted that there is no business organization in Puerto Rico more thorougly representative of the business interests of the island, and, furthermore, that no other organization can point to a more impressive record of public-spirited service to the community. Consequently, by having two representatives from this body, the commission would thereby secure the benefit of expert, unbiased, and unselfish advices on all matters relating to trade and business activities.

In order to give an idea of the universality of the chamber, it will suffice to say that, in addition to being an insular organization, its membership includes the following organizations:

Tobacco Dealers of Puerto Rico.
Insular Chamber of Wholesellers.
Puerto Rico Needlework Association.
Bus Owners' Association of Puerto Rico.
Association of Wholesale Merchants.
Puerto Rico Institute of Accountants.
Liquor Distillers' Association of Puerto Rico.
College of Business Administration of the University of Puerto Rico;

and, for the purpose of the proposed investigation, it will also have the representation of the Contractors' Association of Puerto Rico and the Association of Sugar Cane Growers of Southern Puerto Rico.

Allow me to assure you, my dear Senator, that in asking for such representation the chamber seeks no selfish aim but is entirely prompted by a sincere desire to assist and cooperate in the highly important work to be performed by the investigating committee. We are confident that you will kindly submit this letter to the consideration of your committee and that it will favorably act upon the same.

Personally, I should be extremely grateful to you for a candid expression of your personal reaction to our petition.

Very sincerely yours,

FILIPO L. DE HOSTOS, *President.*

BANCO DE PONCE,
Ponce, P. R., May 22, 1936.

Senator MILLARD E. TYDINGS,
Washington, D. C.

MY DEAR SENATOR TYDINGS: The importance of the independence bill to the future welfare of our population and a sense of civic duty induce me to present for your consideration some aspects of the local situation. I am a 100-percent Puerto Rican who feels 100-percent American and who thinks that the two sentiments are not incompatible, just the same as you are a true Marylander and an excellent American.

Recurrent misundertandings in the relationship of the island and the mainland have been due mostly to the lack of knowledge of the island's affairs by Federal officials directly in charge, who have also failed to understand the psychology of a highly sensitive people. This has given a prevalent and wrong impression amongst our population that continental Americans collectively display a sense of racial superiority in their dealings with a people who are by nature and by right of their old civilization proud and touchy. As a result the best-intentioned and unselfish measures of the Federal Government have very often fallen short of their true objective by reason of the manner displayed in granting them. If a permanent, nonpolitical department were set up at Washington to administer insular affairs, the knowledge that competent officials would acquire by virtue of the permanency of their position would, in our opinion, redound to an intimate, mutual comprehension in our relationship and would surely eliminate present grounds of misunderstandings.

The immediate cause of unsatisfactory recent developments has been the change of the administration of insular affairs from the Bureau of Insular Affairs of the War Department to the Division of Territories of the Department of the Interior, a change from a nonpolitical department to a department which, at the present time, is the most active in national politics. With all its faults the Bureau of Insular Affairs of the War Department had acquired practice in the administration of Puerto Rican affairs, and, because of its nonpolitical set-up, it never mingled in local politics. The politically minded personnel of the Department of the Interior, their ignorance of Puerto Rican problems, excusable because of their lack of comprehension of their newly acquired responsibilities, have inaugurated a policy of active participation in local politics, with the result that it has driven local politicians to a state of desperation in defending their position against unfavorable odds represented by the millions involved in the rehabilitation program under the control of Washington officials. As a consequence the local political battle front has been moved from the island to Washington, where local political parties keep their representatives to curry the favor of those who stand close to Uncle Sam's purse strings. Those representatives apparently more friendly to the administration, irrespective of whether they represent the local government or the minority party, obtain the greatest benefit for their party.

As the island did not register a vote at the national polls, the injustice of officials in charge of Puerto Rican affairs is glaring when they meddle and show political partiality to any one party or its representative on the basis of friendship. It is obvious that the prestige of the Federal Government is not enhanced even in the estimation of those who are presently favored and whose sense of equanimity would be upset if the tide of partiality should turn. The exasperation of those presently not in favor, and who, to make their distress more poignant, happen to be the legally constituted local government majority, has driven them to extremes which have been detrimental to our welfare and has given the erroneous impression that we, as a people, are ungrateful for the Federal cooperation received. The cessation of meddling in our local politics would correct this condition, and the placing of our affairs at Washington in a nonpolitical department or bureau should be the logical solution.

The situation brought about by the lack of foresight of those directly in charge of our affairs has worried the administration to the point of desiring to ascertain if the island wishes independence through a referendum and the promise of its grant. Prior to the presentation of the bill there was a very small but compact group, and, like all closely knitted minorities, very noisy, aggressive, and chauvinistic, which clamored for independence, their number being estimated at about 5,000. The balance of the voting population militated in three parties, more or less evenly divided, and one of which has had on its platform the independence issue and used that issue very effectively as a vote-catching bait for election purposes.

Of this the Government has been or should have been fully aware. The majority of the members of that party gave passing importance to the independence feature of their plank, and with your knowledge of the actual value of a party platform its existence and the little importance attached to the issue should not be surprising. The present administration was voted into power on a plank which has been very seldom followed, if at all, as witness the fact that in the Democratic plank statehood for Puerto Rico was the basis suggested for the solution of our status.

After the presentation of the independence bill it would be difficult to estimate how prevalent the issue has become, as the fact that no other definite alternative is offered has offended and aroused local sentiment. As to the final outcome of a plebiscite, it is difficult to anticipate, even though it is unanimously felt that independence would be suicidal to our common welfare. What the intention of the administration-sponsored bill is no one seems to know; but impractical as independence appears to be for the island, I wish to express my conviction that independence can only be sustained in Puerto Rico on one and only one basis—communism. Our economic condition, the density of our increasing population, our limited resources and small territory, our heavy indebtedness, our statutory labor laws, and our relatively high standard of living in proportion to our wealth, could not possibly withstand the shock of a sudden pauperization, with all its at-

tendant consequences, without serious convulsions, and their only solution would be a partition of what little there might be amongst a population condemned to future starvation.

I have endeavored to explain what appears to be some of the underlying causes of our recurrent misunderstandings, the immediate causes of more unsatisfactory developments, the negligible separatist feeling prevalent prior to the presentation of the independence bill, and the probable results should the bill be brought to fruition and the island become independent. I would hesitate to have taken so much of your time without endeavoring to make a constructive suggestion.

Why should not a common meeting ground be found satisfactory to the 1,700,000 United States citizens? I think it would be rather simple if all efforts should be bent toward that end. But, rather than suggesting the form myself, I am going to put it in President Roosevelt's own words, as expressed when he was Governor of New York in defending State's rights:

"The preservation of this home rule by the States is not a cry of jealous commonwealths seeking their own aggrandizement at the expense of sister States. It is a fundamental necessity if we are to remain a truly united country. * * *

"Thus it will be seen that this home rule is a most important thing—the most vital thing—if we are to continue along the course on which we have so far progressed with such unprecedented success. * * *

"Let us remember that from the very beginning differences in climate, soil conditions, habits, and mode of living in States separated by thousands of miles rendered it necessary to give the fullest individual latitude to the individual States. Remembering that the mining States of the Rockies, the fertile savannas of the South, the prairies of the West, and the rocky soil of the New England States created many problems, introduced many factors in each locality which have no existence in others, it is obvious that almost every new or old problem of government must be solved, if it is to be solved to the satisfaction of the people of the whole country, by each State in its own way."

Sincerely yours,

P. J. ROSALY.

SOME FACTS ABOUT PUERTO RICO

The total annual budget of income of the Spanish autonomous regime reached the sum of $3,536,342.19. This total income of the insular treasury was spent, in a great part, for soldiers and marines, clergy, construction of and repair of churches, and pensions, up to the sum of $2,174,879.13. The other expenditures of the government, such as public education, public works, sanitation, and justice were assigned $1,361,963.06. The yearly budget of income under the American regime is over $12,000,000.

EDUCATION

In those days we spent on public education from the funds of the insular government $30,000, and the municipalities spent $99,255 on education through the Paulist Fathers, Jesuits, and Sisters of the Sacred Heart. There were only 22,265 children in the schools throughout the island. The benefit of superior studies was granted to only 55 students every year.

Under the first year of our American regime the construction of the first buildings for public schools was ordered. We have already organized a corps of 5,000 teachers who teach English and Spanish to 250,000 children of all classes, and we use at present more than 2,000 buildings constructed for common graded and high schools which are the property of the insular government. About $5,000,000 is expended every year on education for our girls and boys. The university costs the Puerto Rican Government over $1,000,000 a year.

When the old regime was changed for the American regime there were 275 kilometers of constructed roads. From June 30, 1900, to June 30, 1934, 1,859 kilometers of insular roads had been constructed, and also numerous bridges and buildings at a great cost. June 30, 1934, the bonded debt of the Puerto Rico Irrigation & Electric Service was $3,775,000. Of bond issues totaling $6,775,000, $3,000,000 were redeemed in 1932.

Sanitation was organized for the first time in the island during the present regime, and the installation of a modern system of public-health service was inaugurated.

OFFICEHOLDERS

The insular government is composed at present of the following employees in public service, including the Governor, the legislature, and the departments, who receive the following compensation: 6,011 Puerto Rican-American employees, $6,579,748, and 233 employees, continental Americans, $409,585.75. Of this total employees, over 5,000 are school teachers and 900 police.

COMMERCIAL BUSINESS

Puerto Rico stands today as the first best buyer of American goods in all Pan America. The fact that Puerto Rico has bought, and is continuing to buy, millions of dollars worth of goods from continental United States is vitally important to continental business interests. Specifically, the people of the island purchase yearly $8,000,000 worth of rice; $2,200,000 of wheat flour, corn, cereal goods, and so forth; $6,000,000 beans and potatoes; $2,000,000 fresh vegetables; automobiles and rubber manufactured goods, about $4,000,000; tobacco and cigarettes, $2,800,000; cotton manufactures, $9,800,000; cotton cloth, $7,000,000; and so on. In fact, Puerto Rico has had about $2,000,000,000 of commerce with the mainland in 36 years.

Speech delivered by Dr. Blas C. Herrero, member of the majority of the Legislature of Puerto Rico, through the radio station WOL, Washington, D. C., May 23, 1936, on Puerto Rico and Its Present Situation, is as follows:

When one reads news dispatches reporting riots, mass demonstrations, and other public manifestations in a particular country, for a particular cause, the natural conclusion is that most of the people in that country favor the cause in question. Frequently the activities of a noisy minority make news, not infrequently they make the headlines; and those who read the headlines know little or nothing of what's behind the news in a country that may be several thousand miles away.

Press dispatches recently reported riots and demonstrations for independence in Puerto Rico. To most people in this country, unfamiliar with the political situation on the island, these manifestations might indicate widespread, overwhelming sentiment for independence. Such is not the case. There is no deep-rooted, general sentiment for independence in Puerto Rico. The political organization with which I am affiliated—the Coalition Party—is the majority party of the island. My party, which constitutes a union of the conservative and labor groups, is not in favor of independence, but advocates rather statehood, or a territorial government with popular election of governor and cabinet—a political status, in other words, that will draw us even closer to the American people; one that will make us an integral part of this great Government; that will make us feel we are something more than a mere possession. The Coalition Party of Puerto Rico—the majority party of insular politics—represents elements that have been "pro-American" since the occupation, elements that are proud to serve under a flag that has brought such benefits to their native land.

These people feel that 36 years of unswerving loyalty to American institutions merits recognition, merits a reward, if you will, that should take the form of admission to a closer, more intimate participation in this Government; recognition that will make us feel we are not just "adopted" children of indulgent foster parents, but genuine blood beneficiaries of the greatest of all democracies. And we feel, too, that the American people are sympathetic with our aspirations, and, when they are acquainted with the desires of the majority, will not be unwilling to accede to our wishes.

The Nationalist Party is the radical independence faction of Puerto Rico. Its leader is a man of oratorical talent—a Harvard University graduate—and a man who harbors relentless antagonism toward the Government of the United States. About him he has gathered a following of university students and political adventurers, a following mostly of the young, the impressionable, and the gullible, but one, nevertheless, that is aggressive and unremitting in its efforts for independence.

The Nationalist Party polled less than 2 percent of the total vote cast in the last general election. This will indicate the voting strength of that organization. Standing alone, strictly on its own, it would be a political factor of no great consequence. But recently two events have transpired that have added to its potentiality, have made of it an organization that warrants serious consideration. The independence bill introduced in the United States Senate had the unfortunate effect of leading people to believe that this Government favors independence. It enabled the Nationalists to boast that their rioting and their demonstrations had borne fruit, had made this Government regard them as the strong, impelling force on the island. Some people—honest, sober-minded, serious people—began to wonder, began to entertain doubts whether this Government continued to be concerned over their welfare; whether, after all the years of cherishing American ideals, they were to be coldly cast adrift, left to shift for themselves, denied the goal they hope to achieve—that of statehood or Territorial government. And leaders of the Liberal Party, the minority political party of the island, made political capital of the situation and declared for independence. Now, the active forces for independence constitute an unofficial union of the Liberal Party, the party favored by Dr. Ernest Gruening, Director of the Division of Territories and Insular Possessions, and of the Nationalist Party, the party that preaches hatred for American institutions—violence and open rebellion.

What a curious combination! What strange bedfellows! The party favored by the American Government, and the party that is concentrating all of its efforts toward bringing about rebellion against the American Government. The minority party on the island—the Liberal Party—petted and pampered by Dr. Gruening, going along, hand in hand, with a party that makes a practice of

hauling down American flags, of inciting school children to public demonstrations, and other anti-American manifestations.

The Liberal Party—the party that has been entrusted with administration of millions of American dollars for rehabilitation—joining hands with the party that preaches eternal hatred of everything that is American.

But now a few words concerning a most amazing situation, a most astounding sequence of events, a drama of deception, double-dealing, and brazen betrayal that would make Judas Iscariot blush for shame.

Following decisive defeat in the last general elections, the Liberal Party was reduced to the status of a political organization of no consequence. Its forces were utterly demoralized, its leadership foundering, its finances at the vanishing point, and its political prestige completely ruined. But then, at the time of deepest despair—the period when hopes of the Liberals were at the lowest ebb—came manna from the political heavens, the prospect of money—money from the Government of the United States—money for relief, for rehabilitation of insular business, and agriculture.

Rehabilitation programs were drafted by both parties—by my party, the Coalition, and by some of the so-called "intellectuals", the "theorists", and "advanced thinkers" of the Liberal Party.

The plan of my party—the majority party—was prepared by the "economic committee of the legislature." It was the subject of extensive public hearings, at which were heard the best business, technical, and agricultural minds of the island. And when it went to Washington the plan had the unqualified approval and endorsement of representative business and agricultural groups—groups that knew, from years of experience, what was necessary for effective rehabilitation—people who had the welfare of the island at heart. It was not a plan hastily knocked together by a group of impractical visionaries and theorists, not an uncertain adventure in nebulous experimentation, but a common-sense, practical plan, grounded upon practical recommendations from practical business and agricultural experts.

But all of the planning—all of the hearings—all of the recommendations of experts—went for naught. The plan was rejected in Washington. Why? Only Dr. Gruening can answer that question. The plan submitted by the Liberal Party was accepted. And last February over $40,000,000—American dollars—were made available to the Liberal Party for the work of rehabilitation—American dollars, mind you, for the political party on the island that now is openly advocating independence. The president of that party, in a passionate plea for independence, delivered recently before 10,000 people in the city of Caguas, P. R., shouted, "We will go to the extreme of revolution if necessary." Revolution is an ugly word in any language and under any circumstances. But how does it sound coming from the leader of the party in Puerto Rico that controls the administration of forty million American dollars—$40,000,000 that came from the people against whom this party exhorts their followers to wage revolution if necessary?

The Puerto Rican Rehabilitation Administration, known on the island as the P. R. R. A., is directed by the reputed author of the plan, the chancellor of the University of Puerto Rico, and an outstanding leader of the Liberal Party. His attitude concerning independence may be taken from the fact that a short time before the assassination of Chief of Police Riggs he had as a speaker at the university Albizo Campos, the leader of the Nationalist group. Under his administration as chancellor the university, supported in part by funds from the Government of the United States, has become the "hotbed" of independence and of anti-American agitation.

Personnel of the P. R. R. A., now over the 20,000 mark, consists entirely of members of the Liberal Party. It is, in fact, impossible to secure an appointment in that organization without endorsement of Liberal Party leaders. Those who happen to be affiliated with my party—the Coalition, or majority, party—can obtain neither work nor workers from that organization, whose relief facilities theoretically are supposed to be available to all residents of the island, regardless of party or of political inclinations. It has been utilized not so much for the rehabilitation of Puerto Rico as for the rehabilitation of the Liberal Party of Puerto Rico—a scandalous diversion of public moneys to political channels—a flagrant case of "false pretenses" if ever there was one.

The Liberal Party of Puerto Rico has been playing a shameless game of double-dealing with the Government here in Washington—a game of accepting favors and money with one hand and spreading anti-American propaganda with the other. On their numerous missions to Washington, Liberal Party leaders are loud in their protestations of stout, loyal Americanism; in Puerto Rico, secretly before but openly now, they are anti-American. The best and most convincing proof of the latter is the liberal leader's recent speech at Caguas, P. R., in which he exhorted the people to revolution if necessary. Let him explain, if he dares or if he will, honestly, his convictions concerning American institutions, his attitude now and in the past with respect to the American regime. Let him explain his words in the Caguas speech, "We will go to the extreme of revolution if necessary."

The Nationalist Party is anti-American to the core; but, at least, it is honest about it. Unlike the Liberal Party, it makes no pretensions of being otherwise. Its leaders are not accepting American money and using that money to undermine American institutions. At least it is in the open fighting for independence, while the Liberal Party is giving lip service to Americanism and secretly sowing seeds of anti-Americanism.

The Coalition Party—the majority party of Puerto Rico—that which has been "pro-American" since the occupation—has been studiously and most thoroughly snubbed by Dr. Gruening, Director of the Division of Territories and Insular Possessions. All of its good offices, all of its constructive recommendations, all of its efforts to cooperate and participate in the work of rehabilitation, have been treated with studied contempt. And this in a democracy, where I have always been taught that the majority rules. But in spite of Dr. Gruening, in spite of the fact that we, the majority party, have been shunted aside, ignored, and treated with contempt, our faith in the fairness of the American people has not diminished. We feel that our day will come, that the present shocking situation cannot continue forever, and that our efforts in defense of American institutions will receive due recognition. We are proud of our association with the people of the United States; we are happy, indeed, to be a part of this great Nation; we are grateful for the good that has come to us from the American people; and it is our fervent hope that soon the bonds that now join us will be strengthened, will be drawn closer, in the form of statehood or Territorial government.

I thank you.

THE BITUMINOUS COAL ACT OF 1936

Mr. GREENWOOD, from the Committee on Rules, submitted the following privileged report (Rept. No. 2903), which was referred to the House Calendar and ordered to be printed:

House Resolution 535

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 12800, a bill to regulate interstate commerce in bituminous coal, and for other purposes. And all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit, with or without instructions.

PERMISSION TO ADDRESS THE HOUSE

Mr. CONNERY. Mr. Speaker, I ask unanimous consent that on Wednesday next, following the reading of the Journal and the disposition of business on the Speaker's table and the special order heretofore granted for that day, the gentleman from Massachusetts [Mr. GIFFORD] may be permitted to address the House for 15 minutes, and, following his address, I may be permitted to address the House for 15 minutes.

Mr. O'CONNOR. Mr. Speaker, reserving the right to object, as I have explained—I do not know whether the gentleman from Massachusetts was here or not—as I understand, on Wednesday the plan is to bring up the coal bill, known as the Vinson-Guffey coal bill.

At this stage of the session we have important legislation, and I think the gentleman considers this measure as important. It will take all day, and if we take one-half hour out of the day, we may have to run over until the next day, which will interfere with the schedule. I hope the gentleman will not press his request.

Mr. CONNERY. May I say to my friend from New York that I was going to make the request for Thursday myself, but the gentleman from Massachusetts [Mr. GIFFORD] has to leave Wednesday.

Mr. O'CONNOR. I do not recall, in seven Congresses, that speeches were made in the last 2 weeks of a session. There are at least 2 or 3 weeks when any number of speeches may be put in the RECORD by the Members. This has gone further this session than any other session to my knowledge.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. GIFFORD. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR. If necessary, Mr. Speaker, I shall have to object.

The SPEAKER. Objection is heard.

REFUNDS UNDER A. A. A.

Mr. O'CONNOR, from the Committee on Rules, submitted the following report (Rept. No. 2904), which was referred to the House Calendar and ordered printed:

House Resolution 536

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration

of H. R. 12793, a bill "to amend certain administrative provisions of the internal-revenue laws, and for other purposes." And all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit, with or without instructions.

THE CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the calendar.

PACIFIC OCEAN FISHERIES

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.

Mr. WOLCOTT, Mr. JENKINS, and Mr. McLEAN objected.

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.

Mr. BLAND, Mr. SMITH of Virginia, Mr. CARMICHAEL, and Mr. CHANDLER objected.

SALE OF INTOXICATING LIQUOR IN ARMY POST EXCHANGES

The Clerk called the 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.

The SPEAKER. Is there objection?

Mr. CHURCH, Mr. TARVER, Mr. JENKINS of Ohio, and Mr. UMSTEAD objected.

ADJUSTMENT OF IRRIGATION CHARGES

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.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent that this bill go over without prejudice.

The SPEAKER. Is there objection.

There was no objection.

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?

Mr. WOLCOTT. Reserving the right to object, may I ask the author of the bill how is this proposition going to be financed? I wondered what the purpose was in getting the approval of Congress.

Mr. FULMER. This is the regular bill endorsed by the Secretary of the Interior. It will not cost the Government any money. They donate a certain tract of a few acres so it will be included in this type of legislation that we have been passing from time to time. It is in my county, and one of the most important battlefields of the Revolutionary War.

Mr. JENKINS of Ohio. Mr. Speaker, reserving the right to object, I understand from the gentleman that this will not cost the Government anything?

Mr. FULMER. Absolutely not. That is made clear in the bill.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That for the purpose of commemorating the battle which occurred at Eutaw Springs, in the State of South Carolina, during the Revolutionary War, the Secretary of War is authorized to accept title to approximately 2 acres of land on the site of said battlefield, free of cost to the United States, to fence said parcel of land or demarcate its limits, and to erect a monument thereon. He is further authorized to do all matters incident to procurement and erection provided for herein, by contract or otherwise, with or without advertising, including also the engagement by contract or otherwise, without regard to section 3709, Revised Statutes (U. S. C., title 41, sec. 5), and at such rates of compensation as he may determine, of the services of architects, sculptors, artists, and other technical and professional personnel as may be necessary, or of firms, partnerships, or corporations thereof.

SEC. 2. To enable the Secretary of War to carry out the provisions of this act, including the purchase of plans, drawings, and specifications, and the payment of mileage of officers of the Army and actual expenses of civilian employees traveling on duty in connection therewith, there is hereby authorized to be appropriated the sum of $25,000, or so much thereof as may be necessary, to be expended for the purposes of this act.

SEC. 3. The land acquired under this act shall be under the jurisdiction and control of the Secretary of War. He shall provide for the care and maintenance of said monument and its site, and for this purpose shall submit an estimate with his annual estimates to Congress.

With the following committee amendments:

On page 1, line 5, after the word "War", strike out all language and insert the following: "when title to such lands on the site of the Battle of Eutaw Springs as may be designated by the Secretary of the Interior, in the exercise of his discretion, as necessary or desirable for battlefield site purposes, shall be vested in the United States, said area shall be set apart as a battlefield site for the benefit and inspiration of the people and shall be called the Eutaw Springs Battlefield Site.

"SEC. 2. That the Secretary of the Interior be, and he is hereby authorized to accept donations of land, interests in land and/or buildings, structures, and other property within the boundaries of the said battle field site as determined and fixed hereunder, and donations of funds for the purchase and/or maintenance thereof, the title and evidence of title to lands acquired to be satisfactory to the Secretary of the Interior: *Provided*, That he may acquire on behalf of the United States out of any donated funds, either by purchase at prices deemed by him reasonable, or by condemnation under the provisions of the act of August 1, 1888, such tracts of land on the said battlefield site as may be necessary for the completion thereof.

"SEC. 3. The administration, protection, and development of the aforesaid battlefield site shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the act of August 25, 1916, entitled 'An act to establish a National Park Service, and for other purposes', as amended."

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.

ADDITIONAL DISTRICT JUDGE FOR 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?

Mr. WOLCOTT. Mr. Speaker, inasmuch as I understand the Rules Committee has reported out a rule for the consideration of an omnibus bill for additional judges which includes this bill, I ask that this go over without prejudice.

Mr. O'CONNOR. Would it not be more expeditious to pass the bill today and save the time that will necessarily be taken up under the rule?

Mr. WOLCOTT. I have made a statement relative to these bills, and probably my objection is less meritorious to this than the others. I do not want to prejudice the bill. I made the statement when the bills first came up that there were so many I felt it was a matter that should have some discussion on the floor as to the policy of increasing the number of judges.

Mr. O'CONNOR. I may say that all the judges' bills on the Consent Calendar are not included in the rule to which the gentleman refers as an "omnibus bill." There was a careful discrimination made and only those bills that provided for additional judges which were approved by the judicial council of judges were included within the rule. Some judgeship bills did not have that approval and they were left out. The Rules Committee did not approve of them. But each judgeship bill included in the rule has been approved by the judicial council, of which the Chief Justice of the United States is a member.

Mr. WOLCOTT. I appreciate that some of the bills have not been included in the omnibus bill and we take the responsibility of determining which are meritorious.

Mr. O'CONNOR. I was simply trying to save time.

Mr. SHORT. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. Yes.

Mr. SHORT. It seems to me that the statement made by the gentleman from New York [Mr. O'CONNOR] was a very

good argument why these bills should be considered in the omnibus bill before we take them up for consideration in the House.

Mr. WOLCOTT. I understand that under the rule the omnibus bill cannot be amended by including a new judgeship, although it may be amended by striking out.

Mr. O'CONNOR. It is not exactly an "omnibus bill", I might state, to clear up the situation. It is a bill to consider, I think, six or seven separate bills, each bill to be taken up separately, pertaining to one particular district. That bill cannot be amended by the inclusion of any other district. The bill must be voted up or down.

Mr. WOLCOTT. It could not be amended because the amendment would not be germane to that particular section.

Mr. O'CONNOR. There being only one item, another could not be added.

Mr. WOLCOTT. I think the chairman of the Committee on Rules has been fair about this, and that we should have some discussion. I renew my request that the bill go over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

EMPLOYMENT OF ANGUS D. M'LEAN

The Clerk called the 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.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That nothing in sections 109 and 113 of the act entitled "An act to codify, revise, and amend the penal laws of the United States", approved March 4, 1909, as amended, or in section 190 of the Revised Statutes of the United States, or in any other act of Congress forbidding officers or employees or former officers or employees of the United States from acting as counsel, attorney, or agent for another before any court, department, or branch of the Government, or from receiving or agreeing to receive compensation therefor, shall be deemed to apply to attorneys or counselors who have been or may be specially employed, retained, or appointed by the Attorney General or under authority of the Department of Justice to assist in the prosecution of the case pending in the Supreme Court of the United States entitled *The Sugar Institute, Inc., et al., appellants*, v. *The United States of America* (docket no. 268, October term, 1935), or the investigation and prosecution of any case pending either in the Federal or State courts, in the western district of North Carolina, involving lands owned or claimed by the Eastern Band of Cherokee Indians, or by the United States in their behalf. or other public lands owned or involved in litigation in such western district of North Carolina.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That the employment of Angus D. MacLean as an attorney or counsellor especially employed, retained, or appointed by the Attorney General or under authority of the Department of Justice to assist in the prosecution of the case pending in the Supreme Court of the United States entitled *The Sugar Institute, Inc., et al., appellants*, v. *The United States of America* (docket no. 268, October term, 1935), or the investigation and prosecution of any case pending either in the Federal or State courts, in the western district of North Carolina, involving lands owned or claimed by the Eastern Band of Cherokee Indians, or by the United States in their behalf, or other public lands owned or involved in litigation in such western district of North Carolina shall not be construed to be employment within the meaning of sections 109 and 113 of the Criminal Code of the United States, as amended (U. S. C., title 18, secs. 198 and 203), or section 190 of the Revised Statutes of the United States (U. S. C., title 5, sec. 99)."

The committee amendment was agreed to; and the bill as amended was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

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.

The SPEAKER. Is there objection?

Mr. WOLCOTT. Mr. Speaker, I reserve the right to object. In view of the discussion of a similar situation with respect to an Oklahoma judgeship, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection?

Mr. SPENCE. Mr. Speaker, will the gentleman reserve his objection in order to permit me to say to the gentleman from Michigan that this bill providing for an additional judge for Kentucky is not in the omnibus bill. I think it is a meritorious bill. The bar of the State want it, and I think the business demands it. It is not in the omnibus bill, because it has never been submitted to the judicial council.

Mr. WOLCOTT. I understand the judicial council never passed on this bill. My reason for asking that this go over without prejudice is to leave it in position where it may be discussed on the floor.

Mr. SPENCE. But if this goes over without prejudice, it means the end of the bill.

Mr. WOLCOTT. I am forced into a position where I must be consistent with respect to these judgeship bills. I regret they were put on this calendar at all and that we have to consider them in this way.

Mr. SPENCE. If it goes over without prejudice, it is the end of the bill, because it will not be considered in the omnibus bill.

Mr. WOLCOTT. I suggest, then, that the gentleman confer with the Speaker and obtain recognition to suspend the rules. That at least would give us some little time for discussion. If it is a meritorious bill, I should be very glad to go along with the gentleman.

Mr. SPENCE. I did not want the gentleman to be under the impression when he asks that the bill go over without prejudice that he is not destroying the bill, because that is what it does in its present status.

Mr. WOLCOTT. I think there is time to make such a request of the Speaker to suspend the rules, and in that way we may have some little time for the consideration of the bill on its merits. I renew my request, Mr. Speaker.

The SPEAKER. Is there objection that the bill go over without prejudice?

There was no objection.

ENLARGEMENT OF GOVERNORS ISLAND

The Clerk called the 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 reserve the right to object, and ask the attention of the sponsor of the bill. Will the gentleman accept an amendment to the bill to the following effect? After the first proviso in section 2 on page 2, line 22, insert the following:

Provided further, That the Secretary of Commerce shall first certify that the existence and use of such landing field shall not be a hindrance or menace to navigation.

Mr. PEYSER. Mr. Speaker, I should be very glad to accept that amendment.

Mr. FADDIS. Mr. Speaker, I reserve the right to object, and I have an amendment which I desire to offer.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized and directed to clear and make available that portion of Governors Island in New York Harbor situate and lying west and south of a line 200 feet west and south of and parallel to a line known as the James line as the same was fixed by act of Congress dated July 3, 1930 (46 Stat. 908), for use by the said city of New York as a public landing field for the loading and discharge of passengers, mail, and cargo from all airplanes and aircraft engaged in interstate commerce.

SEC. 2. The United States hereby consents to the filling in of so much land now under water adjacent to Governors Island, N. Y., in New York Harbor, as may be necessary to enlarge the area thereof by 70 acres, more or less, in such manner as may be necessary to accomplish the purpose of providing a landing field for the city of New York and environs, and such filling in to be in such direction and in such manner and according to such rules and regulations as may least interfere with water navigation in New York Harbor and all subject to such rules and regulations as the Secretary of War may prescribe: *Provided*, That the con-

sent hereby given shall be null and void unless the State of New York and any person that may be found to be the rightful owner of said land under water or any part thereof shall grant to the United States the title to said land and the permission to use the same as a landing field as herein stipulated and for defensive military operations in time of war or during a national emergency declared by the President of the United States to exist: *Provided further*, That the provisions of this act shall not become operative until the State of New York shall by appropriate legislation cede to the United States concurrent criminal and civil jurisdiction over and upon said land as the same now exists and as the same shall exist by the filling in operations herein provided for: *And provided further*, That all such filling in, improving, and developing operations, including the laying of runways, landing strips, and other construction necessary for a public landing field, shall be at the expense of the city of New York and without any expense whatsoever to the United States.

SEC. 3. That the Secretary of War is hereby authorized and directed to assign that portion of the existing area of Governors Island south and west of the line above mentioned for use by the city of New York for the operation of a public landing field, to be operated all the time for the landing and departure of all airplanes and for the discharge of and loading of passengers, mail, and other cargo under such rules and regulations as the said city of New York by its duly authorized agent or agents may promulgate and proclaim.

SEC. 4. That the city of New York by its duly authorized agent or agents is hereby authorized to fix and collect reasonable fees and to prescribe reasonable rules and regulations for the privileges and use of said landing field: *Provided*, That no charge shall be collected for any forced landing by any aircraft and no fee shall be charged for any aircraft operated by the United States Government or any department thereof.

SEC. 5. Notwithstanding any other provisions of law, all jurisdiction and control over said portion of said Governors Islands as is hereby authorized to be used by the city of New York as a landing field shall revert to the Secretary of War immediately upon any declaration of war by the Congress of the United States, or upon any proclamation by the President of the United States that a national emergency exists, rendering necessary or desirable the use of said area for military operations and in such case the jurisdiction and control over said area shall immediately vest in the Secretary of War, and no damages or claim for damages shall accrue by reason of such reversion of possession and control for the period of any war or any national military emergency.

With the following committee amendment:

Page 1, line 8, following the parentheses, insert "said line to extend only to the present limits and confines of Governors Island."

The committee amendment was agreed to.

Mr. FADDIS. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Page 2, line 3, strike out the period, insert a semicolon and the following: "*Provided*, That no portion of said Governors Island shall be made available by the Secretary of War that is needed for military purposes or for the use of the Army troops stationed on the island."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. LEHLBACH. Mr. Speaker, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment by Mr. LEHLBACH: Page 2, line 22, after the word "exist", insert: "*Provided further*, That the Secretary of Commerce shall first certify that the existence and use of said landing field shall not be a hindrance or menace to navigation."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

SPECIAL COUNSEL IN ASSOCIATED GAS & ELECTRIC CO. LITIGATION

The Clerk called the next bill, H. R. 11615, 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.

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

Mr. LAMNECK. Mr. Speaker, reserving the right to object, is that not the same bill that was passed previously, the Senate bill?

Mr. McLEAN. No. That is a different bill.

Mr. Speaker, I ask unanimous consent that this bill go over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

CIVIL GOVERNMENT OF PUERTO RICO

The Clerk called the next bill, H. R. 10312, to amend section 40 of the act of March 2, 1917, entitled "An act to provide a civil government for Porto Rico, and for other purposes."

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

Mr. JENKINS of Ohio. Reserving the right to object, Mr. Speaker, I promised a Member of the House that I would have that matter put over for further consideration this afternoon. He was compelled to go to the Supreme Court. I wonder if it would be out of order for me to ask that it be passed over temporarily? If it is in order, I make such a request.

The SPEAKER. There is no guaranty that it can be taken up later on.

Mr. JENKINS of Ohio. Well, I make that request, Mr. Speaker.

The SPEAKER. Is there objection to the bill being passed over temporarily?

There was no objection.

BICENTENARY OF BIRTH OF CHARLES CARROLL OF CARROLLTON

The Clerk called the next business, Senate Joint Resolution 151, making provision for a national celebration of the bicentenary of the birth of Charles Carroll of Carrollton, wealthiest signer of the Declaration of Independence.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. RICH. Mr. Speaker, I object.

Mr. COLE of Maryland. Mr. Speaker, will the gentleman reserve his objection?

Mr. RICH. I will reserve it, but I am against the rich, past and present.

Mr. COLE of Maryland. I may say that I am somewhat in sympathy with the gentleman's criticisms of that word. I did not draft the resolution, but the obvious reason for the inclusion of the word is to dignify the position which Charles Carroll occupied at the time of the Declaration of Independence, being the wealthiest man in the Colonies. It required a brave and noble man to do what he did. This resolution, introduced by the senior Senator from my State, Senator TYDINGS, and which I sponsored before the House committee and handled at the request of Senator TYDINGS without introducing a resolution of my own, presents a matter of great public interest to the people of Maryland especially, as my colleague Congressman KENNEDY of Maryland, who sits at my side, well knows. The great manifestation of interest which I found amongst many Members of the House from other parts of the country was demonstrated by the fine support given this measure, the chairman of the committee, my colleague Mr. KELLER, my colleague Mr. O'CONNOR, of New York, and a number of others who could not be present today. The idea of a bicentenary celebration originated with the Maryland Historical Society, of which my good friend and one of the leading citizens of our State, Gen. Clinton L. Riggs, is now president. It has been a privilege to encourage the passage of this resolution through the various stages up to this point, and I hope the gentleman from Pennsylvania will not interpose an objection at this time.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. RICH. Since the chairman of the Rules Committee and these gentlemen want to honor this man, if they will eliminate that one word I will not object.

Mr. WOLCOTT. Well, Mr. Speaker, I object.

Mr. KELLER. Will the gentleman reserve his objection?

Mr. WOLCOTT. Yes; I will reserve it.

Mr. KELLER. There is a better reason for putting in that word than the one given. I do not believe even the gentleman from Pennsylvania [Mr. RICH] would object if he understood it.

Mr. WOLCOTT. I have no objection to that. My objection goes to the fact that we are spending $12,500 for a bicentenary celebration.

Mr. KELLER. The richest man in America offered to absolutely suffer the destruction of his fortune.

Mr. WOLCOTT. But we are spending entirely too much money for celebrations, and I object.

Mr. O'CONNOR. Will the gentleman reserve his objection?

Mr. WOLCOTT. Yes; I will.

Mr. O'CONNOR. Will the gentleman object if the amount is reduced to $7,500?

Mr. WOLCOTT. Yes.

Mr. COLE of Maryland. Do I understand that the gentleman from Michigan objects to the amount involved?

Mr. WOLCOTT. I have no objection to the amount.

Mr. MARTIN of Colorado. Mr. Speaker, reserving the right to object, would the gentleman from Illinois [Mr. KELLER] have any objection to inserting the words "last survivor"?

Mr. O'CONNOR. Simply that it is a Senate bill, and would require further consideration.

The SPEAKER. Is there objection to the present consideration of the Senate joint resolution?

There being no objection, the Clerk read as follows:

Whereas Charles Carroll of Carrollton during his lifetime of nearly a century rendered services of paramount importance to his country; and

Whereas on February 18, 1776, more than 4 months before the adoption of the Declaration of Independence, John Adams stated that "in the cause of American liberty, his zeal, fortitude, and perseverance have been so conspicuous that he is said to be marked out for a peculiar vengeance by the friends of administration; but he continues to hazard his all, his immense fortune, the largest in America, and his life"; and

Whereas in signing the Declaration of Independence Charles Carroll of Carrollton pledged his life, his sacred honor, and the largest fortune in America to the success of the Revolution; and

Whereas the services rendered by Charles Carroll of Carrollton to the United States during the War of Independence, and in the subsequent struggle to preserve the Republic from disintegrating, which resulted in the adoption of the present Constitution, received the warm praise of his contemporaries, including the Father of his Country; and

Whereas Charles Carroll of Carrollton, as United States Senator from Maryland, played a foremost part in the organization of the Federal Government, under the Presidency of George Washington; and

Whereas for a period of 56 years following the signing of the Declaration of Independence Charles Carroll of Carrollton watched the progress of American affairs with eager solicitude and labored unceasingly for the advancement of the Republic; and

Whereas Daniel Webster in an oration delivered at Faneuil Hall, Boston, on August 2, 1826, on the occasion of a civic tribute to Thomas Jefferson and John Adams, then recently deceased, paid eloquent homage to Charles Carroll of Carrollton, then the last of the signers, comparing him to a venerable oak "standing alone on the plain", hailing him as a "fortunate, distinguished patriot", and exhorting his hearers to "let him know that while we honor the dead we do not forget the living, and that there is not a heart here which does not fervently pray that Heaven may yet keep him back from the society of his companions"; and

Whereas in 1828, as a mark of national homage to Charles Carroll of Carrollton, Congress, by joint resolution, conferred upon him the franking privilege, Speaker Stevenson requesting him, in his official notification, to receive the honor "as a token of the distinguished respect and veneration which Congress entertains toward an early and devoted friend of liberty, and one who stood eminently forward in the purest and noblest band of patriots that the world has ever seen"; and

Whereas on November 15, 1832, the President of the United States, Andrew Jackson, voiced in feeling terms the tribute of the Republic to Charles Carroll of Carrollton, who had died on the preceding day, affirming that "no one estimated higher than I did his claims, whilst living, upon the gratitude and love of his country; none will cherish more sacredly his memory now that he is taken from us by the Great Disposer of the affairs of this world"; and

Whereas the bicentenary of the birth of Charles Carroll of Carrollton occurs on September 19, 1937; and

Whereas it is eminently proper and desirable that the United States should officially commemorate this event: Therefore be it

Resolved, etc., That the President of the United States be, and he is hereby, authorized to appoint a body of five persons, to be designated "The Charles Carroll of Carrollton Bicentenary Commission", this Commission to be charged by him with the work of making adequate preparations for a national celebration of the bicentenary of the birth of Charles Carroll of Carrollton. There is hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this resolution.

With the following committee amendment:

On page 4, line 2, strike out the words "appropriated such sums as may be necessary" and insert "appropriated, out of any moneys in the Treasury not otherwise appropriated, a sum of not to exceed $12,500, or the necessary part thereof."

The committee amendment was agreed to.

The Senate joint resolution, as amended, was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SAN JUAN RIVER

The Clerk called the next bill, S. 3488, to provide for an examination and survey to determine the best utilization of the surplus waters of the San Juan River and to determine the feasibility and cost of storing such waters and of diverting them to the Rio Chama.

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

Mr. WOLCOTT. Mr. Speaker, I object.

MEMORIAL TO BETSY ROSS

The Clerk called the next business, House Joint Resolution 470, to authorize the selection of a site and the erection thereon of a suitable monument as a memorial to Betsy Ross.

The SPEAKER. Is there objection to the present consideration of the House joint resolution?

Mr. McLEAN and Mr. WOLCOTT objected.

Mr. McGROARTY. Will the gentlemen reserve their objection?

The SPEAKER. This joint resolution requires three objections.

Mr. LAMNECK. Mr. Speaker, I object.

Mr. WOLCOTT. I will reserve the objection for the purpose of allowing the gentleman from California to make a statement.

Mr. McGROARTY. Mr. Speaker, I do not think if the gentlemen would consider this for a moment, they would have any possible objection.

Mr. WOLCOTT. I have considered it, and considered it carefully, and I have put my objections in the RECORD. If the gentleman had read the record he would know that I had studied it thoroughly and my reasons for objecting to it.

Mr. McCORMACK. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. McCORMACK. My parliamentary inquiry is whether or not three objections are required on this bill.

The SPEAKER. Three objections are required.

Mr. McCORMACK. Mr. Speaker, I ask for the regular order.

The SPEAKER. The regular order is, Is there objection to the consideration of the joint resolution?

Mr. LAMNECK, Mr. McLEAN, Mr. WOLCOTT, and Mr. EKWALL objected.

UTE INDIAN RESERVATION, UTAH

The Clerk called the next bill (H. R. 9156) to define the exterior boundary of the Ute Indian Reservation in the State of Utah, and for other purposes.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent that this bill go over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

INDIANS OF CALIFORNIA

The Clerk called the next bill, S. 1793, to amend the act entitled "An act authorizing the Attorney General of the State of California to bring suit in the Court of Claims on behalf of the Indians of California", approved May 18, 1928 (45 Stat. L. 602).

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to insert in the RECORD at this point a letter I received from the Secretary of the Interior on this bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The letter referred to follows:

THE SECRETARY OF THE INTERIOR,
Washington, May 1, 1936.

Hon. JOHN J. COCHRAN,
House of Representatives.

MY DEAR MR. COCHRAN: Upon your objection, along with that of three others, the California Indian jurisdictional bill (H. R. 5167), as reported by the House Indian Committee, was removed from the Consent Calendar.

A bill containing the same text (S. 1793) has now been placed upon the Consent Calendar of the House. Certain amendments to this bill, as I am advised, will be offered upon the floor in behalf of the House Indian Committee.

Analysis of the proposed amendments indicates that if enacted they would cause a delay of years in the settlement of the California Indian Jurisdictional Act now pending in the Court of Claims, with no compensating benefit either to the Indians or to the Government.

For your fuller information I am enclosing a copy of a letter which Commissioner Collier has sent to Chairman ROGERS, of the House Committee on Indian Affairs, and of the memorandum referred to in that letter.

Sincerely yours,

HAROLD L. ICKES,
Secretary of the Interior.

UNITED STATES DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, April 27, 1936.

Hon. WILL ROGERS,
Chairman, House Committee on Indian Affairs,
Washington, D. C.

DEAR MR. ROGERS: I suggest that serious attention needs to be given to the facts contained in the memorandum enclosed herewith.

The proposed amendment was not known to me nor to anybody in the Indian Office of the Department until it was presented at the committee's session on April 22. Therefore I was not able to do more than advise the committee that the amendment was not objectionable in that degree or in that way which had been true of the amendments that had been proposed at the earlier session.

I have now subjected the amendments to an analysis. I have gone back over the California rolls, and the documents that the rolls were built on, and have consulted with the Smithsonian Institution. The result is that which is put into the memorandum; that is, in sum:

(1) The amendment, if adopted, will constitute a leap into the dark. Neither its advocates nor Congress can know from existing records whether amendment will mean little or much gain or loss to the Indians or to the Government, as compared to the language of the unamended bill. But more important—

(2) The amendment, if adopted, would require the execution by the Department of the Interior and the Smithsonian Institution of a task wholly impossible. The California roll, which the amendment makes the basis for the determination of ratios, does not contain the information on which the two Departments would be required to base their determinations. Therefore if the amendment were adopted the bill thereafter would have to be again amended, and the inescapable research work in the field would delay the completion of the pending suit by many years while the Government set-offs continued to pile up.

The facts are given in the attached memorandum, and would be supported and elaborated should the committee desire to call before it the experts of the Smithsonian Institution.

In addition to the above, and wholly apart from it, I think it is proper to call your attention to an obscurity of language that reaches to the heart of the proposed amendment.

In an earlier letter dealing with the earlier proposed amendment I pointed out that the Court of Claims had consistently refused to award damages to Indians for the losses of lands which they claimed merely by virtue of aboriginal occupancy. Aboriginal occupancy, as construed by this unbroken opinion of the Court of Claims, did not create title.

Now the proposed amendment directs that the Court of Claims shall determine "the acreage of lands to which such tribes or bands of Indians * * * had title by reason of occupancy and use." The court is not directed to find what lands they had occupancy and use of; it is not directed to find that such occupancy and use constituted title; it is merely directed to find what lands, if any, these Indians had title to by reason of occupancy and use.

This language clearly fails to convey the result which the drafters of the amendment presumptively intended. The Court of Claims would be free to find that occupancy and use had created no title to a single acre. The precedent of the court would lead it to make exactly that determination. Hence the supposed purpose of the amendment, limited and indefinite as it is, would, or at least might, be defeated by the very language of the amendment.

The above considerations would seem to be conclusive to the effect that the amendment in its form as given would be (a) a leap into the dark; (b) the institution of a procedure altogether unfeasible in the light of what the rolls actually do contain; (c) a step seriously endangering the possibility of any recovery whatsoever by the Indians for the loss of the nontreaty areas.

Sincerely yours,

(Signed) JOHN COLLIER, *Commissioner.*

UNITED STATES DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, April 27, 1936.

MEMORANDUM EXPLAINING UNFEASIBILITY OF AMENDMENT OF CALIFORNIA INDIAN JURISDICTIONAL ACT AS PROPOSED BY HOUSE COMMITTEE ON INDIAN AFFAIRS

The amendment proposed on page 4, beginning line 1, of the House bill amendatory of the existing California Indian Jurisdictional Act would require the identification of each California Indian as being a descendant or not a descendant of a tribe or band which was a party to one of the "lost treaties." This identification would have to be based on the California Indian roll. Such is the requirement of the proposed amendment.

The language is loose, but the present tense is used. The wording used is: "That the net amount to be allowed on account of such nontreaty lands shall be limited to an amount which shall bear a relation to the amount allowed by reason of said treaties not greater than the number of nontreaty Indians *bears* to the number of treaty Indians." (Italics mine.)

Two issues, therefore, are raised.

First. What, on the basis of present information, can Congress presume as to the ratio between the descendants of treaty and nontreaty Indians?

This essential question simply cannot be answered at the present time. The data do not exist for answering it. No deduction can be made by working downward in time from the assumed ratios that may have existed in 1852. There has been much intermarriage between Indians presumptively descended from the treaty Indians and presumptively descended from the nontreaty group. The rate of decline of population has been in no sense uniform among the more than 300 California bands that existed in 1852.

The matter is further complicated by a reading of the signatures upon the "lost treaties." One hundred and forty tribes or bands appear as allegedly represented by at least one signatory. There were, as before stated, more than 300 tribes and bands. It is not clear, and in the absence of legislative definition it would become the duty of the court to determine whether bands not appearing among the signatories, but known as being linquistically or geographically or governmentally connected with the signatory bands, are or are not to be considered treaty Indians.

From the above it follows that no estimate as to the ratios would have any validity whatsoever, and from the point of view of the practical results that would flow from the proposed amendment Congress would be acting wholly in the dark.

Second. An even more baffling difficulty arises when an attempt is made to think out the operation of the amendment in terms of the processes leading toward an ultimate finding by the Court of Claims. The number of enrollees listed under the Jurisdictional Act is about 22,000. Examination of the rolls shows that the rolls do not yield the information even as to the alleged tribal or band origin of large numbers of Indians on the rolls. Going back of the rolls to the case records, it is found that the essential question 29, calling for statement of paternal and maternal California Indian ancestors back to 1852, is usually not answered at all.

In other words, from the existent record, the necessary evidence could not be gleaned—evidence which the court would absolutely have to have before it—for determining the essential question of ratios.

This would mean a new ethnogenealogical research, conducted on the ground, not by ordinary enrollment officers but by some ethnologist who has specialized upon California.

Be it noted that the act directs the Secretary of the Interior and the Smithsonian Institution to certify to the court from the census roll the requisite facts; and be it noted that the census roll does not contain the requisite facts.

An impossibility would be set up, necessitating amendatory legislation, with new appropriations for an original research that would require years of time to complete, and the passage of the case to final judgment would be delayed by at least that many years.

The above are practical facts which evidently were not known to or were not taken into account by those who formulated the proposed amendment.

It may be added that although the amendment has a certain appearance of superficial logic, there really is no logic to it.

(a) The ratio between nontreaty and treaty Indians as of 1852 might have equitable significance; their unknown and probably undeterminable ratio as of today has no equitable significance.

(b) The areas held in exclusive use by the divers tribes and bands were not measured by population, but were highly variable in size in relation to population. If the treaty groups made undue surrenders under the practically forced documents which they signed, is that any reason to retrospectively impose, after 80 years, a similar undue surrender upon the nontreaty groups?

(c) The treaties never were made effective; the Indians never moved into the areas delimited therein; those within the areas received no protection; the only practical significance of the treaties is that retrospective significance conveyed to them when Congress, through an act of grace, made them the measure of recovery for the California Indians as a body.

All the above procedural impossibility and confusion would be removed if, instead of adopting the amendment as proposed, the court simply were directed to award for aboriginal occupancy at an amount per acre to be named by Congress. If $1.25 per acre be deemed too large, then it would be simple enough for Congress to cut the per-acre award to 50 cents or 25 cents, or any figure which it wanted to adopt. Thereupon the case could proceed to judgment and not undergo delay of many years and be found unfeasible at the end of that time. The proposed amendment as it stands could only result in long delay and in unfeasibility.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that this bill may go over without prejudice.

Mr. BURDICK. Mr. Speaker, will the gentleman withhold his request?

Mr. COSTELLO. Mr. Speaker, I withhold my request to permit the gentleman to make a statement.

Mr. BURDICK. This bill S. 1793 merely authorizes that attorneys representing the Indians in the California Indian matter now pending before the circuit court of appeals be selected by the Indians themselves. In other words, this bill is to permit the Indians to select counsel of their own choosing to represent them in the case, as well as the attorney general of the State of California.

Mr. COCHRAN. Mr. Speaker, will the gentleman yield?

Mr. BURDICK. I yield.

Mr. COCHRAN. If the gentleman will read the letters I am placing in the RECORD——

Mr. BURDICK. I have seen the letters. They were before the committee. The committee reported the bill unanimously.

Mr. COCHRAN. Why were they not placed in the report on the bill, then?

Mr. BURDICK. What is the use of having a Committee on Indian Affairs if we do not pay any attention to them?

The regular order was demanded.

The SPEAKER. Is there objection to the request of the gentleman from California that the bill go over without prejudice?

There was no objection.

CIVIL GOVERNMENT FOR PUERTO RICO

The Clerk called the next bill, H. R. 12119, to amend sections 13 and 19 of the act of March 2, 1917, entitled "An act to provide a civil government for Porto Rico, and for other purposes."

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, will some member of the committee inform me whether a supplementary report has been filed in conformity with the Ramseyer rule?

Mr. Speaker, I ask unanimous consent that this bill go over without prejudice. I have not had the benefit of any supplemental report or been able to study the bill, and there are many really important changes.

Mr. BLANTON. Regular order.

The SPEAKER. The gentleman from Michigan asks unanimous consent that the bill may go over without prejudice. Is there objection?

There was no objection.

ADDITIONAL JUDGESHIP, DISTRICT OF KANSAS

The Clerk called the next bill, S. 3434, to provide for the appointment of one additional judge for the District of Kansas.

Mr. WOLCOTT. 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 Michigan?

There was no objection.

INDIANS OF THE STATE OF OKLAHOMA

The Clerk called the next bill, S. 2047, to promote the general welfare of the Indians of the State of Oklahoma, and for other purposes.

Mr. WOLCOTT. Mr. Speaker, I ask that this bill be passed over without prejudice.

Mr. ROGERS of Oklahoma. Mr. Speaker, reserving the right to object, has the gentleman given consideration to the bill except section 6 which is the authorization?

Mr. WOLCOTT. Mr. Speaker, I may say it is quite a radical departure from existing policy. Because of this I do not think it should be passed by unanimous consent. In addition, it involves about $2,000,000. I think it should be brought to the floor and considered as one of the very important Indian bills.

Mr. BLANTON. Mr. Speaker, I demand the regular order.

The SPEAKER. The gentleman from Michigan asks unanimous consent that the bill be passed over without prejudice. Is there objection?

There was no objection.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to insert at this point in the RECORD a letter I have received on this bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. BURDICK. Yes; I object. I object to the bill.

The SPEAKER. The bill has already been passed over without prejudice.

CHOCTAW INDIANS, MISSISSIPPI

The Clerk called the next bill, S. 2715, conferring jurisdiction on the Court of Claims to hear and determine the claims of the Choctaw Indians in the State of Mississippi.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to place in the RECORD at this point a letter I have received on this bill.

Mr. BURDICK. From whom does the letter come?

Mr. COCHRAN. From the Comptroller General.

Mr. BURDICK. Mr. Speaker, I object.

Mr. COCHRAN. Mr. Speaker, I object to the bill.

CAPT. MOSES ROGERS

The Clerk called the next bill, H. R. 8998, to authorize the erection of a monument in memory of Capt. Moses Rogers.

Mr. WOLCOTT, Mr. YOUNG, and Mr. RICH objected.

DESIGNATION OF SEQUOIA TREE AS THE NATIONAL TREE OF THE UNITED STATES

The Clerk called the next bill, H. R. 10106, to designate the sequoia tree (Sequoia gigantea) as the national tree of the United States.

Mr. WOLCOTT, Mr. LEHLBACH, and Mr. McLEAN objected.

PROHIBITION OF INTERSTATE TRANSPORTATION OF STRIKE BREAKERS

The Clerk called the next bill, S. 2039, making it a felony to transport in interstate or foreign commerce persons to be employed to obstruct or interfere with the right of peaceful picketing during labor controversies.

Mr. MERRITT of Connecticut, Mr. RICH, and Mr. BLANTON objected.

IDENTIFICATION OF PRISON-MADE GOODS

The Clerk called the next bill, H. R. 11372, to amend Public Law No. 215, Seventy-fourth Congress, first session.

Mr. WOOD, Mr. SCHULTE, Mr. CURLEY, and Mr. CONNERY objected.

THE FEDERAL REGISTER

The Clerk called the next bill, H. R. 11337, to amend the Federal Register Act.

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

Mr. LUDLOW. Mr. Speaker, reserving the right to object, may I ask my friend, the author of the bill, if he would be willing to accept an amendment which would add a new section providing that section 3 of such Federal Register Act is hereby amended by adding at the end thereof the following sentence? "The Federal Register shall be published not oftener than once a week."

Mr. CELLER. I may say to the gentleman from Indiana that I personally would have no objection. However, since speaking to the gentleman I read through the original bill and I find that section 5 of the bill provides for the publication of the various proclamations by the President and the various rules and regulations of the departments and they must be published within certain designated periods. If the

Register is published only once a week, we would have to also amend section 5 of the original act.

Mr. LUDLOW. May I say to the gentleman that I have read the original act very carefully and I cannot find in it anywhere a direction as to the number of times this publication shall be issued per week. I think it is very important in the interest of economy that a section be added which prescribes that the Register shall be issued but once a week.

Mr. BLANTON. Will the gentleman yield?

Mr. LUDLOW. I yield to the gentleman from Texas.

Mr. BLANTON. How many Members out of the 435 does the gentleman from Indiana think even look at the Federal Register?

Mr. LUDLOW. I may say to the gentleman that I think it ought to be abolished entirely, but if we are going to keep it, I think it should be held down to one issue a week. There are now five issues every week, and it costs the taxpayers $263,000 a year, or over $1,000 every day it is issued. There are to date only 480 paid subscriptions, and the total revenue up to this moment is only $4,200. I submit that the Register ought to be abolished and this useless expense stopped.

Mr. BLANTON. Hundreds of them go into the wastebasket.

Mr. CELLER. The gentleman is in error. A great many Members read the Federal Register.

Mr. BLANTON. Has the gentleman read the last issue?

Mr. CELLER. I read the last one. This is not only for the edification of the Members of Congress. It is for the enlightenment of the entire country.

Mr. SCHULTE demanded the regular order.

Mr. LUDLOW. If the gentleman will not accept the amendment, I shall be compelled to object. I regret to object, because I know how deeply and sincerely the gentleman from New York is interested in this publication, but my sense of duty compels me to do so. If the gentleman will agree to my amendment, I shall not object.

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

Mr. LAMNECK, Mr. BLANTON, Mr. SCHULTE, and Mr. LUDLOW objected.

WHY LIMIT WAR PROFITS?

Mr. McFARLANE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a good speech I made over the radio last week.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. McFARLANE. Mr. Speaker, some time ago I was invited by the National Council for Prevention of War to broadcast over WOL and associated stations on the subject "Why Limit War Profits?" Because of my recent investigation concerning this subject matter, I was glad to accept their invitation and on Thursday evening, May 28, delivered the following address:

I first desire to thank WOL for their courtesy in the use of their facilities this evening. I wish I had ample time in which to cover the subject assigned to me, "Why Limit War Profits?"

It is a very interesting subject and has many interesting phases, and it would take some time to cover the different angles. The whole question of open competition, limitation of profits, or, in the alternative, Government ownership of factories making war supplies, is wrapped up in the question of our system of procurement of all war supplies since the beginning of our entry into the World War and our experience in trying to secure competition in all of our war-supply purchases since the war down to date.

MUNITIONS LOBBY

Because of the different war munitions lobbyists operating in Washington, they have been able to secure legislation appropriating many millions of dollars. The records show how a few concerns in truth and in fact have secured the lion's share of these millions expended. For example, we find the naval expenditures the last 25 years total $10,670,778,419, and Army expenditures $24,295,519,301.

COST PLUS 10 PERCENT WAR CONTRACTS

During the World War practically all war-munitions contracts were let on what was known as a cost-plus 10-percent profits basis. Different investigations since the war have shown how flagrant were the violations of these contracts and the different methods used by the war profiteers to run up unconscionable profits. Because of the disclosures thus made over the cost-plus 10-percent contracts this system of procurement was discontinued soon thereafter.

ORIGINALLY COMPTROLLER'S OFFICE HAD SAY

Under the general law the legality of all Government procurement contracts and the provisions of the law requiring open competition in such procurement has been under the direction and supervision of the Comptroller General's office. This office has rendered splendid service as far as within its power in requiring the strict compliance with the law and requiring open competition in the letting of such contracts.

The war profiteers making all kinds of materials, such as ships, aircraft, ordnance, etc., have had their well-organized lobbies to turn the heat on Congress to amend the procurement laws so as to take away from the Comptroller's office the final say as to whether or not the requirements of the law as to competition in the purchase of all such equipment has been complied with.

THE AIRCRAFT ACT OF 1926

For example, the aircraft and scientific-instrument concerns were instrumental in the enactment of the Aircraft Act of 1926, which took away from the Comptroller's office the final right to say whether or not open competition had been met in all aircraft procurement. This act set up a system of purchasing all aircraft supplies and accessories under the exclusive control of the War and Navy Departments, and the Secretaries of War and the Navy had the final say as to whether or not competition was had in such purchases.

MILITARY AND NAVAL AFFAIRS INVESTIGATIONS

Investigating committees were appointed by the House Military and Naval Affairs Committees in 1934 to check up on all purchases of aircraft and accessories for the War and Navy Departments. While a majority of the Naval Affairs Investigating Committee found all naval aircraft purchases from 1926 to date were in keeping with the law, I filed a minority report pointing out that the Comptroller's records show that 92 percent of all the naval aircraft equipment and 91.3 percent of all the Army aircraft equipment purchased under said act of 1926 down to date of filing said report in 1934 had been purchased in violation of said law, and that the Judge Advocate General's Departments of both the War and Navy had continuously so held that such equipment had been bought without open competition, as required by such law.

The House Military Affairs Investigating Committee later filed a similar report, showing that the Army had not followed the Aircraft Act in requiring open competition in their aircraft procurement. In my report at the time I pointed out, as shown by the records, the enormous profits that were being made by these different aircraft concerns and showed from the Comptroller's records that about one-half dozen aircraft companies and two aircraft engine manufacturing companies practically controlled all aircraft business with the Army and the Navy Departments.

MY MINORITY REPORT

I also pointed out that from July 1926 through December 1933 the Army had bought 4,245 engines and 1,857 airplanes and the Navy 3,158 engines and 1,076 airplanes; of the 4,245 engines purchased by the Army 2,492 were bought from Pratt & Whitney, and 1,740 from the Wright Aeronautical Co., and only 13 engines were bought from all other engine concerns in the United States. Of the 3,158 engines purchased by the Navy 2,149 were purchased from Pratt & Whitney, 973 from the Wright Aeronautical, and 36 from all others.

I placed in the CONGRESSIONAL RECORD my minority report, which contained carefully checked charts which showed the latest known performance of every warplane and engine in the world at that time, and this chart clearly showed that while the United States was spending far more money than any other nation for aircraft equipment, we stood practically at the foot of the list in each of the categories as compared to the latest known performance of the different warplanes and engines of the other great powers.

SYSTEM OF PROCUREMENT

Under the Aircraft Act of 1926, whenever different or experimental equipment is desired other than that in use in the service, the law provides, under section 10K of said act, that all such experimental equipment shall be purchased through negotiated contracts at Government expense under proper Government supervision; and more than $20,000,000 the last 10 years has been appropriated and expended by the Navy Department and more than twice that sum by the War Department for such experimental aircraft supposedly to be purchased through negotiated contracts. On all quantity purchases under the act open competition is provided. According to the Comptroller's records and their construction of these contracts, as above shown, 92 percent of these purchases have been made in violation of the law.

TEN PERCENT FOR THE NAVY

Mr. TOBEY, of New Hampshire, offered the 10-percent profits-limitation amendment to the Vinson-Trammell Act on the floor of Congress on March 6, 1934, limiting the profits on all ship and aircraft construction of the Navy. This amendment was agreed to by the chairman and finally worked out and approved in free conference and became a law March 27, 1934.

TEN PERCENT FOR THE ARMY

I offered a 10-percent profits-limitation amendment to the War Department appropriations bill on February 14 this year, limiting

the profits on all aircraft and ordnance supplies, which amendment was unanimously approved by the House.

GENERAL CRAIG AND MR. WOODRING TESTIFY

When this appropriations bill went to the Senate, General Craig and Assistant Secretary of War Woodring went before the Senate subcommittee on appropriations and bitterly opposed this 10-percent amendment.

General Craig testified before the Senate committee that the naval 10-percent profits-limitation amendment "was the outgrowth of careful hearing in committee, amendment, debate, conference, and rejected agreement and further conference. It was sufficient to constitute a problem in itself. The War Department is quite in accord with the implied intention of this proposed section to limit profit on contracts to reasonable figures. However, it is strongly opposed to any wording of such an important law being inserted in the appropriation act without careful investigation of its reactions on its system of proposals."

When, as shown by the CONGRESSIONAL RECORD, the naval amendment was inserted on the floor of the House and retained in the conference committee report. Mr. Woodring in his testimony before the Senate committee frankly admitted the aircraft law had not been complied with when he testified:

"In looking up the law some 2 years ago I found that we were not carrying out the law, the Defense Aircraft Act of 1926, in the method in which we were procuring our aircraft, and as you know—you have heard a lot about it—we changed from a negotiated contract to a competitive-bidding basis, which I think conscientious opinion holds is according to law."

Under the Aircraft Act of 1926 all experimental aircraft in small quantities is supposed to be purchased through negotiated contracts by the War and Navy Department and after the kind and character of equipment is determined under said act when purchases of aircraft are to be made in quantity lots, the law requires advertising to the public and open competitive bidding so that all may compete.

Under the system, Mr. Woodring has worked out, according to his testimony to the Senate committee, he states:

"The bidder is required to submit with his bid a completed airplane on the line for test, as he submits his bid, and these airplanes are thoroughly tested and contracts awarded to the manufacturer who has produced the finest-performing airplane, after we have evaluated all the planes in competition.

"To insure the reasonableness of the cost a careful financial audit is made of the cost figures of the manufacturer, after we make an award."

Thus you will note that their present system of aircraft procurement has no open competition as required by law, and no bidder has any assurance that regardless of the superiority of his products, will he have any right to expect to secure the contract.

HOW MR. WOODRING'S SYSTEM WORKS

For example, in August 1934 the War Department decided to buy 20 airplanes for a quantity purchase, but they disregarded advertising as the law requires, and the planes were not purchased as experimental contract as the law requires. There were, it seems, four bidders for this contract: Douglass, Curtiss-Wright Airplane Co., Fairchild Aircraft Corporation, and Bellanca Aircraft Corporation. Douglass bid $49,500 for the skeleton plane, Curtiss-Wright $29,500, the Fairchild Aircraft Corporation $29,150, and Ballanca Aircraft Corporation $17,424. The War Department gave the contract to the Douglass Co., whose bid was more than $20,000 per skeleton plane higher than each of the other bidders, all of whose planes met more than the minimum requirements as set out in the specifications.

I spoke on the policy of aircraft procurement and covered this subject fully in my remarks in the RECORD of February 18 and March 23, pointing out the Comptroller General's reasons why he recommended the rejection of the contract to the Douglass Co.

In debate on the conference report May 6, the records show one of the members indicated the reason for the purchase of the Douglass planes in spite of the high bid was that: "The savings of gasoline alone has been about $12,000 aside from the increased efficiency and safety."

I immediately wired the Bellanca Aircraft Corporation for the facts regarding purchase of said planes, to which they replied:

"Retel on order for 20 Bellancas, Government would have saved $850,000 on planes and additional $375,000 in gasoline, making a total saving of $1,223,000. Had Air Corps expended same amount for Bellancas as for 20 Douglasses would have secured 40 Bellanca cargo planes, flying 6,000,000 more miles and carrying 51,700,000 more pounds over 300-mile trips. Bellanca transport cargo airplanes safest in world; not a single fatality in millions miles operations. Fourteen Bellanca cargo ships were used by Air Corps in carrying air mail in January 1934, with best results. Detailed letter follows special delivery. Bellanca Aircraft Corporation."

Thus we see how the War Department, regardless of the merits of the planes offered for any reason known to themselves, real or imaginary, they purchase whatever plane they desire, regardless of its merit or cost to the Government.

According to Fairchild and Bellanca, on these 20 planes alone the Government stands to lose more than $1,000,000, to say nothing of inferior equipment.

We are now in the midst of purchasing hundreds of airplanes for both the War and Navy Departments, which, under the system now in force, gives little or no protection to opening competition to the industry or to protect the taxpayers.

Yet my 10-percent profits-limitation amendment was taken out of the War Department's appropriation bill, and the 10-percent profits-limitation amendment placed in the Vinson-Trammell Naval Act in 1934 will be practically nullified if H. R. 5730, now pending on the calendar of the Senate, is enacted, but we urge you to ask your Senator to vote against this bill.

Every national war veterans' organization has urged Congress to take the profits out of war. If we cannot have honest competition in all war-munitions procurement or limit their profits, the only other alternative is Government ownership, to protect the taxpayer and to stop the war profiteers from continually lobbying through Congress large appropriations for their own private gain.

Every taxpayer should read the Senate Munitions Committee's investigations report, with which I am in hearty accord. Good night.

CONSENT CALENDAR

PRESCRIBING A CONDITION PRECEDENT TO THE AWARD OF CERTAIN CONTRACTS BY FEDERAL AGENCIES

The Clerk called the next bill, H. R. 12260, prescribing a condition precedent to the award of certain contracts by Federal agencies.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Federal agencies (as defined in sec. 3 of this act) shall require bids for the construction, alteration, or repair of any public building or public work to be accomplished by bid security. No bid for any such work which is not accompanied by the stipulated security shall be accepted.

SEC. 2. Such bid security shall be a bid bond executed by a guaranty company as surety or a certified check or obligations of the United States (including obligations which are guaranteed by the United States as to the payment of principal and interest). The amount of such security shall be stipulated in the invitation to bid, which amount shall be expressed either as a percentage of the amount of the bid or as a lump sum as may be deemed advisable by the contracting Federal agency.

SEC. 3. The term "Federal agency", as used in this act, means any executive department, independent establishment, commission, board, bureau, division, office in the executive branch, or corporation whose stock is wholly owned by the United States.

With the following committee amendment:

Page 1, line 5, strike out "accomplished" and insert "accompanied."

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.

NAVAL AIR BASE AT TONGUE POINT, OREG.

The Clerk called the next bill, H. R. 10129, authorizing an appropriation for the development of a naval air base at Tongue Point, Oreg.

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

Mr. UMSTEAD. Mr. Speaker, I object.

Mr. MOTT. Will the gentleman withhold his objection?

Mr. UMSTEAD. I shall be glad to withhold the objection.

Mr. MOTT. I may say to the gentleman that he and possibly one other Member are the only Members of the House, so far as I can ascertain, who have any objection to this bill. It is my understanding that it is impossible, under the circumstances, to secure a rule upon this bill at the present session of Congress so that a vote may be had upon this matter. This is very likely the last Consent Calendar day of the session. The gentleman has had several weeks to make a careful investigation, and I do not believe he really has a fundamental objection to the bill.

Under the circumstances I am simply asking if the gentleman cannot see his way clear to let this authorization go through at this session?

Mr. UMSTEAD. I regret I cannot, Mr. Speaker. I object.

CONSTRUCTION OF AUXILIARY VESSELS FOR THE NAVY

The Clerk called the next bill, H. R. 11369, to authorize the construction of certain auxiliary vessels for the Navy.

Mr. VINSON of Georgia. Mr. Speaker, in view of the fact that a rule has been granted by the Rules Committee for the consideration of this measure, I ask unanimous consent that the bill be stricken from the Consent Calendar.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

CLAIMS OF THE ASSINIBOINE INDIANS

The Clerk called the next bill, H. R. 9144, conferring jurisdiction on the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Assiniboine Indians may have against the United States, and for other purposes.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

Mr. COCHRAN. Mr. Speaker, I have a letter from the Comptroller General of the United States with respect to this bill, and I ask unanimous consent to place the letter in the RECORD at this point.

Mr. BURDICK. I object, Mr. Speaker.

Mr. COCHRAN. I object to the consideration of the bill, Mr. Speaker.

LIMITATION OF SHIPOWNERS' LIABILITY

The Clerk called the next bill, H. R. 9969, relative to limitation of shipowners' liability.

Mr. DIRKSEN. Mr. Speaker, reserving the right to object, I see the author of the bill here, and I wonder if he would not make a brief statement about the measure.

Mr. BLAND. Mr. Speaker, the bill clarifies the bill that was passed in the closing days of the last session of the Congress with reference to limitation of liability. This is one feature of the bill.

Another feature of the measure is that it was found that on the back of a number of passenger tickets that were being issued, there were provisions that practically did away with the liability that had been passed by this House and that we had made the law of the land. We have put provisions in this bill that will make them null and void. This is really a clarifying measure, and I may say that the advisory committee in the interest of safety-at-sea legislation recommends that the bill be passed.

Mr. DIRKSEN. Mr. Speaker, I withdraw my reservation of objection.

Mr. COSTELLO. Mr. Speaker, will the gentleman yield?

Mr. BLAND. I yield.

Mr. COSTELLO. On page 6, of the bill, I notice the amendment strikes the word "actual" from the original draft. It would seem to me in order to make it possible for the master of a seagoing vessel to be held liable he should only be responsible, in the event of loss of life, in a case where there was actual privity or knowledge on the part of the master, and it sems to me that anybody seeking to bring suit should be obligated to prove actual knowledge.

Mr. BLAND. Well, there was considerable difficulty about that. The matter was considered very carefully, and that was one of the bones of contention, and the word "actual" was contemplated to mean personal, as used there, and it was felt that to require actual knowledge on the part of the master was going too far; that if there were circumstances and conditions that imposed upon the master the duty to know these things, then he ought to know them.

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

There was no objection.

Mr. BLAND. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 4655), an identical bill, which this day passed the Senate, and consider the same in lieu of the House bill.

There being no objection, the Clerk read the Senate bill as follows:

An act relative to limitation of shipowners' liability

Be it enacted, etc., That section 4283 of the Revised Statutes, as amended (U. S. C., 1934 ed., title 46, sec. 183; Supp. I, title 46, sec. 183), is hereby amended to read as follows:

"SEC. 4283. (a) The liability of the owner of any vessel, whether American or foreign, for any embezzlement, loss, or destruction by any person of any property, goods, or merchandise shipped or put on board of such vessel, or for any loss, damage, or injury by collision, or for any act, matter, or thing, loss, damage, or forfeiture, done, occasioned, or incurred, without the privity or knowledge of such owner or owners, shall not, except in the cases provided for in subsection (b) of this section, exceed the amount or value of the interest of such owner in such vessel, and her freight then pending.

"(b) In the case of any seagoing vessel, if the amount of the owner's liability as limited under subsection (a) is insufficient to pay all losses in full, and the portion of such amount applicable to the payment of losses in respect of loss of life or bodily injury is less than $60 per ton of such vessel's tonnage, such portion shall be increased to an amount equal to $60 per ton, to be available only for the payment of losses in respect of loss of life or bodily injury. If such portion so increased is insufficient to pay such losses in full, they shall be paid therefrom in proportion to their respective amounts.

"(c) For the purposes of this section the tonnage of a seagoing steam or motor vessel shall be her gross tonnage without deduction on account of engine room, and the tonnage of a seagoing sailing vessel shall be her registered tonnage: *Provided*, That there shall not be included in such tonnage any space occupied by seamen or apprentices and appropriated to their use.

"(d) The owner of any such seagoing vessel shall be liable in respect of loss of life or bodily injury arising on distinct occasions to the same extent as if no other loss of life or bodily injury had arisen.

"(e) In respect of loss of life or bodily injury the privity or knowledge of the master of a seagoing vessel or of the superintendent or managing agent of the owner thereof, at or prior to the commencement of each voyage, shall be deemed conclusively the privity or knowledge of the owner of such vessel.

"(f) As used in subsections (b), (c), (d), and (e) of this section and in section 4283A, the term 'seagoing vessel' shall not include pleasure yachts, tugs, towboats, towing vessels, tank vessels, fishing vessels or their tenders, self-propelled lighters, nondescript self-propelled vessels, canal boats, scows, car floats, barges, lighters, or nondescript non-self-propelled vessels, even though the same may be seagoing vessels within the meaning of such term as used in section 4289 of this chapter, as amended."

SEC. 2. Chapter 6 of title 48 of the Revised Statutes, as amended, is hereby amended by inserting after section 4283A the following new section:

"SEC. 4283B. Stipulations limiting liability for negligence invalid: It shall be unlawful for the manager, agent, master, or owner of any vessel transporting passengers between ports of the United States or between any such port and a foreign port to insert in any rule, regulation, contract, or agreement any provision or limitation (1) purporting, in the event of loss of life or bodily injury arising from the negligence or fault of such owner or his servants, to relieve such owner, master, or agent from liability, or from liability beyond any stipulated amount, for such loss or injury, or (2) purporting in such event to lessen, weaken, or avoid the right of any claimant to a trial by court of competent jurisdiction on the question of liability for such loss or injury or the measure of damages therefor. All such provisions or limitations contained in any such rule, regulation, contract, or agreement are hereby declared to be against public policy and shall be null and void and of no effect."

SEC. 3. Section 4285 of the Revised Statutes (U. S. C., 1934 ed., title 46, sec. 185) is hereby amended to read as follows:

"SEC. 4285. The vessel owner, within 6 months after a claimant shall have given to or filed with such owner written notice of claim, may petition a district court of the United States of competent jurisdiction for limitation of liability within the provisions of this chapter, as amended, and the owner (a) shall deposit with the court, for the benefit of claimants, a sum equal to the amount or value of the interest of such owner in the vessel and freight, or approved security therefor, and in addition such sums, or approved security therefor, as the court may from time to time fix as necessary to carry out the provisions of section 4283, as amended, or (b) at his option shall transfer, for the benefit of claimants, to a trustee to be appointed by the court, his interest in the vessel and freight, together with such sums, or approved security therefor, as the court may from time to time fix as necessary to carry out the provisions of section 4283, as amended. Upon compliance with the requirements of this section all claims and proceedings against the owner with respect to the matter in question shall cease."

SEC. 4. Section 4289 of the Revised Statutes, as amended (U. S. C., 1934 ed., title 46, sec. 188), is hereby amended to read as follows:

"SEC. 4289. Except as otherwise specifically provided therein, the provisions of the nine preceding sections and of section 18 of the act entitled 'An act to remove certain burdens on the American merchant marine and encourage the American foreign carrying trade, and for other purposes', approved June 26, 1884 (23 Stat. 57; U. S. C., 1934 ed., title 46, sec. 189), shall apply to all seagoing vessels, and also to all vessels used on lakes or rivers or in inland navigation, including canal boats, barges, and lighters."

SEC. 5. Section 2 of the act entitled "An act relative to limitation of shipowners' liability", approved August 29, 1935 (U. S. C., 1934 ed., Supp. I, sec. 183a), is hereby repealed.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The similar House bill was laid on the table.

INTERSTATE REFERENCE BUREAU

The Clerk called House Joint Resolution 481, to make available to Congress the services and data of the Interstate Reference Bureau.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That upon the acceptance of the provisions of this joint resolution by the Council of State Governments it shall be its duty and the duty of the Interstate Reference Bureau, jointly conducted by said council and by the American Legislators Association, the National Association of Attorneys General, and the National Association of Secretaries of State, upon request therefor, to make their services and their indices, digests, compilations, bulletins, and other data available to either House of Congress, its committees and Members, and to the Legislative Reference Service of the Library of Congress, and to act as a clearing house in making so available the similar data of the legislative reference bureaus of the several States and the similar data of other research agencies. For carrying out the purpose of this joint resolution there is hereby authorized to be appropriated for the fiscal year ending June 30, 1936, and for each fiscal year thereafter, the sum of $40,000 to be expended by the Council of State Governments for the maintenance of said Interstate Reference Bureau. The Council of State Governments and its executive and administrative agency, the Interstate Reference Bureau, are hereby recognized as agencies capable of rendering valuable assistance and information in connection with legislative problems and other governmental problems, as well as useful instrumentalities in connection with efforts to coordinate the legislation and governmental activities of the several States and of the Federal Government, and as quasi-governmental agencies, which are maintained in part by appropriation of various States. The appropriations made pursuant to this joint resolution shall be disbursed by the Clerk of the House of Representatives of the United States.

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.

NAVAL AIR STATION, ALAMEDA, CALIF.

The Clerk called the bill (S. 4020) to authorize the acquisition of lands in the city of Alameda, county of Alameda, State of California, as a site for a naval air station and to authorize the construction and installation of a naval air station thereon.

The SPEAKER. Is there objection?

Mr. DELANEY. Mr. Speaker, inasmuch as the Rules Committee has reported a rule on this bill, I ask that it be stricken from the calendar.

The SPEAKER. Without objection, it is so ordered.

ADDITIONAL DISTRICT JUDGE FOR NORTHERN AND SOUTHERN DISTRICTS OF WEST VIRGINIA

The Clerk called the next bill, S. 2456, an act to provide for the appointment of an additional district judge for the northern and southern districts of West Virginia.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

LIBRARY OF CONGRESS TRUST FUND BOARD

The Clerk called the next 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.

The SPEAKER. Is there objection?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act to create a Library of Congress Trust Fund Board, and for other purposes", approved March 3, 1925, is amended by striking out the first seven words of the last paragraph of section 2 thereof, to wit, the words "Should any gift or bequest so provide" and substituting therefor the words "In the absence of any specification to the contrary."

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.

PRELIMINARY EXAMINATION OF SIX MILE CREEK, LOGAN COUNTY, ARK.

The Clerk called the bill (H. R. 12202) to provide for a preliminary examination of Six Mile Creek in Logan County, Ark., with a view to flood control, and to determine the cost of such improvement.

The SPEAKER. Is there objection?

Mr. JENKINS of Ohio. Mr. Speaker, we have a very comprehensive flood-control bill pending, and I should like to some explanation of this bill.

Mr. MILLER. I can tell the gentleman what it does. It is to survey this stream under direction of the War Department, as it has surveyed thousands of other streams.

Mr. RICH. This bill is only to give a preliminary survey by the War Department.

Mr. JENKINS of Ohio. I withdraw my reservation of objection.

There being no further objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination to be made of Six Mile Creek (also known in its lower reach as Short Mountain Creek) in Logan County, Ark., to determine the feasibility of flood-control work on said creek and the cost of such improvement, in accordance with the provisions of section 3 of the act entitled "An act to provide for the control of floods of the Mississippi River and the Sacramento River, Calif., and for other purposes", approved March 1, 1917, and the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROMOTION OF SPECIAL-DELIVERY MESSENGERS

The Clerk called the next bill, H. R. 11822, to permit certain special-delivery messengers to acquire a classified status through noncompetitive examination.

The SPEAKER. Is there objection?

Mr. WOLCOTT. Reserving the right to object, this bill putting the special-delivery carriers under civil service in its political aspect is comparable to a bill before us sometime ago putting the first-, second-, and third-class postmasters under civil service. It will result in placing these carriers under civil service without a competitive examination, and for that reason I object.

Mr. HAINES. Let me say that this bill was introduced by the request of several special messengers appointed years ago who had no opportunity to get a civil-service status. It does not apply to any except those who have been in the service 5 years.

Mr. WOLCOTT. All of the special-delivery carriers in my district have been replaced within the last 2 or 3 years. If this administration is reelected, they will have had 5 years' service.

This act provides that they will carry on the duties of a special carrier until they are called into the regular service, which authorizes the perpetuation in office of every politically appointed special-delivery carrier in the event that this administration is returned to office. For that reason I object.

Mr. HAINES. Mr. Speaker, I do not know anything about the political status the gentleman refers to. This bill did not come from the Department.

Mr. WOLCOTT. I never would object to a bill brought in here which provided to put these men under the civil service after a competitive examination; and if the gentleman will bring in a bill of that kind, it will be passed.

Mr. HAINES. This bill was brought to us by some employees, not by the Department.

The SPEAKER. Is there objection?

Mr. WOLCOTT. Mr. Speaker, I object.

POSTAL RATES ON THIRD-CLASS MATTER

The Clerk called the bill (H. R. 11954) to amend the act of February 28, 1925 (43 Stat. 1053), relative to postal rates on third-class mail matter.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 206 (a) of the act entitled "An act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes", approved February 28, 1925, as amended (43 Stat. 1053; U. S. C., 1934 edition, title 39, sec. 235), is hereby amended by inserting before the period at the end of such section a comma and the following: "but bills or statements of account produced by any photographic or mechanical process shall not be accepted as mail matter of the third class unless presented in quantities of 20 or more identical copies. When such bills or statements are not identical or are

presented in quantities of less than 20 identical copies, they shall be subject to postage at the first-class rate".

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.

MEMORIAL IN HONOR OF UNKNOWN SOLDIERS BURIED IN PHILADELPHIA

The Clerk called the bill (H. R. 9040) to provide for the erection of a memorial in the National Cemetery of Philadelphia, Pa., in honor of the 40 unknown soldiers of America's wars who lie buried there.

The SPEAKER. Is there objection?

Mr. COSTELLO. Mr. Speaker, I object.

MEMORIAL FOR CHIEF JUSTICE JOHN JAY

The Clerk called the bill (H. R. 10716) securing memorial for John Jay, first Chief Justice of the Supreme Court of the United States.

The SPEAKER. Is there objection?

Mr. CLARK of Idaho. Mr. Speaker, I reserve the right to object.

Mr. RICH. Mr. Speaker, I reserve the right to object. Has this bill been approved by the Park Commission?

Mr. KELLER. It does not have to be.

Mr. MILLARD. The bill has been approved by the Committee on the Library and by Chief Justice Hughes and the other Justices of the Supreme Court. It is merely for the erection of a tablet in memory of John Jay, to be selected by the Chief Justice.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That the United States Supreme Court Building Commission be, and is hereby, authorized and directed to secure and place in the new Supreme Court Building in the city of Washington, D. C., a suitable memorial to John Jay, the first Chief Justice of the Supreme Court of the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

MEMORIAL TO HAYM SALOMON

The Clerk called House Joint Resolution 467, authorizing the erection of a memorial to the late Haym Salomon.

The SPEAKER. Is there objection?

Mr. COSTELLO. Mr. Speaker, I reserve the right to object.

Mr. GILLETTE. Mr. Speaker, I hope the gentleman will not object to this. This is an instance of perhaps the gravest national ingratitude there is on record. There is no expense to the Government involved in this resolution.

Mr. COSTELLO. There will be no cost at all to the Federal Government other than providing the site?

Mr. GILLETTE. No.

Mr. COSTELLO. The Government will not be called upon to erect the statute?

Mr. GILLETTE. No; all this provides for is just the site.

Mr. COSTELLO. Mr. Speaker, under the circumstances I have no objection.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the joint resolution as follows:

Resolved, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to grant permission for the erection on public grounds of the United States in the city of Washington, other than those of the Capitol, the Library of Congress, and the White House, of a memorial of proper and artistic form to the late Haym Salomon, by his friends in America, in recognition of the patriotic and meritorious services rendered by him to the United States Government during the most trying period of the American Revolution: *Provided*, That the site chosen and the design of the memorial shall have the approval of the National Commission of Fine Arts, and that the United States shall be put to no expense in or by the erection of the said memorial.

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 laid on the table.

JEFFERSON DAVIS NATIONAL HIGHWAY

The Clerk called the bill (S. 2737) authorizing the erection in the District of Columbia of a suitable terminal marker for the Jefferson Davis National Highway.

The SPEAKER. Is there objection?

Mr. WOLCOTT. Mr. Speaker, I object.

SEVENTY-FIFTH ANNIVERSARY, BATTLE OF GETTYSBURG

The Clerk called House Joint Resolution 532, for the establishment of a commission in commemoration of the seventy-fifth anniversary of the Battle of Gettysburg in 1938.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That in commemoration of the seventy-fifth anniversary of the Battle of Gettysburg, the President of the United States is authorized to appoint a commission of five persons to cooperate with the commission appointed by the Governor of the State of Pennsylvania. The commission shall serve without compensation and shall select a chairman from among their number.

SEC. 2. That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $5,000 to be expended by the commission in accordance with the provisions of this resolution.

SEC. 3. That it shall be the duty of the commission to aid in planning for the commemoration of the seventy-fifth anniversary of the Battle of Gettysburg, and to give due and proper consideration to any plan or plans which may be submitted to them.

SEC. 4. That the commissioners shall be paid their actual and necessary traveling, hotel, and other expenses incurred in the discharge of their duties out of the money appropriated.

SEC. 5. The commission is authorized to approve the style and form of medals which can be offered for sale upon such terms and plans agreed upon.

SEC. 6. That the term of the commission hereby created shall expire within 1 year after the commemoration of the seventy-fifth anniversary of the Battle of Gettysburg.

SEC. 7. This joint resolution shall take effect immediately.

With the following committee amendments:

Page 2, strike out lines 1 to 4, inclusive, and page 2, strike out lines 10 to 13, inclusive, and on page 2, correct the section numbers.

The amendments were agreed to; and the joint resolution, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

BLUE RIDGE PARKWAY

The Clerk called the next bill, H. R. 12455, 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. Reserving the right to object, Mr. Speaker, in the conference report which will be submitted to the House in a few days on the Highway Act, amendment no. 5 authorizes this parkway. I objected to the amendment in conference, and I expect a contest on that amendment which will cover the subject matter of this bill. This parkway is 477 miles long and 800 feet wide. It is not within the realm of the ability of the human mind to contemplate any such park. For that reason I object.

Mr. DOUGHTON. Mr. Speaker, will the gentleman reserve his objection?

Mr. WOLCOTT. I will withhold the objection.

Mr. DOUGHTON. Of course, if the gentleman wants to object, that is his privilege, but this does not provide for the appropriation of any money. The parkway is already under construction, and, so far as the right-of-way of 800 feet is concerned, that only provides for an easement, over which the Park Service may have control, to see that no improper signs should be erected, and so forth.

Mr. WOLCOTT. The gentleman should have in mind that the construction of this parkway was authorized by Executive order only. They have spent something like $1,000,000 on it already. It is eventually going to cost $25,000,000.

Mr. DOUGHTON. But there have been $6,000,000 already allocated, and there are 100 miles already under construction.

Mr. WOLCOTT. It is the President's responsibility for doing it without the consent of Congress. Two wrongs do not make one right. For that reason, Mr. Speaker, I object.

CONSTRUCTION OF PUBLIC BUILDINGS IN WASHINGTON, D. C.

The Clerk called the next bill, H. R. 11959, to amend the act entitled "An act to provide for the construction of certain public buildings, and for other purposes", approved May 25, 1926 (44 Stat. 630), as amended.

The SPEAKER. Is there objection?

Mr. WOLCOTT. Reserving the right to object, does the gentleman from Indiana wish to make a statement?

Mr. CROWE. I should like to say that this bill is to further carry out the Federal building program in Washington, D. C., which was started in 1926, amended in 1928, and again in 1930. It contemplates the purchase of lots 81, 104, 122, 58, 59, 44, and 33, as well as some other parcels of ground, for the War and Navy Building and for a complete plan of further construction of Federal buildings. We pay more than $2,000,000 rent which might be saved by completing the Federal program of building in Washington, D. C.

Mr. WOLCOTT. I think I am in accord with the gentleman's proposition. I know what he is trying to accomplish, but this involves some millions of dollars, and I think it is too important to be considered by unanimous consent. I might say to the gentleman that I may go along with him and vote for the bill after a discussion of the bill, but I do not think, under the conditions under which we are living now, that this House should adopt such bills as this, virtually authorizing the Government to commit the Treasury to spend millions of dollars without more consideration than is given under unanimous consent.

If the gentleman prefers, I will ask unanimous consent that the bill go over without prejudice, so that the bill will be in no way prejudiced if the gentleman wishes to ask to suspend the rules, or to get a rule for consideration of the bill.

Mr. CROWE. I will appreciate it very much if the gentleman will do that.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill go over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

ATTENDANCE OF MARINE BAND AT TEXAS CENTENNIAL CELEBRATION, ARKANSAS CENTENNIAL CELEBRATION, AND NATIONAL CONFEDERATE REUNION

The Clerk called the next bill, H. R. 11970, to authorize the attendance of the Marine Band at the Arkansas Centennial Celebration, at Little Rock, Ark., on June 2, 3, 4, and 5, 1936; the Texas Centennial, at Dallas, Tex., on June 6, 7, and 8, 1936; and the Forty-sixth National Confederate Reunion, at Shreveport, La., on June 9, 10, 11, and 12, 1936.

The SPEAKER. Is there objection?

Mr. WOLCOTT. Mr. Speaker, I object.

Mr. FULLER. Mr. Speaker, will the gentleman reserve his objection?

Mr. WOLCOTT. I will reserve it; yes.

Mr. FULLER. The Senate has just passed a bill reducing the amount of money appropriated. This is for the purpose of sending the Marine Band to the Confederate Reunion at Shreveport, La., and also to Dallas, Tex., and Little Rock, Ark., for the opening of their centennials. The President of the United States is going to make a trip down there to open those celebrations and they want the band at Little Rock on the 10th of June. The main expense is to attend the Confederate Reunion at Shreveport. Since I have been a Member of this House I have never heard of anyone objecting to the Marine Band going to the Confederate or G. A. R. reunions at any point in the United States. I trust the gentleman will withdraw his objection to this measure.

Mr. O'CONNOR. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. O'CONNOR. It is quite the common practice that the Marine Band is sent to these celebrations. It has been done time and again.

Mr. WOLCOTT. I am very sorry, but under the circumstances I must object.

Mr. TERRY. The amount has been reduced to $11,500.

Mr. FULLER. I think it is a courtesy which we owe to the President of our Nation when he is going to make a trip like this, in addition to the fact that it is to enable them to attend the Confederate reunion.

Mr. WOLCOTT. I regret exceedingly that I am compelled to do it, but I am constrained to object.

The SPEAKER. Objection is heard.

HIGH COMMISSIONER TO THE PHILIPPINE ISLANDS

The Clerk called the next bill, H. R. 12061, to authorize the President to designate an Acting High Commissioner to the Philippine Islands.

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

Mr. WOLCOTT. Reserving the right to object, Mr. Speaker, I do not think we should pass these bills without studying the motive behind the bill.

Mr. O'CONNOR. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. O'CONNOR. Request for a rule has been made of the Rules Committee, but at this stage of the session we are anxious to avoid rules. The Secretary has communicated with me and is anxious to have this bill passed. The present Commissioner is in this country and when he is not in the Philippines an acting commissioner is necessary.

Mr. WOLCOTT. I think I understand the situation; but again I say we should not pass bills of this kind without clearly understanding what we are doing. The purpose of this bill without any question of doubt in anybody's mind is to allow the present Commissioner General of the Philippine Islands to return to the United States and, under orders of the Postmaster General or the chairman of the Democratic National Committee, either one or the other, to run for Governor of the State of Michigan. I was very pleased, indeed, the other day when Mr. Murphy announced that he would not run for Governor; and I may say that I am pleased that he is not going to run because I admire him personally and I would regret exceedingly that a man of his capabilities were to suffer his first defeat at the hands of a State which is so overwhelmingly Republican that neither Jim Farley nor anyone else can Tammanyize it. I am afraid I shall have to object to the bill.

The SPEAKER. Is there objection to the consideration of the bill?

There was no objection.

Mr. CARTWRIGHT. Mr. Speaker, I ask unanimous consent to substitute a similar Senate bill (S. 4340) to authorize the President to designate an acting High Commissioner to the Philippine Islands.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That the President is hereby authorized, in his discretion, to designate a member of the staff of the United States High Commissioner to the Philippine Islands or an officer of the Army or Navy of the United States, to act as the High Commissioner in the event of a vacancy in said office, or the temporary disability or absence of the High Commissioner, and the official so designated shall have all the powers and perform all the duties of the High Commissioner during such vacancy, disability, or absence.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider and a House bill (H. R. 12061) were laid on the table.

KENNEBEC RIVER, MAINE

The Clerk called the next bill, H. R. 12006, to authorize a preliminary examination of the Kennebec River, Maine, and its tributaries, with a view to the control of their floods.

Mr. COSTELLO. Mr. Speaker, will the author of the bill tell us the situation in the State of Maine on this river with regard to the necessity for this examination?

Mr. MORAN. The Kennebec River is one of three rivers in my congressional district that suffered in the recent flood. It affected our capital city, Augusta, and the nearby cities of Waterville, Hallowell, and Gardiner; and down near the

mouth of the river at Brunswick there was also real serious damage. There are no official figures, but our Governor estimates the damage at $25,000,000. We now have over 2,000 people working on W. P. A. flood-control projects in Maine, evidence that the flood situation was very bad in the State. This bill is an authorization to make a preliminary survey to determine what may be done to prevent future floods, and is therefore constructive legislation of real benefit to the people of Maine.

Mr. COSTELLO. Is this bill similar to the next two bills which follow on the calendar?

Mr. MORAN. Yes; the three bills are of exactly the same type. I prepared bills covering the three rivers in my congressional district that were most seriously affected by the floods.

Mr. COSTELLO. The reason I reserved the right to object is to say that the Army Board of Engineers at the present time is besieged with requests of this kind, and unless there is real flood menace that requires attention at the present time I personally feel that these preliminary examinations should not be ordered because of the crowded condition of the engineers' office. I understand there is pending with them at the present time requests for 250 preliminary surveys.

Mr. MORAN. I assure the gentleman from California that the flood situation in Maine was very bad and the damage, as I say, is estimated at $25,000,000. A constructive effort to prevent recurrence of such damage in future is urgently needed.

Mr. COSTELLO. Has any previous examination of this river ever been made?

Mr. MORAN. Yes; there was an examination in 1930, but nothing was done at that time.

Mr. COSTELLO. Was any recommendation made at that time?

Mr. MORAN. The examination made in 1930 was not with principal reference to flood control but was principally from the standpoint of power and navigation. It was made on the same river, however.

Mr. COSTELLO. Was it made by the Army engineers?

Mr. MORAN. Yes.

Mr. COSTELLO. They should be able to use a good deal of the information they then secured, should they not?

Mr. MORAN. Their examination at that time was made with a principal view to the development of power and navigation.

Mr. COSTELLO. The information they gathered at that time should aid them in making this examination, should it not?

Mr. MORAN. Yes; it should be very helpful.

Mr. BREWSTER. Mr. Speaker, will the gentleman yield?

Mr. COSTELLO. I yield.

Mr. BREWSTER. I may say that the situation with respect to the Penobscot River is the same as that with respect to the Kennebec. There was an examination by the Board of Engineers. They reported that there was no danger of a flood, yet the floods came, and the city of Bangor, in my district, was threatened with inundation by 8 feet of water, and would have been inundated had not an icebreaker been able to break the ice jam in the river at a time when the river was rising at the rate of 2 or 3 feet an hour. So there really is a very serious situation on the Penobscot River.

Mr. COSTELLO. Of course, the information these gentlemen have given me as to the present situation was not contained in the committee report and so was not available to me.

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

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized and directed to cause a preliminary examination to be made of the Kennebec River and its tributaries in the State of Maine, with a view to the control of their floods, in accordance with the provisions of section 3 of an act entitled "An act to provide for control of the floods of the Mississippi River and of the Sacramento River, Calif., and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PRELIMINARY EXAMINATION OF PENOBSCOT RIVER, MAINE

The Clerk called the next bill, H. R. 12007, to authorize a preliminary examination of the Penobscot River, Maine, and its tributaries, with a view to the control of their floods.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized and directed to cause a preliminary examination to be made of the Penobscot River and its tributaries in the State of Maine, with a view to the control of their floods, in accordance with the provisions of section 3 of an act entitled "An act to provide for control of the floods of the Mississippi River and of the Sacramento River, Calif., and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PRELIMINARY EXAMINATION OF THE ANDROSCOGGIN RIVER IN MAINE AND NEW HAMPSHIRE

The Clerk called the next bill, H. R. 12008, to authorize a preliminary examination of the Androscoggin River, in Maine and New Hampshire, and its tributaries, with a view to the control of their floods.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized and directed to cause a preliminary examination to be made of the Androscoggin River and its tributaries in the States of Maine and New Hampshire, with a view to the control of their floods, in accordance with the provisions of section 3 of an act entitled "An act to provide for control of the floods of the Mississippi River and of the Sacramento River, Calif., and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PRELIMINARY EXAMINATION OF TRIBUTARIES, SOURCES, AND HEADWATERS OF THE ALLEGHENY AND SUSQUEHANNA RIVERS, PA.

The Clerk called the next bill, H. R. 12240, to authorize a preliminary examination and survey of the tributaries, sources, and headwaters of the Allegheny and Susquehanna Rivers in the State of Pennsylvania where no examination and survey has heretofore been made, with a view to the adoption of a comprehensive and systematic plan for regulating the flow of water, conserving the soil and water for beneficial uses, and controlling and preventing floods, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to cause to be made a preliminary examination and survey of the tributaries, sources, and headwaters of the Allegheny River in the State of Pennsylvania, where no examination and survey has heretofore been made, including the Clarion River, Redbank Creek, Mahoning Creek, Pine Creek, Kiskiminetas River, Loyalhanna Creek, Conemaugh River, Blacklick Creek, and Stoney Creek; and to cause to be made a similar examination and survey of the tributaries, sources, and headwaters of the Susquehanna River, where no examination or survey has heretofore been made, including Clearfield Creek and Chest Creek; with a view to the adoption of a comprehensive and systematic plan for regulating the flow of water, conserving the soil and the waters for beneficial uses, for controlling and preventing floods, and for other purposes, in accordance with the provisions of section 3 of the act entitled "An act to provide for the control of the Mississippi River and of the Sacramento River, Calif., and for other purposes", approved March 1, 1912, and in accordance with the provisions of any other act of Congress governing the control of floods, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

With the following committee amendment:

Page 1, strike out all of lines 3 to 5, inclusive; and on page 2, strike out lines 1 to 21, inclusive, and insert the following:

"That the Secretary of War be, and he is hereby, authorized and directed to cause to be made a preliminary examination of the tributaries, sources, and headwaters of the Allegheny River in the State of Pennsylvania, where no examination and survey has heretofore

been made, including the Clarion River, Redbank Creek, Mahoning Creek, Pine Creek, Kiskiminetas River, Loyalhanna Creek, Conemaugh River, Blacklick Creek, and Stoney Creek; and to cause to be made a similar examination of the tributaries, sources, and headwaters of the Susquehanna River, where no examination or survey has heretofore been made, including Clearfield Creek and Chest Creek; with a view to the control of their floods and the regulation and conservation of their waters, in accordance with the provisions of section 3 of the act entitled 'An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, Calif., and for other purposes', approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors."

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.

The title was amended to read as follows: "A bill to authorize a preliminary examination of the tributaries, sources, and headwaters of the Allegheny and Susquehanna Rivers in the State of Pennsylvania, where no examination and survey has heretofore been made, with a view to the control of their floods and the regulation and conservation of their waters."

FLOOD-CONTROL WORK ALONG THE LACKAWANNA RIVER

The Clerk called the next bill, H. R. 12002, to authorize funds for the prosecution of works for flood control against flood disasters along the Lackawanna River.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That a project for flood control and protection against floods on the Lackawanna River from its mouth where it empties into the Susquehanna River through Luzerne and Lackawanna Counties, Pa., is hereby authorized, and the work is hereby directed to be prosecuted as herein provided; that the Secretary of War be, and he is hereby, authorized and directed to cause such dredging and other work to be done on the said river, at places selected by the Army engineers, as will eliminate the flood hazard along the said river. Such work is to be done so as to fit into the general and active scheme and plan of the Federal Government for flood control. The sum expended is not to exceed $250,000.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination to be made of the Lackawanna River, in the State of Pennsylvania, with a view to the control of its flood in accordance with the provisions of an act entitled 'An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, Calif., and for other purposes', approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors."

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.

The title was amended to read as follows: "A bill to authorize a preliminary examination of the Lackawanna River with a view to the control of its flood."

PRELIMINARY EXAMINATION OF THE VENTURA RIVER (CALIF.)

The Clerk called the next bill, H. R. 12174, to provide a preliminary examination of the Ventura River, in Ventura County, State of California, with a view to the control of its floods.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to cause a preliminary examination to be made of the Ventura River, in Ventura County, State of California, with a view to the control of its floods, in accordance with the provisions of section 3 of an act entitled "An act to provide for the control of floods of the Mississippi River and of the Sacramento River, Calif., and for other purposes", approved March 1, 1917, the cost thereof to be paid from appropriations heretofore or hereafter made for examinations, surveys, and contingencies of rivers and harbors.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CLAIMS OF DELAWARE INDIANS TO COURT OF CLAIMS

The Clerk called the next bill, H. R. 11739, to amend the last paragraph, as amended, of the act entitled "An act to refer the claims of the Delaware Indians to the Court of Claims, with the right of appeal to the Supreme Court of the United States", approved February 7, 1925.

The SPEAKER. Is there objection to the immediate consideration of the bill?

There was no objection.

Mr. DISNEY. Mr. Speaker, I ask unanimous consent to substitute the bill S. 4184, which is identical with the bill H. R. 11739. This bill was passed by the Senate on April 24, 1936.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the last paragraph, as amended, of the act entitled "An act to refer the claims of the Delaware Indians to the Court of Claims, with the right of appeal to the Supreme Court of the United States", approved February 7, 1925, is amended by striking out the following: "and in no event to be more than $25,000 in any one claim".

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.

ALLOCATION OF RADIO FACILITIES

The Clerk called the next bill, S. 2243, relating to the allocation of radio facilities.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 302 of the Communications Act of 1934 is hereby repealed.

SEC. 2. Subsection (b) of section 307 of such act is amended to read as follows:

"(b) In considering applications for licenses, and modifications and renewals thereof, when and insofar as there is demand for the same, the Commission shall make such distribution of licenses, frequencies, hours of operation, and of power among the several States and communities as to provide a fair, efficient, and equitable distribution of radio service to each of the same."

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.

FISH-CULTURAL PROGRAM FOR PUERTO RICO

The Clerk called the next bill, H. R. 1391, to authorize and direct the United States Commissioner of Fisheries to undertake fish-cultural and related activities in Puerto Rico, making appropriations therefor, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the United States Commissioner of Fisheries is authorized and hereby directed to conduct fish-cultural operations and all incidental activities in Puerto Rico, construct fish hatcheries on lands owned by the United States or government of Puerto Rico, acquire property and equipment, and employ such personnel as he shall from time to time determine until the end of the fiscal year 1939, and shall thereupon transfer all such activities and all structures, buildings, property, and equipment of every kind held or operated in connection therewith to the government of Puerto Rico.

SEC. 2. Upon the request of the Commissioner of Fisheries the Governor of Puerto Rico shall from time to time make and promulgate general or special rules and regulations not inconsistent with law covering utilization and protection of the fishery resources of Puerto Rico and prescribe appropriate penalties for violations thereof.

SEC. 3. The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1935, for the organization, support, and maintenance of all activities in connection with the propagation of food fishes, their distribution and planting, and the regulation of the fishery in Puerto Rico, namely: For construction, maintenance, repair, alteration, improvement, equipment, and operation of fish-cultural stations, technical surveys, and investigations and patrol, travel expenses, and subsistence of employees and technical advisers, general propagation of food fishes and their distribution, including shipment of eggs and brood fishes from the continental United States, purchase and movement, maintenance, and repair of trucks and passenger-carrying vehicles, purchase of equipment

(including rubber boots and oilskins) and apparatus, contingent expenses, pay of permanent employees not to exceed $11,300, temporary labor, in all $29,700.

SEC. 4. For the continued maintenance of fish propagation and fishery regulation in Puerto Rico and for the continuation of the activities mentioned in the preceding section of this act, there is authorized to be appropriated in each of the fiscal years 1936, 1937, 1938, and 1939 the sum of $16,600.

With the following committee amendments:

Page 1, line 9, strike out "1939" and insert "1941."

Page 2, line 10, strike out "appropriated out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1935", and insert: "authorized to be appropriated for the fiscal year ending June 30, 1937."

Page 3, line 7, strike out "in each of the fiscal years 1936, 1937, 1938, and 1939" and insert "for each of the fiscal years 1938, 1939, 1940, and 1941."

Page 3, after line 10, insert the following:

"SEC. 5. Any amount appropriated pursuant to the provisions of sections 3 and 4 for any fiscal year shall not be available for expenditure until the government of Puerto Rico has appropriated, for expenditure during the same year, an equal amount to be used for the same purposes."

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.

The title was amended to read as follows: "A bill to authorize and direct the United States Commissioner of Fisheries to undertake fish-cultural and related activities in Puerto Rico, authorizing appropriations therefor, and for other purposes."

A motion to reconsider was laid on the table.

STATUS OF SPECIAL-DELIVERY MESSENGERS

Mr. HAINES. Mr. Speaker, I ask unanimous consent to return to the bill (H. R. 11822) to permit certain special-delivery messengers to acquire a classified status through noncompetitive examination, No. 797 on the Consent Calendar. I understand the objection which has been made to the consideration of this bill previously will be withdrawn.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

Mr. COSTELLO. Mr. Speaker, I object to returning to the consideration of any previous bills on the Consent Calendar. I should personally object to the consideration of this bill at the present time if we did go back to it.

AMENDMENT OF SHIPPING ACT OF 1916

The Clerk called the next bill, S. 3467, amending the Shipping Act of 1916, as amended.

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Shipping Act, 1916, as amended, is hereby amended by inserting after section 16 a new section to read as follows:

"FALSE BILLING

"SEC. 16A. Any shipper, consignor, consignee, forwarder, broker, or other person, or any officer, agent, or employee thereof, who shall knowingly and willfully, directly or indirectly, by false billing, false claim, false representation, or any other device or means, whether with or without the consent or connivance of the carrier, its officer, agent, or employee, obtain or attempt to obtain transportation for property by any common carrier subject to the provisions of the act at less than the regular rates or charges then in force by such common carrier; or who shall knowingly and willfully, directly or indirectly, by false claim, false representation, or other device or means, obtain, or attempt to obtain, any allowance, refund, or payment in connection with or growing out of the transportation of such property, whether with or without the consent or connivance of the carrier, its officer, agent, or employee, whereby the compensation of such carrier shall be less than or different from the regular rates or charges in force by such common carrier at the time of such transportation, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof in any court of the United Sttaes of competent jurisdiction, be subject for each offense to a fine of not less than $1,000 nor more than $3,000."

With the following committee amendment:

Page 1, strike out lines 3 to 8, inclusive, and on page 2, strike out lines 1 to 21, inclusive, and insert:

That section 16 of the Shipping Act, 1916, as amended (U. S. C., 1934 ed., title 46, sec. 815), is hereby amended to read as follows:

"SEC. 16. That it shall be unlawful for any shipper, consignor, consignee, forwarder, broker, or other person, or any officer, agent, or employee thereof, knowingly and willfully, directly or indirectly, by means of false billing, false classification, false weighing, false report of weight, or by any other unjust or unfair device or means to obtain or attempt to obtain transportation by water for property at less than the rates or charges which would otherwise be applicable.

"That it shall be unlawful for any common carrier by water, or other person subject to this act, either alone or in conjunction with any other person, directly or indirectly—

"First. To make or give any undue or unreasonable preference or advantage to any particular person, locality, or description of traffic in any respect whatsoever, or to subject any particular person, locality, or description of traffic to any undue or unreasonable prejudice or disadvantage in any respect whatsoever.

"Second. To allow any person to obtain transportation for property at less than the regular rates or charges then established and enforced on the line of such carrier by means of false billing, false classification, false weighing, false report of weight, or by any other unjust or unfair device or means.

"Third. To induce, persuade, or otherwise influence any marine insurance company or underwriter, or agent thereof, not to give a competing carrier by water as favorable a rate of insurance on vessel or cargo, having due regard to the class of vessel or cargo, as is granted to such carrier or other person subject to this act.

"Whoever violates any provision of this section shall be guilty of a misdemeanor punishable by a fine of not more than $5,000 for each offense."

The committee 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.

RENEWALS OF OATHS OF OFFICE BY CIVILIAN EMPLOYEES OF EXECUTIVE DEPARTMENTS AND INDEPENDENT ESTABLISHMENTS

The Clerk called the next bill, H. R. 12219, to dispense with unnecessary renewals of oaths of office by civilian employees of the executive departments and independent establishments.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

Mr. MILLER. Mr. Speaker, will the gentleman yield?

Mr. BLANTON. Let the bill go over.

Mr. MILLER. No; I want to make a statement on the bill.

Mr. BLANTON. I object to the bill, Mr. Speaker.

INVESTIGATION OF TRAFFIC CONDITIONS BY THE SECRETARY OF AGRICULTURE

The Clerk called the next bill, H. R. 10591, to authorize the Secretary of Agriculture to investigate and report on traffic conditions, with recommendations for corrective legislation.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Agriculture is hereby authorized and directed to use during the fiscal years ending June 30, 1936, and June 30, 1937, such part as may be necessary of the administrative fund of the Bureau of Public Roads, but not to exceed a total of $150,000, for study and research of traffic conditions and measures for their improvement, and to cooperate with Federal, State, District of Columbia, and municipal authorities, and other agencies, in connection with such study and research: *Provided*, That not to exceed $7,500 of the said sum may be used for printing necessary for the purposes of the work authorized and directed by this paragraph.

SEC. 2. The Secretary of Agriculture is hereby authorized and directed to make a preliminary report to Congress within the next 9 months of the results of the above study and research, and of the status of uniform motor-vehicle traffic laws throughout the country, and not later than June 30, 1937, to make a complete report with his recommendations, including suggestions for legislation, which will promote the necessary uniformity in such laws.

With the following committee amendments:

Page 1, line 7, strike out "$150,000" and insert "$75,000."

Page 2, line 2, strike out "$7,500" and insert "$5,000."

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.

RELIEF OF DISTRESS AND SOCIAL WELFARE OF INDIANS

The Clerk called the next bill, S. 3452, to amend an act entitled "An act authorizing the Secretary of the Interior to arrange with States or Territories for the education, medical attention, relief of distress, and social welfare of Indians, and for other purposes."

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act of April 16, 1934 (48 Stat. 596), entitled "An act authorizing the Secretary of the Interior to arrange with States or Territories for the education, medical attention, relief of distress, and social welfare of Indians, and for other purposes", be, and the same hereby is, amended to read as follows:

"That the Secretary of the Interior be, and hereby is, authorized, in his discretion, to enter into a contract or contracts with any State or Territory, or political subdivision thereof, or with any State university, college, or school, or with any appropriate State or private corporation, agency, or institution, for the education, medical attention, agricultural assistance, and social welfare, including relief of distress, of Indians in such State or Territory, through the agencies of the State or Territory or of the corporations and organizations hereinbefore named, and to expend under such contract or contracts moneys appropriated by Congess for the education, medical attention, agricultural assistance, and social welfare, including relief of distress, of Indians in such State or Territory.

"SEC. 2. That the Secretary of the Interior, in making any contract herein authorized, may permit such contracting party to utilize, for the purposes of this act, existing school buildings, hospitals, and other facilities, and all equipment therein or appertaining thereto, including livestock and other personal property owned by the Government, under such terms and conditions as may be agreed upon for their use and maintenance.

"SEC. 3. That the Secretary of the Interior is hereby authorized to perform any and all acts and to make such rules and regulations, including minimum standards of service, as may be necessary and proper for the purpose of carrying the provisions of this act into effect: *Provided*, That such minimum standards of service are not less than the highest maintained by the States or Territories within which said contract or contracts, as herein provided, are to be effective.

"SEC. 4. That the Secretary of the Interior shall report annually to the Congress any contract or contracts made under the provisions of this act, and the moneys expended thereunder."

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.

PAYMENT OF CERTAIN NON-INDIAN CLAIMANTS

The Clerk called the next bill, S. 4298, to authorize an appropriation to pay non-Indian claimants whose claims have been extinguished under the act of June 7, 1924, but who have been found entitled to awards under said act as supplemented by the act of May 31, 1933.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sum to compensate white settlers or non-Indian claimants whose claims have been extinguished under the act of June 7, 1924 (43 Stat. L. 636), but who have been found by the Secretary of the Interior, in conformity with the proviso to section 3 of the act of May 31, 1933 (48 Stat. L. 108, 109), to be entitled to increased compensation by reason of errors in the amount of award previously allowed or entitled to original awards by reason of errors in the omission of legitimate claimants. The non-Indian claimants, or their successors, as found and reported by the Secretary of the Interior, to be compensated out of said appropriation to be disbursed under the direction of the Secretary of the Interior in the amounts found to be due them, as follows: Within the Pueblo of Nambe, $456.40; within the Pueblo of San Ildefonso, $141.88; within the Pueblo of Cochiti, $936.55; within the Pueblo of Sandia, $1,292.21; within the Pueblo of San Juan, $244.20; in all, $3,071.24.

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.

JURISDICTION OF THE JUDGE FOR THE NORTHERN AND MIDDLE DISTRICTS OF ALABAMA

The Clerk called the next bill, S. 3477, relating to the jurisdiction of the judge of the northern and middle districts of Alabama.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That from and after the date of enactment of this act, except as hereinafter provided, the jurisdiction of the present district judge for the northern and middle districts of Alabama, and his successors, shall be confined to the middle district of such State.

SEC. 2. (a) If the trial of any case has been entered upon in the northern district of Alabama before said district judge for the northern and middle districts of Alabama and has not been concluded on or before the date of enactment of this act, the jurisdiction in such northern district of said judge shall be deemed to be extended as to such trial until it has been concluded.

(b) The said judge shall have power, notwithstanding his absence from such northern district, to decide all matters which have been submitted to him within such district, to decide motions for new trials, settle bills of exceptions, certify or authenticate narratives of testimony, or perform any other act required by law or the rules to be performed in order to prepare any case so tried by him for review in an appellate court; and his action thereon in writing filed with the clerk of the court where the trial or hearing was had shall be as valid as if such action had been taken by him within such district and prior to the date of enactment of this act.

SEC. 3. Nothing in this act shall be construed to alter or amend any provision of law relating to the designation and assignment of a district judge to hold court in a district other than his own.

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.

TRAVELING AND SUBSISTENCE EXPENSES OF CIRCUIT AND DISTRICT JUDGES

The Clerk called the next bill, H. R. 12329, to reenact section 259 of the Judicial Code, relating to the traveling and subsistence expenses of circuit and district judges.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 259 of the Judicial Code (U. S. C., 1934 edition, title 28, sec. 374) is hereby reenacted as follows:

"SEC. 259. The circuit justices, the circuit and district judges of the United States, and the judges of the district courts of the United States in Alaska, Hawaii, and Puerto Rico, shall each be allowed and paid his necessary expenses of travel, and his reasonable expenses (not to exceed $10 per day) actually incurred for maintenance, consequent upon his attending court or transacting other official business in pursuance of law at any place other than his official place of residence, said expenses to be paid by the marshal of the district in which such court is held or official business transacted, upon the written certificate of the justice or judge. The official place of residence of each circuit and district judge, and of each judge of the district courts of the United States in Alaska, Hawaii, and Puerto Rico, shall be at that place nearest his actual residence at which either a circuit court of appeals or a district court is regularly held. Every such judge shall, upon his appointment, and from time to time thereafter whenever he may change his official residence, in writing notify the Department of Justice of his official place of residence."

SEC. 2. This act shall take effect July 1, 1936.

Mr. DUFFY of New York. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DUFFY of New York: Page 2, line 14, after the word "residence", insert a new section 2, to read as follows:

"The judges of the United States Customs Court shall each be allowed and paid his necessary expenses of travel and his reasonable expenses, not to exceed $10 per day, actually incurred for maintenance while absent from New York on official business."

Strike out, on page 2, line 15, the number "2" and insert in lieu thereof the number "3."

Mr. DUFFY of New York. Mr. Speaker, this amendment is approved by the Judiciary Committee and makes this bill conform to the Senate bill, which has just been passed.

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.

RELIEF OF STATE OF MAINE

The Clerk called the bill (S. 3043) for the relief of the State of Maine.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding the provisions of section 3646, as amended, of the Revised Statutes of the United States, the Chief Disbursing Officer of the Treasury Department is authorized and directed to issue, without the requirement of an indemnity bond, a duplicate of original check no. 66562 and a duplicate of original check no. 66563, drawn February 12, 1935, under his symbol 79088, in favor of "Treasurer, State of Maine (trust fund)" for $7,075 and $11,275, respectively, and lost, stolen, or miscarried in the mails.

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.

COMPILATION OF LAWS RELATING TO VETERANS

The Clerk called House Joint Resolution 583, authorizing the Veterans' Administration to prepare and publish a compilation of all Federal laws relating to veterans of wars of the United States.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That the Administrator of Veterans' Affairs is authorized to compile and publish all Federal laws relating to veterans' relief, including such laws as are administered by the Veterans' Administration as well as by other agencies of the Government, in such form as he may, in his discretion, deem advisable for the purpose of making currently available for the use of the Veterans' Administration and full-time representatives of the several service organizations an annotated, indexed, and cross-referenced statement of the laws providing veterans' relief in convenient form, and the Administrator is further authorized to maintain such compilation on a current basis either by the publication, from time to time, of supplementary documents or by complete revision of the compilation: *Provided*, That funds from the printing and binding appropriation for the Veterans' Administration may be used for this purpose and the distribution of the compilation to the representatives of the several service organizations shall be determined by the Administrator of Veterans' Affairs.

SEC. 2. Distribution of the supply remaining in the Veterans' Administration of Senate Document No. 131, Federal Laws Relating to Veterans of Wars of the United States, shall be made in the discretion of the Administrator of Veterans' Affairs, notwithstanding the provisions of Senate Concurrent Resolution No. 29, Seventy-second Congress, first session.

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 laid on the table.

PRINTING AND DISTRIBUTION OF CERTAIN GOVERNMENT PUBLICATIONS

The Clerk called the bill (S. 3440) to amend certain acts relating to public printing and binding and the distribution of public documents, and acts amendatory thereof.

The SPEAKER pro tempore. Is there objection?

Mr. WOLCOTT. Mr. Speaker, I reserve the right to object. This bill is quite a complicated bill. It does a great many things. I dislike to object to it, but I also dislike to have it passed by unanimous consent without a lot of explanation. To start out, just what does it do with respect to the number of copies of the CONGRESSIONAL RECORD that we have to distribute?

Mr. LAMBETH. Mr. Speaker, under the present policy each Member of Congress gets 60 copies of the RECORD and each Member of the Senate 88 copies, but under this law those Members who do not use their full quota of the daily RECORDS get the difference in the bound RECORDS at the end of the sessions, which means that they cannot go to print on the bound RECORD until the end of the session. The cost of the bound RECORD is about $10 greater than the daily RECORD, and it has led to great waste and the piling up of surplus documents in the folding room. This resolution does not change the allotment of the daily RECORD, but gives each Member a fixed allotment of the bound RECORD, each Member of the House three and each Member of the Senate five.

Mr. WOLCOTT. It provides that one copy of the daily RECORD would be held out for that purpose?

Mr. LAMBETH. No; none are to be held out. You get the same copies of the daily RECORD and three additional copies of the bound RECORD. It will result in the saving of $44,000.

Mr. WOLCOTT. How many bound volumes do we get?

Mr. LAMBETH. Under this bill three. We get a definite quota. We will get them at least 30 days earlier and it will save $44,000. The committees of the House and the Senate have worked over this bill for 18 months. It will result in economy and the elimination of waste. I hope the gentleman will not object. If he has any other question, I would like to answer it.

Mr. WOLCOTT. What is the present procedure with reference to the bound volume in excess of the demands of Members? For example, if a Member has been sending out 40 daily RECORDS, including his own, he would be credited with 20 sets of the bound volume.

Mr. LAMBETH. Yes; and most of them would lie in the folding room. That is the main purpose of the resolution. There are minor amendments to the printing law, which has not been revised for some time.

Mr. WOLCOTT. Under the present law, if he had used up his full quota of 59, he would have none.

Mr. LAMBETH. That is correct.

Mr. WOLCOTT. This guarantees him three sets.

Mr. LAMBETH. Yes.

Mr. WOLCOTT. Will the gentleman explain changes in respect to the allotment of memorial addresses—or perhaps I can ask a question which will clear that up. Under the present law the Members of Congress from States other than that of the deceased Member will get no copies?

Mr. LAMBETH. Yes; they will get one copy.

Mr. WOLCOTT. And the copies that now go to them under existing law would go to the Members of Congress from the State of the deceased Member?

Mr. LAMBETH. Yes. It will get them into circulation.

Mr. WOLCOTT. That will save the Members the bother and necessity of getting transfers from Members outside of their own State.

Mr. LAMBETH. Yes; that is correct.

Mr. WHITE. Mr. Speaker, will the gentleman yield?

Mr. LAMBETH. Yes.

Mr. WHITE. A Member is entitled to mail out so many RECORDS. In the event that he does not use that number, he will get the bound RECORD.

Mr. LAMBETH. That is correct. He will get a definite number of the bound RECORD.

Mr. WHITE. Suppose he does not use up 14 of his allotment; he gets that many of the bound?

Mr. LAMBETH. No; this bill will fix a definite quota of the bound RECORD. That is one of the major purposes of the bill. Under the present procedure they do not know how many bound RECORDS to print until the end of the session.

The SPEAKER pro tempore. Let the Chair ask the gentleman from North Carolina whether there is anything in this bill that has reference to the House folding room?

Mr. LAMBETH. No.

Mr. BOILEAU. Do I understand that a Member will not be able to get more than three bound volumes?

Mr. LAMBETH. No; except by exchange with other Members. He will get them 30 days earlier.

There being no further objection, the Clerk read the bill, as follows:

Be it enacted, etc., That certain acts relating to the public printing and binding and the distribution of public documents and acts amendatory thereof, be amended as follows:

TITLE I

MEMORIAL ADDRESSES

That so much of chapter 23, section 73 (28 Stat. 616), of the Printing Act, approved January 12, 1895 (U. S. C., title 44, sec. 151), as relates to the publication of eulogies of deceased Members of Congress, be, and is hereby, amended to read as follows:

151. Memorial addresses; preparation; distribution: There shall be compiled, prepared, printed with illustrations, and bound in cloth in one volume, in such style, form, and manner as may be directed by the Joint Committee on Printing, without extra compensation to any employee therefor, the legislative proceedings of Congress and the exercises at the general memorial services held in the House of Representatives during each session relative to the death of any Member of Congress, together with all memorial addresses and eulogies published in the CONGRESSIONAL RECORD during the same session of Congress in connection therewith, and such other matter as the committee may consider relevant thereto; and there shall be printed as many copies as may be required to supply the total quantity hereinafter provided, of which number 50 copies, bound in full morocco, with gilt edges, suitably lettered as may be requested, shall be delivered to the family of the deceased, and the remaining copies shall be distributed as follows:

Of all eulogies on deceased Members of Congress there shall be delivered, through the Postmaster of each House, to each Senator, Representative, Delegate, and Resident Commissioner, one copy.

Of the eulogies on deceased Senators there shall be furnished 250 copies for each Senator of the State represented by the deceased and 20 copies for each Representative therefrom.

Of the eulogies on deceased Representatives, Delegates, and Resident Commissioners there shall be furnished 250 copies for the successor in office of the deceased Member; 20 copies for each of the other Representatives, Delegates, or Resident Commissioners of the State, Territory, or insular possession represented by the deceased, and 20 copies for each Senator therefrom.

TITLE II

CONGRESSIONAL RECORD

That chapter 23, section 14 (28 Stat. 603), of the Printing Act, approved January 12, 1895 (U. S. C., title 44, sec. 182), be, and is hereby, amended to read as follows:

182. CONGRESSIONAL RECORD; indexes: The Joint Committee on Printing shall designate to the Public Printer competent persons to prepare the semimonthly and the session index to the CONGRESSIONAL RECORD and shall fix and regulate the compensation to be paid by the Public Printer for the said work and direct the form and manner of its publication and distribution.

182a. Same; daily and permanent forms: That the public proceedings of each House of Congress, as reported by the Official Reporters thereof, shall be printed in the CONGRESSIONAL RECORD, which shall be issued in daily form during each session and shall be revised, printed, and bound promptly, as may be directed by the Joint Committee on Printing, in permanent form, for distribution during and after the close of each session of Congress. The daily and the permanent RECORD shall bear the same date, which shall be that of the actual day's proceedings reported therein. The "usual number" of the CONGRESSIONAL RECORD shall not be printed.

182b. Same; illustrations; maps; diagrams: No maps, diagrams, or illustrations may be inserted in the RECORD without the approval of the Joint Committee on Printing. All requests for such approval should be submitted to the Joint Committee on Printing, through the Chairman of the Committee on Printing of the respective House in which the speech desired to be illustrated may be delivered. Illustrations shall not exceed in size a page of the RECORD and shall be line cuts only.

That chapter 23, section 73 (28 Stat. 617), of the Printing Act, approved January 12, 1895, as amended (U. S. C., title 44, sec. 183), be, and is hereby, amended to read as follows:

183. Same; gratuitous copies; subscriptions: The Public Printer shall furnish the CONGRESSIONAL RECORD as follows and shall furnish gratuitously no others in addition thereto:

Of the bound edition to the folding room of the Senate 5 copies for the Vice President and each Senator; to the Secretary and Sergeant at Arms of the Senate, each, 2 copies; and to the Joint Committee on Printing not to exceed 100 copies; to the folding room of the House of Representatives 3 copies for each Representative, Delegate, and Resident Commissioner; and to the Clerk, Sergeant at Arms, and Doorkeeper of the House of Representatives, each, 2 copies.

Of the daily edition to the Vice President and each Senator, 105 copies; to the Secretary and Sergeant at Arms of the Senate, each, 25 copies; to the Secretary, for official use, not to exceed 35 copies; and to the Sergeant at Arms for use on the floor of the Senate, not to exceed 50 copies.

To each Representative, Delegate, and Resident Commissioner in Congress, 75 copies; to the Clerk, Sergeant at Arms, and Doorkeeper of the House of Representatives, each, 25 copies; to the Clerk, for official use, not to exceed 50 copies; and to the Doorkeeper for use on the floor of the House of Representatives, not to exceed 75 copies.

To the Vice President and each Senator, Representative, Delegate, and Resident Commissioner in Congress there shall also be furnished (and shall not be transferable) three copies of the daily RECORD, of which one shall be delivered at his residence, one at his office, and one at the Capitol.

In addition to the foregoing the CONGRESSIONAL RECORD shall also be furnished as follows:

There shall be printed and held in reserve by the Public Printer, in unstitched form, as many copies of the daily RECORD as may be required to supply a semimonthly edition, which shall be bound in paper cover together with each semimonthly index when the same is issued and shall then be delivered promptly and without delay as hereinafter provided.

To each committee and commission of Congress, one daily and one semimonthly copy.

To each Senator, Representative, Delegate, and Resident Commissioner in Congress, one semimonthly copy.

To the President of the United States, for the use of the Executive Office, 10 copies of the daily, 2 semimonthly copies, and 1 bound copy.

To the Chief Justice of the United States and each of the Associate Justices of the Supreme Court of the United States, one copy of the daily.

To the offices of the Marshal and Clerk of the Supreme Court of the United States, each, two copies of the daily and one semimonthly copy.

To the offices of the Vice President and the Speaker of the House of Representatives, each, six copies of the daily and one semimonthly copy.

To the Sergeant at Arms, the Chaplain, the Postmaster, the superintendent and the foreman of the folding room of the Senate and House of Represenatives, respectively; to the secretaries of the majority and the minority of the Senate, and to the Doorkeeper of the House of Representatives, each, one copy of the daily.

To the offices of the Official Reporters of Debates of the Senate and House of Representatives, respectively, each, 15 copies of the daily, 1 semimonthly copy, and 3 bound copies.

To the office of the stenographers to committees of the House of Representatives, four copies of the daily and one semimonthly copy.

To the office of the Congressional Record Index, 10 copies of the daily and 2 semimonthly copies.

To the offices of the superintendents of the Senate and House document rooms, each, three copies of the daily, one semimonthly copy, and one bound copy.

To the offices of the superintendents of the Senate and House press galleries, each, two copies of the daily, one semimonthly copy, and one bound copy.

To the offices of the legislative counsel of the Senate and House of Representatives, respectively, and the Architect of the Capitol, each, three copies of the daily, one semimonthly copy, and one bound copy.

To the Library of Congress for international exchange and for official use in Washington, D. C., not to exceed 145 copies of the daily, 5 semimonthly copies, and 150 bound copies.

To the library of the Senate and House of Representatives, respectively, each, 3 copies of the daily, 2 semimonthly copies, and not to exceed 15 bound copies.

To the library of the Supreme Court of the United States, two copies of the daily, two semimonthly copies, and not to exceed five bound copies.

To the Public Printer for official use, not to exceed 75 copies of the daily, 10 semimonthly copies, and 2 bound copies.

To the Director of the Botanic Garden, two copies of the daily.

To The National Archives, five copies of the daily, two semimonthly copies, and two bound copies.

To the library of each executive department, independent office, and establishment of the Government now in Washington, D. C., or which may be created, except those designated as depository libraries, and to the libraries of the municipal government of the District of Columbia, the Naval Observatory, and the Smithsonian Institution, each, two copies of the daily, one semimonthly copy, and one bound copy.

To the Government of the Philippine Islands at Manila, 10 copies in both daily and bound form.

To the offices of the Governors of Alaska, Hawaii, Puerto Rico, and the Virgin Islands, each, five copies in both daily and bound form.

To the office of the Governor of the Panama Canal, five copies in both daily and bound form.

To each ex-President and ex-Vice President of the United States, one copy of the daily.

To the Governor of each State, one copy in both daily and bound form.

To the United States Soldiers' Home and to each of the National Homes for Disabled Volunteer Soldiers, and to each of the State soldiers' homes now established or which hereafter may be created for either Federal or Confederate soldiers, one copy of the daily.

To the Superintendent of Documents, as many bound copies as may be required for distribution to depository libraries.

To the Department of State, not to exceed 150 copies of the daily, for distribution to each of our embassies and legations abroad, and to the principal consular offices in the discretion of the Secretary of State.

To each foreign legation in Washington whose government extends a like courtesy to our embassies and legations abroad, one copy of the daily, to be furnished upon requisition of and sent through the Secretary of State.

To each newspaper correspondent whose name appears in the Congressional Directory, and who makes application therefor, for his personal use and that of the paper or papers he represents, one copy of the daily and one copy of the bound, the same to be sent to the office address of each member of the press or elsewhere as he may direct: *Provided, however,* That not to exceed four copies in all shall be furnished to members of the same press bureau.

All copies of the daily edition shall, unless otherwise directed by the Joint Committee on Printing, be supplied and delivered promptly on the day after the actual day's proceedings as originally published. Each order for the daily RECORD shall begin with the current issue thereof, if previous issues of the same session are not available. The apportionment herein specified for daily copies shall not be transferable for the bound form, and any allotment of daily copies not used by any Member during a session shall lapse when the session ends.

The Public Printer is authorized to furnish to subcribers the daily RECORD at $1.50 per month, payable in advance.

That chapter 23, section 24 (28 Stat. 604), of the Printing Act, approved January 12, 1895 (U. S. C., title 44, sec. 184), and Public Resolution No. 25 (35 Stat. 1169), approved March 4, 1909 (U. S. C., title 44, sec. 186), be, and are hereby repealed.

TITLE III

DECISIONS OF THE SUPREME COURT

334. (Judicial Code, sec. 227, amended.) Printing, binding, and distribution of reports and digests: That so much of section 683 of the Revised Statutes, as amended (U. S. C., title 28, sec. 334), as relates to the distribution of reports and digests of the decisions of the Supreme Court of the United States to the law library of the Supreme Court, be, and is hereby, amended by striking out the words "to the law library of the Supreme Court, 25 copies" and inserting in lieu thereof the following:

"To the Library of Congress for the use of the law library and for international exchange, not to exceed 150 copies each of the bound and advance editions."

TITLE IV

PUBLICATIONS TO THE LIBRARY OF CONGRESS

139. International Exchange of Government Publications: That, for the purpose of more fully carrying into effect the provisions of the convention concluded at Brussels on March 15, 1886, and proclaimed by the President of the United States on January 15, 1889, there shall hereafter be supplied to the Library of Congress not to exceed 125 copies each of all Government publications, for distribution, through the Smithsonian Institution, to such foreign governments as may agree to send to the United States similar publications of their governments for delivery to the Library of Congress.

139a. Distribution of Government publications to the Library of Congress: That there shall be printed and furnished to the Library of Congress for official use in Washington, D. C., and for international exchange as provided in section 139 of this title, not to exceed 150 copies of the publications described in this section, to wit: House documents and reports, bound; Senate documents and reports, bound; Senate and House Journals, bound; public bills and resolutions; the United States Code and supplements, bound; the Official Register of the United States, bound; and all other publications and maps which are printed, or otherwise reproduced, under authority of law, upon the requisition of any Congressional committee, executive department, bureau, independent office, establishment, commission, or officer of the Government: *Provided*, That confidential matter, blank forms, and circular letters not of a public character shall be excepted.

In addition to the foregoing, there shall be delivered as printed to the Library of Congress 10 copies of each House document and report, unbound; 10 copies of each Senate document and report, unbound; and 10 copies of each private bill and resolution, and 50 copies of the laws in slip form.

That Public Resolution No. 16 (31 Stat. 1464), to regulate the distribution of public documents to the Library of Congress for its own use and for international exchange, approved March 2, 1901 (U. S. C., title 44, sec. 139), and Public Resolution No. 25 (35 Stat. 1169), approved March 4, 1909 (U. S. C., title 44, sec. 186), and section 7 of the act (43 Stat. 1106) approved March 3, 1925 (U. S. C., title 44, sec. 139a), be, and are hereby, repealed.

TITLE V

MANUSCRIPT OF ANNUAL REPORTS

That chapter 209, section 3 (39 Stat. 336), of the Sundry Civil Appropriation Act for the fiscal year ending June 30, 1917, approved July 1, 1916 (U. S. C., title 5, sec. 108), be, and is hereby, amended to read as follows:

108. Manuscript of annual reports and accompanying documents: The appropriations made for printing and binding shall not be used for any annual report or the accompanying documents unless the manuscript and proof therefor is furnished to the Public Printer in the following manner: Manuscript of the documents accompanying such annual reports on or before the 15th day of November of each year; manuscript of the annual reports on or before the 10th day of December of each year; complete revised proofs of the accompanying documents and the annual reports on the 5th and 10th days of December of each year, respectively; and all of said annual reports and accompanying documents shall be printed, made public, and available for distribution not later than within the first 5 days after the assembling of each regular session of Congress. The provisions of this section shall not apply to the annual reports of the Smithsonian Institution, the Commissioner of Patents, the Comptroller of the Currency, or the Secretary of the Treasury.

TITLE VI

STATUTES AT LARGE

That so much of chapter 23, section 73 (28 Stat. 615), of the Printing Act, approved January 12, 1895, as amended, as relates to the publication and distribution of the Statutes at Large (U. S. C., title 1, sec. 30, and title 44, sec. 196), be, and is hereby, amended to read as follows:

196. Statutes at Large; contents; admissibility in evidence: The Secretary of State shall cause to be compiled, edited, and indexed the United States Statutes at Large, which shall contain all the laws and concurrent resolutions enacted during each session of Congress, and also all conventions, treaties, and international agreements to which the United States is a party and which have come into force since the date of the adjournment of the session of Congress next preceding, including all proclamations issued since that date.

196a. Same; distribution: The Public Printer shall print, and after the final adjournment of each session of Congress, bind and deliver to the Superintendent of Documents as many copies of the Statutes at Large as may be required for distribution as follows:

To the President of the United States, four copies, one of which shall be for the library of the Executive Mansion;

To the Vice President of the United States, two copies;

To each Senator, Representative, Delegate, and Resident Commissioner in Congress, one copy;

To the Chief Justice of the United States and to each of the Associate Justices of the Supreme Court of the United States, 1 copy;

To the offices of the legislative counsel of the Senate and House of Representatives, each 1 copy;

To the Senate Library, not to exceed 25 copies;

To the House Library, not to exceed 50 copies;

To the Library of Congress for international exchange and for official use in Washington, D. C., not to exceed 150 copies;

To the Library of the Supreme Court of the United States, 2 copies;

To the Architect of the Capitol, 1 copy;

To the Public Printer, 2 copies;

To The National Archives, not to exceed 5 copies;

To the Department of State, including those for the use of embassies, legations, and consulates, not to exceed 600 copies;

To the Treasury Department, including those for the use of officers of customs, not to exceed 300 copies;

To the War Department, not to exceed 200 copies;

To the Navy Department, not to exceed 100 copies;

To the Department of the Interior, including those for the use of the United States supervisors of surveys and registers and receivers of public-land offices, not to exceed 300 copies;

To the Post Office Department, not to exceed 50 copies;

To the Department of Justice, including those for the judges and the officers of the United States and Territorial courts, not to exceed 800 copies;

To the Department of Agriculture, not to exceed 100 copies;

To the Department of Commerce, not to exceed 100 copies;

To the Department of Labor, including those for the officers of the Immigration and Naturalization Service, not to exceed 175 copies;

To the Government of the Philippine Islands at Manila, 10 copies;

To the offices of the Governors of Alaska, Hawaii, Puerto Rico, and the Virgin Islands, each 2 copies;

To the office of the Governor of the Panama Canal, 3 copies;

To the library of the court of last resort of each State, Territory, and insular possession, and of the District of Columbia, each 1 copy;

To each designated depository library in each State, Territory, and insular possession, 1 copy;

To each independent office and establishment of the Government now in Washington, D. C., or which hereafter may be created, not to exceed 6 copies; and

To the library of the municipal government of the District of Columbia, the Naval Observatory, and the Smithsonian Institution, each 1 copy.

In addition to the foregoing the Public Printer shall print 1,200 copies of the Statutes at Large, of which 300 copies shall be for the use of the Senate and 900 copies for the use of the House of Representatives. The "usual number" shall not be printed.

That so much of chapter 23, section 73 (28 Stat. 614), of the Printing Act, approved January 12, 1895, as relates to the publication and distribution of pamphlet copies of the statutes of each session of Congress (U. S. C., title 44, sec. 195), be, and is hereby, repealed.

TITLE VII

OWNERSHIP OF GOVERNMENT PUBLICATIONS

GOVERNMENT PUBLICATIONS SHALL REMAIN PUBLIC PROPERTY.—All Government publications furnished by authority of law to officers of the United States Government, for their official use, shall be stamped "Property of the United States Government", and shall be preserved by such officers and by them delivered to their successors in office as a part of the property appertaining to the office. Government publications furnished depository libraries shall be made available for the free use of the general public and must not be disposed of except as the Superintendent of Documents may direct.

That section 1777 of the Revised Statutes of the United States (U. S. C., title 5, sec. 89) and so much of chapter 433, section 1 (22 Stat. 336), of the Sundry Civil Appropriation Act, for 1883, approved August 7, 1882, relating to statutes furnished judges to remain public property (U. S. C., title 5, sec. 90), and section 506 of the Revised Statutes of the United States (U. S. C., title 44, sec. 90), and chapter 23, section 74 (28 Stat. 620) of the Printing Act, approved January 12, 1895 (U. S. C., title 44, sec. 92), relating to ownership of publications furnished officers for official use, be, and are hereby, repealed.

That all acts or parts of acts inconsistent with this act are hereby repealed.

With the following committee amendments, which were agreed to:

On page 2, line 3, insert "SEC. 1."

On page 2, line 9, strike out "There" and insert "After the final adjournment of each session of Congress, there."

On page 3, line 5, insert "the Vice President and."

On page 3, line 6, insert "in Congress."

On page 3, after line 17, insert "The 'usual number' of memorial addresses shall not be printed."

On page 3, line 22, insert "SEC. 2."

On page 4, line 23, strike out "All requests for such approval should be submitted to the Joint Committee on Printing, through the chairman of the Committee on Printing of the respective House in which the speech desired to be illustrated may be delivered. Illustrations shall not exceed in size a page of the RECORD, and shall be linecuts only."

On page 5, line 5, insert "SEC. 3. That so much of."

On page 5, line 7, insert "as relates to the gratuitous distribution of the CONGRESSIONAL RECORD."

On page 5, line 20, insert "in Congress."

On page 5, line 24, strike out "105" and insert "88."

On page 6, line 2, strike out "copies;" and insert "copies,".
On page 6, line 5, strike out "75" and insert "60."
On page 6, line 24, strike out "and without delay."
On page 7, after line 2, insert "To each joint committee and joint commission in Congress, as may be designated by the Joint Committee on Printing, three copies of the daily, one semimonthly copy, and one bound copy."
On page 8, after line 2, insert "To the office of the Parliamentarian of the House of Representatives, six copies of the daily, one semimonthly copy, and two bound copies."
On page 9, lines 1 and 2, strike out "for international exchange and" and insert "and for international exchange, as provided in title IV of this act."
On page 9, lines 7 and 8, strike out "and House of Representatives, respectively, each."
On page 9, after line 9, insert "To the library of the House of Representatives, 5 copies of the daily, 2 semimonthly copies, and not to exceed 28 bound copies, of which 8 copies may be bound in such style and manner as may be approved by the Joint Committee on Printing."
On page 9, line 22, insert "and one semimonthly copy."
On page 10, line 3, insert "hereafter."
On page 12, line 8, insert "SEC. 4."
On page 12, lines 10 to 12, strike out "and Public Resolution No. 25 (35 Stat. 1169), approved March 4, 1909 (U. S. C., title 44, sec. 186)" and insert "relative to reserving unbound copies of the daily CONGRESSIONAL RECORD for Members of Congress and the committees thereof."
On page 12, line 14, strike out "are" and insert "is."
On page 12, line 17, insert "SEC. 5."
On page 12, lines 17 to 19, strike out "334. (Judicial Code, sec. 227, amended.) Printing, binding, and distribution of reports and digests."
On page 12, lines 19 and 20, strike out "683 of the Revised Statutes" and insert "227 of the Judicial Code."
On page 13, after line 2, insert "To the library of the Supreme Court, 10 copies."
On page 13, line 5, insert "as provided in title IV of this act."
On page 13, after line 9, insert "SEC. 6. That Public Resolution No. 16 (31 Stat. 1465), approved March 2, 1901 (U. S. C., title 44, secs. 139 and 228), relating to the distribution of public documents to the Library of Congress for its own use and for international exchange, and section 7 of the act (43 Stat. 1106) approved March 3, 1925 (U. S. C., title 44, sec. 139a), relative to increasing the number of copies of Government publications for international exchange, be, and are hereby, amended to read as follows."
On page 14, line 1, insert "including the daily and bound copies of the CONGRESSIONAL RECORD."
On page 15, line 5, insert "SEC. 7."
On page 15, lines 5 to 9, strike out "Public Resolution No. 16 (31 Stat. 1464), to regulate the distribution of public documents to the Library of Congress for its own use and for international exchange, approved March 2, 1901 (U. S. C., title 44, sec. 139), and."
On page 15, line 11, insert "relating to the distribution of Government publications in exchange for parliamentary records."
On page 15, lines 12 to 14, strike out "and section 7 of the act (43 Stat. 1106) approved March 3, 1925 (U. S. C., title 44, sec. 139a)."
On page 15, line 14, strike out "are" and insert "is."
On page 15, line 17, insert "SEC. 8."
On page 16, line 3, strike out "15th" and insert "1st."
On page 16, line 4, strike out "10th day of December" and insert "15th day of November."
On page 16, line 6, insert "on the 1st day of December of each year."
On page 16, line 7, insert "of."
On page 16, lines 7 and 8, strike out "5th and 10th days" and insert "10th day."
On page 16, line 8, strike out "year, respectively;" and insert "year;".
On page 16, line 19, insert "SEC. 9."
On page 16, line 25, strike out "The" and insert "That, beginning with the Seventy-fifth Congress and thereafter, the."
On page 17, line 9, insert "The United States Statutes at Large shall be legal evidence of the laws, treaties, and conventions therein contained in all the courts of the United States, its Territories, and insular possessions, and of the several States therein."
On page 18, lines 1 to 3, strike out "To the Chief Justice of the United States and to each of the Associate Justices of the Supreme Court of the United States, one copy."
On page 18, line 13, strike out "two copies;" and insert "for distribution to the Chief Justice and Associate Justices, the officers of the Court, and for use in the library, not to exceed 20 copies;".
On page 20, line 19, insert "SEC. 10."
On page 21, after line 2, insert:
"SEC. 11. That chapter 23, section 74 (28 Stat. 620), of the Printing Act, approved January 12, 1895 (U. S. C., title 44, sec. 92), relating to the ownership of publications furnished Government officers for official use, be, and is hereby, amended to read as follows."
On page 21, line 8, insert "92."
On page 21, line 10, insert "(except Members of Congress."
On page 21, line 20, insert "SEC. 12."
On page 21, line 21, insert "relating to preservation of Statutes at Large."
On page 22, line 2, insert "(U. S. C., title 5, sec. 90)."
On page 22, line 3, strike out "(U. S. C., title 5, sec. 90)."
On page 22, lines 5 to 9, strike out "and chapter 23, section 74 (28 Stat. 620) of the Printing Act, approved January 12, 1895 (U. S. C., title 44, sec. 92), relating to ownership of publications furnished officers for official use" and insert "relating to books and documents not to be removed from depositories."
On page 22, after line 10, insert two new titles (see p. 26 of this report for titles VIII and IX).
On page 23, line 13, insert "SEC. 15."

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.

AMENDING THE NATIONAL DEFENSE ACT

The Clerk called the next bill, S. 4132, to amend section 4 (b) of the National Defense Act, as amended, relating to certain enlisted men of the Army.

The SPEAKER pro tempore. Is there objection?

Mr. WOLCOTT. Reserving the right to object, this is a very important bill. May I ask the gentleman who now establishes the number of enlisted personnel of the Army? It is Congress, is it not?

Mr. FADDIS. Yes. Under the act of 1920.

Mr. WOLCOTT. Under this bill the President by Executive order determines the number of enlisted personnel.

Mr. FADDIS. Let me say to the gentleman that this will allow the Army the same as the Navy may now do. It provides a more flexible system than is now in effect for the assignment of various grades within the Army. It merely gives the Army the same opportunity that the Navy has at the present time.

Mr. WOLCOTT. Does the President have authority to determine the enlisted personnel of the Navy?

What does the bill provide? That the President shall hereafter be authorized to determine the total number of enlisted personnel in the Army?

Mr. FADDIS. I cannot tell the gentleman that for sure. I did not report the bill, and had nothing to do with it, but I had an interest in it from the fact that the Army ought to have the same opportunity basis as the Navy. I know they are very desirous of it.

Mr. WOLCOTT. I think there should be a definite understanding about the matter. I think the RECORD should show that the Congress interprets this act as granting delegation of power to the President to determine the number and rating of the grades of enlisted personnel, but not the total number of enlisted personnel. I refer to line 10, page 1, of the bill, where it says:

> The numbers in grades and/or ratings of enlisted men shall be such as are authorized from time to time by the President by Executive order.

I think the RECORD should show that the understanding is that that means the number of grades, and has no reference to the total number of enlisted personnel.

The SPEAKER pro tempore. Is there objection.

Mr. SCHNEIDER of Wisconsin. I object.

AGRICULTURAL DEVELOPMENT IN PENNSYLVANIA

Mr. SNYDER of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. SNYDER of Pennsylvania. Mr. Speaker, cash receipts from the sale of principal farm products in Pennsylvania for 1935 increased to approximately 76 percent of their 1929 level. This compares favorably with the 1935 cash receipts in the cotton and tobacco States of the South Atlantic group which for 1935 were also 76 percent of their 1929 level.

In 1929 cash receipts of Pennsylvania farmers aggregated $280,285,000. From the low point of $151,590,000 in 1932 they rose to $211,736,000 in 1935, including $1,663,000 in rental and benefit payments. This is an increase of 40 percent.

By 1932 cash receipts in Pennsylvania and in the North Atlantic States had fallen to about 54 percent of their 1929 level. But in the Tobacco, Cotton, Corn-hog, and Wheat Belts of the South Atlantic and Central States, they had tobogganed to approximately 39 percent of that level. By

1935, while for the country as a whole, they rose to about 66 percent of their 1929 level; for the North Atlantic States they rose to 72 percent and for Pennsylvania to 76 percent of that level.

Price changes on certain selected commodities, which brought about a considerable share of the increased cash receipts indicated above, are:

Annual average prices received by Pennsylvania farmers, 1932 and 1935 (in cents)

Commodity	Unit	1932	1935 [1]
Wheat	Bushel	57	80
Corn	Bushel	49	70
Oats	Bushel	29	42
Barley	Bushel	42	56
Rye	Bushel	45	58
Buckwheat	Bushel	43	52
Potatoes	Bushel	48	60
Hay, all (loose)	Ton	[2] 949	[2] 1,009
Apples	Bushel	62	73
Hogs	Hundredweight	475	910
Beef cattle	Hundredweight	485	710
Veal calves	Hundredweight	610	840
Chickens	Pound	15.5	17.5
Butter, farm	Pound	23	29
Eggs	Dozen	18.2	26.4

[1] Preliminary. [2] Dec. 1 price.

For the United States as a whole, the yearly average price of all groups of farm products increased from 65 percent to 108 percent of the pre-war level during the period 1932–35, an increase of 66 percent. In 1935, farm prices averaged 74 percent of their 1929 level. The low point occurred in March 1933, when prices were only 55 percent of pre-war, whereas in December 1935, they averaged 110 percent of that level. These figures do not include rental and benefit payments. The gain in exchange value of farm products per unit was somewhat less than the gain in farm prices, since prices farmers pay for commodities used in living and production also advanced about 17 percent during the period. The exchange value, per unit of farm products, increased from 61 percent of the pre-war level in 1932 to 86 percent in 1935, a gain of about 41 percent.

FARM REAL ESTATE ON THE UPTURN

A new appreciation of farm real estate in Pennsylvania has been one result of increased farm income. The number of forced farm sales declined from 24 per thousand for the year ending March 15, 1933, to 20.5 per thousand for the year ending March 15, 1935. The decline in value of farm real estate per acre halted in the year ending March 1, 1933, when it stood at a low of 78, the State average value from 1912 to 1914 being 100. From this low of 78 in 1933 and 1934, the estimated value per acre rose to 79 for the year ending March 1, 1935. Further improvements in these respects are indicated for the current year.

IMPROVEMENT EXTENDED TO FARM-LABOR CONDITIONS

On January 1, 1933, the demand for farm labor in Pennsylvania was 34 percent below the standard regarded as normal, and the supply 32 percent above. At this time the farm wage rate per person with board was $19 per month. Three years later, on January 1, 1936, the farm-labor supply was 6 percent below the standard accepted as normal. Demand was only 21 percent below normal. The farm wage rate per person with board stood at $21.50 per month, having advanced 13 percent above the 1933 level.

DAIRY CATTLE DISEASE ERADICATION

Milk has been perhaps the most important single source of farm income in Pennsylvania for several years. Milk producers are, consequently, interested in measures for the health of their herds.

Approximately $50,000,000 of Agricultural Adjustment Administration funds have been made available for use in the United States in eradicating cattle disease, primarily bovine tuberculosis, Bang's disease, and mastitis. Some 1,071,962 cattle in Pennsylvania had been given the tuberculin test and approximately 199,500 the agglutination test for Bang's disease. Of the $50,000 allocated for the eradication of bovine tuberculosis in this State, $40,598.78 had been expended in operating expenses and indemnities as of December 31, 1935. Pennsylvania was allocated $737,000 for the eradication of Bang's disease, and of this amount, indemnities and operating expenses as of December 31, last, totaled $499,744.

EXTENT OF FARMER PARTICIPATION IN PROGRAMS

From the inauguration of the adjustment programs in 1933 until their conclusion under the Hoosac Mills decision of the Supreme Court, a total of 28,557 contracts signed by cooperating Pennsylvania farmers had been accepted by the Agricultural Adjustment Administration, according to latest official reports. Of this number of contracts, 5,214 were corn-hog, 9,799 were wheat, and 13,544 were cigar tobacco.

Pennsylvania farmers evidenced their cooperation in the adjustment programs by their votes in the different program referenda in this State.

Cooperating Pennsylvania cigar-tobacco growers voted 91.2 percent strong for continuation of the program. A nation-wide wheat referendum was conducted on May 25, 1935, in which producers were asked: "Are you in favor of a wheat-production adjustment program to follow the present one which expires with the 1935 crop year?" In Pennsylvania, 2,809 votes were cast for a program, while 1,085 opposed. In the referendum for corn-hog producers who were asked on October 26, 1935, whether they favored a program for 1936, official returns indicate that 1,807 producers wanted a program, and that 417 opposed.

FARMERS NOW BETTER CUSTOMERS

The extent to which increased farm income during the past 3 years has enabled Pennsylvania farmers to increase their purchases of city-made goods needed to operate their farms as businesses and as homes, is reflected in several ways.

New car registrations in Pennsylvania were 111,000 in 1932, 141,000 in 1933, 177,000 in 1934, and 234,000 in 1935.

This represents an increase of about 111 percent from 1932 to 1935.

According to Automobile Facts and Figures, a publication of the Automobile Manufacturers' Association, the 1934 retail automobile sales gain in Pennsylvania was greatest in small towns and on farms. From 1933 to 1934 new passenger-car registrations on farms and in towns under 10,000 population increased 24 percent, whereas in towns over 10,000 population the increase was only 20 percent.

Mr. Speaker, this increased purchase of new cars by citizens of Pennsylvania brings a similar increase in gasoline consumption. In 1932 the total consumption figure for the State stood at 1,041,061,000 gallons. By 1933 it had increased to 1,048,463,000 gallons, by 1934 to 1,136,344,000, and by 1935 to 1,171,438,000. The increase from 1932 to 1935 amounted to 13 percent.

Increased sales of new ordinary life insurance in Pennsylvania have been another indication of bettered conditions. The value of sales for 1935 aggregated $572,249,000, an increase of 11 percent over the 1933 figure of $517,488,000.

A recent study of railroad-freight waybills on carlot shipments of industrial products over four railroads from Pennsylvania to 10 agricultural States of the Southeast shows that shipments in the year ending June 30, 1934, were greater by 122,456,748 pounds, or 55.2 percent, than in the preceding 12 months.

In a similar study of the freight waybills on five railroads of carlot shipments of industrial products from Pennsylvania, shipments increased from 197,110,698 pounds to 375,605,989 pounds, a gain of 90.6 percent.

Improved banking conditions are further indications of increased business. Individual bank deposits—time, savings, and commercial—in Pennsylvania aggregated $3,816,967,000 for the year closing June 29, 1935, an advance of $540,058,000, or 16 percent, over deposits in the year ending June 30, 1933, according to reports received by the American Bankers' Association.

The number of commercial failures in the State showed a large decrease from 1932 to 1935. From a total of 2,152 failures in 1932, the figure dropped to 831 in 1935, a decrease of 61 percent.

Definite improvement is evident in the building industry in Pennsylvania. For 1933 the value of building permits in 24 important cities of the State stood at $20,718,000. By 1935 the value rose to $26,165,000, an increase of 26 percent.

In the manufacturing establishments of Pennsylvania, employment increased 16 percent from 1933 to 1935, while pay rolls advanced 43 percent. These indices are unweighted and are based on monthly percentage changes computed from reports supplied to the Bureau of Labor Statistics by identical establishments in the current and preceding month.

CONSENT CALENDAR

CLAIMS FOR EXCESS COST OF NAVIGATION DAMS AND LOCKS ON MISSISSIPPI RIVER

The Clerk called the next bill, H. R. 10846, to confer jurisdiction on the Court of Claims to hear, determine, and enter judgment upon the claims of contractors for excess costs incurred while constructing navigation dams and locks on the Mississippi River and its tributaries.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore (Mr. FULLER). Is there objection?

There was no objection.

CLAIMS FOR DAMAGES RESULTING FROM OPERATION OF VESSELS OF COAST GUARD AND PUBLIC HEALTH SERVICE

The Clerk called the next bill, S. 3818, 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.

There being no objection, the Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to consider, ascertain, adjust, and determine the amounts due on all claims for damages occasioned after the date of the enactment of this act, where the amount of the claim does not exceed the sum of $3,000, occasioned by collisions or damage incident to the operation of vessels for which collisions or other damage vessels of the Coast Guard or the Public Health Service, or vessels in the service of the Coast Guard or the Public Health Service, shall be found to be responsible, and report the amounts so ascertained and determined to be due the claimants to the Congress for payment as legal claims out of appropriations that may be made by Congress therefor.

With the following committee amendment:

On page 1, strike out all after the enacting clause, down to and including line 7, on page 2, and insert:

"That the Secretary of the Treasury may consider, ascertain, adjust, and determine any claim accruing after the approval of this act, on account of damages occasioned by collisions or incident to the operation of vessels of the United States Coast Guard or of the United States Public Health Service, and for which damage the said vessels shall be found to be responsible, and such amount as may be ascertained and determined to be due any claimant, not exceeding $3,000 in any one case, shall be certified to Congress as a legal claim for payment out of appropriations that may be made by Congress therefor, together with a brief statement of the character of each claim, the amount claimed, and the amount allowed: *Provided*, That no claim shall be considered under this act unless presented to the Secretary of the Treasury within 1 year from the date of the accrual of said claim: *Provided further*, That acceptance by any claimant of the amount determined to be due under the provisions of this act shall be deemed to be in full and final settlement of such claim against the Government of the United States."

The committee amendment was agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended to read: "An act to provide for the adjustment and settlement of certain claims for damages resulting from the operation of vessels of the Coast Guard and Public Health Service."

AMENDING PROVISIONS OF ACT OF MARCH 7, 1928

The Clerk called the next bill, H. R. 11643, to amend certain provisions of the act of March 7, 1928 (45 Stat. L. 210–212).

There being no objection, the Clerk read as follows:

Be it enacted, etc., That the act of Congress approved March 7, 1928 (45 Stat. L. 210–212), and acts amendatory thereof or supplementary thereto are hereby amended so as to provide that the net revenues from the sale of surplus power developed at the Coolidge Dam and other generating plants of the San Carlos project and transmitted over existing transmission lines shall be devoted, first, to reimbursing the United States for the cost of developing such electrical power; second, to reimbursing the United States for the cost of the San Carlos irrigation project; third, to payment of operation and maintenance charges and the making of repairs and improvements on said project: *Provided, however*, That all net power revenues from the sale of power transmitted over such additional transmission lines as may hereafter be constructed by the San Carlos Irrigation and Drainage District for the benefit of the San Carlos project shall first be devoted to the repayment of the construction costs of such additional transmission lines: *Provided further*, That the United States and the San Carlos Irrigation District shall enter into an appropriate contract in accordance with the terms of this act to be approved by the Secretary of the Interior, which contract shall provide that the additional transmission lines hereafter constructed by the district shall, upon completion of construction, be conveyed to the United States: *Provided further*, That after reimbursement to the district from such net power revenues of the cost of constructing additional transmission lines the net power revenues received from the sales of power transmitted over additional transmission lines hereafter constructed by the district shall be applied as herein provided for the application of net power revenues from the sale of power transmitted over existing transmission lines.

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.

CIVIL GOVERNMENT OF VIRGIN ISLANDS OF UNITED STATES

The Clerk called the next bill, S. 4524, to provide a civil government for the Virgin Islands of the United States.

There being no objection, the Clerk read as follows:

Be it enacted, etc., That the provisions of this act, and the name "the Virgin Islands" as used in this act, shall apply to and include the territorial domain, lands, and waters acquired by the United States through cession of the Danish West Indian Islands by the convention between the United States of America and His Majesty the King of Denmark entered into August 4, 1916, and ratified by the Senate on September 7, 1916 (39 Stat. L. 1706).

SEC. 2. The insular possession which is the Virgin Islands shall be divided into two municipalities, namely, (1) the municipality of St. Croix and (2) the municipality of St. Thomas and St. John. The boundaries of said municipalities shall be the same as at present established in accordance with laws in force on the date of enactment of this act, and the capital and seat of the central government shall be St. Thomas. In this act the phrase "the Government of the Virgin Islands" shall include, in addition to the governing authority of the insular possession, the governing authority of the two municipalities, unless the context shall indicate a different intention.

SEC. 3. The inhabitants of the municipality of St. Croix and of the municipality of St. Thomas and St. John are hereby constituted into bodies politic and juridic, under the present name of each such municipality, and as such bodies they shall have perpetual succession and power (a) to adopt and use an official seal; (b) to sue and in cases arising out of contract to be sued; (c) to demand the fulfillment of obligations under the law and to defend and prosecute all actions at law; (d) to acquire property by purchase, exchange, donation or bequest, by virtue of proceedings for the collection of taxes, by eminent-domain proceedings, or by any other means provided by law, and to possess, administer, and govern such property; and (e) to alienate or encumber any of their property, subject to the provisions of this act.

SEC. 4. All property which may have been acquired by the United States from Denmark in the Virgin Islands under the convention entered into August 4, 1916, not heretofore or within 1 year hereafter reserved by the United States for public purposes, is hereby placed under the control of the Government of the Virgin Islands: *Provided*, That, except as otherwise expressly provided, all laws of the United States for the protection and improvement of the navigable waters of the United States and the preservation of the interest of navigation and commerce shall apply to the Virgin Islands: *Provided further*, That nothing in this act shall be construed to affect or impair in any manner the terms and conditions of any authorizations, permits, or other powers heretofore lawfully granted or exercised in or in respect of the Virgin Islands by any authorized officer or agent of the United States: *Provided, further*, That the Secretary of the Interior shall be authorized to lease or to sell upon such terms as he may deem advantageous to the Government of the United States any property of the United States under his administrative supervision in the Virgin Islands not needed for public purposes.

LEGISLATIVE BRANCH

SEC. 5. All local legislative powers in the municipality of St. Croix, except as herein otherwise provided, shall be vested in a local legislative assemby, which shall be designated the Municipal Council of St. Croix. Said council shall consist of nine members elected by the qualified electors of the municipality for a term of 2 years beginning the 1st day of January next succeeding the date of election. The members shall be elected in four representative districts, two of which shall be the town of Christiansted and the country district thereof, and two of which shall be the town of Frederiksted and the country district thereof, as defined

by law in force on the date of enactment of this Act: *Provided*, That two members shall be elected for each of said districts and one member at large.

SEC. 6. All local legislative powers in the municipality of St. Thomas and St. John, except as herein otherwise provided, shall be vested in a local legislative assembly which shall be designated the Municipal Council of St. Thomas and St. John. Said council shall consist of seven members elected by the qualified electors of the municipality for a term of 2 years beginning the 1st day of January next succeeding the date of election. The members shall be elected in three representative districts, one of which shall be the town district and one the country district of St. Thomas, and one the district of St. John, as defined by law in force on the date of enactment of this act: *Provided*, That two members shall be elected for each of the districts of St. Thomas, one member for the district of St. John, and two members at large.

SEC. 7. After January 1, 1937, joint sessions of said municipal councils shall constitute and shall be designated the Legislative Assembly of the Virgin Islands. The legislative assembly shall convene in St. Thomas upon call by the Governor, and also whenever both municipal councils shall determine by resolutions passed by each of them: *Provided*, That the Governor shall call the legislative assembly at least once during each calendar year. The legislative assembly shall have power to enact legislation applicable to the Virgin Islands as a whole, but no legislation shall be considered other than that specified in the message by the Governor calling such a session, or in both of said resolutions: *Provided further*, That so long as the membership of the legislative assembly does not exceed 16 members, a quorum of the legislative assembly shall consist of not less than 10 members, and no bill shall be enacted until it shall be passed by a two-thirds majority vote of the members present. The municipal councils shall not enact laws or ordinances in conflict with the enactments of the legislative assembly.

SEC. 8. The present colonial councils shall continue to function until January 1, 1937. The next general election in the Virgin Islands shall be held on November 3, 1936. At such election there shall be chosen the entire membership of each municipal council as herein provided. Thereafter the elections shall be held on the first Tuesday after the first Monday in November, beginning with the year 1938, and every 2 years thereafter. The terms of office of members of the respective colonial councils of the municipalities of St. Thomas and St. John and of St. Croix, whose terms of office under existing law would expire prior to January 1, 1937, are hereby extended to that date.

SEC. 9. No person shall be eligible to be a member of either municipal council unless he is a citizen of the United States, over 25 years of age, is a qualified voter of the municipality in which elected, has resided in the Virgin Islands for a period of not less than 3 years next preceding the date of election, and has not been convicted of a felony or of a crime involving moral turpitude. Each municipal council may exclude from membership therein persons receiving compensation from the Government of the United States or from either of the municipal governments of the Virgin Islands.

SEC. 10. The members of each municipal council shall receive allowance for actual travel expenses and such reasonable subsistence as may be prescribed by the council.

SEC. 11. The respective municipal councils shall be the sole judges of the elections, returns, and qualifications of their members, shall be vested with the authority and attributes inherent in legislative bodies, and shall jointly or separately have the power to institute and conduct investigations, issue subpenas to witnesses and other parties concerned, and administer oaths. Existing rules of the colonial councils shall continue in force and effect, except as inconsistent with this act, until altered, amended, or repealed by the respective municipal councils. No member shall be held to answer before any tribunal other than the respective municipal councils themselves for any speech or debate in the municipal councils and the members shall in all cases, except treason, felony, or breach of the peace, be privileged from arrest during their attendance at the sessions of the municipal councils and in going to and returning from the same.

SEC. 12. Each municipal council shall annually appoint from among its members, for a term of 1 year, three members to serve as a standing committee, which, under the name of the "Municipal Committee", shall advise the Governor concerning the management of the fiscal affairs of the municipality, and concerning matters relating to the municipality. The procedure of the Municipal Committee shall be in accordance with the bylaws adopted by the municipal council and approved by the Governor. The Municipal Committee shall have power when granted by local law to recommend to the Governor transfers between items in the annual budgets, and loans from municipal funds, but no such transfers or loans shall be made by the Governor except upon the recommendation of the Municipal Committee.

SEC. 13. Each municipal council shall assemble for ordinary meetings on a certain day of every second month, which day shall be previously fixed by the Governor for the whole year, and for extraordinary meetings at the call of the Governor or the chairman of the council. The Governor may postpone the meetings of the municipal councils, but not for a longer period than 14 days. The Municipal Council of St. Thomas and St. John shall convene at St. Thomas, and the Municipal Council of St. Croix shall convene at Christiansted.

SEC. 14. The Governor may introduce bills in the respective municipal councils. The Governor shall submit to the respective municipal councils, at least 90 days before the close of each fiscal year, a budget of estimated receipts and expenditures for the respective municipalities, which shall be the basis for the annual local appropriation bills for such municipalities. He shall from time to time submit to the respective municipal councils such reports concerning the fiscal affairs of the municipalities as may be requested by resolution of either municipal council.

SEC. 15. The quorum of each municipal council shall consist of an absolute majority of all its members. No bill shall become a law until it shall be passed by a majority (yea-and-nay) vote of the members present and voting of the municipal council having jurisdiction, entered upon the journal, and approved by the Governor, except as otherwise herein provided. Each municipal council shall keep a journal of its proceedings and publish the same during the year, and the yeas and nays of the members voting on any question shall be entered on the journal.

SEC. 16. New legislation, and repeals, alterations, and amendments of local laws of the Virgin Islands by the municipal council having jurisdiction, and by the legislative assembly, shall be effective and enforced when, and to the extent, such new legislation, repeals, alterations, and amendments are approved by the Governor, and the Governor shall state specifically in each case whether his approval or disapproval is in whole or in part, and if in part only, what part is approved and what part not approved. The Governor may veto any specific item or items in any bill which appropriates money for specific purposes, but shall veto other bills, if at all, only as a whole. If any bill passed by the municipal council having jurisdiction or by the legislative assembly be disapproved in whole or in part by the Governor, the Governor shall within 30 calendar days return such bill to the said municipal council or to the legislative assembly, whether in actual session or not, setting forth his objections. If after reconsideration by the legislative body having jurisdiction two-thirds of all the members of the said body pass such bill or part thereof, it shall be sent to the Governor who, in case he shall not then approve it, shall transmit the same to the President. If the President approves such bill or part of bill, he shall sign it and it shall become law; if he does not approve such bill or part of bill, he shall return it to the Governor, so stating, and it shall not become law. If any bill shall not be returned by the Governor as herein provided within 30 calendar days after it shall have been presented to him the same shall become a law in like manner as if he had signed it. The President shall approve or disapprove an act submitted to him under the provisions of this section within 3 months from and after its presentation for his approval; and if not acted upon within such time, shall become a law the same as if it had been specifically approved. All laws enacted by the Municipal Council of St. Croix, by the Municipal Council of St. Thomas and St. John, or by the legislative assembly, shall be reported by the Governor to the Secretary of the Interior, and by him to the Congress, which hereby reserves the power and the authority to annul the same. The laws not annulled shall be published annually as a public document. If at the termination of any fiscal year the appropriation necessary for the support of the municipal government for the ensuing fiscal year shall not have been made, then the several sums appropriated in the last appropriation bills for the objects and purposes therein specified, so far as the same may be applicable, shall be deemed to be reappropriated, item by item; and until the municipal council of the municipality having jurisdiction shall act in such behalf, the Governor may make the payments and collections necessary for the purpose aforesaid.

SEC. 17. Beginning on January 1, 1938, or on such earlier date subsequent to January 1, 1937, as may be fixed by local law or ordinance for either municipality, and thereafter, the franchise shall be vested in residents of the Virgin Islands who are citizens of the United States, 21 years of age or over, and able to read and write the English language. Additional qualifications may be prescribed by the legislative assembly: *Provided, however*, That no property or income qualification shall ever be imposed upon or required of any voter, nor shall any discrimination in qualification be made or based upon difference in race, color, sex, or religious belief.

SEC. 18. The laws of the United States applicable to the Virgin Islands on the date of enactment of this act, and all local laws and ordinances in force on such date in the Virgin Islands, not inconsistent with this act, shall continue in force and effect: *Provided*, That the Municipal Council of St. Croix and the Municipal Council of St. Thomas and St. John, and the legislative assembly, shall have power, when not inconsistent with this act and within their respective jurisdictions, to amend, alter, modify, or repeal any law of the United States of local application only, or any ordinance, public or private, civil or criminal, continued in force and effect by this act, except as herein otherwise provided, and to enact new laws and ordinances not inconsistent with this act and not inconsistent with the laws of the United States hereafter made applicable to the Virgin Islands or any part thereof, subject to the power of the Congress to annul the same. The laws of the United States relating to patents, trade marks, and copyrights, and to the enforcement of rights arising thereunder, shall have the same force and effect in the Virgin Islands as in the continental United States, and the District Court of the Virgin Islands shall have the same jurisdiction in causes arising under such laws as is exercised by United States district courts.

SEC. 19. The legislative power of the Virgin Islands shall extend to all subjects of local application not inconsistent with this act or the laws of the United States made applicable to said islands,

but no law shall be enacted which would impair rights existing or arising by virtue of any treaty entered into by the United States, nor shall the lands or other property of nonresidents be taxed higher than the lands or other property of residents.

EXECUTIVE BRANCH

SEC. 20. The executive power of the Virgin Islands and of the municipalities thereof shall be vested in an executive officer whose title shall be "the Governor of the Virgin Islands" and shall be exercised under supervision of the Secretary of the Interior. The Governor shall be appointed by the President, by and with the advice and consent of the Senate, and shall hold office at the pleasure of the President and until his successor is chosen and qualified. The Governor shall reside in the Virgin Islands during his official incumbency. He shall have general supervision and control of all executive and administrative departments, bureaus, and offices of the Government of the Virgin Islands. He shall faithfully execute the laws of the United States applicable to the Virgin Islands, and the laws and ordinances of the Virgin Islands. He may grant pardons and reprieves and remit fines and forfeitures for offenses against the local laws, and may grant respites for all offenses against the applicable laws of the United States until the decision of the President can be ascertained. He may veto any legislation as provided in this act. He shall commission all officers that he may be authorized to appoint. He may call upon the commanders of the military and naval forces of the United States in the islands, or summon the posse comitatus, or call out the militia, to prevent or suppress violence, invasion, insurrection, or rebellion; and he may, in case of rebellion or invasion, or imminent danger thereof, when the public safety requires it, suspend the privilege of the writ of habeas corpus, or place the islands, or any part thereof, under martial law, until communication can be had with the President and the President's decision thereon made known. He shall annually, and at such other times as the President or the Congress may require, make official report of the transactions of the Government of the Virgin Islands to the Secretary of the Interior, and his said annual report shall be transmitted to the Congress. He shall perform such additional duties and functions as may, in pursuance of law, be delegated to him by the President, or by the Secretary of the Interior. He shall have the power to issue executive regulations not in conflict with any applicable law or ordinance. He shall attend or may depute another person to represent him at the meetings of the legislative authorities herein established, and may give expression to his views on any matter before such bodies.

SEC. 21. The President shall appoint a Government Secretary for the Virgin Islands, who shall have all the powers of the Governor in the case of a vacancy or temporary removal, resignation, or disability of the Governor, or in case of his temporary absence. He shall have custody of the seal of the Virgin Islands and shall countersign and affix such seal to all executive proclamations and all other executive documents. He shall, when practicable, attend all meetings of the Municipal Council of St. Thomas and St. John, before which body he shall give expression to the advice of the Governor. He shall record and preserve the laws enacted by the legislative authorities herein established. He shall promulgate all proclamations and orders of the Governor and all laws enacted by said legislative authorities. He shall have all such executive powers and perform such other duties as may be prescribed by law or assigned to him by the Governor.

SEC. 22. The Secretary of the Interior shall appoint an Administrator for St. Croix, who shall act for the Governor in the administration of the affairs of the municipality of St. Croix. He shall, when practicable, attend all meetings of the Municipal Council of St. Croix, before which body he shall give expression to the advice of the Governor. He shall exercise supervision over all the administrative departments in the municipality of St. Croix, subject to the direction of the Governor.

SEC. 23. The Secretary of the Interior shall appoint such other executive and administrative officers as may, in his discretion, be required. Such officers shall have such powers and duties as may be conferred or imposed upon them by law or ordinance, or by order of the Secretary of the Interior or executive regulation of the Governor not inconsistent with any such law or ordinance. The salary of all executive officers and employees appointed by the President or by the Secretary of the Interior shall be paid from funds appropriated for the Government of the Virgin Islands by the Congress in annual appropriation bills, or as may be otherwise provided by law. The officers appointed by the Secretary of the Interior shall hold office during his pleasure, and in making such appointments the Secretary shall give due consideration to natives of the Virgin Islands.

SEC. 24. The Governor shall appoint, by and with the advice and consent of the municipal council having jurisdiction, all salaried officers and employees of the municipal governments whose salaries are provided for in the budgets of the municipal governments. In the event of a vacancy in any appointive office under the Government of the Virgin Islands, or the absence, illness, or temporary disqualification of any appointive officer, the Governor shall designate an officer or employee of the Goverment of the Virgin Islands to discharge the functions of such officer during such vacancy, absence, illness, or temporary disqualification.

JUDICIAL BRANCH

SEC. 25. The judicial power of the Virgin Islands shall be vested in a court to be designated "the District Court of the Virgin Islands" and in such court or courts of inferior jurisdiction as may have been or may hereafter be established by local law: *Provided*, That the legislative assembly may provide for the organization and conduct of a Superior Court of the Virgin Islands and may transfer from the district court to such superior court jurisdiction over any or all causes other than those arising under the laws of the United States. Appeals from the superior court shall be as provided by law in the case of appeals from the district court.

SEC. 26. The President shall, by and with the advice and consent of the Senate, appoint a judge and a district attorney for the district court of the Virgin Islands who shall hold office for the term of 4 years and until their successors are chosen and qualified unless sooner removed by the President for cause.

The Attorney General shall appoint and fix the compensation of all other officers necessary for the transaction of the business of the district court, and the compensation of the judge of the district court, and of the district attorney, and the administrative expenses of such court shall be paid from appropriations made for the Department of Justice. The duties of such officers shall be prescribed by law or ordinance and by order of the Attorney General not inconsistent therewith: *Provided*, That the Governor may call upon the district attorney to advise him upon any legal questions concerning the administration of the government of the Virgin Islands.

SEC. 27. The District Court of the Virgin Islands shall consist of two divisions, one constituted by the municipality of St. Croix and one constituted by the municipality of St. Thomas and St. John, as defined by local law in force on the date of enactment of this act. The judge of the district court shall hold court in each division at such time as he may designate by order, at least once in 2 months in each division. The rules of practice and procedure in such district court shall be prescribed by law or ordinance or by rules and regulations of the district judge not inconsistent with law or ordinance. The process of the district court shall run throughout the Virgin Islands.

SEC. 28. The district court shall have jurisdiction of—

(1) All criminal cases under the laws of the respective municipalities or under the laws of the United States applicable to the Virgin Islands;

(2) All cases in equity;

(3) All cases in admiralty;

(4) All cases of divorce and annulment of marriage;

(5) All cases at law involving principal sums exceeding $200;

(6) All cases involving title to real estate;

(7) All appeals from judgments rendered in the inferior courts;

(8) All matters and proceedings not otherwise hereinabove provided for which, on the date of enactment of this act, were within the jurisdiction of the District Court of the Virgin Islands, or of the judge thereof, or which may hereafter be placed within the jurisdiction of the District Court of the Virgin Islands, or of the judge thereof, by local law.

The district court shall also have concurrent jurisdiction with the inferior courts as provided in section 32.

SEC. 29. The district court shall also have jurisdiction of offenses under the criminal laws of the United States when such offenses are committed on the high seas beyond the territorial limits of the Virgin Islands on vessels belonging in whole or in part to the United States, to any citizen thereof, or to any corporation created by or under the laws of the United States or of any State or Territory thereof, and the offenders are found in the Virgin Islands or are brought into the Virgin Islands after the commission of the offense.

SEC. 30. Appeals from the District Court of the Virgin Islands shall be as provided by law in force on the date of enactment of this act: *Provided*, That no appeal shall be predicated upon the existence of a right of appeal under the law of Denmark.

SEC. 31. In any case, civil or criminal, originating in said district court, no person shall be denied the right to trial by jury on the demand of either party: *Provided*, That if no jury is demanded the case shall be tried by the court without a jury: *Provided further*, That the judge of the district court may, on his own motion, order a jury for the trial of any criminal action: *Provided further*, That the respective municipal councils of St. Croix and of St. Thomas and St. John, may provide for trial in misdemeanor cases by a jury of six qualified persons.

SEC. 32. The inferior courts shall have jurisdiction concurrent with the district court in all civil cases in which the principal sum claimed does not exceed $200, and of all criminal cases wherein the punishment that may be imposed shall not exceed a fine of $100 or imprisonment not exceeding 6 months, all violations of police regulations and executive regulations, and any cause or offense wherein jurisdiction hereafter shall have been conferred by local law. Such inferior courts shall hold preliminary investigations in charges of felony and charges of misdemeanor in which the punishment that may be imposed is beyond the jurisdiction granted to the inferior courts by this section, and shall commit offenders to the district court and grant bail in bailable cases. The rules governing said courts and prescribing the duties of inferior judges and inferior court officers, oaths, and bonds, the times and places of holding such courts, the disposition of fines, costs, forfeitures, enforcements of judgments, providing for appeals therefrom to the district court, and the disposition and treatment of prisoners shall be as established by law or ordinance in force on the date of enactment of this act or as may hereafter be established by law or ordinance by the municipal council having jurisdiction.

SEC. 33. Appeals in civil and criminal cases from the judgments and rulings of the inferior courts shall be to the district court and shall be taken in accordance with the laws and ordinances of the respective municipalities: *Provided*, That the right of appeal in

all cases, civil and criminal, shall be as established by law or ordinance in force on the date of enactment of this act, or as may hereafter be established by law or ordinance by the municipal council having jurisdiction.

MISCELLANEOUS PROVISIONS

SEC. 34. No law shall be enacted in the Virgin Islands which shall deprive any person of life, liberty, or property without due process of law or deny to any person therein equal protection of the laws.

In all criminal prosecutions the accused shall enjoy the right to be represented by counsel for his defense, to be informed of the nature and cause of the accusation, to have a copy thereof, to have a speedy and public trial, to be confronted with the witnesses against him, and to have compulsory process for obtaining witnesses in his favor.

No person shall be held to answer for a criminal offense without due process of law, and no person for the same offense shall be twice put in jeopardy of punishment, nor shall be compelled in any criminal cause to give evidence against himself; nor shall any person sit as judge or magistrate in any case in which he has been engaged as attorney or prosecutor.

All persons shall be bailable by sufficient sureties in the case of criminal offenses, except for first-degree murder or any capital offense when the proof is evident or the presumption great.

No law impairing the obligation of contracts shall be enacted.

No person shall be imprisoned or shall suffer forced labor for debt.

All persons shall have the privilege of the writ of habeas corpus and the same shall not be suspended except as herein expressly provided.

No ex-post-facto law or bill of attainder shall be enacted.

Private property shall not be taken for public use except upon payment of just compensation ascertained in the manner provided by law.

Nothing contained in this act shall be construed to limit the power of the municipal councils herein provided to enact laws for the protection of life, the public health, or the public safety.

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted.

The right to be secure against unreasonable searches and seizures shall not be violated.

No warrant for arrest or search shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized.

Slavery shall not exist in the Virgin Islands.

Involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall not exist in the Virgin Islands.

No law shall be passed abridging the freedom of speech or of the press or the right of the people peaceably to assemble and petition the Government for the redress of grievances.

No law shall be made respecting an establishment of religion or prohibiting the free exercise thereof, and the free exercise and enjoyment of religious profession and worship without discrimination or preference shall forever be allowed, and no political or religious test other than an oath to support the Constitution and the laws of the United States applicable to the Virgin Islands, and the laws of the Virgin Islands, shall be required as a qualification to any office or public trust under the Government of the Virgin Islands.

The contracting of polygamous or plural marriages is prohibited.

No money shall be paid out of the treasury except in accordance with an act of Congress or money bill of the local legislative authority having jurisdiction and on warrant drawn by the proper officer.

The employment of children under the age of 14 years in any occupation injurious to health or morals or hazardous to life or limb is hereby prohibited.

SEC. 35. All taxes, duties, fees, and public revenues collected in the municipality of St. Croix shall be covered into the treasury of the Virgin Islands and held in account for said municipality and all taxes, duties, fees, and public revenues collected in the municipality of St. Thomas and St. John shall be covered into said treasury of the Virgin Islands and held in account for said municipality: *Provided*, That the proceeds of customs duties, less the cost of collection, and the proceeds of the United States income tax, and the proceeds of any taxes levied by the Congress on the inhabitants of the Virgin Islands, and all quarantine, passport, immigration, and naturalization fees collected in the Virgin Islands shall be covered into the treasury of the Virgin Islands and held in account for the respective municipalities, and shall be expended for the benefit and government of said municipalities in accordance with the annual municipal budgets. The Municipal Council of St. Croix may make appropriations for the purposes of said municipality from, and to be paid out of, the funds credited to its account in the treasury of the Virgin Islands; and the Municipal Council of St. Thomas and St. John may make appropriations for the purposes of said municipality from, and to be paid out of, the funds credited to its account in said treasury.

SEC. 36. Taxes and assessments on property and incomes, internal-revenue taxes, license fees, and service fees may be imposed and collected, and royalties for franchises, privileges, and concessions granted may be collected for the purposes of the Government of the Virgin Islands as may be provided and defined by the municipal councils herein established: *Provided*, That all money hereafter derived from any tax levied or assessed for a special purpose shall be treated as a special fund in the treasury of the Virgin Islands and paid out for such purpose only, except when otherwise authorized by the legislative authority having jurisdiction after the purpose for which such fund was created has been accomplished. Until Congress shall otherwise provide, all laws concerning import duties and customs in the municipality of St. Thomas and St. John now in effect shall be in force and effect in and for the Virgin Islands: *Provided further*, That the President may, by Executive order, establish or alter rules and regulations for the administration of customs laws. The export duties in effect on the date of enactment of this act may be from time to time reduced, repealed, or restored by ordinance of the municipal council having jurisdiction: *Provided further*, That no new export duties shall be levied in the Virgin Islands except by the Congress.

SEC. 37. All judicial process shall run in the name of "United States of America, scilicet, the President of the United States", and all penal or criminal prosecutions in the local courts shall be conducted in the name of and by authority of "the People of the Virgin Islands of the United States."

SEC. 38. All officials of the Government of the Virgin Islands shall be citizens of the United States, and before entering upon the duties of their respective offices shall take an oath to support the Constitution and the laws of the United States applicable to the Virgin Islands and the laws of the Virgin Islands.

SEC. 39. All reports required by law to be made by the Governor to any official of the United States shall hereafter be made to the Secretary of the Interior, and the President is hereby authorized to place all matters pertaining to the government of the Virgin Islands under the jurisdiction of the Secretary of the Interior.

SEC. 40. This act shall take effect upon its enactment, but until its provisions shall severally become operative as herein provided, the corresponding legislative, executive, and judicial functions of the existing government shall continue to be exercised as now provided by law or ordinance, and the present incumbents of all offices under the government of the Virgin Islands shall continue in office until their successors are appointed and have qualified, unless sooner removed by competent authority.

SEC. 41. This act may be cited as the Organic Act of the Virgin Islands of the United States.

Mr. DEMPSEY. Mr. Speaker, I offer a committee amendment.

The Clerk read as follows:

Amendment offered by Mr. DEMPSEY: Section 31, page 20, line 12, strike out the words "case, civil or criminal", and insert in lieu thereof the words "criminal case."

The amendment was agreed to.

Mr. DEMPSEY. Mr. Speaker, I offer a further committee amendment.

The Clerk read as follows:

Section 36, page 26, line 15, strike out the words between the colon on that line and the period on line 17 and insert in lieu thereof the following: "*Provided*, That the Secretary of the Treasury shall designate the several ports and subports of entry in the Virgin Islands of the United States, and shall make such rules and regulations, and appoint such officers and employees as he may deem necessary for the administration of the customs laws in the Virgin Islands of the United States, and he shall fix the compensations of all such officers and employees and provide for the payment of such compensations and other expenses of the collection of duties, fees, and taxes imposed under the customs laws from the receipts thereof."

Section 39, page 27, line 16, strike out the period and insert in lieu thereof a comma, and add the words "except matters relating to the judicial branch of said government which shall be as hereinbefore provided under the supervision of the Attorney General."

The amendments were agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RATIO OF SUBSTITUTES TO REGULAR EMPLOYEES IN POST OFFICES AND RAILWAY MAIL SERVICE

The Clerk called the next bill, H. R. 12608, to fix the ratio of substitutes to regular employees in post offices and in the Railway Mail Service.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HIGGINS of Massachusetts. Mr. Speaker, in lieu of consideration of this bill, I ask unanimous consent to take from the Speaker's table the bill, H. R. 7688, with a Senate amendment, and agree to the said amendment. The language of the two bills, H. R. 7688 and H. R. 12608, is exactly the same.

This bill, that in effect establishes a new ratio between substitutes and regular employees in the Postal Service, will, I am confident, provide more adequate and efficient service

because the Post Office Department has been compelled to resort to practice of employing temporary employees without these men, under the present ratio, ever being afforded the protection of civil service. I speak for this class—temporary employees—throughout the Service and more particularly of and for the group of temporary employees in the Boston postal district, who are in many cases married or have dependents, who have given 8 years of faithful service to our Government as temporary employees, without the hope of protection of civil service unless this bill meets with the approval of Congress.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert:

"That the ratio of classified substitute railway postal clerks, classified substitute post-office clerks, classified substitute city letter carriers, classified substitute village letter carriers, classified substitute laborers, watchmen, and messengers, and classified substitutes in the Motor Vehicle Service, to regular railway postal clerks, post-office clerks, city letter carriers, village letter carriers, laborers, watchmen, and messengers, and employees in the Motor Vehicle Service, shall be not more than one classified substitute to six regular employees, or fraction thereof, respectively, except that in offices having fewer than six regular employees there may be one substitute clerk and one substitute carrier, and one substitute in the Motor Vehicle Service: *Provided*, That where the ratio of substitutes is now in excess of these ratios, no additional classified substitutes shall be appointed until these ratios are established: *Provided further*, That the provisions of this act shall not operate to furlough or dismiss (1) any classified substitute railway postal clerks, post-office clerks, city letter carriers, village letter carriers, or laborers, watchmen, or messengers; or (2) any classified substitutes in the Motor Vehicle Service."

The Senate amendment was agreed to.

A motion to reconsider was laid on the table.

A similar House bill was laid on the table.

EXEMPTION OF PUBLICLY OWNED INTERSTATE HIGHWAY BRIDGES FROM TAXATION

The Clerk called the next bill, S. 3107, to exempt publicly owned interstate highway bridges from State, municipal, and local taxation.

Mr. THOMPSON. Mr. Speaker, I ask unanimous consent that this bill go over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

TRANSPORTATION AND SALE OF NATURAL GAS IN INTERSTATE COMMERCE

The Clerk called the next bill, H. R. 12680, to regulate the transportation and sale of natural gas in interstate commerce, and for other purposes.

The SPEAKER pro tempore. Is there objection?

Mr. FADDIS. Mr. Speaker, reserving the right to object, this is a bill of 28 pages, and it is a bill that affects an industry widely scattered throughout the United States, serving a great many communities. I do not believe it is the kind of a bill that should be on this calendar. I therefore object.

BRIDGES ACROSS THE TENNESSEE, TOMBIGBEE, WARRIOR, ALABAMA, AND COOSA RIVERS

The Clerk called the next bill, H. R. 12657, to amend section 2 of the act entitled "An act granting the consent of Congress to the Alabama State Bridge Corporation to construct, maintain, and operate bridges across the Tennessee, Tombigbee, Warrior, Alabama, and Coosa Rivers, within the State of Alabama", approved May 26, 1928.

The SPEAKER pro tempore. Is there objection?

Mr. RICH. Mr. Speaker, reserving the right to object, will the sponsor of the bill advise the House as to whether this bill has been passed on by any committee, and if so, by what committee?

Mr. CHAPMAN. I may say to the gentleman from Pennsylvania that it was passed on by the Committee on Interstate and Foreign Commerce. This bill extends the amortization period on this bridge from 18 to 28 years. The bridge has heretofore been authorized.

Mr. RICH. Was it a unanimous report by the committee?

Mr. CHAPMAN. Yes; it was.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 2 of the act entitled "An act granting the consent of Congress to the Alabama State Bridge Corporation to construct, maintain, and operate bridges across the Tennessee, Tombigbee, Warrior, Alabama, and Coosa Rivers, within the State of Alabama", approved May 26, 1928, is amended by striking out, where they appear therein, the words "18 years" and inserting in lieu thereof the words "28 years."

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

A motion to reconsider was laid on the table.

BRIDGES ACROSS THE TENNESSEE, TOMBIGBEE, WARRIOR, ALABAMA,

The Clerk called the next bill, S. 3885, to further extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Garrison, N. Dak.

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 times for commencing and completing the construction of a bridge across the Missouri River, at or near Garrison, N. Dak., authorized to be built by the State of North Dakota by an act of Congress approved February 10, 1932, heretofore extended by acts of Congress approved February 14, 1933, June 12, 1934, and May 24, 1935, are hereby further extended 1 and 3 years, respectively, from June 12, 1936.

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.

BRIDGES ACROSS RED RIVER, MOORHEAD, MINN., TO FARGO, N. DAK.

The Clerk called the next bill, S. 3945, to extend the times for commencing and completing the construction of certain free highway bridges across the Red River, from Moorhead, Minn., to Fargo, N. Dak.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of two free highway bridges across the Red River, between Moorhead, Minn., and Fargo, N. Dak., authorized to be built by the State Highway Departments of the States of Minnesota and North Dakota by an act of Congress approved June 4, 1934, heretofore extended by an act of Congress approved August 5, 1935, are hereby further extended 1 and 3 years, respectively, from June 4, 1936.

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.

Mr. WOLCOTT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. WOLCOTT. Is it in order during the consideration of the Consent Calendar to submit a unanimous consent request that a certain number of bills on the Consent Calendar be considered en bloc?

The SPEAKER pro tempore. It is a rather unusual request. It is the opinion of the Chair that in order to keep the record straight the bills should be considered separately.

How many of these bridge bills are there?

Mr. JENKINS of Ohio. There are nine bridge bills in rotation.

BRIDGE ACROSS MISSOURI RIVER, MIAMI, MO.

The Clerk called the next bill, H. R. 11820, to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Miami, Mo.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There being no objection the Clerk read the bill as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the Missouri River, at or near Miami, authorized to be built by Saline County, Mo., by an Act of Congress approved January 16, 1936, are hereby extended 1 and 3 years, respectively, from January 16, 1937.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

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

A motion to reconsider was laid on the table.

BRIDGE ACROSS MISSOURI RIVER, ARROW ROCK, MO.

The Clerk called the next bill, H. R. 11819, to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Arrow Rock, Mo.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the Missouri River, at or near Arrow Rock, Mo., authorized to be built by J. L. Jones, Tyre W. Burton, and H. R. Turley, trustees for Howard County, Mo., by an act of Congress approved August 30, 1935, are hereby extended 1 and 3 years, respectively, from August 30, 1936.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS MISSOURI RIVER, RULO, NEBR.

The Clerk called the next bill, H. R. 11960, to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Rulo, Nebr.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the Missouri River, at or near Rulo, Nebr., authorized to be built by John C. Mullen, John H. Hutchings, William Shepherd, their heirs, legal representatives, and assigns, by an act of Congress approved March 4, 1933, heretofore extended by an act of Congress approved August 23, 1935, are hereby extended 1 and 3 years, respectively, from March 4, 1936.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Page 1, line 10, strike out "March 4, 1936," and insert in lieu thereof "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 SAVANNAH RIVER, BURTONS FERRY, SYLVANIA, GA.

The Clerk called the next bill, H. R. 12461, to extend the times for commencing and completing the construction of a bridge across the Savannah River at or near Burtons Ferry, near Sylvania, Ga.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the Savannah River at or near Burtons Ferry, near Sylvania, Ga., authorized to be built by the South Carolina and Georgia State Highway Departments by an act of Congress approved May 26, 1928, heretofore revived and reenacted by an act of Congress approved April 22, 1932, and heretofore extended by acts of Congress approved May 27, 1933, June 12, 1934, and August 30, 1935, are hereby further extended 1 and 3 years, respectively, from the date of approval hereof.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Page 2, line 2, strike out "the date of approval hereof" and insert in lieu thereof "August 30, 1936."

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 CHESAPEAKE BAY

The Clerk called the next bill, H. R. 12514, authorizing the Chesapeake Bay Authority to construct, maintain, and operate a toll bridge across the Chesapeake Bay, from a point in Baltimore County, Md., over Hart Island and Miller's Island to a point near Tolchester, Kent County, Md.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in order to promote interstate commerce, improve the postal service, and provide for military and other purposes, the Chesapeake Bay Authority, a public body created under the laws of the State of Maryland, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Chesapeake Bay at a point suitable to the interests of navigation, from a point in Baltimore County, Md., over Hart Island and Miller's Island to a point near Tolchester, Kent County, Md., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. The said Chesapeake Bay Authority is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

SEC. 3. In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including reasonable interest and financing cost, as soon as possible, under reasonable charges, but within a period of not to exceed 40 years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the cost of the bridge and its approaches; the expenditures for maintaining, repairing, and operating the same; and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 4. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Strike all after the enacting clause and insert in lieu thereof the following:

"That the consent of Congress is hereby granted to the Chesapeake Bay Authority to construct, maintain, and operate a bridge and approaches thereto across the Chesapeake Bay, at a point suitable to the interests of navigation, from a point in Baltimore County, Md., over Hart Island and Millers Island to a point near Tolchester, Kent County, Md., in accordance with the provisions of the act entitled 'An act to regulate the construction of bridges over navigable waters', approved March 23, 1906, and subject to the conditions and limitations contained in this act.

"SEC. 2. If tolls are charged for the use of such bridge, the rates of toll shall be so adjusted as to provide a fund sufficient to pay the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of the bridge and its approaches, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed 40 years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the costs of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested.

"SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved."

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 SAVANNAH RIVER, AUGUSTA, GA.

The Clerk called the next bill, H. R. 12473, authorizing the State Highway Board of the State of Georgia to construct, maintain, and operate a free highway bridge across the Savannah River at or near Augusta, Ga.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There was no objection.

Mr. BROWN of Georgia. Mr. Speaker, I ask unanimous consent to substitute for the House bill a similar Senate bill

(S. 4549), an act authorizing the State Highway Board of the State of Georgia to replace, reconstruct, or repair the free highway bridge across the Savannah River at or near the city of Augusta, Ga.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, the State Highway Board of the State of Georgia is hereby authorized to replace, reconstruct, or repair the free highway bridge and approaches thereto across the Savannah River, known as the North Augusta Bridge, at or near the city of Augusta, Ga., and to maintain and operate such bridge as a free highway bridge, in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters", approved March 23, 1906.

SEC. 2. There is hereby conferred upon the State Highway Board of the State of Georgia all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, replacement, reconstruction, repair, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

SEC. 3. The authority granted by this act shall cease and be null and void unless the replacement, reconstruction, or repair authorized herein is actually commenced within 2 years and completed within 4 years from the date of the enactment of this act.

SEC. 4. The right to alter, amend, or repeal this act is hereby expressly reserved.

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

A motion to reconsider and a House bill (H. R. 12473) were laid on the table.

BRIDGE ACROSS THE CONNECTICUT RIVER AT NORTHAMPTON, MASS.

The Clerk called the next bill, S. 4326, granting the consent of Congress to the Department of Public Works of Massachusetts to construct, maintain, and operate a free highway bridge across the Connecticut River at or near Northampton, Mass.

There being no objection the Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Department of Public Works, Commonwealth of Massachusetts, to construct, maintain, and operate a free highway bridge and approaches thereto across the Connecticut River, at a point suitable to the interests of navigation, at or near the city of Northampton, Mass., in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters", approved March 23, 1906.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS THE WACCAMAW RIVER AT RED BLUFF, S. C.

The Clerk called the next bill, H. R. 12685, granting the consent of Congress to the county of Horry, S. C., to construct, maintain, and operate a free highway bridge across the Waccamaw River, at or near Red Bluff, S. C.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the county of Horry, S. C., to construct, maintain, and operate a free highway bridge across the Waccamaw River at a point suitable to the interests of navigation, at or near Red Bluff, S. C., in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT TO BANKRUPTCY ACT

The Clerk called the next bill, S. 2303, to amend the act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, as amended and supplemented.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That clause (6½) of subsection (a) of section 63 of the act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, as amended and supplemented, is amended by inserting immediately after the words "whether voluntary or involuntarily" a colon and the following: "*Provided*, That the provisions of this clause (6½) shall apply to estates that were pending on June 7, 1934, and are in process of settlement."

SEC. 2. Notwithstanding the provisions of subsection (n) of section 57 of such act of July 1, 1898, as amended and supplemented, claims covered by the amendatory proviso of section 1 of this act may be proved against the estate of the bankrupt at any time within 60 days after the enactment 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 was laid on the table.

AGRICULTURAL INCOME

The Clerk called the joint resolution (H. J. Res. 444) to amend the joint resolution entitled "Joint resolution authorizing the Federal Trade Commission to make an investigation with respect to agricultural income and the financial and economic condition of agricultural producers generally", approved August 27, 1935.

There being no objection, the Clerk read the House joint resolution, as follows:

Resolved, etc., That section 1 of the joint resolution entitled "Joint resolution authorizing the Federal Trade Commission to make an investigation with respect to agricultural income and the financial and economic condition of agricultural producers generally", approved August 27, 1935 (Public Res. No. 61, 74th Cong.), be, and the same is hereby, amended so as to read as follows:

"That the Federal Trade Commission is hereby authorized and directed to investigate and report, at the next session of Congress—

"First. (1) The extent of the decline in agricultural income in recent years, including the amount and percentage of such decline;

"(2) The extent of the increases or decreases in recent years in the income of the principal corporations engaged in the sale, manufacturing, warehousing, and/or processing of the principal farm products, and of table and juice grapes, fresh fruits and vegetables, and of the other principal sellers, manufacturers, warehousemen, and/or processors of the principal farm products, and of table and juice grapes, fresh fruits and vegetables, as compared with the decline in agricultural income, including the amount and percentage of such changes; and

"(3) The proportion of total consumer cost of representative products manufactured or processed from the principal farm products, and of table and juice grapes, fresh fruits and vegetables, which is represented by the proceeds received by (a) the farmer; (b) the manufacturers, processors, and warehousemen; and (c) the distributors and such principal farm products, and of table and juice grapes, fresh fruits and vegetables, and such representative products manufactured therefrom.

"Second. The financial position of the principal corporations engaged in the manufacturing, processing, warehousing, distribution, and marketing of the representative major products manufactured from such farm products, including—

"(1) The capitalization and assets of such corporations and the means and sources of the growth of such capitalization and assets;

"(2) The investment, costs, profits, and rates of return of such corporations;

"(3) The salaries of the officers of such companies; and

"(4) The extent to which said corporations avoid income taxes, if at all, and the extent to which officers receiving such salaries paid income taxes thereon.

"Third. The extent of concentration of control and of monopoly in the manufacturing, processing, warehousing, distribution, and marketing of representative major farm products, and of table and juice grapes, fresh fruits and vegetables, which is maintained or has been obtained by any corporation or other organization, including—

"(1) Methods and devices used by such corporations for obtaining and maintaining their control or monopoly of the manufacturing, marketing, processing, warehousing, and distribution of such commodities, and the proportion of any such major farm commodity, and of table and juice grapes, fresh fruits and vegetables, handled by each of the large units involved; and

"(2) The extent to which fraudulent, dishonest, unfair, intimidating, and injurious methods are employed in the grading, warehousing, and transportation of such farm products, and of table and juice grapes, fresh fruits and vegetables, including combinations, monopolies, price fixing, and manipulation of prices on the commodity exchanges, and by racketeering and so-called auction markets.

"Fourth. The extent to which the cooperative agencies have entered into the processing, warehousing, and marketing of repre-

sentative major farm products, and of table and juice grapes, fresh fruits and vegetables, and the general effects of such cooperative agencies upon the producer and consumer."

SEC. 2. That section 5 of the said joint resolution be, and the same is hereby, amended by striking out the figures "150,000" and inserting the figures "300,000."

SEC. 3. That section 6 of the said joint resolution be, and the same is hereby, amended by striking out all thereof and by substituting in lieu of said section the following:

"SEC. 6. The Federal Trade Commission is directed to present a report to the Congress in respect to such principal farm products and such representative products manufactured therefrom, together with recommendations for legislation not later than July 1, 1936, and an interim report to the Congress in respect to table and juice grapes, fresh fruits and vegetables on July 1, 1936, and a final report in respect to said last-mentioned farm products, together with recommendations for legislation not later than January 31, 1937."

With the following committee amendment: Page 4, strike out lines 20 to 24, inclusive, and on page 5, strike out lines 1 to 8, inclusive, and insert the following:

SEC. 3. That section 6 of the said joint resolution be, and the same is hereby, amended by striking out all thereof and by substituting in lieu of the said section the following:

"SEC. 6. The Federal Trade Commission is directed to present a final report to the Congress in respect to such principal farm products and such representative products manufactured therefrom, together with recommendations for legislation not later than October 1, 1936, and a further report to the Congress in respect to table and juice grapes, fresh fruits, and vegetables, together with recommendations for legislation on or before January 31, 1937, and a final report in respect to the said last-mentioned products, together with any further recommendations, not later than May 31, 1937.

"It is hereby further provided that any unexpended balance of the appropriation of $150,000 made in the Independent Offices Appropriation Act for the fiscal year 1936 in accordance with the authority contained in Public Resolution No. 61, Seventy-fourth Congress, first session, is hereby made available for like purpose to and including October 1, 1936."

The committee amendment was agreed to.

The House joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Horne, its enrolling clerk, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 12027. An act to authorize the execution of plans for a permanent memorial to Thomas Jefferson.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 4354. An act to authorize the attendance of the Marine Band at the Arkansas Centennial Celebration, at Little Rock, Ark.; the Texas Centennial, at Dallas, Tex.; and the National Confederate Reunion, at Shreveport, La., between the dates from June 6 to June 16, 1936, inclusive; and

S. 4655. An act relative to limitation of shipowners' liability.

The message also announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 8442. An act to amend section 2 of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", approved October 15, 1914, as amended (U. S. C., title 15, sec. 13), and for other purposes."

The message also announced that the Senate insists upon its amendment to the foregoing bill, requests a conference with the House thereon, and appoints Mr. LOGAN, Mr. VAN NUYS, Mr. MCGILL, Mr. BORAH, and Mr. AUSTIN to be the conferees on the part of the Senate.

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

S. 4654. An act to amend an act entitled "An act to distribute the commissioned line and engineer officers of the Coast Guard in grades, and for other purposes", approved January 12, 1923; and

S. J. Res. 268. Joint resolution to amend the joint resolution entitled "Joint resolution authorizing the Federal Trade Commission to make an investigation with respect to agricultural income and the financial and economic condition of agricultural producers generally", approved August 27, 1935.

The message also announced that the Senate had passed, with amendments, in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 7688. An act to provide for the appointment and promotion of substitute postal employees, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1362) entitled "An act for the relief of Ramey Bros., of El Paso, Tex."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3952) entitled "An act for the relief of Mr. and Mrs. Bruce Lee."

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and a joint resolution of the House of the following titles:

On May 26, 1936:

H. R. 2982. An act for the relief of Sarah Shelton;

H. R. 3340. An act for the relief of Jesse S. Post;

H. R. 8262. An act for the relief of Tom Rogers, and the heirs of W. A. Bell, Israel Walker, Henry Shaw, Thomas Bailey, and Joseph Watson;

H. R. 8287. An act to establish an assessed valuation real-property tax in the Virgin Islands of the United States;

H. R. 8431. An act to provide for the establishment of the Fort Frederica National Monument, at St. Simon Island, Ga., and for other purposes;

H. R. 8784. An act to authorize withholding compensation due Government personnel;

H. R. 10267. An act to provide for adjusting the compensation of division superintendents, assistant division superintendents, assistant superintendents at large, assistant superintendent in charge of car construction, chief clerks, assistant chief clerks, and clerks in charge of sections in offices of division superintendents in the Railway Mail Service, to correspond to the rates established by the Classification Act of 1923, as amended; and

H. R. 10934. An act to authorize the transfer of the customhouse at Salem, Mass., from the jurisdiction of the Treasury Department to the Department of the Interior.

On May 27, 1936:

H. R. 8599. An act to provide for a change in the designation of the Bureau of Navigation and Steamboat Inspection, to create a marine casualty investigation board and increase efficiency in administration of the steamboat-inspection laws, and for other purposes; and

H. R. 11747. An act extending the time for making the report of the commission to study the subject of Hernando De Soto's Expedition.

On May 28, 1936:

H. R. 8069. An act for the relief of Mr. and Mrs. A. S. Mull;

H. R. 8766. An act to authorize municipal corporations in the Territory of Alaska to incur bonded indebtedness, and for other purposes;

H. R. 9995. An act to grant a renewal of patent no. 59560 relating to the emblem of the Disabled American Veterans of the World War;

H. R. 10194. An act granting a renewal of patent no. 40029 relating to the badge of The Holy Name Society;

H. R. 11108. An act to advance a program of national safety and accident prevention;

H. R. 11454. An act to incorporate the Veterans of Foreign Wars of the United States; and

H. J. Res. 439. Joint resolution authorizing the erection in the Department of Labor Building of a memorial to the

officers of the Immigration and Naturalization Service and Immigration Border Patrol who, while on active duty, lost their lives under heroic or tragic circumstances.

CONSENT CALENDAR

ESTABLISHMENT AND OPERATION OF GRAZING DISTRICTS IN THE STATE OF NEVADA

The Clerk called the next bill, H. R. 12698, relating to the establishment and operation of grazing districts in the State of Nevada.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to establish and administer additional grazing districts in the State of Nevada pursuant to the provisions and subject to the restrictions 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), without regard to the 80,000,000 acres limitation contained in section 1 thereof.

SEC. 2. Nothing in this act shall be construed as in any way altering or restricting the right to hunt or fish within a grazing district in accordance with the laws of the United States or of any State, or as vesting in any permittee any right whatsoever to interfere with hunting or fishing within a grazing district, except that hereafter the control of hunting and fishing within the Boulder Canyon Project Reservation, as now or as hereafter may be defined, shall be exercised by the Interior Department, subject to the provisions of the act of August 25, 1916 (39 Stat. 535), as amended and supplemented.

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.

SERVICE CHARGES ON PUBLIC WORKS ADMINISTRATION HOUSING PROJECTS

The Clerk called the next bill, S. 3247, to amend title II of the National Industrial Recovery Act as amended by the Emergency Appropriation Act, fiscal year 1935, and as extended by the Emergency Relief Appropriation Act of 1935.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. RICH. Mr. Speaker, reserving the right to object, I would like to have someone explain the bill. This bill has reference to the dead N. R. A., and we would like to know what they are going to do with it.

Mr. RAMSPECK. If the gentleman will yield, I can tell him in a very few words to what this bill refers. It deals with the lower-cost housing projects.

In the first place, some of the cities in which these projects are located have declined to extend school facilities and police and fire protection to these projects unless the cities are compensated in lieu of taxes. This bill enables the Administrator of Public Works to enter into an agreement with the city for a lump-sum payment in lieu of taxes, which may be either 5 percent of the gross rental of the houses when completed or the tax collected from the property prior to the acquisition of same by the Government, whichever is the lesser sum.

Mr. RICH. How did these projects get started? Are these the projects under the Tugwell administration, which were declared unconstitutional by the Supreme Court last week?

Mr. RAMSPECK. This has no relationship, as I understand it, to that. This deals with projects under the Public Works Administration.

Mr. RICH. Mr. Speaker, I do not believe that this bill should be considered by unanimous consent; therefore I object.

PROVISION FOR CARE AND TREATMENT OF MEMBERS OF NATIONAL GUARD, ETC.

The Clerk called the next bill, S. 3334, to make provision for the care and treatment of members of the National Guard, Organized Reserves, Reserve Officers' Training Corps, and citizens' military training camps who are injured or contract disease while engaged in military training, and for other purposes.

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

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That officers, warrant officers, and enlisted men of the National Guard who suffer personal injury or contract disease in line of duty while en route to or from or during their attendance at encampments, maneuvers, or other exercises, or at service schools, under the provisions of sections 94, 97, and 99 of the National Defense Act of June 3, 1916, as amended; members of the Officers' Reserve Corps and of the Enlisted Reserve Corps of the Army and members of the National Guard of the United States who suffer injury or contract disease in line of duty while on active duty under proper orders; and persons hereinbefore described who may now be undergoing hospital treatment at Government expense for injuries so sustained; shall, under such regulations as the President may prescribe, be entitled, at Government expense, to such hospitalization, rehospitalization, medical and surgical care, in hospital and at their homes, as is necessary for the appropriate treatment of such injury or disease, until the disability resulting from such injury or disease cannot be materially improved by further hospitalization or treatment, and during the period of such hospitalization or rehospitalization, but not for more than an aggregate of 6 months after the termination of the prescribed tour of active duty or training in any case to the pay and allowances, whether in money or in kind, that they were entitled to receive at the time such injury was suffered or disease contracted, and to the necessary transportation incident to such hospitalization and rehospitalization and return to their homes when discharged from hospital; and for any period of hospitalization or rehospitalization when they are not entitled to pay and allowances under the preceding provision, they shall be entitled to subsistence at Government expense. Officers, warrant officers, and enlisted men of the National Guard who suffer personal injury (as distinguished from disease) in line of duty when participating in aerial flights prescribed under the provisions of section 92 of said National Defense Act as amended shall, under regulations prescribed as aforesaid, be entitled to the same hospitalization, rehospitalization, medical and surgical care, pay and allowances, and transporation, as if such injury had been suffered while in line of duty during their attendance at encampments, maneuvers, or other exercises, or service schools, under the aforementioned sections 94, 97, or 99 of the National Defense Act of June 3, 1916, as amended; and members of the Officers' Reserve Corps and Enlisted Reserve Corps of the Army who suffer personal injury (as distinguished from disease) in line of duty while voluntarily participating, when not on active duty, in aerial flights in Government-owned aircraft by proper authority as an incident to their military training, shall, under regulations prescribed as aforesaid, be entitled to the same hospitalization, rehospitalization, medical and surgical care, pay and allowances, and transporation as if such injury had been suffered while on active duty under proper orders. Members of the Reserve Officers' Training Corps and members of the citizens' military training camps who suffer personal injury or contract disease in line of duty while en route to or from and during their attendance at camps of instruction, under the provisions of section 47a or 47d of said National Defense Act, as amended, shall, under regulations prescribed as aforesaid, be entitled to hospitalization, rehospitalization, medical and surgical care, in hospital and at their homes, pay and allowances, transportation, and subsistence as in the case of persons hereinbefore described. If the death of any person mentioned herein occurs while he is on active duty, or undergoing training or hospital treatment contemplated by this section, the United States shall, under regulations prescribed as aforesaid, pay the necessary expenses for recovery of the body, its preparation for burial, including the use of such of the uniform and articles of clothing issued to him as may be required, interment (or cremation if requested by his relatives), and transportation of his remains, including round-trip transportation and subsistence of an escort, to his home or the place where he received orders for the period of training upon which engaged at the time of his death, or to such other place as his relatives may designate, provided the distance to such other place be not greater than the distance to his home: *Provided*, That when the expenses of the recovery, preparation, and disposition of remains herein authorized, or any part thereof, are paid by individuals, such individuals may be reimbursed therefor at an amount not exceeding that allowed by the Government for such services. The determination of the fact whether an injury was suffered or disease contracted by the person concerned in line of duty, and of all other facts and conditions necessary to entitle a person to the benefits of this act, shall be made by the Secretary of War, or by such agencies or shall be designated, under such regulations as the President may prescribe, and such determination shall be final and conclusive for all purposes of this act. Section 6 of the act of March 4, 1923, as amended by the act of April 26, 1928 (45 Stat. 461), is hereby repealed: *Provided further*, That any person who, on the date of the approval of this act, is receiving or entitled to receive the benefits provided by said section 6 of the act of March 4, 1923, as amended, shall be entitled to the benefits of this act in lieu thereof, and existing appropriations for carrying out the provisions of section 6 of said act of March 4, 1923, as amended, shall be available for expenditures authorized by this act.

With the following committee amendments: Page 2, line 4, after the word "orders", insert "in time of peace"; page 5, line 1, after the word "services", strike out the remainder of line 1 and all of lines 2 to 7, inclusive, down to the word "Act" in line 8.

The committee amendments were 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.

TRANSFER OF LAND FROM THE WAR DEPARTMENT TO THE TERRITORY OF HAWAII

The Clerk called the next bill, H. R. 10712, to authorize the transfer of land from the War Department to the Territory of Hawaii.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized to transfer to the Territory of Hawaii all right, title, and interest of the United States in such portion of the land at the base of the east breakwater at Kahului, county of Maui, Territory of Hawaii, as is not required for the maintenance of said breakwater, on such terms and conditions as the Secretary of War may determine: *Provided*, That the conveyance shall be upon the express condition and with a reservation reserving the right to resume and occupy said tract of land whenever, in the judgment of the President, an emergency exists that requires the use and appropriation of the same for public defense, and also with the further reservation as to that portion of said tract of land other than known as pier no. 1 and the land immediately adjacent thereto that it shall be used for park purposes, and that in case it is not so used it shall revert to the United States.

With the following committee amendment:

Page 1, line 9, after the word "determine", insert a colon and the following: "*Provided*, That the conveyance shall be upon the express condition and with a reservation reserving the right to resume and occupy said tract of land whenever in the judgment of the President an emergency exists that requires the use and appropriation of the same for public defense, and also with the further reservation as to that portion of said tract of land other than known as pier no. 1 and the land immediately adjacent thereto that it shall be used for park purposes, and that in case it is not so used it shall revert to the United States."

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.

SELECTION OF SITE FOR ERECTION OF PEDESTAL FOR ALBERT GALLATIN STATUE IN WASHINGTON, D. C.

The Clerk called the next resolution, Senate Joint Resolution 215, authorizing the selection of a site and the erection of a pedestal for the Albert Gallatin statue in Washington, D. C.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. WOLCOTT. Mr. Speaker, reserving the right to object——

Mr. KELLER. Mr. Speaker, will the gentleman withhold his objection?

Mr. WOLCOTT. I withhold it.

Mr. KELLER. I simply want to call attention to the fact that there is no appropriation here except for a pedestal. The monument itself is provided by the society.

Mr. WOLCOTT. I think the gentleman had better read his bill. I think he means the north entrance of the Treasury Building instead of the west entrance.

The regular order was demanded.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the joint resolution be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

AMENDMENT OF THE ENABLING ACT FOR THE STATE OF ARIZONA

The clerk called the next bill, S. 4230, to amend section 28 of the Enabling Act for the State of Arizona, approved June 20, 1910.

There being no objection, the clerk read the bill as follows:

Be it enacted, etc., That section 28 of the act entitled "An act to enable the people of New Mexico to form a constitution and state government and be admitted into the Union on an equal footing with the original States; and to enable the people of Arizona to form a constitution and state government and be admitted into the Union on an equal footing with the original States", approved June 20, 1910, is amended (1) by striking out the proviso in the third paragraph thereof and inserting in lieu thereof the following: "*Provided*, That nothing herein contained shall prevent said State of Arizona from leasing in a manner as the State legislature may direct, any of said lands referred to in this section for grazing and agricultural purposes for a term of 10 years or less, or from leasing any of said lands for mineral purposes (including leases for exploration of oil and gas and extraction thereof) for a term of 20 years or less"; (2) by striking out in the fourth paragraph thereof "nor in any case less than the minimum price hereinafter fixed,"; (3) by striking out in the fifth paragraph thereof "$3 per acre" and inserting in lieu thereof "their appraised value"; and (4) by inserting between the fifth and sixth paragraphs thereof the following new paragraph:

"The State of Arizona is authorized to exchange any lands owned by it for other lands, public or private, under such regulations as the legislature thereof may prescribe: *Provided*, That such exchanges involving public lands may be made only as authorized by acts of Congress and regulations thereunder."

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.

INTERSTATE TRANSPORTATION OF PRISON-MADE PRODUCTS

Mr. MILLER. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 11372) to amend Public Law No. 215, Seventy-fourth Congress, first session.

The Clerk read the bill, as follows:

Be it enacted, etc., That Public Law No. 215, Seventy-fourth Congress, first session, approved July 24, 1935, entitled "An act to prohibit the interstate transportation of prison-made products in certain cases", be, and the same is hereby, amended by adding after section 2 thereof a new section to be known as section 2A and to read as follows:

"SEC. 2A. No person shall deliver for shipment any such package, as described in the foregoing section, unless each article therein contained shall be plainly and indelibly marked with the words 'prison-made', together with the name and location of the penal or reformatory institution wherein produced."

The SPEAKER. Is a second demanded?

Mr. WOOD. Mr. Speaker, I demand a second.

Mr. MILLER. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. MILLER. Mr. Speaker, at the last session of the Congress a bill was enacted which made it unlawful for prison-made goods to be transported in interstate commerce into those States where the sale of such goods are prohibited by State law. The practical operation of the act developed the fact that under the law that we passed at the last session, all that was required to be done was to mark on the outside of the package containing the goods "Prison made." So, when the goods reached their destination and the wrapper was removed from the package, they passed into the commerce of the State, and there was no way of identifying these goods from any others.

This bill proposes to add a section to that particular statute requiring the marking of the individual goods by stamping them indelibly as prison-made goods.

The Department of Justice states that unless such a statute is passed it is impossible to enforce the present statute; and the question, as I see it, is this, and I am going to be perfectly frank with you: It does not operate in my State in the least, so far as I know, and I have no personal feeling about the bill or personal interest in it. If we are going to prevent the mingling of prison-made goods with goods made by free labor in commerce, there does not seem to be any way to do it except by requiring the individual articles themselves to be stamped.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. MILLER. Yes.

Mr. BLANTON. Is it not a fact that this very contention is one that Mr. Samuel Gompers, who was president of the American Federation of Labor for a long time, sought to have Congress provide for, so that prison-made goods could be recognized wherever they were found?

Mr. MILLER. I am not familiar with that.

Mr. BLANTON. And this is in strict accord with the former demands of organized labor, as I understand it.

Mr. MILLER. I am not informed about that.

Mr. COOPER of Ohio. Mr. Speaker, will the gentleman yield?

Mr. MILLER. I yield.

Mr. COOPER of Ohio. I believe the gentleman stated the Department of Justice is in favor of this bill?

Mr. MILLER. That is my understanding.

Mr. COOPER of Ohio. I have a letter here dated May 26, 1936.

Mr. MILLER. That is quite recent.

Mr. COOPER of Ohio. This letter is addressed to the chairman of the gentleman's committee, the gentleman from Texas [Mr. SUMNERS], and the last paragraph of the letter reads as follows:

> Whether the proposed amendment should be enacted is primarily a question of legislative policy. I desire to point out, however, that, if enacted, the law would be extremely difficult of enforcement.
>
> Sincerely,
>
> HOMER S. CUMMINGS.

Mr. MILLER. And I understand that we had another letter saying they could not enforce the present law, and the question is whether or not you want to permit prison-made goods to go into commerce without being marked and thus compete with goods manufactured by free labor. If you do, the bill ought to be defeated. If not, the bill ought to be enacted into law.

I reserve the remainder of my time, Mr. Speaker.

Mr. WOOD. Mr. Speaker, ladies and gentlemen of the House, this bill before us brings up a very difficult question. We have been battling many years in heroic attempts to abolish the sale of contract prison-made goods.

One of my objections to this amendment which requires that each garment or article be stamped or indelibly imprinted as prison made is that I do not think it very good policy for us to recognize that prison-made garments stamped prison made are marketable.

Do not think that you are going to segregate prison-made goods made by prison labor by simply stamping them prison made.

Another objection is that we only have 22 States that have enacted laws for the purpose of restricting in one manner or another the manufacture and sale of prison-made goods by prison contractors.

Some States have the State-use system.

These States—Ohio, New York, Pennsylvania, and several other States that have the State-use system—have abolished the very inhuman contract-leasing system.

Then there are 15 or 18 States that have no system. We have now seven States that require the labeling of their products as made in the penitentiary.

There are a number of States that buy a great amount of clothing from the Missouri penitentiary. We have 1,500 or 1,800 making clothing of all kinds, types, and description, and there are thousands of institutions throughout the States where the State governments are caring for unfortunate children. There is no State in the Union that has not several institutions to care for orphans. I do not want any of my relatives who have little children that must go to one of these State institutions to be compelled to wear clothing day after day marked "prison made." I say to you that it is not a fair policy; it is not a good policy to get those children accustomed to looking at brands of prison-made goods.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. WOOD. Yes.

Mr. DINGELL. Is it not a fact that the very stamping of these prison-made goods will be recognition that they are legitimately produced.

Mr. WOOD. Yes; that is a very serious objection, that they are recognized as legitimate marketable goods. There are people who are compelled to buy such commodities. There are many good citizens who have children, two or three or four, who have very little money, and it is necessary to clothe those children. The father or mother will look on one counter, with the goods marked prison-made there, and another counter without them, or perhaps look on a counter where both are intermingled. Side by side, one stack is marked prison-made goods, the mark probably being on the collarband or somewhere not very visible, but the mark will be shown by the clerk. There will be a pair of small trousers, perhaps, or some article of clothing in that stack, tagged at 75 cents a garment, and in the next stack beside it goods of the same quality and the tag will be $1.25.

The father or mother hates to buy the prison-made goods; they dread to do it; they see under the collar this mark of prison-made, but they want the children clothed. Their great desire is to keep their children from want and misery; their desire is to keep them from shivering and suffering, and they will buy the prison garment. It is no reflection upon their character when they do that. They are confronted with a situation; and I say to you that the enactment of the Hawes-Cooper and the Ashurst-Sumners laws has started us on a rapid upward trend toward the abolition of this abominable system of the sale of convict-made goods in the open market, and especially the sale of contract-made goods.

Mr. COOPER of Ohio. Mr. Speaker, will the gentleman yield?

Mr. WOOD. Yes.

Mr. COOPER of Ohio. A number of years ago I was the coauthor of what is known as the Hawes-Cooper prison-made goods law.

Mr. WOOD. And I complimented the gentleman upon being the author of that law.

Mr. COOPER of Ohio. For 50 years the American Federation of Labor worked in season and out of season to have that act become a law. This bill would not apply to the States that have no laws governing the sale of prison-made goods. It applies only to those States that have State laws governing the sale of prison-made goods.

Mr. WOOD. Yes.

Mr. COOPER of Ohio. Can the gentleman tell me who is back of this bill? I understand the American Federation of Labor is not in favor of it.

Mr. WOOD. I have not been informed that the American Federation of Labor is back of it. Neither am I informed that the Clothing Manufacturers Association is back of it. They have been prime movers in the abolition of the sale of convict-made goods in the open market. I know of no one who had interceded in behalf of the bill.

Mr. COOPER of Ohio. The representatives of the American Federation of Labor informed me this afternoon that they are opposed to the bill. I would like to know who is for it.

Mr. WOOD. I am sorry to say that I cannot tell. The representatives of the American Federation of Labor also informed me a few hours ago that they are opposed to this bill, as did several clothing manufacturers and other people who have cooperated in the great effort to abolish the open sale of these convict-made goods.

Mr. WELCH. Mr. Speaker, the representatives of the American Federation of Labor have informed me that they are unalterably opposed to this legislation.

Mr. WOOD. I think there is no question about that. This is a matter of legislative policy. No Member of Congress is to be condemned for his position on this matter. It is a matter of policy, and it has been a very involved question, as you all know, for many years. I just cannot go along with the idea of legalizing and putting the stamp of approval upon prison-made garments sold in the open market. I fear if we enact this bill that that is what we will do. For years past I know that various State federations and various manufacturers' associations, as well as the American Federation of Labor, have groped around in the dark for all kinds of remedies, and in years gone we have advocated the stamping of prison-made garments when there was no State-use system, but we are now drifting rapidly toward the right solution, and that is for the State to manufacture these products for the use of State institutions and keep them out of competition, as far as possible, with free labor. I do not know what we are going to do with our prison population. Our prison population in Missouri is increasing by leaps and bounds. We built a new reformatory in the past 5 or 6 years.

They are filled to overflowing. I do not know what the remedy is, but I do know that something must be done to take care of them. I fear, if we pass this amendment to the

Ashurst-Sumners law, we will find ourselves in the position where we will have a great influx of prison-made goods marked and stamped. As I said before, I fear there are a great many people who, through stress of circumstances—and, of course, we have millions of them now—may augment the sale of prison-made garments and do just the reverse of what we are attempting to do here.

Mr. MOTT. Mr. Speaker, will the gentleman yield?

Mr. WOOD. I yield.

Mr. MOTT. As I understand it, this bill simply provides that the articles be indelibly marked. What would prevent a person buying a suit of clothing so indelibly marked and removing the mark after he buys it? That does not mean that it has to be marked on with indelible ink.

Mr. WOOD. Yes; but they can take it off.

Mr. MOTT. What is to prevent a person, after he buys a coat, from removing that label?

Mr. WOOD. Nothing at all.

Mr. MOTT. All right, then. What is the matter with the bill? If a person buys a child's garment he can take the indelible mark off, but if this amendment were adopted it would prevent a fraud being perpetrated upon the purchaser who did not know the difference between prison-made goods and other goods.

Mr. WOOD. The words "indelibly marked" I fear mean that it is marked so that it cannot be removed. That is what I think the courts will interpret. I am not a lawyer, but I think that is the purpose and intent and meaning of the language of that amendment, and it will be so indelibly marked that it cannot be removed.

Mr. MOTT. Does the gentleman think it will have to be printed with indelible ink upon the cloth? In other words, does the gentleman say that that marking on my coat, for instance, is not an indelible mark?

Mr. WOOD. No; it is not. I do not think it is, because it could be easily removed, and what the courts may construe as "indelibly marked" seems to me to be that they would construe that that garment shall be so marked that it cannot be removed.

Mr. BIERMANN. Mr. Speaker, will the gentleman yield?

Mr. WOOD. I yield.

Mr. BIERMANN. At the present time prison-made goods may be shipped in interstate commerce; is that not true?

Mr. WOOD. Yes.

Mr. BIERMANN. If a man buys prison-made goods now, he does not know whether it is prison made or whether it is made by free labor, but if this bill is passed he will be put on notice as to what he is buying?

Mr. WOOD. No. I hope we will never see the day when we will teach them to buy prison-made garments. I am mighty glad that the men who buy them do not know they are prison made.

Mr. BIERMANN. Does the gentleman think this bill would encourage the buying of prison-made goods?

Mr. WOOD. In many circumstances, it would. Under the stress of circumstances, it certainly would.

Mr. BIERMANN. Then the gentleman is against the bill?

Mr. WOOD. I am against this amendment; yes. I do not think it is a proper amendment.

Mr. PEARSON. Mr. Speaker, will the gentleman yield?

Mr. WOOD. I yield.

Mr. PEARSON. Is it not true that the American Federation of Labor actively sponsored Public Law No. 215, which we enacted during the first session of this Congress?

Mr. WOOD. Yes; they actively sponsored the Ashurst-Sumners law.

Mr. PEARSON. Is it not also true that this amendment is offered for the purpose of making that particular law effective and so as to make it effective?

Mr. WOOD. I disagree with the gentleman. As I said before, it is a matter of policy that is not in accord with the opinion of the Attorney General, as was read by the gentleman from Ohio [Mr. COOPER]. The Attorney General, in the last paragraph of his letter to Judge SUMNERS, chairman of the committee, stated:

> Whether the proposed amendment should be enacted is primarily a question of legislative policy. I desire to point out, however, that if enacted, the law will be extremely difficult of enforcement.

Of course, there are divers views about the difficulty of its enforcement and as to its strengthening or weakening the present law.

Mr. SIROVICH. Mr. Speaker, will the gentleman yield?

Mr. WOOD. I yield.

Mr. SIROVICH. During the last 10 years I have heard debates on this subject of prison-made goods and I understand they can be classified under the following groupings: A prisoner must have something to do while in prison. Therefore they have given him an opportunity to do work. Many States have recognized the humanity of taking prison-made goods to supply State institutions so that those prisoners might have work.

Mr. WOOD. Yes.

Mr. SIROVICH. Now, if this legislation is enacted, it will enable prison-made goods to compete with free labor and encourage that competition by underselling the work of free labor?

Mr. WOOD. I am very glad for the gentleman's contribution. I agree with him thoroughly.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. WOOD. I yield.

Mr. RICH. The gentleman expressed great concern about the fact that we are filling up our prisons so fast.

If he will read the report of the Attorney General and the Superintendent of Prisons, he will find that since doing away with the eighteenth amendment we have increased our prison population 400 percent.

Mr. WOOD. I will say to the gentleman that we built our two institutions under the Republican administration and during prohibition.

Mr. RICH. Yes; but the reports of the Attorney General for the past 2 years and the report for the year 1935 show that they have increased 400 percent.

Mr. WOOD. Our prison institutions were filled before this administration came in.

Mr. RICH. Evidently the gentleman has not read the report of the Attorney General for this year.

Mr. WOOD. We know the situation in Missouri and, although I am ashamed to admit it, we have a good many prisoners in the institutions. We know those prisons were filled immediately after they were built.

[Here the gavel fell.]

Mr. MILLER. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Speaker, I regret to take issue with my distinguished colleague from Missouri [Mr. WOOD] and my distinguished colleague from Ohio [Mr. COOPER]. They are two of the high class, high-standing Members of the House, both as good friends to organized labor as it ever had. The bill that this bill now seeks to amend was an organized-labor bill—the Ashurst bill—passed by Congress, which merely provides that prison-made goods to be shipped in interstate commerce can only go to those States which permit it, which have no laws against it; and when they do go there the outside box or package, the big crate or carton, whatever it is, must be marked "Prison-made goods." The inside goods themselves are not marked at all.

Under that law these great big crates of goods can go into a State which permits it, be opened and the unmarked goods inside placed on counters alongside free-labor goods and no one can distinguish them. That would be against organized labor and against the contention I heard the distinguished late lamented Samuel Gompers make before my committee at one time when he was insisting that just such a law as this now before the House be passed. Prison-made goods should be marked so the people can distinguish them from goods made by free labor.

Mr. SIROVICH. Mr. Speaker, will the gentleman yield?

Mr. BLANTON. In just a minute, when I have completed this statement.

Mr. Speaker, I contend that it is a protection to free labor to mark prison-made goods so people can tell them from goods made by free labor. I have in my home some sample shoes that were made in a Federal penitentiary by convicts, a pair of fine calfskin shoes that the prison can make for $3.35 and give the convict some pay for it which he can send home to his wife and little children. Some of these shoes are sold to officers in the Army and Navy for $3.35, whereas like shoes made by free labor would cost $12 in any retail store in the land.

Mr. WOOD. Mr. Speaker, will the gentleman yield?

Mr. BLANTON. Certainly; to my friend from Missouri.

Mr. WOOD. Would the gentleman favor marking shoes that come in from Czechoslovakia?

Mr. BLANTON. Yes; I would.

Mr. WOOD. Mark them indelibly "Made in Czechoslovakia"; for, does the gentleman know they can compete even with prison-made goods?

Mr. BLANTON. I would like to see every single piece of foreign merchandise, every single foreign product that comes into our ports marked so we can tell it. Then we could protect the goods of our own country against foreign goods. I would like to see every article received from Japan marked so we can tell it; then we could do something for the protection of the labor of the United States against the cheap labor of Japan.

Mr. SIROVICH. My distinguished colleague has just concluded his statement. Will he yield?

Mr. BLANTON. Certainly.

Mr. SIROVICH, Does he think it is right to take the product of forced convict labor under prison circumstances and under prison conditions and ship it in interstate commerce to compete with goods made by free American labor?

Mr. BLANTON. Answering the great humanitarian of the House, the man whose every heart pulsation is supposed to beat for suffering humanity, I may say there would be no convict-made products, there would be no prison-made goods, if there were not before Congress the problem of what to do with the convicts of the country after we put them in prisons. The prisoners are there and they cannot be permitted to remain idle. Idleness is the devil's workshop.

[Here the gavel fell.]

Mr. MILLER. Mr. Speaker, I yield 1 additional minute to the gentleman from Texas.

Mr. BLANTON. Without work there would be mutinies. We are not merely punishing men while they are in penitentiaries, we are hoping to reclaim some of them. We must give them an opportunity to work, we must give them an opportunity to make a little something to help support their children by diligent endeavor.

Mr. SIROVICH. Mr. Speaker, will the gentleman yield further?

Mr. BLANTON. Would the gentleman from New York not have them work?

Mr. SIROVICH. That is not it at all.

Mr. BLANTON. When they work, they produce something. What would the gentleman do with the product?

Mr. SIROVICH. Do as they do in my State of New York; require that it be used in State institutions.

Mr. BLANTON. Most of the Federal prison output is used by the Government, especially in the Army and Navy. Our Government institutions use practically all the output of Atlanta, and all the output of Leavenworth every year.

[Here the gavel fell.]

Mr. MILLER. Mr. Speaker, I yield 5 minutes to the gentleman from Kentucky [Mr. ROBSION].

Mr. ROBSION of Kentucky. Mr. Speaker, I introduced H. R. 11372, which requires prison-made goods shipped from one State to another to have printed on each article "prison made" and the name of the prison and place in which the goods were manufactured or processed.

The chief purpose of my bill is to make effective the enforcement of the Hawes-Cooper Act, enacted some years ago by a Republican Congress, and the amendment to that act, known as the Ashurst-Sumners amendment to Public Law No. 215, which became a law on July 24, 1935. The Hawes-Cooper Act prohibits the shipment of prison-made goods from one State to another in violation of that act. The Supreme Court has held that act to be constitutional. The Ashurst-Sumners amendment to the Hawes-Cooper Act of date July 24, 1935, amended the Hawes-Cooper Act and provided means for its enforcement in that the Ashurst-Sumners amendment requires the containers of goods shipped from one State to another State to have printed on the containers the words "prison-made" and the place and name of the prison where made or processed. This amendment was recently held constitutional by the United States Circuit Court of Appeals. The Ashurst-Sumners amendment, however, falls short of the requirements to make effective the enforcement of the Hawes-Cooper Act, because after the merchant or other person has received the goods and removed the goods from the container and places the overalls, furniture, stoves, and so forth on the floor or shelves, there is no way to know whether or not the goods are prison-made.

The bill that is before us, H. R. 11372, introduced by me in the House, is an amendment to the Ashurst-Sumners Act, and it requires the articles within the containers to be plainly and indelibly marked with the words "prison-made", together with the name of the penal or reformatory institution wherein they are produced. Without this provision, a container could be shipped from one State to another with a thousand or 2,000 pairs of overalls, another with that number or more of shirts, another with 5,000 pairs of shoes, or containers with furniture, stoves, and so forth. The buyer of these articles would, of course, remove the container, and there would be nothing left to inform the retail purchaser that the goods or articles were prison-made.

If the House and Senate adopt this amendment before us, each pair of overalls, shirts, pants, shoes, and each article of furniture, stoves, and so forth, will be marked on the articles themselves "prison made."

The purpose of this measure is to protect free labor from the low wages paid to prison contract labor. While the cheap clothing, furniture, shoes, and so forth, made in prison are not so considerable in amount, yet there is enough of them to break down the price of those produced on the outside by free labor. It takes away the employment of free labor and creates undue preference to merchants who handle prison-made goods over the merchants whose goods are manufactured and processed by free labor.

This measure, after mature consideration, was favorably reported by the Judiciary Committee, without a dissenting vote. It had the unanimous support of our Judiciary Committee, of which I have the honor to be a member. The American Federation of Labor of my home State as well as other States has strongly urged the passage of this bill. The United Mine Workers are likewise strongly in favor of this measure. The manufacturers of clothing, shoes, furniture, stoves, and so forth, which employ free labor at fair prices, and the merchants generally of this country have commended and urged the enactment of this bill. The only active opposition I have heard of to this measure is the prison contractors, many of whom have been exploiting prison labor and also many of whom through political pull and influence have obtained unconscionable contracts with very little pay to the prisoners themselves or to the State and with inordinate profits going to the prison contractors.

I am opposed to free labor being forced into competition with prison labor, and I am opposed to manufacturers and merchants who process and handle the products of free labor being handicapped with unfair competition of prison-made goods. [Applause.]

Mr. WOOD. Will the gentleman yield?

Mr. ROBSION of Kentucky. I yield to the gentleman from Missouri.

Mr. WOOD. If the labeling of prison-made goods will stop their sale upon the open market, I would like to have the gentleman explain to me why the labeling of German cutlery, which people used to buy when I was a boy, has not stopped its sale? The people in those days felt they

would get a knife with better metal in it and at a cheaper price if that knife was made in Germany. It has not stopped the sale of foreign products.

Mr. ROBSION of Kentucky. There has been a great change in the public opinion in our country since the time spoken of by my friends from Missouri. Congress has passed an act urging "Buy American." Our governmental agencies are and should insist that American goods and products be used in and on Government contracts. I am urging an amendment to a bill in the Judiciary Committee providing that no wages or salaries for services on any Government contract shall be paid to anyone who is not an American citizen.

The gentleman from Texas [Mr. BLANTON] stated that he should like to see a bill passed requiring foreign goods and products labeled, showing the country and place from which they come. I have introduced a bill providing that it shall be an unfair business practice for any foreign country to ship any of its goods or products into this country without their being labeled, showing the country in which they were produced and from which they come. Under this administration's reciprocal-trade agreements, there is little hope of getting through any such measure.

Japan is flooding this country with her products of crockery, silks, and textiles. They come here and study the patterns of our crockeryware, and so forth, and find out what pleases the American people; then they go back to Japan and duplicate these articles; and with wages ranging from one-tenth to one-thirtieth of what is paid in this country, they are putting our factories and shops and workers out of business.

This amendment before us is very necessary, indeed, in order to secure the effective enforcement of the Hawes-Cooper and Ashurst-Sumners Acts, and I trust that it will be adopted. [Applause.]

Mr. MILLER. Mr. Speaker, I shall not take more than 2 or 3 minutes. It is quite correct to say that we must have some means of keeping our prison population busy, but that does not mean that we ought to put those men to work manufacturing overalls, shoes, and what not, and then selling these articles to outside merchants at reduced prices, thereby putting those goods into commerce without any identification mark being put on them, and thus making it possible to foist these goods upon the public without the public knowing the origin of the merchandise. If the public purchases prison-made goods it should know they were manufactured in prisons and not by free labor.

Mr. Speaker, a lot has been said about labor being opposed to this bill. I, personally, pay very little attention to what group may be opposed to any particular legislation. I do know common sense when I meet it. A man named Roberts has been contacting various Members. I do not know who he is and I care less. I do know that some of the State federations of labor have been very much interested in this bill. I know, further, if we take the thousands of convicts in this country and let them make articles and put those articles into the commerce of this country without some mark of identification being inscribed upon them, we will beat down the price of labor.

Mr. TERRY. Will the gentleman yield?

Mr. MILLER. I yield to the gentleman from Arkansas.

Mr. TERRY. I hold a letter in my hand which I received from the secretary-treasurer of the Arkansas State Federation of Labor, reading as follows:

> May I earnestly request your support and active interest in behalf of H. R. 11372, now pending in Congress? And which provides that each article made in prison be indelibly labeled "prison made", together with the name and location of the institution.
>
> The passage of this bill will go a long way in solving the question of making State and Federal laws enforcible, and will materially assist private enterprise in their attempt to compete with cheap prison labor.
>
> Thanking you in advance for your support, I remain,
>
> Yours very truly,
>
> H. M. THACKREY.

Mr. MILLER. Mr. Speaker, I want to say this to the individual Members who are doing what they think is best for labor. You better not misconstrue this letter which has been received from the Arkansas State Federation of Labor, because it is the attitude of labor generally.

Mr. MORITZ. Will the gentleman yield?

Mr. MILLER. I yield to the gentleman from Pennsylvania.

Mr. MORITZ. The gentleman from Missouri [Mr. WOOD] is president of the Missouri State Federation of Labor, and he is against this bill.

Mr. MILLER. Yes; but may I ask what instructions has he had? I am looking at the matter from a common-sense standpoint.

Here is a factory on the outside manufacturing overalls, which institution pays its laborers a fair daily wage. There is a factory on the inside of the prison walls making overalls, which they can sell on the outside market for 50 cents. The factory on the outside, if it retains its wage scale, must sell their overalls for 65 or 75 cents. You cannot convince me that the man on the outside would be in favor of letting the product of that prison factory manned by convicts to come on the market without some label being put on it.

Mr. WOOD. Does the gentleman think there would be any advantage in marking the goods? There is now being made in the prisons more clothing and shoes than anything else. If the clothing and shoes were marked in some infinitesimal corner, would that have much effect?

Mr. MILLER. I think so.

Mr. WOOD. Does the gentleman think it would have any effect?

Mr. MILLER. I think so.

Mr. Speaker, many manufacturers, wholesalers, and merchants have written us letters. The question is asked, Who is behind the bill? As I said, I do not care who is behind the bill just so its provisions are in accordance with ordinary common sense. It so happens, however, that many reputable wholesalers and dealers are asking that the bill be passed.

Mr. ROBSION of Kentucky. Will the gentleman yield?

Mr. MILLER. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. I have received telegrams and letters from the American Federation of Labor, from Kentucky and various other States, urging the passage of this bill. The United Mine Workers strongly urge its passage. The only opposition I have heard of comes from the prison contractors.

Mr. MILLER. That is the only opposition there is to the bill. We do have some men operating factories on the outside of prisons who buy goods from the prison and mingle those goods in interstate commerce, and they are the ones who are opposed to the bill because they buy these cheap prison-made goods and sell them to an unsuspecting public who has no way of knowing the origin of the goods.

Mr. Speaker, I ask for a vote on the motion.

The SPEAKER. The question is on the motion of the gentleman from Arkansas to suspend the rules and pass the bill, as amended.

The question was taken; and the Chair being in doubt, the House divided, and there were—ayes 58, noes 28.

So, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed, and a motion to reconsider was laid on the table.

PUBLIC WORKS ADMINISTRATION SLUM-CLEARANCE AND LOW-COST HOUSING PROJECTS

Mr. DINGELL. Mr. Speaker, I ask unanimous consent for the present consideration of the bill S. 3247.

Mr. RICH. Mr. Speaker, I object.

Mr. DINGELL. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3247) to waive any exclusive jurisdiction over premises of Public Works Administration slum-clearance and low-cost housing projects, to authorize payments to State and political subdivisions in lieu of taxes on such premises, and for other purposes, as amended.

Mr. RICH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RICH. Mr. Speaker, this bill was on the Consent Calendar, being No. 859 on that calendar. It was objected to

in the House. Is it possible that they can now come in and bring up this bill without unanimous consent? I shall demand a second, Mr. Speaker.

The SPEAKER. The gentleman from Michigan moves to suspend the rules and pass the bill S. 3247, as amended. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the acquisition by the United States of any real property heretofore or hereafter acquired in connection with any low-cost housing or slum-clearance project heretofore or hereafter constructed with funds allotted to the Federal Emergency Administration of Public Works pursuant to title II of the National Industry Recovery Act, the Emergency Relief Appropriation Act of 1935, or any other law, shall not be held to deprive any State or political subdivision thereof of its civil and criminal jurisdiction in and over such property, or to impair the civil rights under the local law of the tenants or inhabitants on such property; and insofar as any such jurisdiction has been taken away from any such State or subdivision, or any such rights have been impaired, jurisdiction over any such property is hereby ceded back to such State or subdivision.

SEC. 2. Upon the request of any State or political subdivision in which any such project has been or will be constructed, the Federal Emergency Administrator of Public Works is authorized to enter into an agreement, and to consent to the renewal or alteration thereof, with such State or subdivision for the payment by the United States of sums in lieu of taxes. Such sums shall be fixed in such agreement and shall be based upon the cost of the public or municipal services to be supplied for the benefit of such project or the persons residing on or occupying such premises, but taking into consideration the benefits to be derived by such States or subdivision from such project. The aggregate of sums payable under such agreements in any year in respect of any project shall not exceed whichever of the following amounts is the greater:

(a) Five percent of the gross rentals of the project for such year; or

(b) The total amount of real-property taxes levied by such State and its subdivisions upon the site (including improvements) of the project for the last tax year which expired prior to the acquisition of such site by the United States.

SEC. 3. Such payments in lieu of taxes, and any other expenditures for operation and maintenance (including insurance) of any low-cost housing or slum-clearance project described in section 1, shall be made out of the receipts derived from the operation of such projects. To provide for such payments and expenditures the Federal Emergency Administrator of Public Works is authorized from time to time to retain out of such receipts such sums as he may estimate to be necessary for such purposes.

SEC. 4. In the operation of any slum-clearance of low-cost housing project described in section 1, the Federal Emergency Administrator of Public Works is authorized to fix the rents at such rates as he shall determine to be necessary in order to make such project available to those families in the community who are unable to pay enough rent to induce private enterprise to supply adequate, safe, and sanitary housing, notwithstanding that the rental rates so fixed may not provide for repayment in full of the funds expended in connection with the project.

SEC. 5. In connection with any low-cost housing or slum-clearance project described in section 1, the Federal Emergency Administrator of Public Works, with the approval of the President, is authorized to dedicate streets, alleys, and parks for public use, and to grant easements.

Amend the title so as to read: "An act to waive any exclusive jurisdiction over premises of Public Works Administration slum-clearance and low-cost housing projects, to authorize payments to States and political subdivisions in lieu of taxes on such premises, and for other purposes."

Mr. McCORMACK (interrupting the reading of the bill). Mr. Speaker, I ask unanimous consent that the further reading of the bill be dispensed with.

Mr. BLANTON. Mr. Speaker, reserving the right to object, that should never be done on a motion to suspend the rules. Under a motion to suspend the rules, the bill ought to be read, as the House ought to know what it is doing; and I object.

The Clerk concluded the reading of the bill.

The SPEAKER. Is a second demanded?

Mr. RICH. Mr. Speaker, I demand a second.

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. RICH. Mr. Speaker, I think the Members of the House ought to hear what we have to say about this bill; and I therefore make the point of order there is not a quorum present.

The SPEAKER. Evidently there is not a quorum present.

Mr. BANKHEAD. 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. 114]

Andrew, Mass.	Dear	Hartley	Parks
Andrews, N. Y.	Dietrich	Hennings	Peterson, Fla.
Barden	Disney	Higgins, Conn.	Plumley
Berlin	Ditter	Hill, Samuel B.	Quinn
Binderup	Dorsey	Hobbs	Rayburn
Bolton	Doutrich	Hoeppel	Reed, N. Y.
Brennan	Duffey, Ohio	Hopk	Richardson
Brooks	Duncan	Houston	Robinson, Utah
Brown, Mich.	Dunn, Miss.	Huddleston	Rogers, N. H.
Buckley, N. Y.	Dunn, Pa.	Jenckes, Ind.	Sabath
Bulwinkle	Eagle	Kee	Sadowski
Burdick	Eaton	Kerr	Sanders, La.
Caldwell	Englebright	Lanham	Sandlin
Cannon, Wis.	Evans	Lee, Okla.	Schaefer
Carmichael	Fenerty	Lundeen	Sears
Carpenter	Fernandez	McGroarty	Secrest
Carter	Fitzpatrick	McSwain	Sisson
Cary	Gasque	Marcantonio	Stack
Chapman	Goldsborough	Merritt, N. Y.	Sweeney
Claiborne	Green	Michener	Taber
Clark, Idaho	Greenway	Monaghan	Tobey
Clark, N. C.	Gregory	Montague	Turpin
Cross, Tex.	Gwynne	Montet	Werner
Crowe	Halleck	Moran	Wigglesworth
Culkin	Hamlin	Oliver	Wilcox
Cummings	Hancock, N. C.	O'Malley	Zioncheck

The SPEAKER. Three hundred and twenty-one Members have answered to their names, a quorum.

On motion of Mr. VINSON of Georgia, further proceedings under the call were dispensed with.

The SPEAKER. The gentleman from Michigan is recognized for 20 minutes.

Mr. DINGELL. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, several Members who are interested in solving this problem of the Federal Government paying at least a reasonable amount of the rentals derived from low-cost housing projects, presented bills which were considered by the Ways and Means Committee. A similar bill introduced in the Senate by Senator GEORGE was presented to the committee and the committee merged the three bills before us with such amendments as would give the municipalities a certain amount of the revenue derived from such low-cost housing projects without at the same time destroying the original intent and purpose of this administration.

Perhaps the most important part of the bill is to be found on page 4, beginning in line 21, which states:

The aggregate of sums payable under such agreements in any year in respect of any project shall not exceed whichever of the following amounts is the greater:

(a) Five percent of the gross rentals of the project for such year; or

(b) The total amount of real-property taxes levied by such State and its subdivisions upon the site (including improvements) of the project for the last tax year which expired prior to the acquisition of such site by the United States.

The committee feels it is only just and proper that the municipality should receive a reasonable amount of compensation for rendering sanitary services, public lighting, sewer service, giving police and fire protection, and for various other municipal services, and this is about the entire matter involved.

Mr. McLEAN. Mr. Speaker, will the gentleman yield?

Mr. DINGELL. I yield.

Mr. McLEAN. Do I understand it is the object and the purpose of the Federal Government to run all of these low-cost-housing propositions at a loss?

Mr. DINGELL. I would not say at a loss; but, certainly, it is not intended that the amount charged for rentals should be so high as to wreck the entire plan and deprive those for whom the plan was devised of low-rental housing.

Mr. McLEAN. If the gentleman will yield further, as I understand the report——

Mr. DINGELL. If the gentleman will read the last three or four paragraphs on page 4 of the report, he will find that that explains the entire matter, and he can forget the entire report.

Mr. McLEAN. I am reading from the report——

Mr. DINGELL. The gentleman has 20 minutes on his side, and I would prefer that he use it for that purpose.

I want to point out that in addition to the question referred to there is also the question of civil jurisdiction and criminal jurisdiction of the municipality. There are some of us who had some doubts on this point. We believed that, perhaps, unless the Congress by law ceded back such rights there would be the question in the minds of the municipal and State authorities that this is in fact a reservation of the Federal Government and that the municipality or State does not have any criminal or civil jurisdiction.

There are various other features of the bill that will be explained by those who are to follow me.

Mr. ANDRESEN. Will the gentleman yield?

Mr. DINGELL. I cannot yield.

Mr. RICH. Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey [Mr. McLEAN].

Mr. McLEAN. Mr. Speaker and Members of the House, this is the first time that this act has come to my attention, and I have not had much time to study the situation. As I read the report of the committee, it is perfecly apparent from page 3 that the object of this bill is to confer power on the Administrator of the Housing Authority to rent these low-cost houses at a low price and to give him the power to rent these houses at a less amount than would cover the cost of maintenance and have the Government make up the balance.

That is another illustration of where you vest power in individuals to experiment with idealistic dreams, allow them to make their own rules and regulations, create their own statutory law, and to proceed just as they please to spend unlimited amounts of money without any direction from Congress.

It now develops just as we have seen in a number of instances, as we have seen in the case of organizations created under the laws of the State of Delaware, as we now see in these housing operations, as we have seen in the Tennessee Valley, that Congress cannot estimate and does not know what the cost of all these things to the Government is going to be in the years to come.

If we say to the Federal Housing Authority, "Go ahead and rent these houses for whatever you can get and we will make up the deficit", we will have an annually recurring liability until this whole business is unscrambled.

Mr. RAMSPECK. Will the gentleman yield?

Mr. McLEAN. I yield.

Mr. RAMSPECK. How does the gentleman reach the conclusion that we will have to appropriate money to pay these taxes?

Mr. McLEAN. Well, the majority report says:

> The Comptroller General of the United States in an opinion dated January 17, 1936 (15 Ops. Comp. Gen. 619), held that the Administrator has no authority to fix rents on such projects at rates which would not be high enough to produce a fair return on costs of the project. Such a legal inhibition on the Administrator in the operation of such projects will tend to defeat the very objectives of the low-cost housing program and increase opposition on the part of private capital engaged in housing construction. For that reason the bill provides that the Administrator may fix rents at such rates as may be necessary in order to make the projects available to those families in the community who are unable to pay enough rent to induce private enterprise to supply adequate, safe, and sanitary housing. This will remove the danger that such housing operations are only in lieu of operations by private enterprise and will enable the main objective of the housing program under the Public Works Administration to be attained.

The idea of this housing, as I understand it, just as the idea of many of these operations, is to provide a yardstick in respect to rental, in order to compel landlords to rent properties at reasonable rates. How can you have a yardstick if you are merely renting the property for what you can get and the Federal Government is chipping in with the balance, whatever may be necessary?

The SPEAKER pro tempore. The time of the gentleman from New Jersey has expired.

Mr. RICH. Mr. Speaker, will the gentleman from Michigan yield some time now?

Mr. DINGELL. I have not anybody at present who desires to speak on the bill.

Mr. RICH. Mr. Speaker, I yield myself 5 minutes and ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. RICH. The gentleman from Michigan says that he has nobody that wants time on this bill.

Mr. DINGELL. Oh, that is not what I said.

Mr. RICH. If I were on his side of the House, I would not want to use any time either in talking for this bill, it is so bad. I do not see how anybody can talk for this bill, when you take into consideration that it is merely now trying to plug up some of the holes that you made when you passed the bill creating the N. I. R. A., which the Supreme Court kicked out of the window. We want now to turn over what is left of the things that happened during the life of the N. I. R. A. to the Federal Emergency Administrator of Public Works. You all know how many of the great cities came to the Administration and asked it to clear their slums and build cheap housing quarters. That sounds good, and it might be a mighty fine thing to build houses in some sections of the country where they have dreadful conditions, but the cities came to the Federal Administration and said, "We want great, large buildings constructed here; we want to take all of this property to build these great institutions on, so that we can improve conditions in our own communities building expensive apartments." The Federal Government under Executive order saw fit to go ahead in these communities and build these properties.

What is the result? These same people came to the Federal Government and said, "We want you to pay a sum to our municipality for the property you have taken over; we want you to pay in one of two ways, either 5 percent of the gross revenue that is taken in on the property or an amount equal to the taxes previously paid before we constructed the building. You have given the Administrator the power to his agent to construct buildings as he deemed fit and proper. You have had no say as to what kind of buildings he was going to construct. You said nothing with reference to where these buildings should be placed, and they are coming here now and asking you to pay the cities for helping them by building fine buildings. Are you going back to Iowa, are you going back to Kansas, are you going back to Pennsylvania, to Connecticut, or any rural farming district and say to your people, "I want to tax you more to pay for the things we did in New York City in constructing these buildings; I want to tax you for the buildings we constructed in Atlanta, Ga., for the buildings we built in Boston"? That is what you are coming in here for now. That is the idea of trying to help out these cities that requested the Federal Government to spend this money for the purpose of housing, with which you have had nothing to do in the kind of building or the location—a great blunder by the administration.

Now they see their plight and want Congress again to come to their rescue by again spending more of the taxpayers' money.

Oh, but the taxpayers will call you to account in November.

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania has expired.

Mr. DINGELL. Mr. Speaker, I yield 4 minutes to the gentleman from Massachusetts [Mr. RUSSELL].

Mr. RUSSELL. Mr. Speaker, of necessity I must be brief in discussing this Federal housing bill. I shall take up only two of the most important aspects of the bill.

One part of the bill provides for the release of Federal jurisdiction over the property, so as to put the burden and responsibility of policing and fire protection, and that sort of thing, on the local cities in which these housing projects have been built.

The other aspect of the bill I want to discuss is a provision for service charges to be paid to cities in which housing projects are located by the Federal Government in lieu of taxes that will be lost on this property unless such provision is enacted into law.

I am particularly familiar with the local situation in the city of Cambridge, Mass., where there is a low-cost housing

project, because for 6 years I was mayor of that city. We have a population of about 120,000 people. We have taxable property to the extent of $180,000,000. We have nontaxable property in that city to the extent of $245,000,000. In other words, with $180,000,000 of taxable property we have to raise the money with which to protect $425,000,000 of property and furnish all the other city services required. I believe the chief objection raised to these housing projects will be removed if the communities are compensated to this very small extent for the loss of taxable property that would otherwise occur. The gentleman from Pennsylvania [Mr. RICH], I think, would like to be corrected. He was in error when he said the bill provided for the payment to cities of 5 percent of the gross rental payments or the taxes levied on the property the year prior to Government acquisition—no more, no less. That is not true.

It provides that the service charges shall not exceed whichever one of these amounts is the greater, and is to be based on what the actual cost of the services to the community are.

Mr. RICH. I took my figures from the report.

Mr. RUSSELL. If the gentleman will read the bill, he will see he is in error in that statement. The actual language of the bill is to the effect that—

The aggregate of sums payable under such agreements in any year in respect of any project shall not exceed whichever of the following amounts is the greater: (a) Five percent of the gross rentals of the project for such year; or (b) the total amount of real property taxes levied by such State and its subdivisions upon the site of the project for the last tax year, which expired prior to the acquisition of such site by the United States.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. RUSSELL. I yield.

Mr. McCORMACK. And prior to that it says:

Such sums shall be fixed in such agreement and shall be based upon the cost of the public or municipal services to be supplied for the benefit of such project or the persons residing on or occupying such premises, but taking into consideration the benefits to be derived by such State or subdivision from such project.

Mr. RUSSELL. I may say in closing that if this bill is enacted into law, it will remove to a large extent the objection frequently heard that the Government is competing unfairly with private property through the construction of these low-cost housing projects.

[Here the gavel fell.]

Mr. RICH. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. REED].

Mr. REED of New York. Mr. Speaker, I believe there is considerable interest on the part of the membership of the House in the provisions of this bill. I want to say at the outset that I was not in sympathy with the Federal Government going into the housing business, this so-called slum-clearance business. It seemed to me that logically it was a State matter, that the States were abundantly able to take care of it; but the Federal Government has gone into it, and there are some 39 of these housing projects in various parts of the country. They are very widely distributed. One hundred and twenty-eight million dollars has been set aside to carry on the housing or slum-clearance program. As I say, they extend from one end of this country to the other. You will find them in Schenectady, Buffalo, Boston, Cambridge, Atlanta, Ga., Dallas, Tex., Oklahoma, or wherever cities have made application for the removal of these slum areas, under the procedure laid down by the Public Works Administration.

A large number of applications have been made by cities and if they are all carried out it will cost the Government something like $200,000,000. After these slum-clearance projects are accepted by the Federal Government it takes property out of the taxable area of the locality. The cities feel that to deprive them of the tax revenue is unfair. They have to furnish all the services that a municipality would ordinarily furnish to residents of a locality, and they are asking from the Federal Government something in lieu of the taxes of which they have been and will be deprived. I cannot help but feel that there is some fairness in the application for relief. It puts a tremendous load on some of the communities, although they are guilty of appealing to the Government to take over the property. They came here and asked the Federal Government to clear slums and erect buildings, but now they find it places a very heavy tax burden upon them, because it means the opening up of alleys, the putting in of sewage systems, the taking care of the garbage, the lighting systems, and various other municipal services.

The question is whether we are going to go on and take the next step and reimburse them for the loss suffered as a result of removing large areas from the local tax roll.

When this bill was under consideration by the Ways and Means Committee I had my doubts as to the wisdom of establishing such a precedent, as my questions all the way through the printed hearings will indicate. I tried to point out that the first thing that would happen would be that when we started to pay something in lieu of taxes to these communities where the housing program was in operation, we soon would have other groups where there was Government-owned property in their locality making the same request. I pointed out in connection with some of these buildings, that if the Government decided to build playgrounds and swimming pools and take more property out of taxation the cities would be here asking for something in lieu of taxes.

Some advocates of this bill took issue with me on that point before the committee. They said, "Oh, no; the cities will not be here making any such request"; but this very day there was to be a hearing on a bill which has been introduced, asking that the Government pay something in lieu of taxes wherever resettlement projects are located. I must confess that that jarred my interest in this bill very much, yet I want to be fair and I want to be just to those cities which have slum-clearance projects. While there are none of these developments in my district, there are some communities not very far from it where these Government houses are under construction. If we vote against this bill we will simply punish those communities. I think, in view of the justice of the thing, I probably shall go along on this bill, but I do warn the Members that this other bill is coming right along on the heels of this one. Where it is going to end I am not sure. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from New York [Mr. REED] has expired.

Mr. DINGELL. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia [Mr. RAMSPECK].

Mr. RAMSPECK. Mr. Speaker, there are plenty of precedents for what this bill does. I can discuss in 2 minutes very little, but in the Tennessee Valley Act we gave 5 percent of the gross receipts to Alabama and Tennessee. This is revenue-producing property, and therefore the Government ought to pay something in lieu of taxes.

With reference to the question of fixing the rents:

We all know that the Government has loaned money to cities and to nondividend corporations for housing projects under this program where they made a grant of 45 percent. The purpose of this legislation is to offset part of the cost just like we would make a grant to a city or to a nonprofit corporation for low-cost housing projects so that the rents may be brought down to a point such as will serve the purpose for which the buildings were erected. In my own city, where one of these projects exists, if this is not done the rents will be so high that the property must be rented to people who are able to rent anything they want anyway, and it will not serve the purpose intended.

It is of no use for us here to discuss whether we ought to be in this business or not; we are in it and we have to meet these problems. If we do not pay something in lieu of taxes, the cities will not furnish police and fire protection and school facilities to these projects; so we have to meet it. I think we might just as well face the music and take this bill, which has been carefully worked out by the Committee on Ways and Means. It safeguards the interest of the Government.

[Here the gavel fell.]

Mr. DINGELL. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. CROWTHER].

Mr. CROWTHER. Mr. Speaker, it seems to me we are making a mountain out of a molehill in this discussion. The committee had brought to their attention the project in Atlanta and another project in Cambridge where legislation of this sort is desirable. I am not in favor of the housing proposition generally. I think it is an unusual thing to establish a Government reservation right in the middle of a municipality. I am not in favor of that at all, but we are in that business now; that water has gone over the dam and this bill is for the protection of municipalities that are involved in these projects at this time. They are entitled to some return for services they render to these projects, and they ought not to be compelled to lose the taxes while at the same time they are forced to supply the services.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. CROWTHER. I have only 2 minutes; I cannot yield.

Mr. Speaker, I do not see any objection to the bill. As I say, we are not discussing the merits of the housing proposition, slum clearance, or anything of the sort. If we are going to be fair to the municipalities involved, we must pass a bill along these lines. This bill gives the Federal Government the alternative of paying either 5 percent of the gross rentals of the project for a year, or the total amount of real property taxes levied by such State and its subdivisions upon the site, including improvements, of the project for the last tax year which expired prior to the acquisition of such site by the United States. This sum is in lieu of taxes. It seems to me, therefore, this bill is absolutely fair to the municipalities.

[Here the gavel fell.]

Mr. RICH. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts [Mr. GIFFORD].

Mr. GIFFORD. Mr. Speaker, it is asserted that it is of no use to discuss this matter; that we are in it and hence it is too late to argue about it. But is it? The very first words of this bill state:

> That the acquisition by the United States of any real property heretofore or hereafter acquired shall come under this provision.

This is a monumental example of governmental blundering in social planning. Certainly anybody ought to have foreseen what would happen. I wish that the gentleman from Cambridge could take half an hour and explain to you from the beginning the slum clearance or the low-cost housing project as it went along in its early days in the city of Cambridge, Mass. Low-cost hausing projects. Has there ever been any really low-cost project? The prices paid for lands and the cost to the Government of erecting these houses have proven anything but a low-cost proposition. Have you read of any that have not cost altogether more than private industry could have done the same thing for? Did you not know in the beginning that you were to be renting in competition with private industry? Is it not even against the Constitution that you should do this for selected privileged communities? The language of such an act should be general; that all communities which comply with the specifications should be entitled to equal consideration.

I spoke on the floor one day of a certain little city where there were no slums, but which, nevertheless, was granted a large amount of money for a low-cost housing project. Political influence. Governmental interference. And we all know it. But we are in it, you say. I agree that it is fair to try to get out of it in those places where it already has been permitted to exist. But the bill contains the word "hereafter", and there is no chance to amend it under the suspension of the rules.

I shall not cast my vote in the way of approval of this, even to correct this monstrous error. In the bill you permit rentals at any price in order to compete with private industry. Think what can be done with this free rein permitted for rental charges.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. GIFFORD. Yes, if the gentleman can help me.

Mr. COX. Gentlemen discussing this bill have said the adoption of the proposal is necessary in order to do justice to the city.

Mr. GIFFORD. One of those who have discussed this matter said they should have police protection, they should have schools, they should have fire protection, and all that. Do the cities have to give them this service if they do not wish to do so?

Mr. COX. Will the gentleman yield?

Mr. GIFFORD. I yield to the gentleman from Georgia.

Mr. COX. Will the gentleman permit me to complete my question, because I am agreeing with him in opposing this bill? They speak of the injustice that would result to municipalities wherein these activities are being maintained. Did not the Government come in and make these improvements upon the urge of these various communities and with knowledge on their part of the fact that this property would not be subject to taxation?

Mr. GIFFORD. The present Government has done many futile things, and I presume that I am regarded as a part of the Government. If there is anything I can possibly do to make it desist from doing more of these things, my vote will be cast that way. I would rather have them remain as they are, a monument to the stupidity of their sponsors, than vote a continuance. There is a real principle involved here.

Mr. COX. What is the difference between taxing this type of Government property and taxing a post office, for instance?

Mr. GIFFORD. They apparently cannot tax this property under the Constitution, and this is merely an effort to circumvent the Constitution. They must need receive the municipal benefits in order to get tenants. They find now they cannot get tenants. It is impossible to believe that those behind these Government projects could not have known that these complications would necessarily follow and have planned for them in advance. It was the uppermost in stupidity to have gone so far before it dawned upon them that this condition would prevail. However, it is like many other things that the Executive has embarked upon and is now demanding of the Congress that we rescue it from the various messes into which it has gotten, by following the advice of these social planners. [Applause.]

Mr. DINGELL. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts [Mr. HEALEY].

Mr. HEALEY. Mr. Speaker, in the brief time allotted me I shall discuss only two of the principal features of this bill.

I shall first consider the authorization for the payment of service charges in lieu of taxation. I do not believe that many Members of the House feel we ought to impose upon the cities already overburdened the necessity of furnishing schools, police and fire protection, and the other necessary services to the people who will occupy these developments without some compensatory return from the owner of the premises.

The project in Cambridge, Mass., will occupy an area in that city of some 7 acres. That is a large area in a city as congested as Cambridge, which already suffers from the fact that about a third of its entire area is occupied by educational and eleemosynary institutions, which are, of course, tax-exempt.

While, in my opinion, these slum-clearance projects will confer many benefits upon the cities in which they are located, nevertheless, the fact remains that they are taking out of taxation considerable areas. The cities merely desire a fair return for the services which they must of necessity render to the occupants of these premises in common with all other inhabitants.

I shall next discuss the provision that will permit the administrator to fix rents at such rates as may be necessary in order to make the projects available to those families in the community who are unable to pay enough rent to induce

private enterprise to supply adequate, safe, and sanitary housing.

The opinion of the Comptroller General holds that the rentals must be fixed at rates which will yield a fair return on the costs of the project. Referring to the project located at Atlanta, which is now completed and ready to rent, I am reliably informed there will be required a rental charge of approximately $9 per room under this ruling of the Comptroller General.

Mr. Speaker, I ask the Members to consider this seriously. We started out to benefit the people who resided in the slum areas. A family consisting of a man, his wife, and five children would necessarily require a five-room apartment because the regulations require that only two persons may occupy each sleeping room. Of course, two of the rooms must be used for other than sleeping quarters, such as a living room and kitchen. This would necessitate a rental of between $45 and $50 per month to accommodate such a family.

A person, in order to occupy such an apartment, would have to have an annual income of $2,000 or more. It is manifest that under such circumstances the low-cost housing program would fail to accomplish its fundamental objective.

Practically all European countries have for many years past subsidized projects of a similar nature. By our partial subsidizing of these projects we are coping with the proven needs of a modern social problem.

[Here the gavel fell.]

Mr. DINGELL. Mr. Speaker, I yield the balance of the time to the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Speaker, the gentleman from New York, my good friend [Mr. CROWTHER], very properly stated the present situation. He stated that so far as we are concerned today that the opposition is making a mountain out of a molehill. He has frankly stated that so far as the original proposition is concerned, that is water over the dam. I take issue with no man today, and so far as this bill is concerned, who opposed the original appropriation, or who will oppose appropriations in the future for these purposes. But this bill has no relationship to that matter.

This bill is a simple proposition. First, it provides that in the thirty-odd cities where these projects are located, and two of them are located in the city represented by the distinguished Speaker of this House, the Federal Government shall pay a small amount of money in lieu of taxes. My friend, the gentleman from Georgia [Mr. Cox], asked certain questions. We have a precedent for this. The Tennessee Valley Authority pays a certain percentage in lieu of taxes to certain States of the Union in which that activity is located. So we have a precedent.

Mr. Speaker, this is not the case of purchasing property to be used strictly for public purposes. No one has the idea of getting the Federal Government to pay taxes in lieu of service charges to cities and municipalities on property used strictly for a public use. I agree with anyone who says this is not a project dedicated to a public use. However, I favor such legislation. It grows out of the emergency, and whether one agrees with it or not it is a condition and not a theory. It is entirely different from the Federal Government carrying out the express purposes conferred upon it by the Constitution.

There is one other aspect. When these projects were started, it was intended that rent should be charged upon the basis of a 45-percent grant.

The purpose of this bill is to let rents be charged upon the theory that a 45-percent grant has been made. Comptroller General McCarl has properly ruled in accordance with the existing law that the rental charged must be upon the complete money outlaid, while this bill will permit the 45-percent grant to be taken into consideration in the establishment of the rental.

These two propositions, I respectfully submit, look at the conditions as they exist today. It is a reasonable and fair bill to meet those conditions.

[Here the gavel fell.]

The SPEAKER. The question is on the motion of the gentleman from Michigan to suspend the rules and pass the bill as amended.

The question was taken; and on a division (demanded by Mr. RICH) there were—ayes 119, noes 32.

So two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

VETO MESSAGE OF THE PRESIDENT OF THE UNITED STATES—NAVAL AIR STATION, MIAMI, FLA. (H. DOC. NO. 500)

The SPEAKER laid before the House the following veto message of the President of the United States:

To the House of Representatives:

I return herewith, without my approval, H. R. 8372, entitled "An act to authorize the acquisition of lands in the vicinity of Miami, Fla., as a site for a naval air station and to authorize the construction and installation of a naval air station thereon."

Section 1 of this bill would authorize the Secretary of the Navy to accept, on behalf of the United States, free from encumbrances and without cost to the United States, the title in fee simple to approximately 650 acres of land on North Biscayne Bay in the vicinity of Miami, Fla., as a site for a naval air station, subject to the provision that if such lands are accepted but not used for such purpose within 10 years they shall be returned to the grantor. Section 2 would authorize the construction and development necessary to establish a complete air station on the site, and section 3 would authorize the appropriation of the amounts necessary to carry out the purpose of the bill, estimated to aggregate $5,000,000, exclusive of annual expenditures for maintenance and operation.

The record of the hearings on this bill before the Naval Affairs Committee of the House of Representatives shows that it is the opinion of the Navy Department that it has no need for this land in time of peace, although it might be needed in time of war. The hearings further show that in the event of an emergency an air station at this place would probably be used more as an auxiliary pilot-training center than for strategic purposes. It is indicated that the city of Miami proposes to sell its bonds to secure funds with which to purchase the lands in reference, at a cost in excess of $300,000, in order that the lands may be donated to the United States. Should the United States accept such lands under these conditions, the local tax burden would be increased, due to the exemption of such lands from taxation. In addition, the local tax rate would have to be increased in order to meet the amortization and interest on the bonds. The citizens and officials of this city can expect no benefits to compensate them for the financial burden to be undertaken in this case, unless the Federal Government, in accepting these lands as a gift also accepts the moral obligation of developing the site as an air station and assigning thereto the necessary administrative and training personnel to place it in active operation. If the Government does not need these lands for use as a naval air station now, or in time of peace, it should not accept such lands and hold them without development for the period of 10 years, as would be permitted under the bill. On the other hand, the Government should not use the tax money of all the people of the United States for the development of a plant not needed at this time just because the citizens of Miami are willing to donate the site.

In view of the foregoing, and especially the opinion of the Navy Department that it has no need for this land in time of peace, I do not feel that I would be justified in giving my approval to this legislation.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *June 1, 1936.*

The SPEAKER. The objections of the President will be spread at large upon the Journal.

Mr. VINSON of Georgia. Mr. Speaker, I move that the message and the bill be referred to the Committee on Naval Affairs and ordered printed.

The motion was agreed to.

VESSEL FOR PACIFIC OCEAN FISHERIES RESEARCH WORK

Mr. BLAND. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3989) to provide for the construction and operation of a vessel for use in research work with respect to Pacific Ocean fisheries.

The Clerk read the bill, as follows:

Be it enacted, etc., That when funds are made available as authorized by section 2 of this act, the Secretary of Commerce is authorized and directed (1) to cause plans and specifications to be prepared for the construction and equipment of a vessel for use in such research work with respect to Pacific Ocean fisheries as the Secretary finds will be useful to persons engaged in the fishing industry; and (2) to contract for the construction and equipment of such vessel. Such vessel shall be maintained and operated under the supervision of the Secretary of Commerce.

SEC. 2. There is authorized to be appropriated $500,000, or so much thereof as may be necessary, to carry out the purposes of the first sentence of section 1 of this act.

The SPEAKER. Is a second demanded?

Mr. MAPES. Mr. Speaker, if there is no one else seeking recognition, I demand a second.

Mr. BLAND. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. BLAND. Mr. Speaker, I desire to take as little time as possible. I shall try to explain the bill and reserve the balance of my time for gentlemen from the Pacific coast.

The purpose of the bill is to authorize the construction of a fishery research vessel on the Pacific coast. There was such a bill passed for the Atlantic coast a few years ago. The vessel has not been provided, but the situation is such that we believe there should be a vessel that can be used for the purpose of making a scientific research of the fisheries in the Pacific Ocean. Serious question has arisen from time to time with respect to the salmon industry, the pilchard industry, and also the tuna as to their depletion.

The only way in which the Bureau of Fisheries can collect the information is by a scientific study of the migration of the fish and the effect of the fishing operations.

Mr. MAPES. Mr. Speaker, will the gentleman yield?

Mr. BLAND. I yield.

Mr. MAPES. I asked for a second, because at the moment I did not see any minority of the Committee on the Merchant Marine and Fisheries on the floor. Is this a unanimous report by the Committee?

Mr. BLAND. Yes; it is.

The Commissioner of Fisheries states:

The salmon fisheries of the Pacific coast and Alaska are the greatest in the world, producing in 1932, 528,626,000 pounds, for which the fishermen received $8,160,000, ranking first in quantity and first in value among the Nation's fisheries. Second in national rank in quantity of production is the pilchard fishery, yielding 312,171,000 pounds, for which the fishermen received $825,000. Next in rank on the Pacific coast and sixth in rank for the entire country is the tuna fishery, producing 63,431,000 pounds, for which the fishermen received $2,406,000.

I call attention also to the fact that other nations of the world have found it necessary to have these research vessels in order to know the habits and the movements of the fish. Great Britain has five research vessels, Scotland three, Ireland one, Egypt one, South Africa one, Norway two, Sweden one, Denmark three, Persia three, Germany two, Belgium one, France three, Portugal one, and Japan one.

The salmon, the tuna, and the pilchard fisheries are so important that it is necessary that there should be a scientific research to know whether depletion is going on or not, in addition to studying the habits and movements of these fish.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. BLAND. I yield.

Mr. RICH. What is it going to cost the Federal Government to construct this vessel and make this research?

Mr. BLAND. The authorization for the construction of the vessel is $500,000, and it is stated that the vessel can be constructed within the authorization. The annual cost will be about $70,400 per year.

Mr. RICH. I may say to the gentleman from Virginia that the Democratic administration is running true to form in every bill that comes up. If it is not spending billions, it is spending hundreds of thousands of dollars, each minute going further and further into debt to have your children pay the bill. You are wrecking their future and that of the Nation.

I want to say to you men on that side of the House, and I have said it to you time and time again, and I ask you now, where are you going to get the money? [Laughter and applause.] The people in your district this fall will mete out to you what you rightfully deserve.

Mr. BLAND. Mr. Speaker, I reserve the balance of my time.

Mr. MAPES. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. WELCH].

Mr. WELCH. Mr. Speaker, this bill was reported unanimously by the House Committee on Merchant Marine and Fisheries. As the chairman of the committee [Mr. BLAND] has stated, this country has but one of these vessels. It is the only large maritime country that depends a good deal on its God-given food supply which has not provided ample conservation for its fish industry.

This bill will provide for another ship to operate on the Pacific coast, where our entire fisheries have become endangered. It will also assist in rehabilitating our entire fish supply, and I sincerely hope there will be no objection to its passage. [Applause.]

Mr. BLAND. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. COLDEN].

Mr. COLDEN. Mr. Speaker and Members of the House, this bill pertains to the stabilization of a staple food of the United States. The fishing industry on the Pacific coast amounts to something like $50,000,000 a year in the production of a valuable food.

A serious controversy has arisen on the Pacific coast as to whether or not we are depleting the salmon, pilchard, or sardines, and tuna fish. We have spent millions of dollars to protect the livestock industry in this country, we have spent millions of dollars for the protection of corn, wheat, cotton, and other products. We have spent millions of dollars to protect and develop industry, and fishing is one of the important industries in this country.

Forty-six percent of the fish production in this country is located on the Pacific coast.

This bill has been passed by the Senate, reported unanimously by the Merchant Marine and Fisheries Committee, and it has also the endorsement of the Bureau of Fisheries. I ask your support for the bill. [Applause.]

The SPEAKER. The question is on the motion of the gentleman from Virginia to suspend the rules and pass the Senate bill.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

FLORIDA HURRICANE RELIEF, WORLD WAR VETERANS, ETC.

Mr. RANKIN. Mr. Speaker, I move to suspend the rules and pass the bill H. R. 12869, to liberalize the provisions of Public Law No. 484, Seventy-third Congress, to effect uniform provisions in laws administered by the Veterans' Administration, to extend the Employees' Compensation Act with limitations to certain World War veterans and other persons, and for other purposes, which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc.,

TITLE I—WORLD WAR WIDOWS AND CHILDREN

SECTION 1. That notwithstanding the provisions of Public Law No. 484, Seventy-third Congress (U. S. C., 1934 ed., title 38, secs. 503–507), in no event shall the widow, child, or children otherwise entitled to compensation under the provisions of that act be denied such compensation if the veteran's death resulted from a disease or disability not service connected, and at the time of the veteran's death he was receiving or entitled to receive compensation, pension, or retirement pay for 30-percent disability or

more presumptively or directly incurred in or aggravated by service in the World War: *Provided*, That compensation as provided by this section shall not be payable effective prior to the receipt of application therefor in the Veterans' Administration in such form as the Administrator of Veterans' Affairs may prescribe and in no event prior to the date of enactment of this act.

TITLE II—AGENTS AND ATTORNEYS

SEC. 200. The Administrator of Veterans' Affairs is hereby authorized to recognize representatives of the American National Red Cross, the American Legion, the Disabled American Veterans of the World War, the Grand Army of the Republic, the United Spanish War Veterans, Veterans of Foreign Wars, and such other organizations as he shall approve, in the presentation of claims under statutes administered by the Veterans' Administration. However, no such representative shall be recognized until a certificate has been filed in the Veterans' Administration, under such rules as the Administrator of Veterans' Affairs may prescribe, certifying that no fee or compensation of whatsoever nature shall be charged veterans or the dependents of veterans for service rendered. The rules prescribed by the Administrator of Veterans' Affairs shall contain a provision requiring in each claim the filing of a power of attorney in such manner and form as the Administrator of Veterans' Affairs may prescribe. The Administrator of Veterans' Affairs is further authorized in his discretion, under such regulations as he may prescribe, to recognize any person for the purpose of a particular claim under the conditions and limitations of this section.

SEC. 201. The Administrator of Veterans' Affairs is hereby authorized, under such rules and regulations as he may prescribe, to recognize agents and attorneys in the preparation, presentation, and prosecution of claims under statutes administered by the Veterans' Administration. The rules and regulations prescribed by the Administrator of Veterans' Affairs may require of such agents and attorneys, before being recognized as representatives of claimants, that they shall show that they are of good moral character and in good repute, possessed of the necessary qualifications to enable them to render such claimants valuable service, and otherwise competent to advise and assist such claimants in the presentation of claims; and the Administrator of Veterans' Affairs may, after notice and opportunity for a hearing, suspend or exclude from further practice before the Veterans' Administration any such agent or attorney shown to be, or to have been, engaged in unlawful, unprofessional, or dishonest practice, or guilty of disreputable conduct or who is incompetent, or who has violated or refused to comply with the laws administered by the Veterans' Administration, or with the laws, regulations, or instructions governing practice before the Veterans' Administration, or who shall in any manner deceive, mislead, or threaten any claimant or prospective claimant by word, circular, letter, or advertisement. The Administrator of Veterans' Affairs is further authorized to determine and pay fees in allowed claims for monetary benefits under statutes administered by the Veterans' Administration to agents and attorneys recognized as provided in this title and to prescribe rules and regulations governing entitlement to and the amount and mode of payment of such fees: *Provided*, That payment of such fees shall not exceed $10 in any one claim, and in all cases fees shall be deducted from the amount of monetary benefits allowed.

SEC. 202. Any person who shall, directly or indirectly, solicit, contract for, charge, or receive, or who shall attempt to solicit, contract for, charge, or receive any fee or compensation except as provided in section 201, or who shall wrongfully withhold from a beneficiary or claimant the whole or any part of the benefit or claim allowed and due a beneficiary or claimant shall be deemed guilty of a misdemeanor and upon conviction thereof shall for every offense be fined not exceeding $500 or imprisoned at hard labor not exceeding 2 years, or both, in the discretion of the court.

SEC. 203. This title shall not affect that part of section 500, World War Veterans' Act, 1924, as amended (43 Stat. 628; 43 Stat. 1311; U. S. C., 1934 ed., title 38, sec. 551), insofar as it pertains to fees and penalties for receipt of illegal fees or compensation for services in insurance suits, section 309, World War Adjusted Compensation Act, 1924, as amended (43 Stat. 125; 44 Stat. 828; U. S. C., 1934 ed., title 38, sec. 619), pertaining to unlawful fees, which section is hereby made applicable to claims for benefits under Public Law No. 425, Seventy-fourth Congress, enacted January 27, 1936; that part of the act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1892, and for other purposes", approved March 3, 1891 (26 Stat. 979; U. S. C., 1934 ed., title 38, sec. 244), prohibiting payment of a fee in case of commutation in lieu of an artificial limb; that part of the act entitled "An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1909, and for other purposes", approved May 28, 1908 (35 Stat. 419; U. S. C., 1934 ed., title 38, sec. 113), prohibiting compensation for procuring pension legislation, or any acts or parts of acts prohibiting the payment of fees in claims for benefits administered by the Veterans' Administration. Except as herein provided, all acts or veterans' regulations, or parts thereof, pertaining to recognition of organizations or recognition of or payment of fees to agents, attorneys, or other persons, for the preparation, presentation, or prosecution of claims for benefits administered by the Veterans' Administration are hereby repealed.

TITLE III—AUTHORITY TO ISSUE SUBPENA, MAKE INVESTIGATIONS, AND ADMINISTER OATHS

SEC. 300. For the purposes of the laws administered by the Veterans' Administration, the Administrator of Veterans' Affairs, and those employees to whom the Administrator may delegate such authority, to the extent of the authority so delegated, shall have the power to issue subpenas for and compel the attendance of witnesses within a radius of 100 miles from the place of hearing, to require the production of books, papers, documents, and other evidence, to take affidavits, to administer oaths and affirmations, to aid claimants in the preparation and presentation of claims, and to make investigations and examine witnesses upon any matter within the jurisdiction of the Administration. Any person required by such subpena to attend as a witness shall be allowed and paid the same fees and mileage as are paid witnesses in the district courts of the United States.

SEC. 301. Any such oath, affirmation, affidavit, or examination, when certified under the hand of any such employee by whom it was administered or taken and authenticated by the seal of the Veterans' Administration, may be offered or used in any court of the United States and without further proof of the identity or authority of such employee shall have like force and effect as if administered or taken before a clerk of such court.

SEC. 302. In case of disobedience to any such subpena, the aid of any district court of the United States or the Supreme Court of the District of Columbia may be invoked in requiring the attendance and testimony of witnesses and the production of documentary evidence, and such court within the jurisdiction of which the inquiry is carried on may, in case of contumacy or refusal to obey a subpena issued to any officer, agent, or employee of any corporation or to any other person, issue an order requiring such corporation or other person to appear or to give evidence touching the matter in question; and any failure to obey such order of the court may be punished by such court as a contempt thereof.

SEC. 303. Section 8 of the World War Veterans' Act, 1924, as amended (43 Stat. 609; U. S. C., 1934 ed., title 38, secs. 431 and 432); paragraph XX of Veterans' Regulation No. 10 (U. S. C., 1934 ed., title 38, ch. 12, appendix); section 474 of the Revised Statutes (U. S. C., 1934 ed., title 38, sec. 121); section 4744 of the Revised Statutes, as amended (U. S. C., 1934 ed., title 38, sec. 121); section 3 of the act entitled "An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1883, and for other purposes", approved July 25, 1882 (22 Stat. 175; U. S. C., 1934 ed., title 38, sec. 124), and section 3 of the act entitled "An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1892, and for other purposes", approved March 3, 1891 (26 Stat. 1085; U. S. C., 1934 ed., title 38, sec. 122), are hereby repealed; and any other acts or Veterans' Regulations, or parts of acts or Veterans' Regulations, in conflict or inconsistent with the provisions of this title, are hereby repealed to the extent of such conflict or inconsistency.

TITLE IV—MISCELLANEOUS

SEC. 400. Notwithstanding the provisions of sections 201 and 202 of the World War Veterans' Act, 1924, as amended (U. S. C., 1934 ed., title 38, secs. 472, 475), the Administrator of Veterans' Affairs is authorized to discontinue the annual determination of dependency, but nothing herein contained shall prevent the Administrator from requiring submission of such proof of dependency as he, in his discretion, may at any time deem necessary.

SEC. 401. Notwithstanding the provisions of paragraph II, Veterans' Regulations No. 9 (a), as amended (U. S. C., 1934 ed., title 38, ch. 12, appendix), burial and funeral expenses and transportation of the body (including preparation of the body) to the place of burial shall not be denied by reason of the veteran's net assets at the time of death.

SEC. 402. Effective March 31, 1933, paragraph IV, Veterans' Regulation No. 9 (a), as amended, is amended to read as follows:

"IV. Claims for reimbursement must be filed within 1 year subsequent to the date of burial of the veteran. In the event the claimant's application is not complete at the time of original submission, the Veterans' Administration will notify the claimant of the evidence necessary to complete the application and if such evidence is not received within 1 year from the date of the request therefor no allowance may be paid."

SEC. 403. In determining "annual income" under the provisions of paragraph II (a), part III, Veterans' Regulation No. 1 (a), as amended (U. S. C., 1934 ed., title 38, ch. 12, appendix), payments of war-risk term insurance, United States Government life (converted) insurance, and payments under the World War Adjusted Compensation Act, as amended (U. S. C., 1934 ed., title 38, ch. 11), and the Adjusted Compensation Payment Act, 1936 (Public Law No. 425, 74th Cong., enacted Jan. 7, 1936), shall not be considered.

SEC. 404. The Administrator of Veterans' Affairs is hereby authorized to purchase uniforms and to furnish them to such nonprofessional personnel employed at field stations of the Veterans' Administration under such conditions as he may deem necessary and proper.

SEC. 405. Payment may be made for official telephone service installed in the quarters provided for employees of the Veterans' Administration on Government reservations when authorized under regulations prescribed by the Administrator.

TITLE V—FLORIDA HURRICANE RELIEF FOR WORLD WAR VETERANS AND OTHER PERSONS

SEC. 500. That the provisions of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended (U. S. C., 1934, ed., title 5, ch. 15), are hereby made applicable to any veteran of the World War or other person attached to camps known as Veterans' Camps Nos. 1, 3, and 5, who was injured, died, or shall die as the direct result of the hurricane at Windlys Island and Matecumbe Keys, Fla., September 2, 1935, and to their dependents, to the same extent and under the same conditions as are provided for employees and the dependents of employees of the Federal Civil Works Administration in the act entitled "An act making an additional appropriation to carry out the purposes of the Federal Emergency Relief Act of 1933 for the continuation of the Civil Works program, and for other purposes", approved February 15, 1934 (U. S. C., 1934 ed., title 5, sec. 796), and the special fund established in the Treasury of the United States for administrative expenses and for the payment of compensation awarded to employees of the Civil Works Administration shall be available for the payment of the benefits authorized by this section.

TITLE VI—EFFECTIVE DATE AND REPEAL

SEC. 600. The repeal of laws and veterans' regulations as provided by this act shall not affect any act done or right or liability accrued, but all such rights and liabilities under said laws or veterans' regulations shall continue and may be enforced in the same manner as if said repeal had not been made, and all offenses committed and all penalties incurred under such repealed laws or veterans' regulations may be prosecuted and punished in the same manner and with the same effect as if said repeal had not been made.

SEC. 601. Except where otherwise provided, this act shall take effect from the date of its enactment.

The SPEAKER. Is a second demanded?

Mrs. ROGERS of Massachusetts. Mr. Speaker, I demand a second.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Mississippi is entitled to 20 minutes and the lady from Massachusetts to 20 minutes.

Mr. RANKIN. Mr. Speaker, this bill takes care of widows and orphans of those presumptive cases who died from some other cause than the ones for which compensated, and they are put on a parity with the widows and orphans included in the bill we passed last year, known as 484. Also, it provides for dispensing with the so-called misconduct clause, so far as it affects these widows and orphans.

Personally, I have always thought that was a very cruel and inhuman provision of the veterans' law to visit upon these widows and orphans the alleged sins of another.

Another thing it does is to take care of the widows and orphans of those veterans who died in the flood of the hurricane under the employment compensation law. As is known, these veterans who were gathered here in Washington seeking employment were given employment by the Florida Emergency Relief Administration and were sent down to the Florida Keys. They were given employment, I believe, at a dollar a day and furnished food, lodging, medical treatment, and I believe the common laborers were furnished with clothing. Last September a hurricane, accompanied by a tidal wave, occurred on the Florida Keys which drowned a large number of these veterans as well as a large number of civilians—men, women, and children, people who lived on the Keys.

I first introduced a bill to compensate those men under the Veterans' Compensation Act. We went into it thoroughly, summoned witnesses, put them under oath, and took their testimony, and that testimony is before you now in this volume of hearings, which can be obtained at the Veterans' Committee at any time. We came to the conclusion that if these men had been in a C. C. C. camp they would have been taken care of under the Emergency Compensation Act. We also came to the conclusion that to put these men or their widows and orphans on the pension rolls under the circumstances would be tantamount to adopting a general pension for World War veterans. Besides some of those men were peacetime veterans, and probably some not veterans at all, and so after going into it thoroughly we adopted this title V, providing that these men be taken care of by being given exactly the same compensation and treated exactly like they would have been had they been in a C. C. C. camp when the hurricane occurred.

The other provisions of the bill are largely administrative, merely straightening out administrative provisions of the present law.

The SPEAKER. The time of the gentleman from Mississippi has expired.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I yield 5 minutes to myself. In those 5 minutes I shall speak of title V, section 500, Florida hurricane relief for World War veterans and other persons. Just 9 months ago today the Works Progress people and the Veterans' Administration, who had these veterans in charge, were warned that there would be a hurricane. Today we shall vote for a bill that will give some sort of aid to them and their families. That hurricane came, as you all know, and it found them totally unprepared to protect those under their charge.

Mr. Speaker, I felt that these veterans who were sent to Florida and who were injured and the dependents of those who died should be given wartime compensation instead of the compensation that is paid to the C. C. C. men. I introduced a bill to that effect.

Let us go back from the time those men left Washington. They were in the transient camps here. They were allowed to stay but 3 days. If they wanted work, they had to go to Florida. In going to Florida they assumed that they would be cared for. Mr. Aubrey Williams, of the W. P. A., testified before our committee that they were special charges of the Government; men who had had a very difficult time; in some cases men who were very much upset nervously.

Mr. Stone, of the W. P. A., who received the men at Florida, stated the same thing. I refer to the sworn testimony of the witnesses. They knew when they sent those men to Florida that in certain months of the year there would be hurricanes; but what sort of provision did they make? These men were placed in shacks that could not withstand hurricanes. No shelter was built to withstand hurricanes. Matecumbe and Windley Islands were practically on the level with the sea. Often at high tide the waters washed the islands.

Mr. Speaker, P. A. Fellows, administrative assistant to the Federal Emergency Relief Administration, testified that on the morning of the hurricane he had read in the Washington newspapers of the possibility of a storm in Florida. Although it was a holiday—Labor Day—he was so much concerned he went to the office and conferred with his superior officer and suggested to him that it might be advisable to get in touch with the Florida administration to see that orders for the evacuation or the necessary protection of the men were given.

At 9:45 that morning he telephoned to the Florida State administrator, Mr. Van Hyning, and told him that if it appeared that the storm would strike the keys to get the men out. He told him that he thought that his administrator would prefer to have them out, even if the storm did not strike, rather than stay there—or, in other words, he would rather take the responsibility of seeing them all moved out and moved back again than to have them stay at the risk of injury. What a tragedy it was that his advice was not followed, that the men were not taken out as a precaution.

Mr. Cutler, assistant director of the Florida veterans' camps, stated that on Sunday morning, September 1, he telephoned to the railroad officials and asked them to have two trains in readiness to go to take those men off of Matecumbe Island. At 5 o'clock in the afternoon Mr. Sheldon, the superintendent of the camp, came and countermanded the order for this train. Money has been no object in this administration. Why were not the trains held in readiness?

There were 40 trucks on Metacumbe Island that could have transported every one of those men to safety if they had been used, but those trucks were not used. We find in the record that the keys to those trucks were taken away so that the men could not use them themselves.

Mr. Speaker, I feel that there was gross negligence. I blame no one person, but a number, and I hold this Government directly responsible for the death and injury of those veterans. There has been no more horrible tragedy than the Florida hurricane which killed so many of our veterans entirely unnecessarily, their wives, and their children. In one instance a woman lost her husband and three little children. The superintendent of the camp sent his wife out early, but those women were not sent out.

The SPEAKER. The time of the gentlewoman from Massachusetts has expired.

Mr. RANKIN. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, with reference to what has been said about these veterans, I ask every Member of this House to read this record. I ask you to read these sworn statements. I ask you to consult the members of this committee who are unbiased and who heard all of this testimony. You will see that we reached the only conclusion that we could have reached.

Now, be it remembered that there were several hundred people living on these keys—men, women, and children—who were in no way connected with these camps. All of those families had automobiles. Any sane man knows that if they had any idea that there would be a tidal wave they would have got in those cars and left; but nobody dreamed there would be a tidal wave, and the man in charge of this camp, Mr. Sheldon, ordered a train, a train of steel coaches, and it came; but about the time this train arrived this tidal wave came, the first one we have been able to find any history of on the Florida Keys. The last man who testified said that Mr. Russell, the postmaster, a man about 60 years old, who was born on the keys, and whose father lived there—he said that Mr. Russell told him he had never seen the water 6 inches deep over that highway in front of his house. This tidal wave came in and that water became 12 or 15 feet deep on that highway. This man Sheldon was there and stayed there during the night, clinging to the cab of that train.

Instead of being criticized, this man Shelton is entitled to credit for staying there with those men and doing the best he could. He was there the next morning combing the beach, helping to take care of them and helping find something for them to eat and caring for them the best he could.

His three foremen were all there and one of them lost his life.

Let me tell you this: There were women and children on those keys. Those people thought as much of their children as anyone, yet something like 200 of them were drowned. Those people, if they had any idea there was going to be a tidal wave would have got out of there some way; but, as it was, when this train came only one of the natives on the entire keys asked permission to get on the train or even appeared for that purpose.

Now, with reference to the responsibility of the Government, we heard that the Weather Bureau had been negligent. We sent for the Weather Bureau officials and their entire report appears in the hearing. The testimony showed the Weather Bureau had done everything possible with the facilities they had, had given all the information it was humanly possible to give, with reference to the approach of this storm. I say that the Weather Bureau needs more facilities; and in my report I said that they need more money with which to provide these facilities.

Mr. BIERMANN. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. BIERMANN. As I understand it at the present time the widow of a World War veteran is eligible to a pension provided that at the time of his death the husband had as much as 30 percent disability, regardless of the cause of his death.

Mr. RANKIN. No.

Mr. BIERMANN. It must be service-connected?

Mr. RANKIN. Yes.

Mr. BIERMANN. And the nub of this legislation is that it includes presumptive disability; is that right?

Mr. RANKIN. Yes.

Mr. BIERMANN. What does that include?

Mr. RANKIN. It includes tuberculosis, paralysis, and other similar diseases that, under the law of 1924, were declared to be presumptively service-connected if they developed prior to 1925.

Mr. BIERMANN. Mr. Speaker, I am glad to have the explanation of the gentleman from Mississippi. I have never been able to develop much enthusiasm for special privileges or donations to veterans who came out of the Army uninjured. A young man, physically fit, owes the duty to defend his country in the hour of her need.

If he emerges from the conflict uninjured, the consciousness and proud satisfaction that he has done his duty in the time of his country's need are his best reward. To turn his service into money and special privileges seems to me to make patriotism a sordid thing, unbeautiful and uninspiring to the young men of today.

But to the men who came out of the Army disabled or who developed later disabilities due to their war service we owe generous compensation. I believe in giving the veteran the benefit of the doubt as to his disability; and, by the same token, the benefit of the doubt should go to his widow and to his children. This bill (H. R. 12869) gives those widows and children the benefit of the doubt. It also removes from them the burden of the "willful misconduct cases." There is some reason for asking the veteran to carry that burden, but I believe there is no reason for imposing it on his widow and children, who do not share his guilt.

I shall vote for this bill. It is a fitting act of generosity to the deserving. If we should confine our aid to the deserving we could be very generous in our help to the disabled veteran and to his dependents. The trouble has been that we have lavished billions on those who had no proper claim for compensation or pension, and perforce, we have come to count the cost in caring for that small minority—the really deserving.

[Here the gavel fell.]

Mr. RANKIN. Mr. Speaker, I yield myself 3 additional minutes.

Mr. BIERMANN. Mr. Speaker, will the gentleman yield further?

Mr. RANKIN. I yield.

Mr. BIERMANN. Is not that man eligible under the law we passed last year?

Mr. RANKIN. No; he was not included under what we call 484; he was not included—or I should say his dependents were not included.

Mr. BIERMANN. Does it include anything other than consumptives?

Mr. RANKIN. Yes. If the gentleman will read the Veterans' Act of 1924 he will find that certain diseases that were developed prior to 1925 were declared to be presumptively service-connected, among them tuberculosis, paralysis, neuropsychiatric trouble, and so forth.

Mr. BIERMANN. These men who are now considered to have presumptive service disabilities are eligible for pension, are they?

Mr. RANKIN. They themselves who are presumptively service-connected; the men themselves get a pension, but if they die from some other cause the widows and orphans do not.

Mr. BIERMANN. This bill corrects that?

Mr. RANKIN. Yes.

Mr. BIERMANN. And that is the whole nub of this bill?

Mr. RANKIN. Yes; and further than that, if the veteran died from what was called a misconduct cause the widow and orphans not only were precluded from receiving compensation but they were in a measure stigmatized, which I think is an outrage and ought never to have crept into veteran laws. It does not apply to the veterans of any other war. It applies only to veterans of the World War. This bill takes

that provision out, so far as these widows and orphans are concerned.

Mr. BIERMANN. Then, the cost of taking care of these presumptives is not very large?

Mr. RANKIN. No. The whole thing will cost less than $300,000 a year, even including the widows and orphans of those who died in the Florida hurricane.

Mr. MASSINGALE. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. MASSINGALE. What is the basis of the compensation for the widows and orphans of those who died in the Florida hurricane?

Mr. RANKIN. It is on the same basis as the Employment Compensation Act, on exactly the same plan as if these men had been in C. C. C. camps.

Mr. MASSINGALE. It compensates them at the rate of wages the C. C. C. paid?

Mr. RANKIN. It compensates them according to the wages they were paid.

There have been some silly efforts made by some members of the committee to play politics with this matter, but I am glad to say that the more responsible minority members of the committee have been sincere in their efforts to get the facts and to assist in arriving at a proper conclusion.

I desire to especially express my gratitude to the gentleman from Michigan [Mr. ENGEL] for his able and diligent services. He attended all the hearings, examined all the witnesses, and I am sure there is no one on the committee who is better informed on this proposition than he is. I am going to yield to him next, and I hope you will give him your careful attention. He is not only a veteran himself but in this investigation he has proved himself to be a friend of the veterans who wants to deal justly with them.

I reserve the balance of my time.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I am delighted to have the membership of the House read the hearings. "Whitewash" is written all over them. If you will read these hearings, you will see the efforts made to ban testimony when certain questions were asked by the ranking minority member on the committee, myself, and by others.

You will see the efforts made to prevent veterans from testifying. I asked to have Capt. Watson Miller called as a witness, but he was not called; also, representatives of other veterans' organizations who visited Matecumbe Key. This gentleman went down there and viewed the situation after the hurricane. This is all in the record.

I asked that a little widow who had lost three children and her husband might make a statement instead of testifying. She had previously told me she did not feel she was able to testify without breaking down. She was forced to give her testimony as a witness, and she broke down while doing so.

Mr. Speaker, it is a picture that will live in my mind always. Never before had I felt that women needed the vote more than I did that day, and I was thankful with all of my heart that we did have the vote.

I sat through these hearings and allowed my rights to go by because I feared if I did not the hearings would be closed and the testimony end. They had the votes on the majority side to stop the hearings, and I wanted the facts to appear in the record.

[Here the gavel fell.]

Mrs. ROGERS of Massachusetts. Mr. Speaker, I yield myself 1 additional minute.

Mr. Speaker, I asked General Hines in September for information of the hurricane and the victims, and I received no information, no cooperation, from him. I asked the W. P. A. for photographs. They have taken photographs of every other thing they have ever done, but Mr. Apt, of the Works Progress Administration, wrote me that it would cost too much, or words to that effect. But I have photographs, Mr. Speaker, of those buildings, those shacks, showing that they were not fastened down before the hurricane. The Government had a direct responsibility for those men, especially as they were not well. People in flooded areas are always loathe to leave their homes, and that is their own personal responsibility, but, Mr. Speaker, the Government owed a responsibility to those men and that admission runs all through the hearings. Those 690 veterans never should have been sent to such a place.

[Here the gavel fell.]

Mrs. ROGERS of Massachusetts. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin [Mr. SAUTHOFF].

Mr. SAUTHOFF. Mr. Speaker, I was a member of the committee, and I attended all of the sessions of the committee which made this investigation with the exception of two, and on these particular occasions I had to be present at other committees to vote on bills. However, I read the testimony of the sessions that I missed, as soon as it was transcribed.

Mr. Speaker, I have tried to view the entire proceedings in an impartial and impersonal manner. I have come to the conclusion that the Government was negligent in the method in which it provided protection for the people on the Florida Keys. It must be remembered that the Government put them there; therefore the Government had a responsibility and a duty. Having put them there, it was the Government's duty to take care of them.

I asked the question specifically of the Weather Bureau witnesses and the others whether there was any danger on the keys at any particular time of the year, and they said, "Yes; during the storm period, June, July, August, and September." Then I asked those who had charge of these camps what particular precautions were taken to prevent disaster during these storms, and the only answer I received to the question was that there had been a discussion as to the cost of a train, but the negotiations had ended because the cost was too high. There had been some discussion as to building permanent quarters as a protection, but that was also abandoned because the cost was too high.

What was done in this instance? When word came of an approaching storm the officials of the camps listened in on the reports over the telephone, which was a 13-line telephone. The radio that they had was not fit for use and did not give them any information. Why it was not repaired or a new one purchased, I do not know. No one seemed to think that was his responsibility. The only one who seemed vitally concerned was Mr. Cutler, a construction engineer. This man took the situation very seriously. He consulted one of the old captains on Sunday, and the captain informed him that he was apprehensive that there was grave danger. When the hurricane signals were up, and we were advised that whenever those signals were put up there was always danger, the captain made his preparations to ride out the storm. That is what they had always done in the past.

Mr. Speaker, I concede that this was one of the worst storms ever experienced in that district. I concede that no tidal wave of the magnitude of this one had ever been felt down there. But, nevertheless, the duty was on those who took the men there to take them out or else provide security against such storms, neither of which was done.

[Here the gavel fell.]

Mrs. ROGERS of Massachusetts. Mr. Speaker, I yield the gentleman 4 additional minutes.

Mr. SAUTHOFF. Mr. Speaker, there were available two chances to get out of those keys, one by a railroad which was in receivership, and the other by motor transportation. The railroad, which was in receivership at that time, did not respond as readily as was anticipated. There was a delay of several hours, and the train did not get through in time to take the people out. I call attention to the fact that on Sunday Mr. Fellows, from the office here in Washington, phoned down to Jacksonville because he was apprehensive about this storm. He had read in the paper about the storm and warned them not to take any chances in reference to getting the people out. Someone, and they

cannot pin it onto anybody, because no one admits it, negotiated with the railroad, and finally the railroad official stated that they did not know what they wanted and hung up. The railroad official was holding a train for them, but they would not give him an order to run it in there and take those people out.

That left the motor vehicles, trucks, and so forth. But the keys of these motor vehicles were ordered turned in, and they could not drive the trucks without them. These people, left there helpless, were not able to get out. There was nothing for them to go out on. All modes of transportation had been foreclosed.

Mr. Speaker, if this employer in this instance had been the Standard Oil Co. and all these lives had been lost, every Member here would be condemning them. No one would be seeking to defend the company. The Government should be treated in the same way. I conceive the law to be as follows: An employee assumes a risk of common knowledge, but he does not assume a risk arising from the employer's negligence or breach of duty of which he is not aware.

[Here the gavel fell.]

Mrs. ROGERS of Massachusetts. Mr. Speaker, I yield two and a half minutes to the gentleman from Rhode Island [Mr. RISK].

Mr. RISK. Mr. Speaker, I do not think anyone on either side of the House has any objection to those provisions contained in the bill which will effect a liberalization of existing veterans' law. I do not think any of us have any objection to those parts of the report of the committee which deal directly with these liberalizing provisions, but we do object most strenuously to that part of the report which attempts to effect a whitewash insofar as the Government agency having charge of these men is concerned.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. RISK. I yield.

Mr. RANKIN. I want to say that is deliberately false. There is no attempt to whitewash. The gentleman did not attend the hearings. If he had attended the hearings he would have known that.

Mr. RISK. I yielded to the gentleman for a question. Has the gentleman a question to ask?

Mr. RANKIN. I am through, for the moment, I will say to the gentleman from Rhode Island.

Mr. RISK. Mr. Speaker, in the committee time and time again, although I was there at only a few sessions, being busy in other committees, I saw the technical rules of evidence which apply in a court of law applied time and time again against the gentlewoman from Massachusetts and other members of the committee. When a question arises in the mind of any member of a committee, it is too much to ask that a member be circumscribed by the regular rules of evidence which obtain in a courtroom. That is the reason I object strenuously to that provision in the report. A reading of the hearings will show that I am justified in taking this position.

[Here the gavel fell.]

Mrs. ROGERS of Massachusetts. Mr. Speaker, I endorse this bill so far as it goes, but it does not go far enough. Under suspension, it is a case of voting for that or getting nothing. I have expressed my opinion about title V and section 500, and we shall hear more about that.

Also, Mr. Speaker, I wanted a provision put in the bill that would have given a higher rate of compensation to the widows and orphans of the veterans of the World War comparable with the rate paid in Canada. This was in line with a bill I introduced many, many months ago. But I was not allowed even a hearing.

[Here the gavel fell.]

Mr. RANKIN. Mr. Speaker, we had one able man on the committee who attended the hearings, and I yield the balance of my time to the gentleman from Michigan [Mr. ENGEL].

Mr. ENGEL. Mr. Speaker, I ask unanimous consent to extend my remarks and to include therein in chronological order the telephone calls and orders of the railroad, the weather reports, and barometer reading taken at the keys during the hurricane.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. ENGEL. Mr. Speaker, I dislike very much to disagree with my colleagues on my own side of the aisle. There were three investigations held with regard to the hurricane on the Florida Keys, one by the committee, one a joint hearing or investigation by W. P. A. and the Veterans' Administration, and a third by the district attorney's office in Florida at Matecumbe.

I attended every session of the committee and in the consideration of this problem I tried to forget I was a Republican and that those on the other side of the aisle were Democrats. [Applause.] I tried to take the position that I was neither prosecuting attorney nor attorney for the defense, but that my duty was to get the facts and all the facts without regard to whom it might hit. The statement I have just placed in the RECORD contains in chronological order every phone call, every Weather Bureau report, every barometer reading, and every bit of testimony of that sort, as a résumé, from 5:40 Sunday morning until the night involved.

The fact of the matter is that as I look back I can only see a horrible picture, men and women being swept off of these keys and their bodies brought back hours afterward to hang on the limbs of trees in mangrove swamps as found there days afterward.

I contend it is a serious matter to place responsibility for this sort of thing on human beings. You cannot hold a government responsible without holding the men who were representing the government responsible. I say you should not hold them responsible unless the evidence is clear and convincing, evidence which you would accept in a court of justice and evidence upon which you would be willing to take the responsibility yourself, and as a member of the committee I say to you that such evidence is not there.

Mr. RANKIN. Mr. Speaker, will the gentleman yield for a question?

Mr. ENGEL. I yield.

Mr. RANKIN. The gentleman heard the insinuations from the other side about a whitewash. I will ask the gentleman if this was a fair investigation.

Mr. ENGEL. So far as I am concerned, the record speaks for itself, and it stands there. Mr. Speaker, the fact of the matter is that no one, not even the Weather Bureau, knew where the hurricance was. On Sunday the hurricane was 400 miles southeast of Matecumbe, traveling westward, and not in the direction of these camps at Matecumbe. Much has been said about a train being ordered for Sunday and canceled, and about the advisability of getting the men out of there on Sunday. The fact is the railroad company attached several extra coaches and came back from Key West to Miami through the camps hauling six empty passenger coaches with a seating capacity of 480. This was late Sunday afternoon. If anyone had been alarmed on Sunday there was ample opportunity for them to have left the keys.

In the chronological report I have prepared from the evidence is contained every order issued and everything done by the employees of the railroad company in getting the train ready and sending it out. The résumé also contains all weather reports issued and all barometer readings taken on Sunday and Monday. Upon these reports I base my statement that no human being is responsible for this disaster.

The gentleman from Wisconsin criticized the methods they had of obtaining the Weather Bureau reports, stating the telephone and radio did not work. The best answer to that argument is that the record shows that those in charge of the camps on the keys did receive all weather reports at the time they were issued until after 4:30 p. m. Monday, when the wires went down.

At 10 a. m. Monday the hurricane was 200 miles east of Habana, Cuba, still traveling westward. At 1:30 p. m. it was 120 miles southeast of Matecumbe, still going in a west-

erly direction. It was not until 4:30 p. m. Monday that the Weather Bureau reported the hurricane as having turned northward in the direction of the camps at Matecumbe. The fact of the matter is that no one, not even the Weather Bureau, knew where the storm was. To have moved the men prior to this time might have meant moving them into the path of the storm.

When the report of the storm was issued at 10 a. m. Monday and the words were used "Caution vessels in Florida Straits", ships in the hurricane area left the danger zone. The Weather Bureau based its reports in part on radio information it received from ships in the storm area. After these ships left the danger zone, the Weather Bureau was deprived of one of its most valuable sources of information. This, in my judgement, accounts for any inaccurracies in those reports. It would be a wonderful thing, if in the science of weather forecasting, we had reached a point where a weather forecaster could sit in a rocking chair, riding on the crest of the storm, with a radio receiver on his head and a transmitter in his hand. It would be wonderful if we could have heard his voice telling us the storm was 89¾ miles southeast of Matecumbe and was due to arrive in Matecumbe at 14 minutes and 20 seconds past 8 o'clock. Unfortunately we have not yet reached that stage. These weather reports must be based on information gathered by the department from various sources and sometimes this information is not available and unfortunately not always 100 percent accurate.

At no time prior to 1:30 p. m. Monday did the barometer readings at the camps fall below 29.70 or show danger, 30.00 being normal. One reading shows the barometer actually went up from 29.80 to 29.85 from 11 a. m. to 1 p. m. Monday, indicating the storm was not going to hit that area.

I wish to say again I dislike very much to disagree with my colleagues on my side of the aisle. Basing my conclusions on the facts and the evidence, I say that it was an act of God and that no one was responsible. The chronological chart which I prepared from the exhaustive testimony and to which I have referred in this short speech, follows:

CHRONOLOGICAL ORDER OF TELEPHONE CALLS, ORDERS, WEATHER BUREAU REPORTS, BAROMETER READINGS, ETC., TAKEN AND GIVEN FROM 5:48 A. M. SEPTEMBER 1, 1935, TO 8:25 P. M. SEPTEMBER 2, 1935, REGARDING THE HURRICANE AT MATECUMBE, FLA.

SUNDAY, SEPTEMBER 1, 1935

5:48 a. m.: Mr. F. B. Ghent, director of veterans' work in Florida, talked by phone to Mr. P. L. Gaddis, district superintendent of Florida East Coast Railway, regarding train service in case of possible hurricane.

6:05 a. m.: Mr. F. B. Ghent, director of veterans' work in Florida, talked by phone to Mr. B. L. Byrum, chief train dispatcher of Florida East Coast Railway at New Smyrna, Fla., regarding a train in case of hurricane.

10 a. m.: Miami Weather Bureau advisory was as follows: "Tropical disturbance central, short distance south of Andros Island, moving westward about 8 miles per hour attended by stiffening gales, probably winds of hurricane force, wide area near center. Indications are storm will pass through Florida Straits late tonight or Monday. Caution advise vessels in path. Northeast storm warnings displayed from Fort Pierce around coast to Fort Myers. Squalls late this afternoon. No hurricane warnings up in this section."

10 a. m. (or shortly thereafter): Mr. S. C. Cutler, works director of veterans' camps, visited Capt. E. H. Sheeran, superintendent of bridge construction, who has been on the keys since 1905, and who said he was getting ready for a severe blow.

10:33 a. m.: Mr. S. C. Cutler, works director of veterans' camps, put in a call for Mr. F. B. Ghent, director of veterans' work in Florida, at Jacksonville. While waiting he also put in a call for Mr. P. L. Gaddis, district superintendent of Florida East Coast Railway, but Mr. Gaddis was out of town, so Mr. Cutler talked to the clerk, whom he told that in view of storm he thought it advisable to make up two trains ready to dispatch at a moment's notice. He told him that the order was without authority, but that he had a call in for Mr. Ghent, who had authority.

10:46 a. m.: Mr. S. C. Cutler, works director of veterans' camps, talked to weather bureau at Miami by phone. Telephone records of call, but no information given.

10:58 a. m.: Mr. George Pepper at Key West talked by phone to Mr. S. C. Cutler, works director of veterans' camps.

2:42 p. m.: Mr. S. C. Cutler, works director of veterans' camps, talked by phone to Mr. F. B. Ghent, director of veterans' work in Florida. Mr. Ghent said he had talked with Mr. Ray W. Shelden, superintendent of veterans' camps at Matecumbe, who would be at camps shortly to handle situation.

4:00 p. m. (or shortly after): Mr. Ray W. Sheldon, superintendent of veterans' camps at Matecumbe, arrived at camps. Called Miami Weather Bureau and received latest warning. Not much change in weather.

4:47 p. m.: Mr. S. C. Cutler, works director of veterans' camps, talked by phone to weather bureau at Miami. Telephone records of call but no information given.

5:12 p. m.: Mr. S. C. Cutler, works director of veterans' camps, called Mr. F. B. Ghent, director of veterans' work in Florida, and gave him barometer reading and weather report. Mr. Ghent reported similar report from Jacksonville Weather Bureau. It was decided to await further developments before taking action to remove men from keys.

5:15 p. m.: Mr. Ray W. Sheldon, superintendent of veterans' camps at Matecumbe, telephoned Mr. P. L. Gaddis, district superintendent of Florida East Coast Railway, at his home in Miami. Mr. Gaddis said train could be assembled and spotted at camps within 3 or 4 hours after order was placed.

10:30 p. m.: Mr. Ray B. Sheldon, superintendent of veterans' camps, talked by phone to Miami Weather Bureau.

10:30 p. m.: Mr. Ray Sheldon, superintendent of veterans' camps at Matecumbe, had telephone conversation with the Miami Weather Bureau—Mr. Ernest Carson, associate meteorologist in charge, who said, according to advisory of 9:30 p. m., center of storm was 260 miles east of Habana, moving slowly westward. Mr. Carson said it would be safe to stay on keys until Monday morning. The weather bureau in Miami promised to inform Mr. Sheldon of any changes during night.

MONDAY, SEPTEMBER 2, 1935

3:31 a. m.: Mr. S. C. Cutler, works director of veterans' camps, talked by phone to Miami Weather Bureau and informed that tropical disturbance was 275 miles east of Habana, moving westward; beware high tides and storm gales.

8:17 a. m.: Mr. Ray W. Sheldon, superintendent of veterans' camps at Matecumbe, talked by phone to Miami Weather Bureau, Mr. Ernest Carson, associate meteorologist in charge, and states reports indicated no change in storm.

9:30 a. m.: Jacksonville Weather Bureau marine forecast: "East Gulf of Mexico, moderate winds except increasing northeast over southeast portion, probably reaching gale force and possibly hurricane force over extreme southeast portion." Hurricane about 175 miles southeast of keys, traveling in westerly direction.

9:45 a. m.: Mr. Fellows put in a call for Mr. Conrad Van Hyning, Florida State director of Florida emergency relief administration. Mr. Fellows was acting chief engineer and had come down to the office immediately upon reading of a storm east of Cuba, Monday being a legal holiday. He found Mr. Aubrey Williams, assistant administrator in charge of relief work, in his office and put in the call to Mr. Van Hyning on Mr. Williams' approval. However, the office at Tallahassee, Fla., was closed, so Mr. Fellows instructed the operator to get him anyone in authority.

10 a. m.: Weather report advisory: "Tropical disturbance central about 200 miles due east of Habana, Cuba, moving slowly westward, attended by shifting gales and probably winds, hurricane force, small area near center. Caution advised vessels Florida Straits next 24 or 36 hours." Northeast storm warnings ordered same area as at 10 a. m. on first were continued.

10 a. m.: Barometer reading, 29.80. (At same time Islamorada lighthouse keeper reports 29.80.)

11 a. m.: At 10:30 a. m. the telephone operator told Mr. Fellows, acting chief engineer, Federal emergency relief administration, that Mr. Conrad Van Hyning, Florida State administrator, Florida emergency relief administration, was in Tallahassee. Mr. Fellows told the operator to call all hotels and at 11 a. m. he reached Mr. Van Hyning and told him of his fears and asked whether the veterans had been evacuated. He told Mr. Van Hyning that Mr. Hopkins would not want anything to happen that would result in the loss of life or injury to any of the men in the camps. Mr. Van Hyning said he thought the veterans had not been evacuated; that he thought they had some people experienced in storm protection whom they could get from Key West or possibly some were already there. (No stenographer was available, but Mr. Lanham, a member of the staff, listened to the conversation, and the conversation was reported to Mr. Westbrook, Assistant Administrator, F. E. R. A., and to Mr. Williams' secretary.)

11:20 a. m.: Mr. Conrad Van Hyning, Florida State administrator of the Florida emergency relief administration, Tallahassee, Fla., attempted to reach Mr. Ray W. Sheldon, superintendent of veterans' camps at Matecumbe, to give orders. Being unable to reach Mr. Sheldon, Mr. Van Hyning called Mr. M. E. Gilfond, Florida emergency relief administrator for Monroe County, Fla., at Key West, and asked him to relay the message to Mr. Sheldon. Mr. Gilfond told Mr. Van Hyning there was no reason to be immediately concerned about Matecumbe, that Key West would feel a strong blow.

11:23 a. m.: Mr. Gilfond, Florida emergency relief administrator for Monroe County, Fla., talked by phone to Mr. Ray W. Sheldon, superintendent of veterans' camps at Matecumbe, relaying the message.

11:30 a. m.: Barometer reading, 29.81 at Matecumbe.

11:33 a. m.: Mr. Gilfond, Florida emergency relief administrator for Monroe County, Fla., talked by phone to Mr. Conrad Van Hyning, Florida State administrator for the Florida emergency relief administration, reporting that he had relayed his message to Mr. Ray W. Sheldon, superintendent of veterans' camps at Matecumbe.

11:42 a. m.: Mr. Gilfond, Florida emergency relief administrator for Monroe County, Fla., talked by phone from Key West to Mr. Ray W. Sheldon, superintendent of veterans' camps at Matecumbe. Mr. Sheldon told Mr. Gilfond that the barometer was rising at that time. Storm then reported about 200 miles from Keys, heading westward.

11:53 a. m.: Mr. Conrad Van Hyning, Florida State administrator for the Florida emergency relief administration, Tallahassee, Fla., talked by phone to Mr. Gilfond, Monroe County, Florida emergency relief administrator, and told him to relay message to Mr. Sheldon, superintendent of veterans' camps at Matecumbe, to do everything possible to protect the men.

12 m.: Barometer reading at Matecumbe, 29.85. (Lighthouse also reports 29.85.)

12:43 p. m. (during lunch hour): Mr. Ray W. Sheldon, superintendent of veterans' camps at Matecumbe, called Miami Weather Bureau and was informed camps and keys in no immediate danger.

1 p. m.: Barometer reading, 29.85, taken at Alligator Lighthouse. (It will be noted here that this barometer actually went up between the 10 a. m. reading and 12 m. reading and held up to 1 p. m. reading, indicating the storm was not approaching Matecumbe.)

BAROMETER READING BY RICHARD BOW AT CAMP 3, 29.20

1:30 p. m.: Weather Bureau report: "Hurricane warning issued at 1:20 p. m. Hoist hurricane warnings 1:30 p. m. Key West district. Tropical disturbance central at noon about latitude 23°20′ longitude 80°15′ moving slowly westward. It will be attended by winds of hurricane force Florida Straits and winds gale force Florida Keys south of Key Largo this afternoon and tonight. Caution advised vessels Florida Straits next 24 hours. Northeast storm warnings to remain displayed elsewhere Miami to Fort Myers."

(NOTE.—Key West district takes in all keys south of Key Largo. Storm at this time was about 120 miles from Matecumbe.)

1:32 p. m.: Mr. S. C. Cutler, works director of veterans' camps, talked by phone to Miami Weather Bureau. Telephone records of call, but no information given.

1:37 p. m.: Mr. F. B. Ghent, director of veterans' work in Florida, talked by phone to Mr. Ray W. Sheldon, superintendent of veterans' camps at Matecumbe. Mr. Sheldon told him that barometer was falling fast; that he had better order the train. Mr. Ghent said he would order train at once.

1:45 p. m.: Mr. Ray W. Sheldon, superintendent of veterans' camps at Matecumbe, called the Florida East Coast Railway and talked with Mr. J. M. Shealy, chief clerk to district superintendent, telling him they were expecting the storm to strike the keys and his Jacksonville office was handling with their St. Augustine office the matter of a relief train. He said he had called their office to let them know such action was being taken so they could be in readiness to operate the train when the order was received. Mr. Shealy told Mr. Sheldon to hold the phone as he thought Mr. Gaddis, superintendent of railway (district) at Miami, was calling him from Key West, that Mr. Gaddis was on the phone and Mr. Shealy told him what Mr. Sheldon had said. Mr. Gaddis directed that Mr. A. I. Pooser, superintendent of the railroad, get in on the dispatcher's telephone, which was done. Mr. Gaddis told Mr. Pooser about Mr. Sheldon calling and Mr. Pooser stated the train would be operated promptly after the order was received from St. Augustine. While this conversation was being carried on the official order was received. Mr. Sheldon was promised that the train would be at the camps between 5:30 and 6 p. m.

1:55 p. m.: Mr. F. B. Ghent, director of veterans' work in Florida, talked to Mr. R. C. Unkrich, assistant administrator of the Emergency Relief Administration in Florida, and told Mr. Unkrich train was standing by, ready to leave at an hour's notice. (Mr. Unkrich assumed the train was standing by at the keys, but this was a mistake in his judgment.)

2 p. m.: Barometer reading at camp no. 3, by Richard Bow, 29.66.

2 p. m. to 4 p. m.: The following phone calls and orders were given by Mr. G. R. Branch, yardmaster of Florida East Coast Railway and acting trainmaster, between the hours of 2 p. m. and 4 p. m.:

1. Received call ordering train about 2 p. m. from Mr. B. L. Byrum, chief train dispatcher of Florida East Coast Railway at New Smyrna, Fla.

2. Phoned mechanical department at Buena Vista. Entire force off duty because of legal holiday.

3. Phoned general foreman of the railroad. Unable to locate him.

4. Phoned assistant general foreman and gave orders regarding train.

5. Phoned locomotive department asking to have engine hot and ready on short notice.

6. Called yard office at Buena Vista and instructed chief yard clerk to have foreman of 3 o'clock yard engine to gather equipment. (No engine available due to curtailed summer service between 2:20 p. m. and 3:10 p. m.)

7. At 2:45 p. m., chief dispatcher called Mr. G. R. Branch, yardmaster of Florida East Coast Railway and acting trainmaster, giving further instructions.

8. He phoned chief dispatcher and ordered crew to report for 4 p. m.

9. Called yard foreman and gave further instructions.

10. Mr. B. L. Byrum, chief train dispatcher, Florida East Coast Railway at New Smyrna, Fla., called giving instructions to add three box cars.

11. Called foreman and gave orders. (Engineer was allowed 10 minutes to oil and inspect locomotive.)

2:05 p. m.: Mr. F. B. Ghent, director of veterans' work in Florida, telephoned to Mr. C. L. Beals, manager of Florida East Coast Railway at St. Augustine, Fla.

2:07 p. m.: But Mr. Ghent was connected with Mr. F. L. Aitcheson, assistant to general superintendent of Florida East Coast Railway. Mr. Ghent placed firm order for train and was advised that it would move by 4 o'clock, reaching camps by 6:30. Mr. F. B. Ghent, director of veterans' work in Florida, was at Jacksonville on his way to St. Augustine. (There is no record of the time the regular train order was issued.)

2:10 p. m.: Mr. A. I. Pooser, superintendent of Florida East Coast Railway, called Mr. F. L. Aitcheson, assistant to general superintendent of Florida East Coast Railway, but inasmuch as Mr. Aitcheson was leaving his office, Mr. Pooser talked to Mr. B. L. Byrum, chief train dispatcher of Florida East Coast Railway at New Smyrna, Fla. Mr. Pooser instructed Mr. Byrum to inform Mr. G. R. Branch, yardmaster of Florida East Coast Railway and acting trainmaster at Miami, and others, of probability of definite advice in few minutes regarding special train for removing men from Keys.

2:15 p. m.: Mr. B. L. Byrum, chief train dispatcher of Florida East Coast Railway at New Smyrna, Fla., got in touch with Mr. G. R. Branch, yardmaster of Florida East Coast Railway and acting trainmaster at Miami, and advised him of probability of train being operated. Mr. Byrum asked him to get crews in place and inquired as to number of coaches available. This was done in order that preparations could be made, and Mr. Byrum promised to call immediately after he received advice. Mr. Byrum also called Mr. J. M. Chealy, chief clerk to district superintendent, regarding special train.

2:15 p. m. (or shortly after): Mr. F. L. Aitcheson, assistant to general superintendent, Florida East Coast Railway, called Mr. A. I. Pooser, superintendent of Florida East Coast Railway, by phone saying that he had received order from Jacksonville. They discussed matter of equipment and other details for a few minutes. Conversation ended about 2:30 p. m.

2:17 p. m. (approximately): Mr. F. B. Ghent, director of veterans' work in Florida, talked to Mr. Ray W. Sheldon, superintendent of veterans' camps at Matecumbe, by phone, advising him that the train had been ordered and that he would meet it.

2:30 p. m.: Barometer reading at camp no. 3, by Richard Bow, 29.62.

2:35 p. m.: Mr. A. I. Pooser, superintendent of Florida East Coast Railway, told Mr. B. L. Byrum, chief train dispatcher, Florida East Coast Railway, New Smyrna, Fla., to get the train out as soon as possible and not later than 4 p. m. (Superintendent Pooser made a statement that up to this time they had no idea of the approach of the hurricane and could not have expedited matter if they had wanted to as they did everything they could as speedily as possible.) Mr. G. R. Branch, yardmaster of Florida East Coast Railway and acting trainmaster, was advised of definite instructions. Had to get coaches from freight yard as well as passenger yard. Mr. B. L. Byrum states that they dropped all other work and that there was no delay.

2:45 p. m.: Mr. J. L. Byrum, chief train dispatcher, called by phone for a train of five coaches and two baggage cars. Crew called and instructed to report at 4 p. m.

3 p. m.: Barometer reading by Richard Bow at camp 3, 29.58.

3:30 p. m.: Mr. R. S. Spitz, agent-operator at Miami, phoned Mr. A. I. Pooser, superintendent of railroad, giving him barometer reading, which was 29.36. Superintendent Pooser asked him to get another reading.

3:30 p. m.: Barometer reading by Richard Bow at camp 3, 29.54.

4 p. m.: Barometer reading 29.10 at Islamorada.

4:15 p. m.: Mr. R. S. Spitz, agent-operator at Miami, gave superintendent A. I. Pooser another barometer reading, which was tnen 29.10.

4:15 p. m.: Mr. F. B. Ghent, director of veterans' work program, reached the railroad office at Miami. Mr. F. B. Aitcheson, assistant to general superintendent, stated that he was in constant telephone conversation until 4:04 p. m. He was informed by Mr. G. R. Branch, yardmaster at Buena Vista, that train would probably leave about 4:20 or 4:30 p. m.

4:25 p. m.: Train left Miami per Mr. A. I. Pooser, superintendent of railroad.

4:30 p. m.: Weather report: "Hoist hurricane warnings town of Everglades and extend northeast storm warnings Miami to West Palm Beach and Fort Myers to Sarasota. Tropical storm now apparently moving northwestward toward Florida Keys accompanied by hurricane over small area. High tides probably extreme south Florida coast and stations concerned please notify people in exposed places to take adequate precautions."

4:30 p. m.: Advisory: "Tropical storm now apparently moving northwestward toward Florida Keys accompanied by hurricane winds over small area. Hurricane warnings displayed Key West and town of Everglades and northeast storm warning elsewhere south Florida coast from West Palm Beach to Sarasota." (Weather Bureau testified storm was now about 75 miles from Matecumbe. Mr. Ray W. Sheldon testified that location of storm as shown on map would be about 100 miles from Matecumbe.

5 p. m.: Barometer reading at Alligator Lighthouse now 29.20.

5:15 p. m.: Train arrived at Homestead. Turned the engine in order that they might have the engine at the head of the train in coming out with the load. They loaded on motorcar and line men. Took 15 minutes to load car and turn engine. Took in some

women and children and a few veterans. Now blowing a full gale at Homestead. Barometer reading at Matecumbe, 29.40.

5:30 p. m.: Barometer reading at camp 3 by Richard Bow, 29.38.

5:31 p. m.: Mr. Ray W. Sheldon, superintendent of veterans' camps at Matecumbe (who had been informed by Miami office that train had left at 4 p. m., although it did not leave until 4:25 p. m.), talked by phone to Florida East Coast Railway men at Matecumbe.

5:52 p. m.: Mr. Conrad Van Hyning, State director of Florida emergency relief administration in Florida, talked to Mr. M. E. Gilfond, Florida emergency relief administrator for Monroe County, by phone.

6 p. m.: Barometer reading, 29.06 at Alligator Light; barometer reading, 29.20 at camp 3 by Richard Bow.

6:30 p. m.: Barometer reading, 27.84 at Alligator Light.

7 p. m.: Weather report: "Hurricane warnings north of Key Largo to West Palm Beach and northeast storm warning north of West Palm Beach to Titusville and storm warning continued elsewhere south Florida coast Titusville to Sarasota. Tropical disturbance, hurricane intensity, approaching Matecumbe Key apparently moving north-northwestward with recurving tendency will cause winds of about hurricane force over extreme southern Florida and strong winds over central Florida late tonight or early Tuesday morning."

7 p. m.: Mr. Ray W. Sheldon, superintendent of veterans' camps at Matecumbe, and 11 or 12 members of the administrative staff left railroad station because it threatened to collapse. They took refuge in box car.

8 p. m.: Barometer reading, 27.45 at Alligator Light.

8:10 p. m.: Barometer reading, 27.35 at Alligator Light.

Between 8 and 8:20 p. m.: Train arrived at Islamorada. At 2:15 p. m., September 2, preparations of the train were commenced at the Miami terminal. The coaches and baggage cars were scattered throughout the terminal and one coach had to be repaired before it could be used. This delayed the departure of the train until 4:25 p. m.

A delay of 10 minutes occurred just outside the terminal because of a drawbridge. When the train arrived at Homestead it was 5:15 p. m. Because there was no Y between Homestead and Key West, it was then decided to turn the engine in order that it might be headed right for the return from Matecumbe. This would then require running the engine, tender first, from Homestead to Matecumbe. The train left Homestead at 5:30 p. m. It arrived at a quarry just south of camp no. 1 at 7 p. m. There a guy wire had been blown across the track and 1 hour and 20 minutes were required to remove this obstruction. The train arrived at Islamorada shortly after 8 p. m. They boarded train and started south.

8:25 p. m.: Storm struck.

9 p. m.: Barometer reading, 27.50 at Alligator Light.

9:30 p. m.: Weather forecast: "Jacksonville to Florida Straits, strong easterly winds over extreme north and east to southeast gales over central and south portions with probable winds hurricane force Palm Beach southward. Weather overcast with rain Tuesday. East Gulf, strong east to northeast winds over extreme north and shifting gales over central and south portions with winds hurricane force near center of tropical storm southeast portion. Weather overcast with rain Tuesday. Tropical disturbance of full hurricane intensity but small diameter central 8 p. m. near Matecumbe Key moving northwestward, accompanied by shifting gales and hurricane winds near center. Caution advised low places southwest Florida for high winds and tides."

10 p. m.: Barometer reading, 28.04.

10:30 p. m.: Barometer reading, 28.80.

The SPEAKER. The time of the gentleman from Michigan has expired. All time has expired. The question is on the motion to suspend the rules and pass the bill.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended, and the bill was passed, and a motion to reconsider was laid on the table.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent that all Members who have spoken on the bill have leave to revise and extend their remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. FULLER. Mr. Speaker, I ask unanimous consent to take from the table the bill (S. 4354) to authorize the attendance of the Marine Band at the Arkansas Centennial Celebration, at Little Rock, Ark., the Texas Centennial, at Dallas, Tex., and the Confederate Reunion, at Shreveport, La., between the dates from June 6 to June 16, 1936, inclusive, and ask for its immediate consideration.

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

Mr. MAPES. Mr. Speaker, I reserve the right to object, and ask the gentleman from Arkansas whether this bill was on the Consent Calendar?

Mr. FULLER. Yes; it was.

Mr. MAPES. Was there an objection made to the consideration of the bill when it was called?

Mr. FULLER. Yes; one objection.

Mr. MAPES. I do not know that I have any objection to it.

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

Mr. WOLCOTT. Mr. Speaker, I object.

Mr. FULLER. Then, Mr. Speaker, I move to suspend the rules and pass the bill (S. 4354) to authorize the attendance of the Marine Band at the Arkansas Centennial Celebration at Little Rock Ark.; the Texas Centennial at Dallas, Tex.; and the National Confederate Reunion at Shreveport, La., between the dates from June 6 to June 16, 1936, inclusive, which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That the President is authorized to permit the band of the United States Marine Corps to attend and give concerts at the Arkansas Centennial Celebration, at Little Rock, Ark.; the Texas Centennial, at Dallas, Tex.; and the National Confederate Reunion, at Shreveport, La., between the dates from June 6 to June 16, 1936, inclusive.

SEC. 2. For the purpose of defraying the expenses of such band in attending and giving concerts at such celebrations and reunion there is authorized to be appropriated the sum of $11,500, or so much thereof as may be necessary, to carry out the provisions of this act: *Provided*, That in addition to transportation and Pullman accommodations the leaders and members of the Marine Band be allowed not to exceed $5 per day each for actual living expenses while on this duty, and that the payment of such expenses shall be in addition to the pay and allowances to which they would be entitled while serving at their permanent station.

Mr. WOLCOTT. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Michigan makes the point of order that there is no quorum present. Evidently there is not.

Mr. BANKHEAD. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The Clerk called the roll and the following Members failed to answer to their names:

[Roll No. 115]

Andrew, Mass.	Duffey, Ohio	Hoffman	Peterson, Fla.
Andrews, N. Y.	Dunn, Miss.	Hook	Pierce
Arends	Dunn, Pa.	Houston	Plumley
Bacon	Eagle	Huddleston	Quinn
Barden	Eaton	Jenckes, Ind.	Ramsay
Berlin	Ekwall	Kee	Rayburn
Binderup	Englebright	Kerr	Reed, N. Y.
Bolton	Evans	Kleberg	Robertson
Brennan	Faddis	Kloeb	Robsion, Ky.
Brewster	Fenerty	Lambertson	Rogers, N. H.
Brooks	Fernandez	Lanham	Rogers, Okla.
Brown, Mich.	Fish	Larrabee	Sabath
Buckley, N. Y.	Fitzpatrick	Lee, Okla.	Sanders, La.
Bulwinkle	Ford, Calif.	Lesinski	Sandlin
Burch	Frey	Lewis, Md.	Schaefer
Burdick	Fulmer	Luckey	Scrugham
Caldwell	Gambrill	Lundeen	Sears
Cannon, Wis.	Gifford	McGrath	Secrest
Carmichael	Gilchrist	McGroarty	Shanley
Carter	Gillette	McSwain	Sisson
Cartwright	Gingery	Maloney	Steagall
Cary	Goldsborough	Marcantonio	Stewart
Cavicchia	Goodwin	Marshall	Stubbs
Claiborne	Gray, Pa.	Martin, Mass.	Sumners, Tex.
Clark, Idaho	Green	Maverick	Sweeney
Clark, N. C.	Greenway	Merritt, Conn.	Taber
Coffee	Greever	Merritt, N. Y.	Thom
Cox	Guyer	Millard	Tobey
Cross, Tex.	Gwynne	Mitchell, Ill.	Treadway
Crowther	Halleck	Montet	Turpin
Cummings	Hancock, N. C.	Murdock	Wadsworth
Dear	Harlan	Nelson	West
DeRouen	Hart	Nichols	White
Dietrich	Hartley	Norton	Wigglesworth
Disney	Hennings	O'Leary	Wilcox
Ditter	Hess	Oliver	Williams
Dockweiler	Higgins, Conn.	O'Malley	Wood
Dorsey	Hill, Samuel B.	Owen	Zioncheck
Doutrich	Hobbs	Palmisano	
Driver	Hoeppel	Parks	

The SPEAKER. Two hundred and sixty-four Members have answered to their names, a quorum.

Mr. BANKHEAD. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

ORDER OF BUSINESS

Mr. BANKHEAD. Mr. Speaker, before we proceed with the consideration of the Marine Band bill, I desire to submit a unanimous-consent request. I ask unanimous consent that tomorrow at the conclusion of the call of the bills on the Private Calendar we may take up the omnibus private claims bills.

The SPEAKER. The gentleman from Alabama asks unanimous consent that tomorrow at the conclusion of the call of the individual bills on the Private Calendar, we may take up the consideration of omnibus bills on the Private Calendar. Is there objection?

Mr. MAPES. Mr. Speaker, I reserve the right to object. Will the gentleman from Alabama give the House some idea of what is in the omnibus claims bill to which he refers?

Mr. BANKHEAD. I could not inform the gentleman about that. Of course the gentleman knows there are a number of omnibus bills, and each of them includes private bills that are on this calendar under the new rule.

Mr. KENNEDY of Maryland. Mr. Speaker, there are a number of bills that have been placed in these omnibus bills for some little time and have not come up for consideration, due to the fact that the Private Calendar was passed over on two occasions during this session. These are various bills that have been objected to and reconsidered by the committee and placed in the omnibus bill.

Mr. MAPES. Has the gentleman consulted with the minority members of the Committee on Claims about this request?

Mr. KENNEDY of Maryland. Yes; I have talked to all members of the committee and it is agreeable to them to bring these bills up in this manner if we can.

Mr. HANCOCK of New York. Mr. Speaker, I reserve the right to object. There are about 150 bills on the calendar which the gentleman expected to close up tomorrow.

Mr. KENNEDY of Maryland. That is the bills unobjected to.

Mr. HANCOCK of New York. That have not been called previously. The Members on the Democratic side and the Members on the Republican side who have been designated to examine these bills have not seen them until this afternoon. They will have to work until a late hour tonight in reading them. I think it is hardly fair after asking them to do that to then go into the omnibus bill. I have no objection to the omnibus bills being taken up at a later day, but it is unfair to take them up tomorrow. Therefore, I object.

The SPEAKER. The gentleman from New York objects.

ATTENDANCE OF MARINE BAND AT CONFEDERATE REUNION

The SPEAKER. The gentleman from Arkansas moves to suspend the rules and pass the bill S. 4354. Is a second demanded?

Mr. WOLCOTT. Mr. Speaker, I demand a second.

Mr. FULLER. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Arkansas is entitled to 20 minutes and the gentleman from Michigan to 20 minutes.

Mr. FULLER. Mr. Speaker, I shall take only a little time in explaining the bill and there will be very few, if any, speeches on this side of the House. A similar bill to this was introduced in the House by the gentleman from Louisiana [Mr. SANDLIN], who is not here to look after the bill today. This Senate bill is similar to the House bill. It provides an authorization of $11,500 for sending the Marine Band to the Confederate Reunion in Shreveport, La. That is the principal cost contained in the bill. It also provides that while the band is there it may attend the opening of the Dallas fair, the centennial of Texas on the 6th, and can go to Little Rock to attend the opening of the centennial convention there. This is similar to the bills passed on every occasion as far as I can remember for a Confederate Veterans' Reunion, as well as for the G. A. R.

I reserve the remainder of my time.

Mr. WOLCOTT. Mr. Speaker, a similar bill was on the Consent Calendar this afternoon and it was objected to. I did not take the opportunity at that time to make clear the objections which I had to the bill. I understand the gentleman from Arkansas [Mr. FULLER] has confined his motion to the bill S. 4354, the Senate bill. The difference between the Senate bill and the House bill is simply in the amount. The original Senate bill provided for $15,000 and they reduced it to $11,500. The dates, as I understand it, are identical, except they use certain dates making it inclusive instead of setting forth the exact dates when the band will attend each of these celebrations.

I will agree that there is precedent for sending the Marine Band to Confederate reunions. It has been done before and probably will be done again any time that this House wants to vote the authority to do it.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. Just wait until I finish, please.

I think, however, for the first time in the history of American election campaigns the House of Representatives is asked to appropriate the people's money for the purpose of sending a band along with the President of the United States to drum up an audience to listen to his campaign speeches. It is very significant that this band is to play and give concerts at the Arkansas Centennial at the same time the President of the United States, in competition with the Republican National Convention, is speaking at that centennial. It is very significant that this band is playing at the Texas Centennial on the identical day that the President of the United States is to make a campaign speech at the Texas Centennial. Now, there has been a great deal of criticism about the use of public money by this and other administrations for campaign purposes.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. After all, some of us are attempting to make an honest effort to cut the expenses of Government down to the very bone in order that some time in the future the Budget may be balanced.

I have every respect in the world for the Marine Band. I would like to give those boys this vacation, if it could be done and be consistent with the condition in which the Government finds itself today.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. Not just now.

I think it is somewhat deplorable to spend $11,500, or any sum of money, in addition to the $5 a day per person which it will cost to maintain them at these three celebrations for the purpose of giving those boys a vacation such as they are not asking for, and can serve only the purpose which I have mentioned.

As I have said on other occasions, and probably my remarks will be just as effective today as they were then, the responsibility is that of this House. I know that we on this side do not have the votes to stop this misuse of the people's money for this purpose, even if you could call it a noble purpose. I know there are a great many hearts and souls tonight that are watching with a great deal of interest to see whether we are putting our stamp of approval upon the use of this band for this purpose, as set forth in this bill.

Mr. Speaker, I expect that we shall have a roll call on this bill by which we may be enabled to determine just how sincerely some of the Members of this House are in their statements on behalf of the taxpayers who have to pay the bills.

Mr. Speaker, I now yield 5 minutes to the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Speaker, hour after hour, day after day, and minute after minute all we do is appropriate funds. There is not a Member of the Democratic side nor on the Republican side who can answer the question, Where are you going to get the money? [Applause.]

It may seem trivial and foolish to some of you, but remember this: It is one of the most serious things that is facing this Nation today. This is serious business with me. It might be light as far as you are concerned, and you may act like children in making light of it; but when you read the statement of the Federal Treasury which comes to your

office every day, when you read the report of the Treasury which you will get after the first of the year, and when you find out you are going to be in the red about $48,000,000,000, if that is not serious business, then I do not know what I am talking about.

You can make all the levity and all the fun you want to, but do not forget that when you get back to your constituents you will have something to account for and there will be some of them who will say something to you that will not be so pleasant. I hope they check up your record. It would not be enlightening to the Nation when you have to explain to them, "I voted for everything that came before the House of Representatives involving the spending of money." How in the Dutch you are going to account to your people, I do not know. [Laughter.]

Now, this bill only calls for $10,500. That is not much; but remember this, 2 years ago Mr. Eastman, of Rochester, N. Y., asked that the Marine Band come to Rochester. The city of Rochester agreed to pay every dollar of the expense of that band if they would come there. You refused to let them go, because you said it was contrary to the rules laid down whereby the Marine Band could attend functions all over this Nation.

The argument was made that so many similar requests would come from all over the Nation that it would be the wrong thing to do; but, as my colleague the gentleman from Michigan has pointed out to you, the Marine Band is going to three cities in the South, to be there at the same time the President of the United States is there. They will march along together at the celebrations.

Mr. GASQUE rose.

The SPEAKER. Does the gentleman from Pennsylvania yield to the gentleman from South Carolina?

Mr. RICH. When I finish my statement I will yield to the gentleman from South Carolina.

Where is the Marine Band going? It is going to the State of Arkansas. JOE ROBINSON is going to have some trouble out there this year.

Mr. FULLER. Not much.

Mr. RICH. Then it is going down in Texas. Mr. Garner—well, I do not think he will have so much trouble in Texas.

[Here the gavel fell.]

Mr. WOLCOTT. Mr. Speaker, I yield 3 additional minutes to the gentleman from Pennsylvania.

Mr. TAYLOR of South Carolina. Mr. Speaker, will the gentleman yield?

Mr. RICH. Not now.

Then they are going to Louisiana. If Senator Long were still alive I wonder if it would not be mighty important that the President go to Louisiana? But even as it is you will find out that the people of Louisiana are not all going to back up this administration. I question whether you ought not send the Marine Band with the President of the United States into every State in the Union, because when the people find out that this administration has been the greatest spending administration the Nation has ever known, yes, and four times over, when Mr. Roosevelt said in 1932, "Three years of spending." Now if he looks back he probably will say 3 years of a spending spree. He will have to explain to the people why he has been spending all this money. Secretary Morgenthau said a few weeks ago that we would be $40,000,000,000 in the red at the end of 1937. The fact of the matter is we will approach about that figure by the end of 1936. The President on January 3 said we were approaching a balanced Budget. This session of Congress this year before it adjourns will have spent more money than the Congress spent at the session last year, which was a record for extravagant spending.

Now, think over these things; they are facts. Gracious goodness! There is no more fact about the statement that we are approaching a balanced Budget than there is in the statement that you are not going to have darkness about 2 hours from now. There is no more truth in those statements than there is in the statement that white is black. Mr. Roosevelt does not know what the meaning is of a balanced Budget.

Now, men, are you going to establish a precedent by voting for this bill that will take the Marine Band to head the President on a political jaunt for his election in November? Remember! I tell you once more your people back home will render the verdict in November, and when the verdict is rendered you will get the worst licking you ever got in your life. You will not like it, but it will be the truth.

Had I voted for all this spending I would be ashamed of myself. My people, I feel confident, will approve my attitude on thrift and economy. If the present generation does not, the future generation certainly will, and for that I will be thankful.

I would not change one of my votes in the past 6 years if I had the opportunity today to do so. Can you all say the same thing? I am afraid you cannot.

[Here the gavel fell.]

Mr. FULLER. Mr. Speaker, I yield one-half minute to the gentleman from Georgia [Mr. DEEN].

Mr. DEEN. Mr. Speaker, I requested this half minute to answer the question so often propounded in this House by the gentleman from Pennsylvania [Mr. RICH], as to where we are going to get the money. My answer is that we are going to get some money from the rich.

The SPEAKER. The question is, Shall the rules be suspended and the bill be passed?

The question was taken; and on a division (demanded by Mr. WOLCOTT) there were—ayes 138, noes 30.

Mr. WOLCOTT. Mr. Speaker, I object to the vote on the ground there is not a quorum present, and make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] Two hundred and twenty-three Members are present, a quorum.

So (two-thirds having voted in favor thereof) the rules were suspended, and the bill was passed.

A motion to reconsider was laid on the table.

PREVENTION OF SALES DISCRIMINATION

Mr. UTTERBACK. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 8442) making it unlawful for any person engaged in commerce to discriminate in price or terms of sale between purchasers of commodities of like grade and quality, to prohibit the payment of brokerage or commission under certain conditions, to suppress pseudo-advertising allowances, to provide a presumptive measure of damages in certain cases and to protect the independent merchant, the public whom he serves, and the manufacturer from whom he buys, from exploitation by unfair competitors, with a Senate amendment thereto, disagrees to the Senate amendment, and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

Mr. MAPES. Mr. Speaker, reserving the right to object, was this bill reported by the Judiciary Committee?

Mr. UTTERBACK. Yes; this is the Patman-Robinson bill.

Mr. MICHENER. What are the changes?

Mr. UTTERBACK. The Senate struck out everything after the enacting clause and have requested a conference.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The Chair appointed as conferees Mr. UTTERBACK, Mr. MILLER, Mr. CELLER, Mr. MCLAUGHLIN, Mr. SUMNERS of Texas, Mr. GUYER, and Mr. ROBSION of Kentucky.

TRANSFER OF DECOMMISSIONED LIGHTSHIP "NO. 82" TO UNITED STATES SHIP CONSTITUTION POST, NO. 3339, VETERANS OF FOREIGN WARS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 12896) to provide for the transfer of the surplus decommissioned lightship *No. 82* to United States Ship Constitution Post, No. 3339, Veterans of Foreign Wars.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. MAPES. Mr. Speaker, reserving the right to object, I think this bill should be explained.

Mr. McCORMACK. Mr. Speaker, lightship *No. 82* is a decommissioned surplus vessel which is about to be sold for junk by the Department of Commerce. It has an appraised value of $1,800. The purpose of this bill is to permit it to be given by grant or for a nominal consideration to a post of the Veterans of Foreign Wars to be used as its headquarters.

Mr. MAPES. May I ask the gentleman what committee reported this bill?

Mr. McCORMACK. The Committee on Merchant Marine and Fisheries.

Mr. MAPES. Has the gentleman talked with the ranking member of the committee about this bill?

Mr. McCORMACK. My good friend, the gentleman from California [Mr. WELCH] was present when the hearings were held.

Mr. WELCH. I may say that this bill has been unanimously reported by the Committee on Merchant Marine and Fisheries.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Commerce is authorized and directed to transfer the surplus decommissioned lightship *No. 82* to the United States Ship Constitution Post, No. 3339, Veterans of Foreign Wars, of the Department of Massachusetts, for use by the said post as its headquarters. Such transfer may be by gift without cost to the said post, or by sale for a nominal consideration, whichever method the Secretary may deem the more consistent with public interest, and such transfer shall be made without reference to the provisions of law regarding the disposition of surplus or condemned Government property contained in the act of March 4, 1913, or in any other statute.

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.

ADDITIONAL PLACE OF HOLDING TERMS OF THE UNITED STATES DISTRICT COURT, EASTERN DISTRICT OF KENTUCKY

Mr. MAY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 12848) to provide an additional place of holding terms of the United States District Court in the Eastern District of Kentucky, and to amend section 83 of the Judicial Code, as amended.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, may I ask if this bill is on the Consent Calendar at the present time?

Mr. MAY. It was reported by the Judiciary Committee.

Mr. WOLCOTT. Is it on the Consent Calendar now?

Mr. MAY. I do not know whether it is. I think it is.

Mr. WOLCOTT. It sounds somewhat familiar to me. This is not the bill which provides for an additional judge?

Mr. MAY. Oh, no.

Mr. WOLCOTT. This is the bill that provides for the holding of court at an additional place?

Mr. MAY. At a place where it is not held now. This has the approval of the present judge and the former judge. There is absolutely no objection to it, and the evidence shows savings of thousands of dollars will be effected if this bill is passed.

Mr. WOLCOTT. I understand the court room is to be donated by the county in which the court convenes?

Mr. MAY. Yes.

Mr. MAPES. Mr. Speaker, reserving the right to object, the question has been raised whether this bill has been reported by any committee.

Mr. MAY. It has been unanimously reported by the Judiciary Committee.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted etc., That in addition to the places of holding district courts of the United States in the eastern district of Kentucky, as now provided by law, there shall be held at Pikeville in Pike County, Ky., two regular sessions of said court each year beginning on the fourth Monday in March and the second Monday in October: *Provided*, That suitable rooms and accommodations for holding said sessions of court shall be furnished without expense to the United States until such time as the United States shall provide such rooms and accommodations.

The clerk of the court for said eastern district shall maintain an office in charge of himself, a deputy, or a clerical assistant at said place, and said office shall be kept open at all times for the transaction of business of said court.

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.

RELIEF OF GOVERNMENT CONTRACTORS

Mr. CITRON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 7293) to amend the act approved June 16, 1934, entitled "An act to provide relief to Government contractors whose costs of performance were increased as a result of compliance with the act approved June 16, 1933, and for other purposes."

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

Mr. MAPES. Mr. Speaker, reserving the right to object, will the gentleman explain the bill?

Mr. CITRON. Public Act 369 of the Seventy-third Congress, approved June 16, 1934, provides for adjustment of claims of Government contractors whose costs were increased by the compliance with N. R. A. codes or the President's reemployment agreement on contracts entered into with the Government prior to the date of the Executive order of August 10, 1933. The Comptroller General ruled that under the wording of the act sub-subcontractors are excluded from its benefits. This bill amends the act so as to permit the adjustment of claims of such sub-subcontractors on the same basis as those of subcontractors.

Some of the codes were approved and effective prior to August 10, 1933. This amendment provides that in the event a contractor or subcontractor complied with a code effective before August 10, 1933, his additional costs shall be allowed from the date of his compliance.

The safeguards of the Government contained in the original act are all retained in this amendment.

Contractors under the original act were given 6 months from the date of approval of the act or at the option of the claimant and 6 months after completion of the contract within which to present claims. Inasmuch as the 6 months has expired, the bill by the committee amendment provides that in the case of contractors, subcontractors, or materialmen to whom the benefits of the act are to be extended the 6-month period first referred to shall be computed from the date of enactment of the amendatory act.

Mr. JENKINS of Ohio. Mr. Speaker, I reserve the right to object to ask a question. Is this bill of general application, or is it limited to certain kinds of contractors on certain kinds of work?

Mr. CITRON. The bill has general application to contractors, subcontractors, materialmen, and sub-subcontractors. I do not believe there is anything in the bill that limits it to any special kinds of contractors on any special kind of work.

Mr. JENKINS of Ohio. Can every subcontractor take advantage of the provisions of this bill who was compelled to increase his costs or expenses by reason of the N. R. A.?

Mr. CITRON. Yes. The subcontractors are given the same rights that the contractors have, and this is not limited to any certain kind of subcontractors on any special kind of work.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That an act approved June 16, 1934, be amended and reenacted to read as follows:

"That the Comptroller General of the United States be, and he is hereby, authorized and directed to adjust and settle on a fair

and equitable basis claims of persons who entered into a contract or contracts with the United States prior to August 10, 1933, including all subcontractors and materialmen performing work or furnishing material or necessary fuel direct to the contractor or another subcontractor under such contracts, for additional costs incurred by reason for compliance on and after August 10, 1933, with a code or codes of fair competition approved by the President under section 3 of the act approved June 16, 1933, known as the "National Industry Recovery Act", or by reason of compliance with an agreement with the President executed under section 4 (a) of said act in the performance after August 10, 1933, of the contract or any part thereof, if, however, a contractor or subcontractor became a signator to or complied with any code or codes effective before August 10, 1933, then the additional costs incurred by reason of compliance therewith shall be allowed from the date of such compliance. In the event that such contract was performed wholly or in party by a surety on the bond of the contractor, or of a subcontractor, the claim may be presented by and settlement made with such surety, but such surety shall have no greater rights than would have accrued to the contractor or subcontractor had such contractor or subcontractor completed the contract. Any contractor, or subcontractor, or completing surety desiring an adjustment and settlement with respect to any such contract under this act for increased costs incurred after August 10, 1933, by reason of compliance with the codes or reemployment agreements shall file with the department or administrative establishment concerned a verified claim itemizing such additional costs, and any subcontractor or any such contractor may file his claim directly with the head of the department or independent establishment concerned or through the contractor. After the claim has been examined by the head of the department or independent establishment concerned, or such person or persons as he shall designate, the claim shall be transmitted to the Comptroller General of the United States, accompanied with an administrative finding of fact and recommendation with respect to the claim.

"SEC. 2. In no event shall any allowance exceed the amount by which the cost of performance of such part of the contract as was performed subsequently to June 16, 1933, was directly increased by reason of compliance with a code or codes of fair competition, or with an agreement with the President, as aforesaid.

"SEC. 3. In no event shall any allowance be made which would result in a profit to the claimant exceeding 7 percent on the cost of performance of the contract in respect of which the claim is made. The head of the department or establishment concerned, subject to the approval of the Comptroller General, shall have the authority, from time to time, to determine the actual cost and profit thereon.

"SEC. 4. No claim hereunder shall be considered or allowed unless presented within 6 months from the date of approval of this act on or before June 16, 1935, or, at the option of the claimant, within 6 months after the completion of the contract, except in the discretion of the Comptroller General for good cause shown by the claimant.

"SEC. 5. Appropriations for the purpose of paying claims allowed hereunder and the expense of determining the claims are hereby authorized.

"SEC. 6. In all proceedings under this act witnesses may be compelled to attend, appear, and testify and produce books, papers, and letters, or other documents; and the claim that any such testimony or evidence may tend to incriminate the person giving the same shall not excuse such witness from testifying, but such evidence or testimony shall not be used against such person in the trial of any criminal proceeding. Nothing in this act shall in any way relieve or excuse any officer of the United States or any claimant from prosecution under any statute of the United States for any fraud or criminal conduct.

With the following committee amendments:

On page 2, line 16, strike out the word "party" and insert "part."

Page 4, line 5, strike out "on or before June 16, 1935."

Page 4, line 22, insert a new section, as follows:

"SEC. 2. In case of a contractor, subcontractor, or materialman to whom the provisions of the act approved June 16, 1934, are extended by this act, the 6 months' period first referred to in section 4 of such act of June 16, 1934, shall be computed from the date of enactment of this act.

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.

CONTROL OF FLOODS ON THE MISSISSIPPI RIVER AND ITS TRIBUTARIES

Mr. WILSON of Louisiana submitted a conference report and statement on the bill (S. 3531) to amend an act entitled "An act to control the flood waters of the Mississippi River and its tributaries, and for other purposes."

EXTENSION OF REMARKS

Mr. BIERMANN. Mr. Speaker, I ask unanimous consent to extend my remarks in today's proceedings at the end of the colloquy between the gentleman from Mississippi [Mr. RANKIN] and me.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

COINAGE OF 50-CENT PIECES IN COMMEMORATION OF THE ANNIVERSARY OF THE JOURNEY AND EXPLORATIONS OF FRANCISCO VASQUEZ DE CORONADO

Mr. DEMPSEY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 12604) to authorize the coinage of 50-cent pieces in commemoration of the four hundredth anniversary of the journey and explorations of Francisco Vasquez de Coronado.

The Clerk read the title of the bill.

Mr. RICH. Mr. Speaker, reserving the right to object, when the Congress first met in January we had one of these bills presented in that month. We had two in the month of February, and since then there has been one bill introduced about every week. We are now getting them every day, and I should like to say to my friends on the other side of the aisle that this Democratic Congress has passed more bills for the coinage of 50-cent pieces, foreign to our system of coinage, than any other Congress in our Nation's history. When are you going to stop this? When will you Democrats, with your large majority, stop your fooling? You are everlastingly granting all requests for coinage of silver coins. Surely you are on the inflation road in silver as well as in paper money. Let me suggest the head of Jefferson for one side of the coin, the man of principle, and Mr. Roosevelt for the other side, the man who has none of Jefferson's principles.

There being no objection, the Clerk read the bill, as follows:

Whereas the year 1940 marks the four hundredth anniversary of the journey and explorations of Francisco Vasquez de Coronado, the Spanish explorer, whose discoveries in the years 1540, 1541, and 1542 gave to the world the first comprehensive knowledge of that part of western America now included within the United States of America, and including the States of Arizona, California, Kansas, New Mexico, Oklahoma, and Texas; and

Whereas the State of New Mexico by legislative act has created a corporation known as the Coronado Cuarto Centennial Corporation for the purpose of properly commemorating and observing, during the year 1940, the phenomenal accomplishments of its first explorer: Therefore

Be it enacted, etc., That in commemoration of the four hundredth anniversary of the journey and explorations of Francisco Vasquez de Coronado there shall be coined at a mint of the United States to be designated by the Director of the Mint not to exceed 100,000 silver 50-cent pieces of standard size, weight, and composition, and of a special appropriate single design 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 necessary dies and other preparations for this coinage.

SEC. 2. The coins herein authorized shall bear the date 1940, irrespective of the year in which they are minted or issued, shall be legal tender in any payment to the amount of their face value, and shall be issued only upon the request of the chairman or secretary of the Coronado Cuarto Centennial Corporation upon payment by him of the par value of such coins, but not less than 5,000 such coins shall be issued to him at any one time and no such coins shall be issued after the expiration of 1 year after the date of enactment of this act. Such coins may be disposed of at par value or at a premium by such committee and the net proceeds shall be used by it in defraying the expenses incidental and appropriate to the commemoration of such event.

SEC. 3. 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 coins, for the prevention of debasement or counterfeiting, for the security of the coins, or for any other purposes whether such laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein authorized.

With the following committee amendment:

Strike out the preamble; and on line 20, page 2, after the word "coins", strike out the remainder of line 20 and all of lines 21, 22, and 23 down to and including the word "act."

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.

TRANSFER OF LAND IN MINNESOTA

Mr. BUCKLER of Minnesota. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 11331) to authorize the sale and conveyance by the Department of the Interior to the State of Minnesota of the southwest quarter northwest quarter section 3, township 159 north,

range 35 west, fifth principal meridian, in the State of Minnesota.

The Clerk read the title of the bill.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to convey to the State of Minnesota the southwest quarter northwest quarter section 3, township 159 north, range 35 west, fifth principal meridian, in the State of Minnesota, upon the payment by the State of Minnesota of the sum of $64.20, being the price of the land, timber, and incidental fees.

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.

HOW THE ADMINISTRATION TAKES STEPS TO PROTECT THE TEXTILE INDUSTRY OF THIS COUNTRY

Mr. CITRON. Mr. Speaker, I ask unanimous consent to extend my remarks and to include therein a letter from the Secretary of State and also an announcement from the Tariff Commission.

The SPEAKER. Is there objection?

There was no objection.

Mr. CITRON. Mr. Speaker, in the April 3, 1936, issue of the CONGRESSIONAL RECORD will be found copy of a letter which I received from the Honorable Cordell Hull, acknowledging a communication of mine in regard to increased importations of cotton textiles. My communication also included a letter from Mr. Russell T. Fisher, secretary of the National Association of Cotton Manufacturers, Boston, Mass., who is also mentioned in the present letter I am inserting.

In his letter of April 2, 1936, Secretary Hull admitted that importation of cotton piece goods from Japan did increase markedly in January as compared with the rate of importation of these goods from Japan during the last 6 months of 1935. He stated that in view of the assurances given by representatives of the Japanese Government to the State Department in December, the January figures of imports from Japan were brought to the attention of the Japanese Ambassador just as soon as they were available, and the Japanese Embassy took the matter up immediately with the Foreign Office in Tokyo. He added that it was hoped that the Japanese would be able voluntarily to control this situation, and if this should prove impossible, further consideration would be given to the entire problem.

Since then I have received the following letter from Secretary of State Hull, dated May 29. This shows the results of a thorough study and survey made by our Administration, and how it takes steps to protect American industry. Incidentally, I call attention to the fact that although a great many of the complaints about the imports of Japanese cotton cloth emanated from New England, this region has not been affected as much as the volume of protest would lead us to believe.

The situation is explained in the third paragraph of this letter of Secretary Hull. I also submit an announcement on cotton cloth by the United States Tariff Commission on May 21, 1936.

LETTER FROM SECRETARY OF STATE HON. CORDELL HULL

DEPARTMENT OF STATE,
Washington, May 29, 1936.

The Honorable WILLIAM M. CITRON,
House of Representatives.

MY DEAR MR. CITRON: The receipt is acknowledged of your letter of May 20, 1936, enclosing a letter from Mr. Russell T. Fisher, secretary of the National Association of Cotton Manufacturers, Boston, Mass., with further reference to the competition in this market of cotton cloth imported from Japan.

The most important development with respect to this problem is, of course, the action of the President on May 21 increasing the rates of duty upon imports of the principal types of cotton cloth. For your information, and for transmission to Mr. Fisher if you desire, I enclose three copies of the press release of the United States Tariff Commission regarding this action. I have arranged also for the United States Tariff Commission to send you directly a copy of the Commission's report upon its investigation, the report on which the action of the President was based.

With respect to the unusual drive of manufacturers in New England against the competition of Japanese cotton cloth, you may be interested in the information contained in the report of the Tariff Commission on the areas within the United States with which the principal cotton-cloth imports from Japan compete. In the case of print cloth, the most important cloth import from Japan, the Commission found that there had been a very noticeable shift in the production of these goods from New England to the Southern States prior to the beginning of the competition of Japanese goods and that in 1933, when Japanese goods were not yet a factor in this market, 94 percent of all print cloths were produced in the Southern States. To be sure, there are other lines of production in which a few New England mills do feel the competition of goods imported from Japan, but much of the complaint from certain sections of the industry in New England would not appear to be wholly justified on economic grounds.

Mr. Fisher's letter is returned to you herewith, copies having been made for the Department's files.

Sincerely yours,

CORDELL HULL.

(Enclosures: Press release from Mr. Fisher.)

ANNOUNCEMENT OF TARIFF COMMISSION

The announcement on cotton cloth dated May 21, 1936, by the Tariff Commission follows:

The Tariff Commission announces that the President has approved the findings of the Commission with respect to the excess of domestic over Japanese costs of cotton cloth, and has issued a proclamation under the provisions of section 336 of the Tariff Act of 1930 increasing the duties on bleached, printed, dyed, or colored cotton cloths containing yarns the average number of which exceeds number 30 but does not exceed number 50. The cloths on which duties are changed constituted about 59 percent, on the square-yard basis, of the total cotton cloths imported in 1935, and about 90 percent of the cotton cloths imported from Japan in that year.

The duties on cotton cloths in paragraph 904 of the Tariff Act of 1930 depend on the fineness of the yarn; the higher the yarn number the higher the duty. On bleached cotton cloths within the limits specified in the proclamation the duties under the 1930 act range from 23.85 percent ad valorem for 31's average yarn number to 30.50 percent for 50's; the new duties will range from 34 percent ad valorem for 31's to 43.5 percent for 50's. On printed, dyed, or colored cotton cloths within the limits specified the duties under the act of 1930 range from 26.85 percent ad valorem for 31's average yarn number to 33.50 percent ad valorem for 50's average yarn number; the new duties will range from 38 percent ad valorem for 31's average yarn number to 47.5 percent ad valorem for 50's average yarn number. The proclaimed duties represent an increase over the existing duties of about 42 percent for both bleached cloths and printed, dyed, or colored cloths. The increase in rates does not affect unbleached cloth nor cloth woven with eight or more harnesses, or with Jacquard, lappet, or swivel attachments.

The cost-of-production investigation of domestic and foreign cotton cloths was instituted by the Tariff Commission in response to a Senate resolution. The Commission selected for use as the basis of cost comparisons bleached, printed, dyed, and colored cotton cloth, containing yarns the average number of which exceeds 30 but does not exceed 50. Imports of unbleached cloths as a whole are small, and imports of bleached, printed, dyed, or colored cloths coarser or finer than the 31's–50's range consist of numerous varieties each of which is imported in relatively small quantities from any one country. Imports within the 31's–50's range constitute nearly three-fifths of the total imports, and they come principally from Japan. In its report the Commission compared costs of production of domestic cloths delivered at New York, the principal market, with costs, as evidenced by invoice prices, of similar Japanese cloths delivered at New York.

The United Kingdom supplied the bulk of the cotton cloths imported into the United States prior to 1931. Switzerland was the leading source in the period 1931–34. Late in 1934 the imports from Japan became important, and that country was the principal source of imports in 1935 and in 1936 to date. Of the total United States imports in 1935, amounting to 62,000,000 square yards, Japan supplied 36,400,000 square yards of which 30,000,000 square yards were bleached, 6,000,000 were printed, dyed, or colored, and 57,000 unbleached. Of these 1935 imports from Japan, about 33,000,000 square yards, or over 90 percent, were within the yarn counts of 31's–50's on which the duty has been increased. Imports from Japan in the first quarter of 1936 increased to over 21,000,000 square yards.

The imported Japanese cloths are lighter in weight than the most nearly comparable domestic goods, and they have sold at prices per yard which take into account the weight difference. Import prices, in fact, have usually been lower than domestic by more than the disparity in weight and frequently have been lower than the costs of production of the heavier domestic cloths.

The bulk of the cotton cloths imported from Japan in 1935 and the first quarter of 1936 were mulls and shirtings, mostly bleached but including some piece-dyed, finished from gray shirtings; these are competitive in a range of uses with domestic nainsooks, and muslins similarly finished from gray print-cloth. The main use of the Japanese mulls and shirtings is in the manufacture of nightgowns, children's underwear, and men's handkerchiefs.

Of the total United States production of countable cotton cloths, amounting to more than 7,300,000,000 square yards in 1933, print-cloths and sheetings are the largest items. The shift in production of these goods from New England to the Southern States since 1921 has been very noticeable. In the case of print cloth, the

Southern States had about 61 percent of the total national production in 1921 and 94 percent in 1933. In 1935 there was very little print cloth produced in New England.

Imports of countable cotton cloths from all sources were equivalent to somewhat less than 1 percent, and imports from Japan to about one-half of 1 percent, of the total yardage of domestic production in 1935. The competition of imports from Japan is, however, confined to part of the field only—that of printcloths, especially bleached printcloths. The ratio of total imports of shirtings from Japan to total domestic production of printcloths was about 2 percent in 1935 and the ratio of bleached shirtings from Japan to domestic production of bleached printcloths was about 13 percent.

Although the United States is the world's largest producer of cotton cloth, Japan in recent years has been the largest exporter. The United States regularly exports more cotton cloth than it imports, but in recent years its export trade has fallen sharply, the decline due in large part to the competition of cheaper fabrics from Japan. Japan's exports of cotton cloth to the United States constituted in 1935 less than 2 percent of its total exports of such cloth. The new rates of duty will become effective on June 20, 1936.

INVESTIGATION BY FEDERAL TRADE COMMISSION

Mr. LEA of California. Mr. Speaker, I ask unanimous consent for the present consideration of Senate Joint Resolution 268, to amend the joint resolution entitled "Joint resolution authorizing the Federal Trade Commission to make an investigation with respect to agricultural income and the financial and economic conditions of agricultural producers generally", approved August 27, 1935.

A bill similar to this was passed by the Unanimous Consent Calendar this afternoon.

The SPEAKER. The gentleman from California asks unanimous consent for the present consideration of Senate Joint Resolution 268. Is there objection?

Mr. MAPES. Mr. Speaker, I reserve the right to object. Is this the identical bill that the House passed this afternoon?

Mr. LEA of California. It is not identical. There is one amendment of substance passed by the Senate, which includes the words "persons and corporations" to be investigated.

Mr. O'CONNOR. Mr. Speaker, I reserve the right to object. If it is not identical, what is the purpose of the unanimous-consent request? As I understand it, this is a matter which has been presented to the Committee on Rules. If we pass a House bill and then pass an identical Senate bill, that is one thing; but if the gentleman is trying to pass identical legislation at this late hour, it is quite another thing.

Mr. BLANTON. How much is this proposed to expend?

Mr. LEA of California. There is no additional expense in the Senate bill. The amount is the same as in the House bill.

Mr. O'CONNOR. The House bill calls for $150,000.

Mr. LEA of California. Yes. There are some technical amendments placed on the bill by the Senate.

Mr. BLANTON. Is the gentleman going to ask to vacate the proceedings by which the House bill was passed and then to lay the House bill on the table?

Mr. LEA of California. No. I want to pass the Senate bill and drop the House bill.

Mr. BLANTON. To do that the gentleman should ask to vacate the proceedings by which the House bill was passed and then to lay that bill on the table.

Mr. LEA of California. It may be that the House bill has gone to the Senate.

Mr. BLANTON. We do not want two $150,000 investigation bills passed here in the House without having one of them go to the table.

Mr. RICH. Mr. Speaker, I make the point of order that there is no quorum present.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

To Mr. MERRITT of New York, indefinitely, on account of illness.

To Mr. DITTER (at the request of Mr. DARROW), for balance of the session, on account of official business.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 1252. An act for the relief of Odessa Mason;

H. R. 6163. An act for the relief Mrs. Murray A. Hintz;

H. R. 9496. An act to protect the United States against loss in the delivery through the mails of checks in payment of benefits provided for by laws administered by the Veterans' Administration;

H. R. 10565. An act for the relief of Mr. and Mrs. William O'Brien;

H. R. 11418. An act making appropriations for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1937, and for other purposes;

H. R. 12027. An act to authorize the execution of plans for a permanent memorial to Thomas Jefferson; and

H. J. Res. 525. Joint resolution to enable the United States Constitution Sesquicentennial Commission to carry out and give effect to certain approved plans, and for other purposes.

BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills and a joint resolution of the House of the following titles:

H. R. 1252. An act for the relief of Odessa Mason;

H. R. 6163. An act for the relief of Mrs. Murray A. Hintz;

H. R. 9496. An act to protect the United States against loss in the delivery through the mails of checks in payment of benefits provided for by laws administered by the Veterans' Administration;

H. R. 10565. An act for the relief of Mr. and Mrs. William O'Brien; and

H. J. Res. 525. Joint resolution to enable the United States Constitution Sesquicentennial Commission to carry out and give effect to certain approved plans, and for other purposes.

ADJOURNMENT

Mr. O'CONNOR. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 10 minutes p. m.) the House adjourned until tomorrow, Tuesday, June 2, 1936, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

860. Under clause 2 of the rule XXIV a communication from the President of the United States, transmitting for the consideration of Congress, a supplemental estimate of appropriation for the Department of the Interior for the fiscal year 1937, in the sum of $780,900 (H. Doc. No. 499), was taken from the Speaker's table, referred 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. BLAND: Committee on Merchant Marine and Fisheries. H. R. 12896. A bill to provide for the transfer of the surplus decommissioned lightship *No. 82* to United States Ship Constitution Post, No. 3339, Veterans of Foreign Wars; without amendment (Rept. No. 2900). Referred to the Committee of the Whole House on the state of the Union.

Mr. SUMNERS of Texas: Committee on the Judiciary. H. R. 12737. A bill to transfer Fayette County, Tex., from the southern judicial district of Texas to the western judicial district of Texas; without amendment (Rept. No. 2901). Referred to the House Calendar.

Mr. GREENWOOD: Committee of Rules. House Resolution 535. Resolution providing for the consideration of H. R. 12800; without amendment (Rept. No. 2903). Referred to the House Calendar.

Mr. O'CONNOR: Committee on Rules. House Resolution 536. Resolution providing for the consideration of H. R. 12793; without amendment (Rept. No. 2904). Referred to the House Calendar.

Mr. WALTER: Committee on the Judiciary. H. R. 12557. A bill to provide for a term of court at Benton, Ill.; with amendment (Rept. No. 2906). 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. ROBINSON of Utah: Committee on the Public Lands. H. R. 12904. A bill validating a town-lot certificate and authorizing and directing issuance of a patent for the same to Ernest F. Brass; with amendment (Rept. No. 2905). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 12465) for the relief of Harold P. Waldo; Committee on Claims discharged, and referred to the Committee on Pensions.

A bill (H. R. 5203) for the relief of Maj. Patrick H. Winston; Committee on Claims discharged, and referred to the Committee on Military Affairs.

A joint resolution (H. J. Res. 585) conferring upon the Court of Claims jurisdiction of the claim of the Rodman Chemical Co. against the United States; Committee on Claims discharged, and referred to the Committee on War Claims.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. BLAND: A bill (H. R. 12917) to extend the laws governing inspection of vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. LUNDEEN: A bill (H. R. 12918) to provide indemnity benefits to dependents of veterans of the Spanish-American War who died as a result of the enforcement of the so-called Economy Act of March 20, 1933, and for other purposes; to the Committee on Pensions.

By Mr. CHURCH: A bill (H. R. 12919) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes; to the Committee on Naval Affairs.

By Mr. COFFEE: A bill (H. R. 12920) for the relief of the Bridgeport irrigation district; to the Committee on Irrigation and Reclamation.

By Mr. HAINES: A bill (H. R. 12921) to exempt fraternal societies from the tax on employers under the Social Security Act; to the Committee on Ways and Means.

By Mr. LEMKE: A bill (H. R. 12922) giving judgment debtors, mortgagors, and subsequent lien holders the right of redemption from a sale of real estate in the District of Columbia by a judgment creditor or mortgagee after execution or foreclosure sale; fixing the amount of commission allowed to mortgage companies for management of encumbered real estate, and for other purposes; to the Committee on the District of Columbia.

By Mr. MILLER: A bill (H. R. 12923) to amend the act entitled "An act to protect trade and commerce against unlawful restraints and monopolies", approved July 2, 1890; to the Committee on the Judiciary.

By Mr. ROGERS of Oklahoma: A bill (H. R. 12924) validating certain conveyances by Kickapoo Indians of Oklahoma made prior to February 17, 1933, providing for actions in partition in certain cases; to the Committee on Indian Affairs.

By Mr. STUBBS: A bill (H. R. 12925) to establish a United States Naval Academy on the Pacific coast; to the Committee on Naval Affairs.

By Mr. SUTPHIN: A bill (H. R. 12926) instructing the Secretary of the Navy to prevent the transfer of officers above the rank of lieutenant in the Navy and captain in the Marine Corps for flying training and duty, except such officers above that rank who are qualified aviators on the date of the enactment of this act; to the Committee on Naval Affairs.

By Mr. HARTLEY: A bill (H. R. 12927) to provide for the sale of the Port Newark Army Base to the city of Newark, N. J., and for other purposes; to the Committee on Military Affairs.

By Mr. LORD: A bill (H. R. 12928) to divest certain activities of their interstate character; to the Committee on Interstate and Foreign Commerce.

By Mr. PATTON: A bill (H. R. 12929) to amend the Emergency Farm Mortgage Act of 1933, as amended, and for other purposes; to the Committee on Agriculture.

By Mr. GEARHART: A bill (H. R. 12930) to regulate commerce with foreign countries with respect to perill oil and hempseed oil; to protect the welfare of domestic producers of flaxseed; to raise revenue; and for other purposes; to the Committee on Ways and Means.

By Mr. CULKIN: A bill (H. R. 12931) to reimburse manufacturers for extra cost of manufacturing due to deepening of Oswego and Erie Canals, New York State; to the Committee on Rivers and Harbors.

By Mr. JONES: A bill (H. R. 12939) to authorize cooperation in the development of farm forestry in the States and Territories, and for other purposes; to the Committee on Agriculture.

By Mr. CHRISTIANSON: Joint resolution (H. J. Res. 614) to provide that the first regular session of the Seventy-fifth Congress shall begin on January 4, 1937; to the Committee on the Judiciary.

By Mr. RUSSELL: Joint resolution (H. J. Res. 615) amending and repealing certain sections of the Emergency Railroad Transportation Act, 1933, and extending the effective period of such act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

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 Louisiana, regarding the operation of the Federal land bank; to the Committee on Agriculture.

Also, memorial of the Legislature of the State of California, supporting House bill 10630; to the Committee on Irrigation and Reclamation.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. CLAIBORNE: A bill (H. R. 12932) for the relief of Frazier-Davis Construction Co.; to the Committee on Claims.

By Mr. McFARLANE: A bill (H. R. 12933) authorizing the President to present in the name of Congress a Distinguished Service Cross to Hal N. Potter; to the Committee on Naval Affairs.

By Mr. McKEOUGH: A bill (H. R. 12934) for the relief of Frank Smith; to the Committee on Military Affairs.

By Mr. REILLY: A bill (H. R. 12935) for the relief of Joseph W. Bollenbeck; to the Committee on Military Affairs.

By Mr. SCHNEIDER of Wisconsin: A bill (H. R. 12936) granting an increase of pension to Lena Campbell; to the Committee on Invalid Pensions.

By Mr. TOLAN: A bill (H. R. 12937) for the relief of Mary G. Person; to the Committee on War Claims.

By Mr. WOLVERTON: A bill (H. R. 12938) granting an increase of pension to Almira M. Shearman; to the Committee on Invalid Pensions.

PETITIONS, ETC.

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

11025. By Mr. CARPENTER: Petition of citizens of the State of Kansas, County of Dickinson, to prohibit, within

the District of Columbia, the manufacture, importation, exportation, transportation, sale, gift, purchase, or possession of any spirituous, vinous, malt, fermented, and all alcoholic liquors whatsoever, etc.; to the Committee on the District of Columbia.

11026. By Mr. CURLEY: Resolution of the Federal Grand Jury Association for the Southern District of New York, urging amendments to the Wagner-Ellenbogen housing bill by providing solely for housing for the lowest-income group and endorsing amendments for slum-clearing activities; to the Committee on Banking and Currency.

11027. By Mr. McLEAN: Petition of the executive board of Local No. 149, International Ladies' Garment Workers Union, of Plainfield, N. J., relative to the Wagner-Ellenbogen housing bill; to the Committee on Banking and Currency.

11028. By Mr. MERRITT of New York: Resolution by the members of Whizbang Lair, No. 22, province of New York, Military Order of the Serpent, located in the town of Lynbrook, county of Nassau, State of New York, in regular meeting assembled, relative to United States ensigns which are manufactured in foreign countries and imported into the United States; to the Committee on Interstate and Foreign Commerce.

11029. By Mr. RISK: Resolution of the General Assembly of the State of Rhode Island, relating to the Nye committee investigation concerning the manufacture of munitions in privately owned plants; to the Committee on Naval Affairs.

11030. By the SPEAKER: Petition of the city of Kokomo. Ind.; to the Committee on Banking and Currency.

11031. Also, petition of the United Association of Journeymen Plumbers and Steam Fitters, Local Union No. 175; to the Committee on Banking and Currency.

SENATE

TUESDAY, JUNE 2, 1936

(Legislative day of Monday, June 1, 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, June 1, 1936, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

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

The VICE PRESIDENT. The clerk will call the roll.

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

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

Mr. ROBINSON. I announce that the Senator from Alabama [Mr. BANKHEAD], the Senator from Colorado [Mr. COSTIGAN], the Senator from Mississippi [Mr. HARRISON], and the junior Senator from Nevada [Mr. McCARRAN] are absent because of illness; and that the Senator from South Carolina [Mr. BYRNES], the Senator from Texas [Mr. CONNALLY], the Senator from Ohio [Mr. DONAHEY], the Senator from Oklahoma [Mr. GORE], the Senator from Kentucky [Mr. LOGAN], the Senator from West Virginia [Mr. NEELY], and the senior Senator from Nevada [Mr. PITTMAN] are unavoidably detained from the Senate.

Mr. AUSTIN. I announce that the Senator from Iowa [Mr. DICKINSON] and the Senator from Rhode Island [Mr. METCALF] are necessarily absent.

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

HENRY W. BIBUS ET AL.—VETO MESSAGE (S. DOC. NO. 259)

The VICE PRESIDENT laid before the Senate a message from the President of the United States received by the Senate on June 1, 1936, which was read, and, with the accompanying bill, referred to the Committee on Claims and ordered to be printed, as follows:

To the Senate:

I return herewith, without my approval, Senate bill No. 2734, entitled "An act to confer jurisdiction upon the United States Court of Claims to hear and determine the claims of Henry W. Bibus, Annie Ulrick, Samuel Henry, Charles W. Hensor, Headley Woolston, John Henry, estate of Harry B. C. Margerum, and George H. Custer, of Falls Township and borough of Tullytown, Bucks County, Commonwealth of Pennsylvania."

During the World War the War Department leased under an option to purchase a number of separate farms in the borough of Tullytown, Bucks County, Pa., for the purpose of using the integrated property as an arsenal, and at the end of the war, not having exercised its option to purchase, condemned the separate tracts and paid the various owners the prices agreed upon, which were embodied in a court decree, and received deeds for the several properties. On December 19, 1927, the War Department having no further use for the property, the entire tract was sold at public auction.

This act grants jurisdiction to the Court of Claims of the United States to hear and determine the claims of the beneficiaries and severally to award judgments in their favor for "the difference between the entire amount paid by the Government for the whole tract and the amount for which the Government subsequently sold the tract, said total difference to be distributed to the respective claimants prorated in accordance with the number of acres taken by the Government", notwithstanding the payments made to the owners of the several properties in accordance with the condemnation decree of the District Court of the United States for the Eastern District of Pennsylvania on June 9, 1921.

This act introduces a new principle in legislation concerning claims of this character in that it seeks to give to former owners of property or their legal representatives the profit realized by the Government from a sale years after it acquired the property. If this principle is to obtain, then, by the same token, if the Government had sold the property for less than the amount it had paid the owners it should have an equitable claim upon the owners for the losses. Such a principle in its application as to either a gain or a loss by the Government is believed to be utterly indefensible. Furthermore, if such a principle is to be recognized it would seem to be applicable in every similar case where the Government has acquired property from individuals and thereafter has realized a profit on the same.

For the reasons set forth, I feel that my approval of this legislation is not justified.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *June 1, 1936.*

COLLIER MANUFACTURING CO.—VETO MESSAGE (S. DOC. NO. 260)

The VICE PRESIDENT laid before the Senate a message from the President of the United States, received by the Senate on June 1, 1936, which was read, and, with the accompanying bill, referred to the Committee on Claims and ordered to be printed, as follows:

To the Senate:

I return herewith, without my approval, Senate bill no. 1431, entitled "An act for the relief of the Collier Manufacturing Co., of Barnesville, Ga."

This act authorizes and directs the Secretary of the Treasury to pay to the Collier Manufacturing Co., of Barnesville,