Celestine D. Kaltenbach, Potosi.
Edward D. Feeney, Prairie du Chien.
Patrick H. Laughrin, Prentice.
Solon A. McCollow, River Falls.
Curtis R. Hanson, Scandinavia.
Louis G. Kaye, Westboro.
Donald M. Warner, Whitehall.

REJECTIONS

Executive nominations rejected by the Senate June 10 (legislative day of June 7), 1938

POSTMASTERS

NEW JERSEY

Frederick W. Jacoby to be postmaster at Cliffside Park, in the State of New Jersey.

Thomas C. Birtwhistle to be postmaster at Englewood, in the State of New Jersey.

OKLAHOMA

George L. Watkins to be postmaster at Tulsa, in the State of Oklahoma.

PENNSYLVANIA

George V. Beech to be postmaster at East Pittsburgh, in the State of Pennsylvania.

William G. Loy to be postmaster at Newport, in the State of Pennsylvania.

Wilson C. Reider to be postmaster at Shickshinny, in the State of Pennsylvania.

HOUSE OF REPRESENTATIVES

FRIDAY, JUNE 10, 1938

The House met at 12 o'clock noon.

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

Thou who hast crowned us with life, may we love to do Thy will and walk in Thy ways. Heavenly Father, keep us very close to this throbbing, living world. We rejoice that it is ours to walk its kindly, brotherly ways and to know that Thou dost touch it with immortal hope. We love life, blessed Lord, but the responsibility is too heavy and its mystery is too profound for us to tread its pathways alone. We beseech Thee to arm us with jealous care, courage, and wisdom. Keep our vision clear, and let us hear in our breasts the enchanting whispers of the Divine. And Thine shall be the praise. In the name of Jesus. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative 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. 4571. An act for the relief of Helen Mahar Johnson.

The message also announced that the Senate insists upon its amendment to the bill (H. R. 6246) entitled "An act to provide for placing educational orders to familiarize private manufacturing establishments with the production of munitions of war of special or technical design, noncommercial in character," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JOHNSON of Colorado, Mr. HILL, and Mr. LODGE to be the conferees on the part of the Senate.

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. 8099) entitled "An act to amend certain administrative provisions of the Tariff Act of 1930, and for other purposes."

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. 10618. An act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House thereon, and appoints Mr. COPELAND, Mr. SHEPPARD, Mrs. CARAWAY, Mr. JOHNSON of California, and Mr. GIBSON to be the conferees on the part of the Senate.

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

S. J. Res. 300. Joint resolution to create a temporary national economic committee; and

S. 2783. An act to amend the China Trade Act, 1922, as to the duration of the China Trade Act corporations.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 3227. An act for the relief of Mr. and Mrs. Chester A. Smith; and

S. 3512. An act for the relief of Elizabeth Cory.

The message also announced that the Senate had adopted the following order:

Ordered, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (H. R. 5685) to facilitate the control of soil erosion and flood damage originating upon lands within the exterior boundaries of the Angeles National Forest in the State of California, together with Senate engrossed amendments thereto.

The message also announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 7764. An act to authorize the sale of surplus power developed under the Uncompahgre Valley reclamation project, Colorado; and

H. R. 9258. An act to authorize the Secretary of the Navy to accept on behalf of the United States certain land in the city of Los Angeles, Calif., with improvements thereon.

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. 2904) entitled "An act for the relief of officers and soldiers of the volunteer service of the United States mustered into service for the War with Spain and who were held in service in the Philippine Islands after the ratification of the treaty of peace, April 11, 1899."

UNITED STATES-MEXICAN CLAIMS

Mr. DIES. Mr. Speaker, by direction of the Committee on Rules I submit the following report on the bill (S. 3104) for the payment of awards and appraisals heretofore made in favor of citizens of the United States on claims presented under the General Claims Convention of September 8, 1923, United States and Mexico.

CALL OF THE HOUSE

Mr. EATON. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. RAYBURN. 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. 103]

Allen, Ill.	Cannon, Wis.	DeMuth	Gasque
Arnold	Case, S. Dak.	Dickstein	Gavagan
Ashbrook	Champion	Ditter	Gingery
Atkinson	Clark, Idaho	Dockweiler	Goldsborough
Barry	Cochran	Douglas	Gray, Pa.
Bell	Coffee, Nebr.	Eberharter	Green
Boehne	Coffee, Wash.	Edmiston	Greenwood
Brewster	Cole, Md.	Ferguson	Gregory
Buck	Cox	Fernandez	Griswold
Buckley, N. Y.	Crosby	Fitzpatrick	Harrington
Byrne	Curley	Fries, Ill.	Hennings

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Hill	McGrath	Phillips	Sullivan
Hook	McGroarty	Reed, N. Y.	Sweeney
Imhoff	McMillan	Richards	Taylor, Colo.
Johnson, Lyndon	McSweeney	Robinson, Utah	Thurston
Kniffin	Mitchell, Tenn.	Roy	Wadsworth
Lamneck	Mosier, Ohio	Sadowski	Wearin
Lemke	Murdock, Utah	Schaefer, Ill.	Weaver
Long	O'Connor, Mont.	Scrugham	West
McAndrews	O'Day	Smith, Okla.	Whelchel
McClellan	Owen	Somers, N. Y.	White, Idaho
McGehee	Palmisano	Stack	Wigglesworth
McGranery	Parsons	Steagall	Wood

The SPEAKER. Three hundred and thirty-six Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

The SPEAKER. The Clerk will report the resolution submitted by the gentleman from Texas.

The Clerk read as follows:

House Resolution 524 (Rept. No. 2676)

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of S. 3104, an act for the payment of awards and appraisals heretofore made in favor of citizens of the United States on claims presented under the General Claims Convention of September 8, 1923, United States and Mexico. That after general debate, which shall be confined to the act and continue not te exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Claims, the act shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the act 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 act and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER. Referred to the House calendar and ordered printed.

ENROLLING ROOM

Mr. WARREN. Mr. Speaker, I offer a resolution and ask unanimous consent for its present consideration.

The Clerk read as follows:

House Resolution 525

Resolved, That there shall be paid out of the contingent fund of the House of Representatives during the remainder of the present session not exceeding $200 for additional clerical services in the enrolling room.

The resolution was agreed to, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to insert therein an address delivered by my colleague the gentleman from Georgia [Mr. Cox] at Macon, Ga., on June 6, before the Alumni Association of Mercer University.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PETERSON of Georgia. Mr. Speaker, I ask unanimous consent to extend my own remarks and to include therein certain official statistics and documents mentioned therein.

The SPEAKER. Without objection it is so ordered.

There was no objection.

AMENDMENT OF LIQUOR ENFORCEMENT ACT OF 1936

Mr. CELLER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 7508) to amend the Liquor Enforcement Act of 1936, with a Senate amendment, and agree to the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert:

"That (a) section 3 (a) of the Liquor Enforcement Act of 1936 (U. S. C., 1934 ed., Supp. III, title 27, sec. 223 (a)) is hereby amended to read as follows:

"'SEC. 3. (a) Whoever shall import, bring, or transport any intoxicating liquor into any State in which all sales (except for scientific, sacramental, medicinal, or mechanical purposes) of intoxicating liquor containing more than 5 percent of alcohol by weight are prohibited, otherwise than in the course of continuous interstate transportation through such State, or attempt so to do, or assist in so doing, shall, if the importation, bringing, or transportation of such intoxicating liquor into, or the transportation thereof within, such State is prohibited by the laws thereof, be guilty of a misdemeanor and shall be fined not more than $1,000 or imprisoned not more than 1 year, or both. All importation, bringing, or transportation of intoxicating liquor into any such State for delivery or use therein, or through such State in the course of continuous interstate transportation, shall be evidenced by shipping documents in the manner and form prescribed by the Commissioner of Internal Revenue in regulations approved by the Secretary of the Treasury. Whenever the officers charged with the enforcement of this act shall discover intoxicating liquor in the course of importation, bringing, or transportation into any such State, such intoxicating liquor shall, except when it is consigned to a person entitled under the laws of such State to procure, possess, or dispose of such intoxicating liquor for scientific, sacramental, medicinal, or mechanical purposes, or except when it is consigned for delivery in another State and is in the course of continuous interstate transportation through the State in which discovered, and such consignment to such a person or for delivery in another State is evidenced by shipping documents as hereinbefore required, be presumed to be in the course of importation, bringing, or transportation into such State contrary to the provisions of this section, and the burden of proof shall be on the claimant or the accused to rebut such presumption.'"

Mr. TARVER. Mr. Speaker, reserving the right to object, I introduced this bill in the House with the objective of bringing about the enforcement of the second proviso of the twenty-first amendment. It has been so amended in the Senate as not only not to achieve this objective but to create grave danger of weakening the laws already in effect. In other words, the bill as passed by the Senate is not directed toward the objective I have in mind. A conference committee ought to be appointed to work out a decent bill. I certainly must object to taking up this bill for the purpose of concurring in the Senate amendments.

The SPEAKER. Objection is heard.

EXTENSION OF REMARKS

Mr. THOMAS of New Jersey. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial taken from a Jersey newspaper.

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

There was no objection.

Mr. JENKINS of Ohio. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short article on importations from Japan.

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

There was no objection.

RULES COMMITTEE

Mr. O'CONNOR of New York. Mr. Speaker, I ask unanimous consent that the Rules Committee may have until midnight tonight to file certain rules.

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

There was no objection.

INVESTIGATION OF RADIO BROADCASTING

Mr. O'CONNOR of New York, from the Committee on Rules, submitted the following privileged resolution (Rept. No. 2678), which was referred to the House Calendar and ordered to be printed:

House Resolution 92

Whereas the Congress, in creating the Federal Radio Commission and in enacting the Communications Act of 1934, expressly reserves to the people of the United States control of all radio frequencies; and

Whereas, despite the restriction through the leasing of, the purchase of, the affiliating of, the operation of, or, through the possession of contracts giving to a select few the exclusive right to use the more desirable time of these radio-broadcasting stations, there is reason to believe that contrary to the intent and the spirit, as well as the language of laws in force, one or more monopolies exist in radio broadcasting, which radio-broadcasting monopolies are believed to be profiting illegally at the expense and to the detriment of the people through the monopolistic control and operation of all clear channel and other highly desirable radio-broadcasting stations, such as the Columbia Broadcasting System, the National Broadcasting Co., and the Mutual Broadcasting System, or other existing groups; and

Whereas it is believed that neither public interest, convenience, or necessity is served by permitting virtual radio-broadcasting

monopolies to control this property which has been reserved to the control of the American people; and

Whereas it is contrary to public policy, convenience, or necessity to allow any private groups to monopolize the use of a property reserved to and for the people: Therefore be it

Resolved, That a committee of seven Members of the House of Representatives shall be appointed by the Speaker, which committee is hereby directed to inquire into and investigate the allegations and charges that a monopoly or monopolies exist in radio broadcasting alleged to be held by the Columbia Broadcasting System, National Broadcasting Co., Mutual Broadcasting System, or others; be it further

Resolved, That the said committee shall make a thorough and exhaustive investigation of all charges and allegations of the existence of a monopoly or monopolies in radio broadcasting and the effect which such monopoly or monopolies may have on the character of radio programs, and rates charged advertisers, and generally the effect of such monopoly or monopolies on the public, and said committee shall report in whole or in part at any time to the House of Representatives during the Seventy-fifth Congress, together with such recommendations for legislation or otherwise as it deems advisable; and be it further

Resolved, That said committee or any subcommittee thereof is authorized to sit and act during the present Congress at such times and places within the United States whether or not the House is sitting, has recessed, or adjourned, to hold such hearings; to require the attendance of such witnesses and the production of such books, papers, and documents by subpena or otherwise and take such testimony as it deems necessary with respect to such monopoly or monopolies and the management and operation of any company or companies being so investigated. Subpenas shall be issued under the signature of the chairman of said committee or any member designated by him, and shall be served by any person designated by them or either of them. The chairman of the committee or any member thereof may administer oaths to witnesses. Every person who, having been summoned as a witness by authority of said committee, or subcommittee thereof, willfully makes default, or who, having appeared, refuses to answer any questions pertinent to the matter herein authorized to be investigated, shall be held to the penalties provided in sections 102, 103, and 104 of the Revised Statutes of the United States, as amended (U. S. C., title 2, secs. 192, 193, and 194).

STUDY OF MERCHANT MARINE AND FISHERY PROBLEMS

Mr. SMITH of Virginia, from the Committee on Rules, submitted the following privileged resolution (Rept. No. 2679), which was referred to the House Calendar and ordered to be printed:

House Resolution 498

Resolved, That the Committee on Merchant Marine and Fisheries, as a whole or by subcommittee, is authorized and directed to make a full inquiry into questions and problems in relation to the merchant marine and fisheries, and a thorough study of methods and proposals for remedies and improvements in connection with such questions and problems, including recommendations for legislation submitted by the United States Maritime Commission in its economic survey, with a view to legislation in the next Congress.

The committee shall, from time to time, report to the House (or to the Clerk of the House, if the House is not in session) during the present Congress the results of its investigation and study, together with such recommendations for legislation as it deems advisable.

For the purposes of this resolution the committee, or any subcommittee thereof, is authorized to sit and act during the present Congress, at such times and places in the District of Columbia or elsewhere, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require, by subpena or otherwise, the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas shall be issued under the signature of the chairman of the committee or any member designated by him, and shall be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths to witnesses.

BUREAU OF FINE ARTS

Mr. COX, from the Committee on Rules, submitted the following privileged resolution (Rept. No. 2680), which was referred to the House Calendar and ordered to be printed:

House Resolution 526

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 House Joint Resolution 671, a joint resolution to create a Bureau of Fine Arts in the Department of the Interior for the promotion of art and literature through the use of copyrighted material and to define the powers and duties of said Bureau, and for other purposes. That, after general debate, which shall be confined to the joint resolution and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Patents, the joint resolution shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the joint resolution 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 joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

PERMISSION TO ADDRESS THE HOUSE

Mr. GRAY of Indiana. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and at the conclusion of that 1 minute I desire to be recognized to make a parliamentary inquiry.

The SPEAKER. The gentleman from Indiana [Mr. GRAY] asks unanimous consent to address the House for 1 minute. Is there objection?

There was no objection.

Mr. GRAY of Indiana. Mr. Speaker, the Democratic Party of which I am a member promised the people that if given the power it would remedy the depression. We have a depression on in this country right now, but we are actually following Hoover around the corner. The Democrats say they do not know how to remedy the situation. I want to invite the Members of the House to listen to me over WOL next Monday night, at which time I propose to tell them what to do and show them how to do it. [Applause.] I may say that I shall speak on 112 radio stations, reaching every congressional district. [Applause.] If this House sees fit to adjourn without fulfilling its promises and obligations, I propose to go to the people and see that the Congress comes back here in the dog days to finish the work. [Applause.]

[Here the gavel fell.]

Mr. PIERCE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. PIERCE. Mr. Speaker, there appeared in the New York Times of May 30, 1938, an article criticizing Mr. J. D. Ross, the Administrator of Bonneville project for the rates he has fixed for power. The rates fixed by the Administrator were, as required by law, presented to the Federal Power Commission for approval, and today they are releasing approval of those schedules.

Mr. Speaker, I ask unanimous consent to insert in the RECORD a reply to a New York Times editorial of May 30, 1938, and a statement on this release of the Federal Power Commission covering the rates at Bonneville; also to revise and extend my own remarks in the RECORD on the subject of the electric rates in Detroit, Mich., and Windsor, Ontario. I stated I would do so when I challenged, during debate, a statement made by the distinguished gentleman from Michigan [Mr. DONDERO].

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

There was no objection.

BONNEVILLE RATES LOWER THAN NIAGARA

Mr. PIERCE. Mr. Speaker, the thesis of the editorial in the Times of May 30 is that the rates submitted for the Bonneville project are well below effective rates of the Niagara Power serving the Ontario Hydro, which is the "cheapest power in the world," and that central station engineers would like to know the reason for the low price at Bonneville. So that any misunderstanding can be corrected, I desire to state the facts.

In a hydro plant the actual physical investment per unit of capacity controls the sale price. The Ontario Hydro was created by the legislative act of the Ontario Legislature in 1906, but it was not until October 1910 that the Hydro was in production. This hydro power is not cheap power, as power costs run. The early power sources of the Hydro were first purchased power, and then they purchased stations of the Toronto Power and the Ontario Power, which

stations were built by private interests shortly after the turn of the century. These stations cost, respectively, $103 and $163 per kilowatt of capacity.

The quantity of water that can be diverted for power at Niagara is limited by international treaty to 56,000 cubic feet per second, 20,000 going to plants on the American side and 36,000 to the three plants then installed on the Canadian side, which utilized 35,300 cubic feet per second. As the demand for power increased in Ontario it was necessary to utilize every kilowatt potentially available in the water, even though this involved increasing the cost per kilowatt of capacity. The older Ontario station is located adjacent to Horseshoe Falls and it operates under a fall of 180 feet. The drop to Lake Ontario from Lake Erie is 326 feet; and if all of the head could be utilized, the power per cubic foot of water would be practically doubled. The Queenston plant was then the natural development, with a head of about 300 feet. This plant diverts above the upper rapids and generates below the lower rapids. Such a layout involved an expensive canal 13 miles long. The plant was started under war conditions, when there was a shortage of manpower, and was built entirely in the high-price period. The Queenston plant cost $206 per kilowatt to build, about one-half of which cost represents the canal. Most of the water available at the Canadian Niagara is used in the new Queenston plant, with the old Ontario station carrying only a fair load, and the inefficient Toronto station carrying a relatively small peak load.

Due to this limitation of water it was necessary to rebuild the Canadian Niagara hydros with increased first cost of plants. Their natural increases in costs produced the rate effects that the editorial writer of the New York Times attributed to other unnamed reasons which are evidently included in his term "economic justification."

With 10 units installed, totalling 504,000 kilowatts, the power facilities of the Bonneville project will cost around $83 per kilowatt of capacity. Is it not obvious that a plant costing $83 per kilowatt of capacity can produce current for less than a plant costing $206 per kilowatt? These simple approximate first costs, together with the development history of the Canadian Niagara, explain all the facts editorially attributed to other causes as representing the rate difference between this Canadian Power and Bonneville energy. The myth as to the inexaustible water supply and the "cheapest power in the world" as applying to the Canadian Niagara generating costs was exploded long ago.

The writer of the editorial should, before creating the impression that at Bonneville the taxpayer is carrying the load of the rate payer, read the Bonneville Administrative Act, passed by Congress in 1937, wherein it is provided that rates shall be put into effect which will insure full repayment of power facility costs to the Federal Government, over a reasonable period.

THE BONNEVILLE RATES

The wholesale "at site" primary and secondary, as well as the "transmission" primary and secondary rates, for the Bonneville project have been approved by the Federal Power Commission today. The prices approved are the same submitted by Administrator Ross.

These rates are wholesale price schedules, both at the dam and any point on the transmission system, available to States, public power districts, counties, municipalities (including agencies and subdivisions thereof), cooperatives, private industry, and private organizations reselling current. These rates, in my opinion, are a distinct advance in the science of rate making. They are simple and among the lowest in the country. They follow the policy set out in the Bonneville Administrative Act, approved August 20, 1937. These rates will encourage the widest possible developed use of electricity, and insure that the project will be operated for the benefit of the public, and, in particular, domestic and rural consumers. The Power Commission, in their approval, state that these rates will provide for full repayment, with interest, to the Federal Government for funds invested in power facilities at Bonneville.

These approved rates are expressed in terms of a kilowatt-year, which I have already described in previous remarks in the RECORD. As far as the general American rate practice goes, this is a progressive innovation, which will simplify electric rate structures. The kilowatt-year rates approved for Bonneville project are given in the Power Commission release, as follows:

At site rates: Prime power, $14.50 per kilowatt-year; secondary power, $9.50 per kilowatt-year. Available to private purchasers for their own use, but not for resale; and to public bodies, cooperatives, and privately owned electric utilities for distribution within 15 miles of the Bonneville project plant.

Transmission-system rates (uniform over entire transmission system): Prime power, $17.50 per kilowatt-year; secondary power, $11.50 per kilowatt-year. Available to public bodies, cooperatives, and privately owned electric utilities for resale only.

A provision was made for adopting a 5-mill per kilowatt-hour "ceiling" to this rate for cooperatives and other small customers requiring a demand of less than 1,000 kilowatts. This ceiling will not prevent these customers from obtaining lower averages under the rate should their use of service under this schedule result in lower averages.

The 5 mills per kilowatt-hour ceiling applies for the first 2 years of service under this schedule. It will permit such customers, during the 2-year period, to enjoy a rate that will not exceed the equivalent of 5 mills per kilowatt-hour.

These rates will stimulate rural and domestic electric use and thereby increase consumption. In addition to the benefits these rates will bestow on the farmer and home owner, the schedules will provide low-cost electric current to "dinner pail" industries which will be attracted to Oregon because of natural resources and advantages, and cheap power.

These rates will provide a new opportunity for the Pacific Northwest.

Mr. Speaker, for three sessions of Congress I have, at intervals, spoken and written on electric utilities and public ownership. During this time, the great Bonneville power project on the Columbia River in Oregon has been completed to the point of generating current. This current will be distributed through the Pacific northwest at the remarkably low rates fixed by Mr. J. D. Ross, administrator, and just released with approval by the Federal Power Commission. My interest in public ownership and in the yardstick for measuring electric rates has been so keen that I have read with interest all the remarks that have been made on this floor, relating to these subjects. I desire to conclude my series of studies of electric rates and the effects of public ownership by inserting in the RECORD a reply to the remarks of our colleague from Michigan [Mr. DONDERO], which called attention to the rates of Detroit, Mich., as related to those of Windsor, Ontario. In this statement I also include the result of investigation on the Diesel package unit, which I consider of great value. Since all of my remarks in the following paper relate to the price of electric current for consumers, I have entitled them "What Price Power?"

WHAT PRICE POWER?

Mr. Speaker, on page 4403 of the RECORD, March 30, 1938, I challenged the remarks of the able and sincere gentleman from Michigan [Mr. DONDERO] when he stated that the net electric rates in Detroit were lower than in Windsor, Ontario, the latter community being served by the Canadian publicly owned and operated power. The facts are that when the Detroit tax equivalent is added to actual service bills in Windsor, the large majority of the consumers in Detroit are paying 30 to 61 percent more than similar consumers are paying for electricity in Windsor, based on the latest official figures available. His brief remarks given on page 4396 of the RECORD were based on a table and collateral information set out on page 537 of the RECORD of January 14, 1938. Knowing the gentleman as I do, I feel that he made a sincere effort to compare rates in his city with Windsor, and with Canadian conditions, but unfortunately the incorrect data he was given leads to false conclusions. It is obvious that some of the data set out on page 537 of the RECORD came from sources friendly to private power and prejudiced against public power, as part of the base-estimating figures used have not, so far as I know, been put out as official public figures.

In the final analysis the average American citizen will be the judge of the merits of questions debated on this floor. His ultimate decision will rest on a sense of fairness. We are now going through trying times in the fight for public power and the only way to make progress is to state the facts fairly and let thoughtful people draw their own conclusions. All public men are perplexed by the sad plight of the railroads. If railroad legislation in the past had been based on facts and understanding, rather than propaganda, a large part of the present railroad trouble could have been avoided. I am trying to be useful in this presentation, so as to avoid in electric utility development the same pitfalls revealed in railroad history—namely, frozen values, high rates, and watered or depreciated securities. In this world of ours, nature has so ordained matters that no person, no piece of machinery or man-made property is endowed with perpetual life. Failure to recognize this principle in financial operations is one of the sins of our modern capitalistic system. Bonds are still outstanding based on useless or dead investments—buildings destroyed by fire, railroads pulled up and junked—dead mules. Financiers should also consider the economic order in addition to the natural order. Economically it is good business to lower rates. Lowered rates increase volume and earnings, and insure public good will.

I regret that numerous concerns, notably one in Wisconsin, are engaged in falsely propagandizing the power question influencing honest people who are uninformed and, unfortunately, quoting CONGRESSIONAL RECORD speeches and articles to sustain false conclusions. In making this statement I am not for one instant challenging the good faith of any Member, but I am challenging the correctness of the information given out and passed on to the people by the private-utility propaganda agencies.

DETROIT AND WINDSOR ELECTRIC RATES COMPARED

The data presented on page 537 of the RECORD of January 14, 1938, is not representative nor accurate. One particular hypothetical bill was estimated, and the example selected contains a joker. Detroit people have for years paid for their electricity under what rate experts call a quick-break rate. The quick-break rate is usually adopted to preserve a high step rate to the majority of the rate payers. The Windsor rate has a long-low top block, and the point selected for comparison is the place where the two rate curves approach. Very few customers are billed at such a point. The $26.95 figure given for Windsor is at least $3.25 too high according to the official Windsor tariffs, showing an error of this amount, and the Detroit figure is 45 cents too low according to filed rates now in effect.

To make a deduction for lamp-renewal service as was done in the gentleman's statement is a questionable procedure. In some States, where the matter has been passed upon it has been held to be a discriminatory practice. No one can defend an electric company for giving away lamps when some commercial customers of the company are making a living by selling lamps. Lamps are given away to increase consumption, and the more logical way of evaluating this item is to consider that the increased use balances the lamp cost. Companies are not giving free lamps to be charitable. To be fair to merchants the practice should be outlawed.

The inclusion of $2.81 per customer deduction for fuse calls is ridiculous. There are 614,377 electric meters in Detroit. This item, by straight calculation on this assumption, amounts to $1,720,000 annually. Now according to the income and expense statement of the Detroit Edison Co., $3,362,373—Moody, 1937 edition, page 1559—was spent for maintenance and repairs on the entire property. To evaluate fuse-plug renewals and service at 51 percent of the entire maintenance and repair expense is the height of folly. All electric properties maintain service men. When a service man is called on a case of trouble, and finds a fuse "out" he usually installs one. Most companies do not bill the customer for this as the cost of rendering the bill exceeds the cost of the fuse.

The Federal Power Commission—Rate Series, 1935, No. 1, page 6—found that out of the 20,000,000 residential customers in the United States, 66.6 percent were lighting customers, using between 15 and 40 kilowatt-hours per month, 26.6 percent used 100 kilowatt-hours per month for light and refrigerators, and 6.8 percent used over 100 kilowatt-hours per month. It is obvious that only a small percentage of the Detroit customers were billed at the consumption given in the example cited by the gentleman from Michigan. Therefore, it is not a representative comparison. Furthermore, the figures given are inaccurate.

The Detroit Edison Co. in 1936 paid $1,144,000 income taxes and $5,851,992 local taxes—Moody, 1937, page 1558. These tax payments amounted to 12.68 percent of the company's gross income. Now, it must be remembered that the Detroit Co. re-collects a part of these taxes in light bills from schools, city buildings, and so forth, so the net tax percentage will be considerably less than the stated 12.68 percent. However, to resolve any doubt in favor of the Detroit Co. and to be fair, I will, in my comparison, add this amount to the Canadian bills to arrive at an equivalent bill, including taxes. The median consumption point of the 60-odd percent of the Detroit customers is 25 kilowatt-hours per month. With this consumption, the most numerous class of small-rate payers in Detroit pays 61 percent more than the Windsor consumers even when the Detroit tax equivalent is added in. When the numerous small-family consumers pay this excess charge, how can it be said that the Detroit rates are lower than those at Windsor? Comparison of bills rendered affords the most accurate method of determining relative costs. In Detroit the small fellow who has a hard time making ends meet is the one who is penalized.

DETROIT AND CANADIAN LIGHT BILLS COMPARED

So that an exact comparison will be possible, I am tabulating Detroit and Canadian residential billings as of January 1, 1937. To the Canadian bills I have added the Detroit tax equivalent, as the Ontario Hydro pays no taxes. I am also including Buffalo, N. Y., because the statement has been made on the floor that Buffalo electric rates are lower than Niagara Falls, Canada. The Canadian bills were figured from the rate schedules published by the Ontario Hydro and given in their 1936 annual report, pages 440 to 453. They were checked against bills published by the Canadian Department of Trade and Commerce in 1937. The American figures were taken from the 1937 rate series of the Federal Power Commission. Detroit has had no rate reduction since these billings were published, and these presentations are, therefore, up to date.

Comparative residential electric bills for various consumptions

City and description	Monthly kilowatt-hour consumption				
	25	40	100	250	500
Detroit, Mich. (Detroit Edison Co.)	$1.35	$1.89	$3.38	$6.75	$9.09
Buffalo, N. Y. (Buffalo General Electric Co.)	1.13	1.70	3.06	5.31	9.06
Washington, D. C. (Potomac Electric Power Co.)	.98	1.56	3.50	5.67	9.90
Niagara Falls, Canada, plus Detroit taxes	.61	1.22	2.23	4.26	6.30
Ottawa, Canada, plus Detroit taxes	.84	1.15	1.96	3.41	4.42
Toronto, Canada, plus Detroit taxes	.84	1.30	2.23	4.01	6.05
Winnipeg, Canada, plus Detroit taxes	.68	1.35	3.38	4.94	6.97
Windsor, Canada, plus Detroit taxes	.84	1.42	2.58	4.80	7.05
Percent Detroit higher than Windsor, Canada	61	33	31	41	29
Percent Detroit higher than Ottawa, Canada	61	64	73	98	103

More than 60 percent of the residential consumers in Detroit use less than 40 kilowatt-hours per month based on the Federal Power Commission national statistical break-down.

THE ONTARIO HYDRO

The Ontario Hydro is only a generating, transmitting, and wholesaling agency. The direct distribution and sales to the people is accomplished by the municipalities. The system

wholesales current on "at cost basis"; therefore the wholesale rates to the municipalities vary with the distance from the power source. The Hydro was largely constructed in wartime and under high-price conditions. Its wholesale rates to municipalities, which I will hereafter cover, cannot be said to be low. The low resale rates of the municipalities under the Hydro are the result of sound operation, including annual lowering of the debt through earnings, large consumption following lower rates, efficient operation, and the absence of holding companies and illicit expenses. The outstanding fact to remember is that the municipalities have accomplished the low rates and sound finances through distribution. In 1936 the average residential cost to the consumer in the State of Michigan was 3.72 cents per kilowatt-hour and the consumption 772 kilowatt-hours per year. In Ottawa, Canada, for example, the average residential rate, with taxes added, was 1.01 cents per kilowatt-hour and the consumption 4,040 kilowatt-hours. This average rate is only 27 percent of the Michigan average rate, and the consumption is over five times greater.

Fort William, Canada, has an average residential rate, plus the tax equivalent, of 0.9 cent per kilowatt-hour and a consumption of 4,680 kilowatt-hours. This represents 24 percent of Michigan average consumer-unit cost and six and one-tenth times the customer consumption. Who can allege in the face of these facts that it is not good business to amortize debts and charge low rates?

COMPARATIVE WHOLESALE ELECTRIC COSTS

An examination of the Boulder Dam contracts will show that under the Los Angeles load factor the city light bureau pays to the Federal Government $7.85 per kilowatt-year falling-water charge to cover 4 percent interest, annual debt payments on a 50-year amortization, tax equivalents to the States of Arizona and Nevada, and contributions to a sizeable fund for the upper basin States. Boulder's operation cost will run about $3.25 per kilowatt-year and transmission about $6 per kilowatt-year.

Tacoma, Wash., has an initial generating plant investment of $213 per kilowatt of system peak. Taking the city's actual costs on a 40-year amortization I find that the generation cost on a 50 percent actual load factor is $15.79 per kilowatt-year and the transmission fixed charges; operation and losses total $3.82 per kilowatt-year, or a total of $19.61 per kilowatt-year, or 4.4 mills per kilowatt-hour. This represents actual cost on the basis of an amortization calculation from actual Tacoma cost figures. Tacoma, however, has paid off its debt faster than the amortization calculation indicates, and therefore its costs are lower than the figure given for a strictly comparative calculation.

No complete published data is available on Detroit generating stations. However, it is possible to estimate this cost closely from the financial statements of the company given in Moody and the performance of modern stations operated by the same people who are interested in the property. Detroit's actual load factor is 50 percent (Moody, 1937, p. 1558). The bonds outstanding on the Detroit property are general and refunding issues and bear 4¼ percent average interest and a 38-year maturity. Taking plant cost to consist of 60 percent of 4¼-percent bonds and 40 percent of 8-percent stock, and coal at $4 a ton, by the amortization calculation at 50-percent load factor, I calculate the kilowatt-year cost of Detroit energy at $21.60. If we use the method of calculation adopted by the private utilities, we will find the kilowatt-year costs $27.51 (House Doc. 52, 75th Cong., 2d sess., p. 40). I hope that the gentleman from Michigan will write to the commission of his State for the billings and collateral information of the 15 largest electrical industrial consumers in Detroit—without giving names—and place this material in the RECORD so that the American people can have first-hand reliable and additional information on generating costs with steam.

One of the large steam-generating companies in the Midwest has its financial and operating statement in Moody's Manual, 1937 edition, page 1045. These costs include about 100 miles of transmission and the quantity of coal for a 77-percent load factor. Allowing for these differences I find the bus-bar sale at this station at 50-percent load factor to be $24.20 per kilowatt-year, by the private-utility method of calculation. This substantiates my figures for Detroit estimated generating cost.

Now, Windsor pays to the Ontario Hydro at its city border $38.60 per kilowatt-year for delivered Niagara power. Niagara Falls, right at the plant, pays $28.60; Toronto, $34.80; and St. Thomas, $36.10 (see 1936 Report, Ontario Hydro, pp. 192 et seq., given on this floor). These figures explode the alibi that Windsor cheap rates are due to Niagara Power. The excess costs in Detroit and the State of Michigan are in the distribution systems.

DIESEL PACKAGE UNITS

The private utilities in the United States have 31,458,000 installed kilowatts of electric generating capacity (F. P. C. release of April 12, 1937). This is equivalent to 42,200,000 output horsepower. On the basis of 13-percent line loss and 35-percent reserve with diversity, this means 39,500,000 delivered horsepower. There are 13.6 billion dollars of private-utility securities in the hands of the American public. It follows from these simple figures that the securities outstanding represent about $346 per delivered horsepower.

Detroit has manufactured gasoline motors totaling many millions of horsepower. The factory cost of standardized motors is less than $2 per horsepower and the sale price, when all items of cost are added for standard lines, is less than $5 per horsepower. The conventional type Diesel motor has made comparatively little headway to date in the central-station field because, of custom-made construction. Higher speed, development of better heat-resisting metals, and standardized assembly-line production will permit, ultimately, the building of low-priced Diesel motors. The streamline Diesel locomotives on the western railroads have sufficient capacity to supply the electrical requirements of the average town of 10,000 population. The power-plant cost of the Diesel locomotive with expensive axle-motor drive is around $100 per horsepower. Package Diesel units will early be built to sell for $95 per horsepower in the smallest size, and around $50 per horsepower in the larger sizes. These package Diesel units are complete and will do exactly the same work as the service now supplied by the private utilities. With mass production these costs should be cut at least one-third at some date in the near future.

With these facts in mind, is it not logical to ask what will become of an industry with around $346 in securities outstanding per horsepower when it must compete with a package Diesel unit selling from $35 to $50 per horsepower? Here is more of a threat than the few Federal yardstick hydros. This development need not be a great menace if the overlords of private power will come to their senses, desist from anti-social, dishonest tactics, get out of politics, amortize, reduce rates, and adopt the Diesel unit where it is feasible. However, if they fight this progress as they have the yardstick plants, they are doomed. If the overlords of private power fight and chisel instead of helping, "Old man Obsolescence" will give the power leaders a spanking If this comes to pass, the American investors and ratepayers will have headaches, and our economic system will receive another jolt. The only successful competitor of the Diesel package unit will be low-cost hydro power.

My study indicates that the yardstick plants, and rates similarly to those of publicly owned Tacoma, can meet the competition of the Diesel motor. I repeat, it is good business to reduce rates and amortize. The industry should be thankful to the yardstick plants for pointing the way. The effect of the gasoline motor on railroad, interurban, and street car securities is fully known. The Diesel motor can do the same thing to the power business. There is no force which can permanently stop progress.

TACOMA PUBLIC POWER PLANT

The Tacoma public power plant has been a rate pacemaker for many years. It has, for a long period, had the lowest rates in the United States. Let us briefly study this plant's operating records. Its outstanding funded debt a year ago was only 25.6 percent of its investment; 74.4 percent of the investment has been paid for out of earnings. Out of every dollar of gross earnings, the total operating expenses were as follows:

Power production	$0.054
Transmission and transformation	.032
Distribution	.042
Utilization	.023
Commercial	.035
General	.038
Taxes	.123
Interest	.142
Total operating, taxes, and interests	.489
Net income available for debt payment	.511

Tacoma's 1936 gross income was $2,359,964 and its funded debt $6,018,000. Therefore, an early complete debt redemption is possible, and when this is accomplished, the rates can almost be cut in two. A retirement average residential rate of 1 cent per kilowatt-hour is a possibility at Tacoma. This is nearly a quarter of the 1936 average Michigan rate. We can see again that it is good business to amortize and reduce rates.

DETROIT ELECTRIC STATISTICS

It has been stated on this floor that Michigan electric rates are the lowest in the Union except the State of Washington, and the low rates in Washington are the result of cheap water power. This is not the fact. Michigan ranks fifth with an average residential rate of 3.72 cents per kilowatt-hour, which is 58 percent higher than Washington and 44 percent higher than Oregon. The Michigan average rate is 125 percent higher than Tacoma. The low rates in the Pacific Northwest are the result of the zone of influence of the low-rate public plants in Seattle, Tacoma, and Eugene, Oreg. Public opinion has forced the trimming of capital structures and the consequent lowering of rates. The customer consumption for residential service is, in Washington (State), 1,327 kilowatt-hours; Oregon, 1,258 kilowatt-hours; and Michigan, 772 kilowatt-hours. Cheap electricity encourages wide use, and it pays its own way.

The outstanding debt of the Detroit company is $442 per meter (Moody, 1937 edition, p. 1558) and of Windsor is $90.30 (1936 Report Hydro Commission, p. 333) per meter. In Detroit the outstanding debt is 81 percent of the plant assets, and in Windsor 27.7 percent. I would like to have someone explain how it is possible under these indexes to have lower residential rates in Detroit.

In 1936, among the 95 cities in the country with a population of 100,000 or more, compared for cheapness of rates based on 25 kilowatt-hours per month, Detroit ranked 42 from the top. In 1924 it ranked 18 (F. P. C., 1936 Rate Trends, p. 26). It is clear that other cities are outranking Detroit in electric-rate reductions.

From October 1924 to July 1936 the 25-kilowatt-hour small user in Detroit only had his rates reduced 10 percent. There was no rate reduction for this small user from October 1925 to October 1936. At the latter date the billing for this amount of current was reduced only 3 percent. It is generally understood that a rate reduction of less than 6 percent is not felt and a reduction is not appreciated unless 10 percent is given. This is the Detroit record during a period when rates throughout the country were greatly reduced.

ELECTRIC OVERCHARGES IN MICHIGAN

With the operation principles of the Tacoma public plant given, and inasmuch as this plant pays the same proportionate tax as the Detroit property, it is possible to apply their results to Michigan billings to find the electric cost difference. I will set out tabular compilations to show these estimated overcharges, and have selected this method to eliminate differences in consumption.

Electric statistics and revenue

MICHIGAN, 1936

[Estimate based on actual rate schedules]

Classes of service	Number of customers	Kilowatt-hour annual sales	Kilowatt-hour per customer	Annual revenue	Average sale price per kilowatt-hour
					Cents
Residential	931,190	718,879,000	772	$26,725,153	3.72
Commercial	160,173	791,044,000	4,938	27,583,193	3.49
Industrial power	3,230	1,880,000,000	582,000	22,350,000	1.19
Total	1,094,593	3,389,883,000	3,090	76,658,346	2.26

TACOMA, WASH., 1936

[Based on actual 1936 reported earnings and sales]

Residential	30,068	48,522,830	1,614	804,871	1.66
Commercial	3,918	30,973,534	7,870	528,270	1.705
Industrial power	1,200	148,118,297	123,600	777,540	.525
Total	35,186	227,614,661	6,460	2,110,681	.930

With this data it is easily possible to estimate the Michigan earnings under Tacoma rates by calculating actual bills from the schedules in effect in both locations and applying the differences in cents per kilowatt-hour to above-average statistics.

Michigan consumption under Tacoma rates

Classes of service	Number of customers	Killowatt-hour annual sales	Estimated average rates, Tacoma schedule	Annual revenue under Tacoma rates	Annual overcharge under Tacoma rates
			Cents		
Residential	931,190	718,879,000	2.10	$15,100,000	$11,625,000
Commercial	160,173	791,004,000	1.73	13,680,000	13,903,200
Industrial power	3,230	1,880,000,000	.52	9,780,000	12,570,000
Total	1,094,593	3,389,883,000	1.12	38,560,000	38,098,200

Under the Michigan rates the Michigan electric consumers in the three classes are paying $38,098,200 annually more than they would pay if they had the Tacoma rates. The above three classes represent 95 percent of the State's electrical business, and if the same proportion held, these overcharges would total about $40,000,000 annually. Under an amortization calculation Tacoma's generating cost with losses is 0.7 mill lower than Detroit's. Therefore, for an equal comparison, this difference, or $2,730,000, should be deducted from the above overcharge. On an equal comparison Michigan is paying annually $37,370,000 more than they would pay under Tacoma rates. Applying T. V. A. rates to the State of Michigan would result in a 4 percent higher bill than under Tacoma rates. Likewise Ontario rates, with taxes added, would give a 7 percent lower bill. From these facts it is evident that there is little difference between the Tacoma, Ontario, and T. V. A. yardstick rates.

WASHINGTON, D. C., RATES

In 1936 sales to residential consumers in Washington, D. C., were 159,855,020 kilowatt-hours, at an average rate of 3.225 cents (Public Utility Commission of the District of Columbia, 1936, p. 48). An average reduction of 1.2 cents would give Washington the Tacoma yardstick rates, at an initial cost of $1,920,000, with a diminishing difference because of the increased consumption resulting from lower rates. On July 22, 1937, I addressed this House on the fallacies of the Washington, D. C., electric plan, where I pointed out that the annual common-stock earnings for a 10-year period was 60½ percent. These excess earnings over a 10 percent fair stock earning amounted to $3,200,000 annually. It is, therefore, evident that with a fair return, the Washington, D. C., rates could be dropped to yardstick levels.

The following table from report of the Public Utility Commission of the District of Columbia (1936, p. 58) shows that it is good business to reduce rates.

Year	Gross revenue	Kilowatt-hour sales	Average sale price
	Percent	*Percent*	*Percent*
1924	100.00	100.00	100.00
1936	177.66	389.47	45.62

YARDSTICK RATES SOUND

It can be fairly concluded from the data which I have presented that the Michigan electric rates on an equal base are materially higher than Tacoma and Ontario rates. I have gone into this subject in detail in order to contribute to the available information on electric costs. The yardstick rates are sound, and unless the American private utility management wakes up it will find itself in the same position as the railroads. Is it not time for the American investor and the American rate payer to know the facts?

Mr. WHITTINGTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 10618) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, 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 Mississippi?

Mr. RANKIN. Reserving the right to object, Mr. Speaker, several amendments were placed in the bill in the Senate, particularly amendments 1, 6, 7, 8, 54, and 55, which carry out the administration's conservation and power program.

The first amendment restores the language of the present law and reads as follows:

That hereafter Federal investigations and improvements of rivers and other waterways for flood control and allied purposes shall be under the jurisdiction of and shall be prosecuted by the War Department under the direction of the Secretary of War and supervision of the Chief of Engineers, and Federal investigations of watersheds and measures for run-off and water-flow retardation and soil-erosion prevention on watersheds shall be under the jurisdiction of and shall be prosecuted by the Department of Agriculture under the direction of the Secretary of Agriculture, except as otherwise provided by act of Congress.

By all means this amendment should be kept in the bill. I understand the administration is for it because it vitally affects the conservation program.

Amendment No. 6 is the most vital part of the entire bill. It reads as follows:

That in case of any dam and reservoir project herein authorized or heretofore authorized by the act of June 22, 1936 (Public, No. 738, 74th Cong.), as amended, and by the act of June 15, 1936 (Public, No. 678, 74th Cong.), as amended, title to all lands, easements, and rights-of-way for such project shall be acquired by the United States or by local agencies and conveyed to the United States, and provisions (a), (b), and (c) of section 3 of said act of June 22, 1936, shall not apply thereto. Notwithstanding any restrictions, limitations, or requirement of prior consent provided by any other act, the Secretary of War is hereby authorized and directed to acquire in the name of the United States title to all lands, easements, and rights-of-way necessary for any dam and reservoir project with funds heretofore or hereafter appropriated or made available for such projects, and States or political subdivisions shall be granted and reimbursed, from such funds, sums equivalent to actual expenditures made by them in acquiring lands, easements, and rights-of-way for any dam and reservoir project heretofore or herein authorized: *Provided*, That no reimbursement shall be made for any indirect or speculative damages.

Unless this amendment is accepted it will simply be impossible to develop the water-power resources of this country and utilize them for the benefit of the American people.

It is absolutely in line with the policy we are following on the Tennessee River and also on the Columbia and Colorado Rivers. If the rest of the people of the Nation are to receive equal treatment with the people in those areas, then this amendment is absolutely indispensable.

Amendment No. 7 on page 5 makes it mandatory that penstocks and other similar facilities adapted to the development of hydroelectric power shall be installed, striking out the word "may" and inserting the word "shall", while amendment No. 8 provides that this shall be done by the Chief of the Army Engineers when approved by the Federal Power Commission, instead of leaving it discretionary with the Secretary of War.

Amendments 54 and 55 provide funds for the Federal Power Commission to carry out the provisions of the bill.

Let me ask my distinguished colleague from Mississippi [Mr. WHITTINGTON] if he would not be willing for us to take this bill up now and pass on these amendments without sending the bill to conference?

Mr. WHITTINGTON. Mr. Speaker, my unanimous-consent request speaks for itself. I know of no reason this bill should not take its regular course. The committee has worked on it in the past session and in this session. I do not know of any committee in the House that has cooperated more with the administration in legislation than the Committee on Flood Control. Inasmuch as a conference has been requested by the Senate, in my judgment there is nothing for us to do except agree to the conference and undertake to obtain the best bill we can.

Mr. RANKIN. Further reserving the right to object, let me say that I realize the hard work the gentleman from Mississippi has done. I also realize that some members of the committee of conference may not be in sympathy with the gentleman or with this program. We would like to have some assurance that if the conferees do not agree to these Senate amendments I have mentioned, the amendments will be brought back to the House and we will be given an opportunity to vote on them.

Mr. WHITTINGTON. Mr. Speaker, with deference, permit me to say in reply to the question of my colleague that—I flatter myself—my views with respect to the subject matter of this bill are fairly well known. If the conference is granted it will be my purpose in this conference as in all conferences to undertake to secure the best possible bill for the benefit of the country with respect to flood-control works and allied improvements. I believe my record speaks for itself.

Mr. RANKIN. Mr. Speaker, my confidence in the chairman of the committee would, of course, prevent me from raising an objection at this time, but I just want to say that if the other conferees do not go along and these administration amendments are stricken out, then, of course, we reserve the right to oppose the conference report.

Mr. SABATH. Reserving the right to object, Mr. Speaker, is there any objection on the part of the gentleman from Mississippi to agreeing to the Senate amendments? The gentleman is in favor of these amendments, as is the House. They improve the bill and make it a better bill. Why not agree to the Senate amendments? What objection is there to agreeing to them?

Mr. WHITTINGTON. With all deference, I believe my request speaks for itself. The Senate has already appointed conferees and asked for a conference. In the circumstances, no matter what our position may be, there is nothing for us to do but accede to the request of the Senate for the present, to say the least of the matter.

Mr. RANKIN. Reserving the right to object, Mr. Speaker, I wish to say in that respect that I have also had a good deal to do with this program and, in my humble opinion, if these amendments are stricken out of the bill, you may as well not bring it back to the House, because I do not believe the House would approve it, and I have not the slightest doubt that the President would refuse to sign the bill if these amendments are eliminated.

Mr. McCORMACK. Reserving the right to object, Mr. Speaker, and I shall not object, may I call the attention of the distinguished gentleman from Mississippi, who I know is in sympathy with the bill I have introduced calling for 100-percent contribution on dams and reservoirs, to the fact that I believe that is capable of being considered by the conferees, the differences between the two branches permitting it. I hope that provision will ultimately come out

of the conference and that the committee of conference will agree on it, because I believe it is the real and the only solution to the flood-control problem as it affects dams and reservoirs, that problem being a challenge to the Federal Government. Knowing the views of the gentleman, I hope he will carry them as strongly as he can to the committee of conference, and that the ultimate result will be a report incorporating provision for 100-percent contribution by the Federal Government.

Mr. RICH. Reserving the right to object, Mr. Speaker, may I ask the gentleman from Mississippi if it is the intention of the conferees to add to this bill provision for the full payment for flood control where it does not affect dams in the headwaters of the tributaries?

Mr. WHITTINGTON. I may say in answer to the inquiry of the gentleman that the bill speaks for itself in that regard. The only matters in conference would be the provisions adopted by the Senate and the provisions adopted by the House. We could not go beyond them.

Mr. RICH. The Senate did not add such a provision on the floor of the Senate?

Mr. WHITTINGTON. No.

Mr. CULKIN. Reserving the right to object, Mr. Speaker, may I call the attention of the gentleman to the fact that the Senate has placed in this bill an item providing for reimbursement to Kansas City, I believe, for damage to waterworks. May I say to the gentleman that matter is now pending before the Committee on Rivers and Harbors, and the sum that is placed in this bill is much in excess of what has been found proper after actual investigation by the engineers.

Mr. WHITTINGTON. I am not unaware of the gentleman's views and of the facts in connection with this matter.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. WHITTINGTON, WALLGREN, SECREST, ENGLEBRIGHT, and CARLSON.

UN-AMERICAN ACTIVITIES

Mr. KOPPLEMANN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. KOPPLEMANN. Mr. Speaker, activities of German spies are keeping the country breathless as to the disclosures which will be revealed by the investigations of the Department of Justice. We are confronted with a situation very similar to countless situations which prevailed during the World War, when each discovery of new spy activities brought forth a thunder of suspicion and distrust toward the aliens in this country as a whole. Particularly was there a feeling of suspicion and distrust fomented against the German people in this country, a distrust which it took years to eliminate. The fact that most of these people had assumed American citizenship, and with that citizenship the responsibilities of American citizenship, the fact that the sympathies of the majority of them were with the country of their adoption rather than with the country of their birth or ancestry made no difference. All of them fell under the same ax of distrust.

Information and evidence which lead to the creation of the American Investigating Committee of the House points to the prevalence of a great deal of subversive activity in this country. No small amount of it is being done by Nazi agents. Added to that, the arrests of German spies have struck terror into the hearts of the American people as a whole, and with that terror there is a growing antagonism toward the German-Americans, the innocent as well as the guilty.

In the face of these disturbances I was especially interested to note that in New Britain, Conn., which is the second largest city in my district, Dr. Frank Zwick, president of the German-American Council, in an address at the Alt Heimat Bund, denounced nazi-ism, which, he says, encroaches on American liberties, tolerance, reason, and justice,

Commenting upon this statement, the New Britain Herald said:

> This is the first time the stand of any of the German-American organizations has been made public, but it is reported that there is considerable anti-Nazi feeling among the members.

Dr. Zwick's action, which was endorsed by most of the people of New Britain of German birth or extraction, is another manifestation of the spirit of patriotism that gave this race its splendid record of service to the United States during the World War. Atop Walnut Hill Park in New Britain, Conn., is one of the most beautiful memorials in the United States. Individual bronze plaques record the names of those who paid the supreme sacrifice. A large tablet is inscribed with the names of all of those who left New Britain to fight for preservation of principles which have made America the Nation she is today, principles utterly foreign to all for which nazi-ism stands. On this handsome memorial are engraved names which are instantly recognized as of German origin.

Dr. Zwick's action will serve as an impetus for other German-American leaders to speak for themselves and in behalf of associations with which they are affiliated in denunciation of nazi-ism for the very reasons which Dr. Zwick states, and which new creed is utterly alien and obnoxious to many of them. Dr. Zwick urged his group to keep alive the passion for thinking for themselves. "We cannot embrace any doctrine that would lessen our liberties, or impede our freedom of speech, press, and assembly, but should take an open stand for Americanism," he declared.

Dr. Zwick, it is interesting to note, is a member of the Steuben Society, Turner Society, Harigari, Sons of Hermann, the German-American Council, and the Alt Heimat Bund. Further in his talk Dr. Zwick said:

> Dear to us as our memories of our mother country are, much as we cherish the heritage of culture and tradition derived from her, and although we sympathize with the difficulties which have beset her since the war, we, ourselves, are dedicated and pledged wholeheartedly to our American ideals of liberty, tolerance, reason, and justice.

He concluded his eloquent address with a reference to a resolution adopted by the Turnverein in Milwaukee. I call this resolution to the Members of this House.

Mr. Speaker, I have offered these remarks in the hope that reason will prevail over our justified anger and resentment over the subversive activities of Nazi agents and Nazi leaders in this country who are endeavoring to promote in their followers a zest for creeds and principles, if one can call them such, which are obnoxious to every decent liberty-loving person who glories in the freedom which is an American citizen's. [Applause.]

COMPENSATION OF CERTAIN IMMIGRATION AND NATURALIZATION SERVICE EMPLOYEES

Mr. SCHULTE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 1543) to amend section 24 of the Immigration Act of 1917, relating to the compensation of certain Immigration and Naturalization Service employees, and for other purposes, with a Senate amendment, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

> Strike out all after the enacting clause and insert:
>
> "That from and after July 1, 1938, field employees other than immigrant inspectors of the United States Immigration and Naturalization Service who have served or may hereafter serve 2 or more years, and have attained or may hereafter attain satisfactory efficiency ratings, shall be paid at no less than the average rates of compensation specified for the grades to which their positions have been or may hereafter be allocated pursuant to the provisions of the Classification Act of 1923, as amended (U. S. C., title 5, sec. 673): *Provided*, That the average of the salaries of the total number of persons under any grade in this service or appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Classification Act of 1923, as amended. The appropriation of such sums as may be necessary for the classification of such positions and the payment of such average rates of compensation is hereby authorized, and

the first limitation of the proviso to section 7 of such Classification Act of 1923, as amended, shall not be held to apply. Nothing herein contained shall operate to reduce the compensation of any such field employee."

Mr. SNELL. Mr. Speaker, will the gentleman tell us in a few words just what this does?

Mr. SCHULTE. It promotes some of the men and women who have been in the field service of the Immigration and Naturalization Service, increasing the average pay from $1,283 to $1,440. These employees have really been the forgotten people of the Service.

Mr. SNELL. All it does, then, is to increase the pay of these regular employees who are under the civil service.

Mr. SCHULTE. Yes.

Mr. JENKINS of Ohio. This refers to the clerks?

Mr. SCHULTE. To the clerks; yes. It does not pertain to the inspectors or any employees of that kind, and it does not involve anyone employed in the District of Columbia.

Mr. JENKINS of Ohio. Just the immigration clerks?

Mr. SCHULTE. In the field; yes.

Mr. SNELL. It relates entirely to the field service?

Mr. SCHULTE. Yes.

Mr. JENKINS of Ohio. I think it is a very good bill, and something that ought to have been done long ago.

Mr. SCHULTE. I thank the gentleman.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

RADIO ADDRESS ON COMMUNISM

Mr. O'TOOLE. Mr. Speaker, I ask unanimous consent to address the House for one-half minute.

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

There was no objection.

Mr. O'TOOLE. Mr. Speaker, tonight there will be a radio address from 9 to 9:30 o'clock over Station WMAL of Washington by our colleague the Honorable JOHN J. O'CONNOR of New York, on Communism—America's Greatest Menace. All Members are invited to listen. [Applause.]

EXTENSION OF REMARKS

Mr. HAMILTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a statement by Admiral DuBose of the Navy and several brief telegrams from my district.

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

There was no objection.

Mr. BIERMANN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a short editorial from the Cleveland Press showing the close relationship between prosperity within this country and imports into the country, showing that as a general proposition as imports go up prosperity goes up and as imports decline prosperity declines.

Mr. RICH. Mr. Speaker, reserving the right to object, if there is any newspaper article that can show there is any prosperity in this country I hope the people will be told about it, because nobody seems to know anything about that. There is not any prosperity at the present time, and such a statement would be mighty good news to the people.

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

There was no objection.

SALARIES OF RURAL LETTER CARRIERS

Mr. MEAD. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 3610) to adjust the salaries of rural letter carriers, with a Senate amendment, disagree to the Senate amendment, and ask for a conference.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York? [After a pause.] The Chair hears none and appoints the following conferees: Mr. BURCH, Mr. HAINES, Mr. MEAD, Mr. CARLSON, and Mr. CLUETT.

SALARIES OF LETTER CARRIERS IN VILLAGE DELIVERY SERVICE

Mr. MEAD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4285) to increase the salaries of letter carriers in the Village Delivery Service, with a Senate amendment, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 11, strike out "$1,300; second grade, $1,400; third grade, $1,500" and insert "$1,225; second grade, $1,325; third grade, $1,425."

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

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a statement prepared by the Department of Agriculture on the agricultural situation in Texas.

The SPEAKER. Is there objection?

There was no objection.

TARIFF ACT OF 1930

Mr. McCORMACK. Mr. Speaker, I submit a conference report and statement upon the bill H. R. 8099, to amend certain administrative provisions of the Tariff Act of 1930, and for other purposes, for printing under the rule.

LEATHER

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I quote from an editorial appearing in the Winchester Star, a newspaper published in my district:

For the first time in over 100 years, since the leather business started there, not a side of leather was turned out of Woburn last Saturday, according to reliable information. The Woburn industry is flat. According to President Roosevelt's speech of not so long ago, "we planned it that way and don't let anyone tell you different." And so charitable people will now give our great President credit for carrying out at least one of his many reforms. More of a similar nature appear to be imminent. Praise be for social security.

Mr. Speaker, it is not hard to picture the effect of idle factories in a city or town where the life and happiness of the citizens depend upon steady employment. The city of Woburn, Mass., has been known as a tanning center since Revolutionary days. Anything affecting the leather industry affects every other business in that city—the grocer feels it, the butcher feels it, the baker's business drops off, and everybody retrenches to meet the situation. The relief rolls swell, and nobody is happy. It is a distressing situation.

There is a cause for all of this. It is the contention of the tanners, and the contention of other Members of Congress as well as myself, that foreign leather is allowed to go through our customs houses improperly marked, meaning a great loss to the tanners of my district, in which Woburn is located, as well as to the tanners all over the country. Soft leather carries a lower duty than grained leather and much of the latter has been brought in under the low-duty schedule. This not only permits foreign labor to compete with our tanners, but it means a loss of revenue to the Government. It is high time that the administration assisted industry instead of hurting it.

We notice this morning that Owen Chalkly, who is at the present time commercial attaché at the British Embassy, was knighted by the King of England. Now Sir Owen is a very fine gentleman and a very able attaché. Of course, we all know that he was knighted in large measure because the King of England is interested in the proposed reciprocal-trade agreement between this country and Great Britain,

and Sir Owen Chalkly did most of the work in bringing about the negotiations. Apparently England feels that she will make more out of it than she will lose. We have felt the effect in New England already. New England is thoroughly tired of having her workers out of a job because of reciprocal-trade agreements. It is a serious situation for us, Mr. Speaker.

The SPEAKER. The time of the gentlewoman from Massachusetts has expired.

EXTENSION OF REMARKS

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD which I made this morning upon the conference report upon the flood-control bill, and include the amendments referred to by me.

The SPEAKER. Is there objection?

There was no objection.

AGRICULTURAL APPROPRIATION BILL, 1939

Mr. CANNON of Missouri. Mr. Speaker, I call up the conference report upon the bill H. R. 10238, making appropriations for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1939, and for other purposes, and ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman from Missouri calls up a conference report upon the agricultural appropriation bill, and asks unanimous consent that the statement be read in lieu of the report. Is there objection?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10238) making appropriations for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1939, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 18, 30, 32, 34, 40, 43, 55, 56, 61, 63, 66, 67, 69, 82, 87, 88, and 112.

That the House recede from its disagreement to the amendments of the Senate numbered 9, 11, 19, 22, 23, 28, 29, 31, 33, 36, 38, 39, 41, 44, 49, 50, 53, 59, 60, 62, 64, 65, 70, 71, 72, 73, 74, 75, 76, 77, 78, 81, 89, 93, 94, 98, 99, 108, 109, and 111, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$55,000"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following: "$8,750; in all, for Alaska, $23,750"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$42,500"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$2,100,000"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$6,541,250"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$6,770,230"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$1,400,000"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "$45,000"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$13,216,418"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$14,108,672"; and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "24,949,157"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$2,500,000"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$4,987,870"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$575,619"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment, as follows: At the end of the matter inserted by said amendment insert the following: ", but in no case arising under this proviso shall the Federal payment exceed the highest amount authorized to be paid at the time by the Federal Government in similar cases in any State contributing to such indemnity payments; and this proviso shall apply only to Bang's disease work"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$122,000"; and the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$14,136,731"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$646,910"; and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$717,405"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$343,510"; and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$200,933"; and the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$4,741,675"; and the Senate agree to the same.

Amendment numbered 42: That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$648,403"; and the Senate agree to the same.

Amendment numbered 45: That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$139,152"; and the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$14,410,400"; and the Senate agree to the same.

Amendment numbered 47: That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$2,000,000"; and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$50,000"; and the Senate agree to the same.

Amendment numbered 51: That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment, as follows: Omit the matter stricken out and inserted by said amendment; and the Senate agree to the same.

Amendment numbered 52: That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$19,560,400"; and the Senate agree to the same.

Amendment numbered 57: That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$1,457,508"; and the Senate agree to the same.

Amendment numbered 58: That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$1,003,541"; and the Senate agree to the same.

Amendment numbered 68: That the House recede from its disagreement to the amendment of the Senate numbered 68, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$5,701,867"; and the Senate agree to the same.

Amendment numbered 79: That the House recede from its disagreement to the amendment of the Senate numbered 79, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$472,400"; and the Senate agree to the same.

Amendment numbered 80: That the House recede from its disagreement to the amendment of the Senate numbered 80, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$510,000"; and the Senate agree to the same.

Amendment numbered 83: That the House recede from its disagreement to the amendment of the Senate numbered 83, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$450,000"; and the Senate agree to the same.

Amendment numbered 84: That the House recede from its disagreement to the amendment of the Senate numbered 84, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$365,000"; and the Senate agree to the same.

Amendment numbered 85: That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$1,122,302"; and the Senate agree to the same.

Amendment numbered 86: That the House recede from its disagreement to the amendment of the Senate numbered 86, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$27,738"; and the Senate agree to the same.

Amendment numbered 90: That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$6,511,483"; and the Senate agree to the same.

Amendment numbered 91: That the House recede from its disagreement to the amendment of the Senate numbered 91, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$2,208,259"; and the Senate agree to the same.

Amendment numbered 92: That the House recede from its disagreement to the amendment of the Senate numbered 92, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$36,500"; and the Senate agree to the same.

Amendment numbered 95: That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$1,750,000"; and the Senate agree to the same.

Amendment numbered 96: That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$2,227,758"; and the Senate agree to the same.

Amendment numbered 97: That the House recede from its disagreement to the amendment of the Senate numbered 97, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$100,000"; and the Senate agree to the same.

Amendment numbered 103: That the House recede from its disagreement to the amendment of the Senate numbered 103, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$5,500,000"; and the Senate agree to the same.

Amendment numbered 106: That the House recede from its disagreement to the amendment of the Senate numbered 106, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$5,000,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 1, 54, 100, 101, 102, 104, 105, 107, 110, and 113.

CLARENCE CANNON,
M. C. TARVER,
WILLIAM B. UMSTEAD
W. P. LAMBERTSON,
EVERETT M. DIRKSEN,
Managers on the part of the House.

RICHARD B. RUSSELL, Jr.,
CARL HAYDEN,
J. H. BANKHEAD,
CHAS. L. MCNARY,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10238) making appropriations for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1939, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report, as to each of such amendments, namely:

The following amendments relate to the correction of totals, District of Columbia salary limitations, textual corrections, and passenger-carrying automobile limitations:

On amendments Nos. 6, 7, 12, 13, 14, 16, 17, 22, 24, 26, 27, 37, 38, 46, 48, 50, 52, 57, 58, 68, 69, 73, 74, 75, 76, 80, 81, 90, 91, 92, 94, 96, 97, 108, and 109.

Office of Experiment Stations

On amendment No. 2, Hawaii: Appropriates $55,000, instead of $50,000 as proposed by the House and $60,000 as proposed by the Senate.

On amendment No. 3, Alaska: Appropriates $23,750, instead of $22,500 as proposed by the House and $25,000 as proposed by the Senate.

On amendment No. 4, Puerto Rico: Appropriates $42,500, instead of $40,000 as proposed by the House and $45,000 as proposed by the Senate.

On amendment No. 5, title I, Bankhead-Jones Act: Appropriates $2,100,000, instead of $1,800,000 as proposed by the House and $2,400,000 as proposed by the Senate.

Special research fund

On amendment No. 8: Appropriates $1,400,000, instead of $1,200,000 as proposed by the House and $1,600,000 as proposed by the Senate.

Extension Service

On amendment No. 9, Alaska: Appropriates $21,418 as proposed by the Senate, instead of $18,918 as proposed by the House.

On amendment No. 10, Puerto Rico: Appropriates $45,000, instead of $88,000 as proposed by the Senate, to carry into effect the provisions of the act extending the benefits of section 21 of the Bankhead-Jones Act to Puerto Rico.

On amendment No. 11, additional cooperative extension work: Appropriates $275,000 as proposed by the Senate, instead of $250,000 as proposed by the House. This appropriation is not authorized by law. It was originally $1,000,000, but under a policy initiated by the Budget and endorsed by Congress 2 years ago a program of reducing the appropriation 25 percent each year until it is eliminated was entered upon and has since been followed. The Budget estimate for 1939, of $250,000 marks the final appropriation under this program. The full amount of the sum to be appropriated is to be allotted to 21 States to prevent their suffering any reduction in actual total of amounts received of Federal extension funds, losses which they would otherwise incur by reason of the change of method of allotment under the Bankhead-Jones Act from a rural population to a farm population basis. In these 21 States the rural population exceeds the farm population. The House conferees yielded on this amendment only after a definite understanding between them and the Senate conferees that next year no appropriation under this head will be approved unless it has meanwhile been authorized by law.

Weather Bureau

On amendment No. 15, aerology: Appropriates $2,500,000, instead of $2,190,179 as proposed by the House and $2,824,130 as proposed by the Senate.

Bureau of Animal Industry

On amendment No. 18, Bang's disease: Eliminates language, inserted by the Senate, providing for higher payments, not to exceed $5 in the case of grade animals and $8 in the case of purebred animals, in areas where compulsory testing is in progress.

On amendment Nos. 19 and 20, Bang's disease: Restores the House provision concerning indemnity payments made prior to May 1, 1939, without matching contributions, amended so as to provide the Federal payment shall in no case exceed the highest amount authorized to be paid at the time by the Federal Government in similar cases in any State contributing to such indemnity payments, and further amended so as to limit the provision to Bang's-disease work.

On amendment No. 21, hog-cholera control: Appropriates $122,000, instead of $120,000, as proposed by the House, and $124,192 as proposed by the Senate.

On amendment No. 23, meat inspection: Appropriates $5,412,600, as proposed by the Senate, instead of $5,400,000 as proposed by the House.

Bureau of Dairy Industry

On amendment No. 25, dairy investigations: Retains the sum of $7,500, inserted by the House for dairy investigations in the south coastal plain area, and restores $6,211, instead of $12,421 as proposed by the Senate, for general dairy investigations.

Bureau of Plant Industry

On amendments Nos. 28 and 29, botany (weed investigation): Appropriates $76,635, as proposed by the Senate, instead of $40,000 as proposed by the House, for "botany," and makes $40,000 thereof available for weed investigations, as proposed by the Senate, instead of $4,000 as proposed by the House.

On amendment No. 30, cereal crops and diseases (flax investigations): Eliminates the Senate increase of $9,500 for flax investigations for which the present allotment is $15,145.

On amendment No. 31, dry-land agriculture: Provides an increase of $15,000, proposed by the Senate, for maintenance of facilities at Woodward, Okla.

On amendment No. 32, forage crops and diseases. Eliminates an increase of $10,000, proposed by the Senate, for range grass studies in the Southern Great Plains.

On amendment No. 33, fruit and vegetable crops and diseases: Provides an increase of $120,000, proposed by the Senate, for tung oil investigations, and an increase of $10,000, proposed by the Senate, for potato-breeding investigations in Louisiana.

On amendment No. 34, precooling of fruits and vegetables, Rio Grande Valley, Tex.: Eliminates the provision, inserted by the Senate, making $20,000 of the appropriation for "fruit and vegetable crops and diseases" available for investigation of methods of precooling, etc., in the Rio Grande Valley, Tex.

On amendment No. 35, plant exploration and introduction: Appropriates $200,933, instead of $100,933, as proposed by the House and $300,000 as proposed by the Senate.

On amendment No. 36, sugar-plant investigations: Appropriates $322,500, as proposed by the Senate, instead of $297,500, as proposed by the House.

Forest Service

On amendment No. 39, national forest protection and management: Retains the words "including experimental forests," inserted by the Senate, making the appropriation available in connection with the protection of experimental forests established by the Forest Service outside the boundaries of national forests.

On amendment No. 40, water rights: Appropriates $20,000, as proposed by the House, instead of $10,000, as proposed by the Senate.

On amendment No. 41, private forestry cooperation: Appropriates $100,000, as proposed by the Senate, instead of $200,000, as proposed by the House.

On amendment No. 42, forest management: Appropriates $648,403, instead of $638,403 as proposed by the House and $658,403 as proposed by the Senate.

On amendment No. 43, range investigations: Appropriates $225,935, as proposed by the House, instead of $250,935, as proposed by the Senate.

On amendment No. 44, forest economics: Appropriates $121,295, as proposed by the Senate, instead of $100,000, as proposed by the House.

On amendment No. 45, forest influences: Appropriates $139,152, instead of $114,152 as proposed by the House and $164,152 as proposed by the Senate.

On amendment No. 47, forest-fire cooperation: Appropriates $2,000,000, instead of $1,610,007 as proposed by the House and $2,500,000 as proposed by the Senate.

On amendment No. 49, acquisition of lands for national forests: Appropriates $3,000,000, as proposed by the Senate, instead of $2,000,000, as proposed by the House.

On amendment No. 51, Tahoe National Forest: Omits the House provision, stricken out by the Senate, that none of the money appropriated for the acquisition of lands for national forests shall be used to purchase certain described lands in the State of Nevada, and strikes out the language, inserted by the Senate, appropriating $325,000 for the acquisition of certain lands for and the addition thereof to the Tahoe National Forest in the State of Nevada.

Bureau of Chemistry and Soils

On amendment No. 53, agricultural chemical investigations: Retains an increase of $20,000, inserted by the Senate, for tung-oil investigations, and $10,000 for sugars, starches, and fats.

On amendment No. 55, agricultural fires and explosive dusts: Appropriates $40,000 as proposed by the House, instead of $47,500 as proposed by the Senate.

On amendment No. 56, soil survey: Appropriates $298,708 as proposed by the House, instead of $328,700 as proposed by the Senate.

Bureau of Entomology and Plant Quarantine

On amendment No. 59, Japanese-beetle control: Appropriates $395,000 as proposed by the Senate, instead of $369,000 as proposed by the House.

On amendment No. 60, forest insects: Appropriates $253,100 as proposed by the Senate, instead of $228,700 as proposed by the House.

On amendment No. 61, Gypsy and brown-tail moth control: Appropriates $375,000 as proposed by the House, instead of $400,000 as proposed by the Senate.

On amendment No. 62, Dutch-elm disease eradication: Appropriates $378,489 as proposed by the Senate, instead of $303,489 as proposed by the House.

On amendment No. 63, truck crop and garden insects: Restores the House increase of $80,000 for a tobacco laboratory.

On amendment No. 64, pink-bollworm control: Appropriates $446,800 as proposed by the Senate, instead of $296,800 as proposed by the House. The increase of $150,000 is covered by a supplemental Budget estimate sent to Congress after the bill had passed the House.

On amendment No. 65, insects affecting man and animals: Appropriates $191,100 as proposed by the Senate, instead of $172,600 as proposed by the House.

On amendment No. 66, insect pest survey and identification: Appropriates $149,790 as proposed by the House, instead of $159,790 as proposed by the Senate.

On amendment No. 67, insecticide and fungicide investigations: Appropriates $123,984 as proposed by the House, instead of $148,984 as proposed by the Senate.

Bureau of Biological Survey

On amendment No. 70, fur resources investigations: Appropriates $91,000 as proposed by the Senate, instead of $76,000 as proposed by the House, of which $15,000 is for the study of fox diseases.

On amendment No. 71, control of predatory animals and injurious rodents: Appropriates $650,000 as proposed by the Senate, instead of $612,000 as proposed by the House, of which $11,440 is an additional amount for work on orchard rodents in the Northeastern States.

On amendment No. 72, protection of migratory birds: Authorizes the use of $10,000 as proposed by the Senate, instead of $5,000 as proposed by the House, for undercover work in the enforcement of the migratory-bird law.

Bureau of Agricultural Engineering

On amendment No. 77, agricultural engineering investigations: Retains the language inserted by the Senate authorizing investigations in connection with rural electrification.

On amendment No. 78, agricultural engineering investigations: Authorizes the use of $10,000 as proposed by the Senate, instead of $5,000 as proposed by the House, for construction of buildings.

On amendment No. 79, agricultural engineering investigations: Eliminates the Senate increase of $25,000 for ditch-digging investigations; and retains the following increases inserted by the Senate; (a) $30,000 for rural electrification investigations; (b) $16,200 for cotton ginning investigations; and (c) $25,000 for fiber flax investigations.

Bureau of Agricultural Economics

On amendment No. 82, farm management and practice: Appropriates $346,580 as proposed by the House, instead of $356,580 as proposed by the Senate.

On amendment No. 83, market inspection of farm products: (a) canned fruits and vegetables, $15,000; (b) hay, $10,850; (c) eggs and poultry, $7,500; (d) meat grading, $10,700; (e) cottonseed, $10,000—a total increase over the House of $54,050. The committee of conference have agreed upon an increase of $34,350, to be prorated among the several items increased by the Senate.

On amendment No. 84, Tobacco Inspection Act: Appropriates $365,000, instead of $265,000 as proposed by the House and $500,000 as proposed by the Senate.

On amendment No. 85, market-news service: (a) Eliminates $5,000 inserted by the Senate for the continuation of the office at New Orleans; (b) retains $5,000 inserted by the Senate for news service on cottonseed; and (c) provides $10,000, instead of $15,000 as proposed by the Senate, for news service on tobacco.

On amendment No. 86, Standard Container Hamper, and Produce Agency Act: Appropriates $27,738, instead of $25,238 as proposed by the House and $30,238 as proposed by the Senate.

On amendment No. 87, United States Cotton Futures and United States Cotton Standards Acts: Appropriates $491,900 as proposed by the House, instead of $741,900 as proposed by the Senate; and eliminates the language inserted by the Senate providing for classification of cotton samples for individual producers upon request without collecting fees therefor.

On amendment No. 88, United States Grain Standards Act: Appropriates $723,941 as proposed by the House, instead of $733,941 as proposed by the Senate.

On amendment No. 89, United States Warehouse Act: Appropriates $336,700 as proposed by the Senate, instead of $311,700 as proposed by the House.

Commodity Exchange Act

On amendment No. 93, Enforcement of the Commodity Exchange Act: Appropriates $635,000 as proposed by the Senate, instead of $600,000 as proposed by the House.

Food and Drug Administration

On amendment No. 95: Enforcement of the Food and Drugs Act: Appropriates $1,750,000, instead of $1,700,000, as proposed by the House, and $1,850,000, as proposed by the Senate.

Agricultural adjustment program

On amendments Nos. 98 and 99: Appropriates $500,000,000, as proposed by the Senate, instead of $485,000,000, as proposed by the House, for carrying into effect the provisions of sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act and the provisions of the Agricultural Adjustment Act of 1938 (except those relating to parity payments, cotton price-adjustment payments, cotton pool participation trust certificates, and crop insurance).

Federal Crop Insurance Act

On amendment No. 103, administrative and operating expenses: Appropriates $5,500,000, instead of $5,000,000, as proposed by the House and $6,000,000 as proposed by the Senate.

Submarginal land purchases

On amendment No. 106: Appropriates $5,000,000, instead of $2,500,000 as proposed by the House and $15,000,000 as proposed by the Senate.

Beltsville research center

On amendment No. 111: Appropriates $85,000, as proposed by the Senate, instead of $75,000, as proposed by the House.

Southwestern cooperative sheep research project

On amendment No. 112: Eliminates the language, inserted by the Senate, providing an appropriation of $325,000 for the establishment of a sheep research project in the Southwest.

In disagreement

The committee of conference have not agreed to the following Senate amendments:

On amendment No. 1: The amendment is in the language "Director of Finance and Budget Officer at $8,500 so long as the position is held by the present incumbent." The present salary under the Classification Act is $7,500.

An amendment No. 54: Makes $25,000 of the appropriation of $236,200 for industrial utilization of farm products and byproducts available for the construction and equipment of an experimental laboratory building, to be erected on land donated to the United States.

On amendment No. 100, regional laboratories: Strikes out the House provision limiting to $1,000,000 the amount which may be expended for regional laboratories under the provisions of the new Farm Act, and inserts language making not to exceed $100,000 available to conduct a survey to determine the location of said laboratories and the scope of the investigations to be made and to coordinate the research work now being carried on.

On amendment No. 101, cotton price adjustment payments: The language of this amendment is as follows: "*And provided further*, That in carrying out the provisions of the Third Deficiency Appropriation Act, fiscal year 1937, and section 381 (a) of the Agricultural Adjustment Act of 1938, as amended, relating to cotton price adjustment payments with respect to the 1937 cotton crop, in order to accelerate such payments the Secretary shall, notwithstanding said provisions, (1) treat all cotton not sold prior to September 10, 1937, as if it had been sold on a date when the average price of seven-eighths-inch Middling cotton on the 10 designated spot cotton markets was less than 9 cents per pound; (2) make payment on the basis of applications on forms prescribed by the Secretary which have been filed prior to July 16, 1938, as prescribed in regulations issued by him, by the producers, or the 1937 operator, or other person designated pursuant to such regulations, on behalf of all the producers on the farm in 1937; (3) make payment to producers upon the producer's certification that he is engaged in producing cotton in 1938 and has complied with the requirements as defined in said section 381 (a), or is not engaged in producing cotton in 1938, and upon his agreeing therein to refund the payment forthwith upon demand in case it is subsequently found that he has failed to comply with the requirements as defined herein and in said section 381 (a); and (4) make payments, as soon as practicable, on the basis of his estimate of the amounts which will be covered by the applications to be filed prior to July 16, 1938, and of the funds to be used out of the appropriation for the necessary administrative expenses of making the cotton price adjustment payments."

On amendment No. 102, naval stores conservation programs: The language of this amendment is as follows: "*And provided further*, That in administering the naval stores conservation programs authorized in section 8 of the Soil Conservation and Domestic Allotment Act and in making payments thereunder to gum naval stores producers the Secretary may utilize the services of regional associations of such producers or any agency of the Government in lieu of the State, county, and other local committees utilized in the other agricultural conservation programs if he finds that more efficient administration will result, and the provisions of section 388 (b) of the Agricultural Adjustment Act of 1938 shall otherwise be applicable to the administration of said naval stores conservation programs."

On amendment No. 104, cotton pool participation trust certificates: Appropriates $1,800,000 to carry into effect the provisions of title IV of the Agricultural Adjustment Act of 1938.

On amendments No. 105 and No. 107, farm tenant loans: Appropriates $25,000,000, instead of $15,000,000 as proposed by the House.

On amendment No. 110, water facilities, arid and semiarid areas: Strikes out the House provision that not over $25,000 of the amount appropriated for this purpose shall be expended on any one project and inserts in lieu thereof the following: "That not to exceed $50,000 of this appropriation shall be available for expenditure for any one project designed in whole or in part to benefit lands by the irrigation thereof and all project facilities and appurtenances which depend for their utility in whole or in part upon each other or upon any common facility shall be deemed one project, and the authority contained in said act shall not be deemed to authorize the construction of any project not in accord with this limitation."

On amendment No. 113, interchange of appropriations: This amendment is in the following language:

"INTERCHANGE OF APPROPRIATIONS

"Not to exceed 5 percent of the foregoing amounts for the miscellaneous expenses of the work of any bureau, division, or office herein provided for shall be available interchangeably for expenditures on the objects included within the general expenses of such bureau, division, or office, but no more than 5 percent shall be added to any one item of appropriation except in cases of extraordinary emergency, and then only upon the written order of the Secretary of Agriculture: *Provided*, That a statement of any transfers of appropriations made hereunder shall be included in the annual Budget."

CLARENCE CANNON,
M. C. TARVER,
WILLIAM B. UMSTEAD,
W. P. LAMBERTSON,
EVERETT M. DIRKSEN,
Managers on the part of the House.

Mr. CANNON of Missouri. Mr. Speaker, may I say parenthetically, by way of preface, that our experience here this morning demonstrates the urgent need of an amplifier in this Chamber. This morning the House could not hear the Speaker and the Speaker could not hear the House, and while the roll was being called many Members could not hear their names as they were called by the clerk. There is no auditorium in the Nation of this size that is not equipped with amplifiers. They are now standard equipment, and their installation in the Chamber would contribute both to order and convenience and would expedite the business of the House. I trust that during the coming vacation consideration will be given to providing some simple system of amplification which would be available when needed.

It is with regret, Mr. Speaker, that I submit to the House this morning a conference report with a potential excess over the Budget estimates of $25,000,000. There have been only two supply bills in this Congress which have exceeded the Budget estimates, the independent offices appropriation bill and the agricultural appropriation bill. All other supply bills, even the bill carrying provision for the huge naval program, have been kept substantially within the Budget estimates.

The bill as submitted in the conference report also breaks another record in that it is the largest agricultural appropriation bill ever reported to the House. It carries more than a billion dollars and is the largest single expenditure for agriculture ever made by any nation in the history of the world.

However, it must be said by way of extenuation that only a part of the vast sums appropriated in the bill is for purely agricultural purposes. Huge appropriations are carried for aerology, highways, wildlife, weather reports, inspection, marketing, forest services, parks, recreational centers and similar activities which have no closer relation to this bill than to any of the other supply bills.

There is also included $189,000,000 of reappropriations and $154,000,000 of permanent appropriations. There are also large increases, including expensive items, never before carried in the bill, which have been brought in this year in response to the express mandate of the House in the form of new legislation enacted in this or the last session of Congress. But regardless of what bill they appear in, these appropriations have to be made by some subcommittee of the Committee on Appropriations, and agriculture should not be held any more responsible than any other branch of the Government for the amount by which this particular bill exceeds the Budget estimates.

In this connection permit me to express my appreciation of the service rendered by the ranking minority member of the Subcommittee on Agriculture, the gentleman from Kansas [Mr. LAMBERTSON], in the preparation of this bill. I long since discontinued the payment of merely formal and fulsome compliments to members of committees. All members of these committees are entitled to credit. But I must make recognition of the invaluable service rendered by the gentleman from Kansas, the indefatigable industry with which he investigated the merits of the propositions involved, and his vote in the subcommittee and in the conference committee, without which millions would otherwise have been added to this already top-heavy bill.

Mr. Speaker, during the course of the consideration of the conference report, proposals will be offered to increase the amount carried in the bill as reported by the conference

committee. I trust the Members will scrutinize closely the merits of any proposal to add to the astronomical amounts carried in this record-breaking bill.

Mr. Speaker, if no one else desires to be heard at this time, I will move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Amendment No. 1: Page 1, line 11, after the word "Secretary", insert "Director of Finance and Budget Officer at $8,500 so long as the position is held by the present incumbent."

Mr. CANNON of Missouri. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate No. 1 and concur in the same.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 54: Page 53, line 17, after "$236,200", insert "of which not to exceed $25,000 shall be available for the construction and equipment of an experimental laboratory building, to be erected on land donated to the United States."

Mr. CANNON of Missouri. Mr. Speaker, I move to recede and concur in the amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 100: Page 93, line 24, strike out all of lines 24 and 25, and strike out all of line 1, on page 94, down to and including the word "act", and insert "and not to exceed $100,000 shall be available under the provisions of section 202 (a) to 202 (e), inclusive, of said act to conduct a survey to determine the location of said laboratories and the scope of the investigations to be made and to coordinate the research work now being carried on."

Mr. CANNON of Missouri. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate numbered 100, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "and no part of such amount shall be available to carry out the provisions of sections 202 (a) to 202 (e), inclusive, of said act except that $75,000 shall be available under the provisions of said sections to conduct a survey to determine the location of said laboratories and the scope of the investigations to be made and to coordinate the research work now being carried on."

Mr. JONES. Mr. Speaker, I make a point of order against the amendment.

The SPEAKER. The gentleman will state it.

Mr. JONES. Mr. Speaker, I make the point of order that the amendment goes beyond the range of the conference. The House provided a sum for these laboratories and the Senate provided a sum. The effect of this amendment would be to cut out all of the provision made in both the House and the Senate.

May I state in this connection that the farm bill provides that of the appropriations to be made to carry it out—$500,000,000—that $4,000,000 shall be available for these laboratories. All that is necessary is the general lump-sum appropriation of $500,000,000. The House Appropriations Committee in reporting this bill limited that $4,000,000. The Senate struck out the restriction which automatically restored the $4,000,000, but they added another provision for a survey. There is no question about that. I have gone into it thoroughly. I have gone into it with the Department officials as well, and they are agreed as to this construction. I think the gentleman from Missouri will concede that the Senate by taking off the House restriction automatically restored the $4,000,000. I do not think the gentleman will controvert that proposition. Any motion, therefore, on the part of the gentleman from Missouri which would tend further to reduce the amount made available by the House would have the effect of doing away with all the appropriations for these laboratories and simply substitute $75,000 for the purpose of making a survey. This is beyond the range of jurisdiction of the conference committee and, therefore, is out of order.

I make the point of order that the motion is not in order.

Mr. CANNON of Missouri. Mr. Speaker, this is not a part of the conference report but is a separate proposition brought in for action on the part of the House. The conference report has been agreed to, and we now take up for further consideration an amendment of the Senate still in disagreement. Consideration of the Senate amendment or of any germane amendment to the Senate amendment is not subject to a point of order.

The SPEAKER. In reply to the point of order made by the gentleman from Texas, the Chair calls the attention of the gentleman from Texas to the fact that this matter now under discussion is not involved in the conference report, the conference report having already been agreed to by the House. The House is now considering a Senate amendment to the House bill, which amendment is in disagreement.

The Senate bill set up an appropriation of $100,000 for the purpose of making this investigation and the amendment offered by the gentleman from Missouri proposes to reduce this to $75,000.

This question has been raised heretofore, the Chair may say to the gentleman from Texas, and although the present occupant of the chair, then being in the position of Speaker pro tempore, made the ruling, the Chair in all modesty must say he feels himself compelled to adhere to the precedent set on that occasion.

The House is not confined within the amount set by the original bill or Senate amendment. There is a rather elaborate statement of the Chair at that time, which the Chair does not think it is necessary to repeat at this time, but will refer to its as section 3189, volume 8, of Cannon's Precedents.

The Chair overrules the point of order.

Mr. JONES. Mr. Speaker, is that a case where the motion was to increase above both amounts or decrease below?

The SPEAKER. It was outside the amount fixed in the House bill and the Senate amendment.

Mr. JONES. Mr. Speaker, I offer a preferential motion.

The SPEAKER. The Clerk will report the preferential motion offered by the gentleman from Texas [Mr. JONES].

The Clerk read as follows:

Mr. JONES moves to recede and concur in the Senate amendment.

Mr. TABER. Mr. Speaker, I make the point of order that the motion to recede and concur with an amendment takes precedence.

The SPEAKER. That question has also been decided heretofore. On page 77 of the Precedents prepared by the gentleman from Missouri [Mr. CANNON], which the Chair believes is good authority, it is stated that a motion to recede and concur takes precedence over a motion to recede and concur with an amendment at this stage of the proceedings.

The Chair overrules the point of order.

Mr. CANNON of Missouri. The Chair quotes a very eminent authority. [Laughter.]

Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. JONES].

Mr. JONES. Mr. Speaker, I hope the House will agree to recede and concur in the Senate amendment. I feel very deeply about this, and I think the previous action of the House indicates that it feels very strongly that one of the most important steps this Government could possibly take would be to search for new uses, new markets, new outlets, and wider distribution for our farm products, as well as the waste products and byproducts of the farm.

I recognize the position which these gentlemen take, that they probably could not use the entire $4,000,000. They do not have to use it. I believe if this House, after having

raised the hopes of people all over the country that research laboratories will be established, votes to do away with them for this year and not have anything it will cast a good deal of gloom on those who have had the hope that something might be accomplished.

I was perfectly willing to agree to be satisfied with a somewhat lesser sum than was originally proposed, believing that the full amount might not be needed this year, but the thing has gotten into such parliamentary shape that that cannot be done. At any rate, I think it wiser to provide the full amount. Of course, if they are not ready to establish these stations, the money will simply be in the soil-conservation fund for the year and will not be wasted.

I do not believe anything has come before the committee since I became a member of it 16 years ago that has elicited such universal enthusiasm and approval as the provision for research laboratories. I do not believe the American Congress can do anything that would do more to restore the hope and real future for the farmers of America and incidentally for all the people of this country, than to vote to restore and make available at least the $4,000,000 for these laboratories and let the country know that the Congress of the United States is not going to do anything to stop the possibility of searching for wider uses and greater distribution of our farm products.

Mr. LUTHER A. JOHNSON. Will the gentleman yield?

Mr. JONES. I yield to the gentleman from Texas.

Mr. LUTHER A. JOHNSON. My colleague who is now speaking introduced a bill some 10 years ago to establish an agricultural research laboratory. He was the pioneer in the development of legislation for research investigation of agricultural commodities and he realizes more, I suppose, than anyone in the House that the development of sentiment has now reached the stage where the American people are interested in it. I think he was right when he said there was nothing the people want more or realize the necessity for than these research laboratories. The large surplus of cotton makes it imperative that a research laboratory be at once established to find new uses for cotton.

Mr. TABER. Will the gentleman yield?

Mr. JONES. I yield to the gentleman from New York.

Mr. TABER. Regardless of the merit of this proposal or anything of that kind, is it not a fact that $100,000 or even $75,000 is altogether too much money for an investigation?

Mr. JONES. I am not interested in the investigation part of it. I think they have most of the facts probably that they need.

Mr. TABER. Why have an investigation?

Mr. JONES. I do not know. I have not studied that. It would, of course, require a reasonable amount of investigation and assembling of facts.

Mr. TABER. Why should we provide for it?

Mr. JONES. I would not want to offer an affirmative proposal on that. That is not the important part. I do not care what the House does with that, because it is a mere bagatelle when that proposition is laid alongside of the other, which means more than any other item in this bill.

Mr. MURDOCK of Arizona. Will the gentleman yield?

Mr. JONES. I yield to the gentleman from Arizona.

Mr. MURDOCK of Arizona. Does it not strike the gentleman that if we are going to spend a billion dollars on agriculture, we better have the scientific blueprints which these laboratories would furnish?

Mr. JONES. That is probably true. I think the matter of a survey and investigation is all right. If they wish to do that, it is perfectly all right with me, but this money will be available until July 1 next. Certainly they can do a lot more if they know they are going to have the money.

Mr. MURDOCK of Arizona. Mr. Speaker, will the gentleman yield further?

Mr. JONES. I yield to the gentleman from Arizona.

Mr. MURDOCK of Arizona. I fear the gentleman got the wrong idea from my question. I am not for a $100,000 investigation of this need at this time, as I believe it is unnecessary. I am for spending $4,000,000 for these laboratories to find a scientific basis for other uses of these commodities. We must bring all scientific knowledge to bear on our agricultural situation and add new knowledge.

Mr. JONES. I believe the gentleman is right. [Applause.] [Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I yield 10 minutes to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Speaker, I believe in this discussion we should have some regard for the language of the amendment, which states "not to exceed $100,000." They may spend $5,000, they may spend $10,000, or they may not spend anything, but the language of the amendment is "not to exceed $100,000 for purposes of an investigation."

Mr. JONES. I believe that part is all right, I may say to the gentleman.

Mr. DIRKSEN. Suppose they do spend $100,000 for the purpose of disbursing $4,000,000 of Federal funds. That is 2½ percent spent in locating four laboratories. Almost any industry in the country that seeks to locate one of its major plants or branch plants in any State or any geographical area will spend at least 5 percent, and sometimes more, in order to find a proper location where there are available the right kind of facilities, where there will be no duplication of effort, and where some economies in transportation, overhead, and so forth, can be effected. Therefore, I see no reason we should not approve the motion of the gentleman from Texas, because there is no showing that all the money will be expended. If it were expended, I believe it to be good economy to know where we are going to spend an infinitely larger fund.

Mr. Speaker, I hope that the gentleman's suggestion will be adopted and approved. [Applause.]

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from Kansas [Mr. LAMBERTSON].

Mr. LAMBERTSON. Mr. Speaker, I agree with the gentleman from New York that if this is just an investigation, $75,000 is certainly enough. The officials of the Department know pretty well now what they want to do. They are not ready to do it. It would seem more reasonable, certainly, to lower the amount to $75,000 for an investigation than to raise it.

May I call the attention of the gentleman from Texas, in connection with his complaint about the conferees' exceeding their authority and going outside the range of $1,000,000 and $4,000,000, to the fact that the Boileau amendment to the farm bill passed both Houses exactly alike, word for word, yet the committee of conference on that bill in substance took out the Boileau amendment.

Mr. CANNON of Missouri. Mr. Speaker, the merit of the laboratories, the need for them, and the advisability of establishing them, are not in issue here. We are all agreed on that. We all realize their importance and we are cooperating to get them in operation as soon as possible. However, the problem is to do it in an orderly and effective way. Every State in the Union wants one of these laboratories. Up to this time no State has been selected, and, in fact, the Department is as yet unable to indicate the regions which will be served by laboratories. So the matter of location is still problematical. Every agricultural commodity wants one of these laboratories—cotton, wheat, corn, tobacco, fruit, and vegetables and a dozen others. The Department has not yet made sufficient progress to say what commodities will be served. So as yet no determination can be made as to the location or the purpose of the laboratories.

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

Mr. CANNON of Missouri. I yield to the gentleman from Texas.

Mr. DIES. Does the gentleman believe we ought to decide where the laboratory is to be located before we appropriate the money? Is that what the gentleman is advocating?

Mr. CANNON of Missouri. From the evidence submitted to the committee it is evident that extensive investigations must be made before the site and purpose of the laboratories can

be determined, and the committee reached the conclusion that, outside of funds for research, no money will be needed before Congress convenes again next January, at which time appropriations can be made either in the deficiency bill or the agricultural bill in ample time to begin work on the laboratories.

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

Mr. CANNON of Missouri. I yield to the gentleman from Mississippi.

Mr. COLMER. Is it not true that if the motion of the gentleman from Texas should prevail whatever might be necessary in the way of funds for an examination of the proposed sites for these laboratories could be taken out of the $4,000,000, and the $4,000,000 would be immediately available?

Mr. CANNON of Missouri. The gentleman is correct; but there is no occasion to make the money available before it can be spent.

Mr. COLMER. So we get what the gentleman wants, as well as what the gentleman from Texas wants, if we agree to the motion of the gentleman from Texas.

Mr. CANNON of Missouri. This is the proposition before the House: Under the recommendation of the conference committee we will appropriate $75,000 to study, first, what commodities will have these laboratories, and second, where the laboratories will be located. Under the proposition of the gentleman from Texas we would immediately appropriate $4,000,000, although we have not yet determined how it shall be used or where it shall be used. Before we could possibly build these laboratories Congress will again be in session. And surely this bill carries enough money which is needed, without adding money that is not needed.

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

Mr. CANNON of Missouri. I yield to the gentleman from Texas.

Mr. DIES. If we agree to the motion of the gentleman from Texas we will have a study made of where the laboratories are going to be located and what commodities shall be affected by them before we ever build a laboratory.

Mr. CANNON of Missouri. Exactly. And in addition we will be segregating $4,000,000, which will not be needed for the purpose, and which in the meantime should be put to some practical use.

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

Mr. CANNON of Missouri. I yield to the gentleman from Georgia.

Mr. PACE. Is it not true that months ago the Secretary of Agriculture appointed a special committee and for the last several months this committee has been conducting a survey identical with that to which the gentleman is referring, and is now in possession of practically all the information needed to determine the location of these laboratories?

Mr. CANNON of Missouri. If the gentleman will read the hearings of the committee he will see that the Department testified they had not yet determined what commodities would be considered and had no recommendation yet to make on where the laboratories should be located. After hearing the representatives of the Department the committee were unanimous, as I recall, in the conclusion that sufficient progress could not be made to warrant an appropriation at this session of Congress.

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

Mr. CANNON of Missouri. I yield.

Mr. McFARLANE. But in line with what the gentleman from Georgia [Mr. PACE] has said, I am sure the gentleman is familiar with the fact that the Department of Agriculture has set up a special committee. They have been studying this question and have made great progress in this regard. We have passed a legislative authorization for these four regional laboratories, and I am sure the gentleman does not want to hold up this program if and when they decide to locate them. Let us have the money available so they can go ahead and locate these regional laboratories. This would be perfectly logical and is something we ought to do.

Mr. CANNON of Missouri. The Department indicated to us no need for any particular haste. They are investigating. It is an important matter and should not be decided hastily. Apparently it will be some time before they are ready to report. They need additional money with which to make further research and that is what the subcommittee thought it wise to give them. That opinion was approved by the Committee on Appropriations, by the House, by the managers on the part of the House, and the managers on the part of the Senate. There was no difference of opinion in conference on the $4,000,000 and the only reason it was brought back to the House was because it involved legislation and had to be brought back under the rule.

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

Mr. CANNON of Missouri. I yield to the gentleman from Ohio.

Mr. THOM. Is it not a fact that if this $4,000,000 is not allocated for laboratories that money will be used in soil payments under the conservation law?

Mr. CANNON of Missouri. Yes. The gentleman is correct. If not set aside for the laboratories, it is available for price maintenance under the new farm bill.

Mr. THOM. And therefore will be distributed among the farmers at large at a time when crop prices are way down.

Mr. CANNON of Missouri. The gentleman is correct, and calls attention to a phase of the question particularly pertinent just at this time. The price of all agricultural commodities is falling. The price of cotton, measured in terms of gold, is lower than at any time in the history of the Nation. We need all available funds to put into effect the provisions of the Farm Act, in the stabilization of the price of farm products. If this amendment is agreed to, $4,000,000 will be segregated as if buried in a napkin. It cannot be spent for laboratories because the Department is not ready to spend it. This will merely be subtracted from the fund which otherwise would go to the farmers of the country in the maintenance of the price of agricultural commodities.

Mr. McFARLANE. Mr. Speaker, will the gentleman yield further?

Mr. CANNON of Missouri. I yield.

Mr. McFARLANE. The gentleman, I am sure, is familiar with the fact that our committee has taken care of all the money that was requested by the Department of Agriculture for the purpose of taking care of the soil-conservation and domestic allotment program, and this $4,000,000, if and when it was made available for regional laboratories, would not in any way interfere with that program; is not that true?

Mr. CANNON of Missouri. No; the gentleman does not get it quite right. The Department asked $500,000,000 and we provided $485,000,000.

Mr. McFARLANE. That is right, and $440,000,000 was all they said they would need or could spend under the program.

Mr. CANNON of Missouri. On the contrary, it has been repeatedly asserted that a minimum of a billion dollars should have been provided for the purpose. The statement is substantiated by the precipitous fall in the price of practically every farm product immediately following the enactment of the new farm bill for the purpose of stabilizing farm prices. The funds available are small enough in the face of the ruinous prices confronting every farmer without subtracting $4,000,000 from it for a purpose for which it cannot be used.

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

Mr. CANNON of Missouri. I yield to the gentleman from Texas.

Mr. DIES. Does not the recovery bill provide some $200,000,000 additional for the farmers?

Mr. McFARLANE. That is on the parity-price program.

Mr. DIES. The farmers will get that, though.

Mr. CANNON of Missouri. There is nothing in this bill for parity prices.

Mr. DIES. I say that in the recovery bill there is a provision inserted by the Senate giving over $200,000,000 additional for maintenance of parity prices.

Mr. CANNON of Missouri. The House has not agreed to that.

Mr. McFARLANE. The gentleman is in favor of it?

Mr. CANNON of Missouri. Certainly, I am in favor of it, but judging from statements in the press the conferees representing the House are overwhelmingly opposed to it.

Mr. DIES. We are going to include it in the bill on the floor, are we not?

Mr. CANNON of Missouri. If the gentleman will help us, although for the purpose it will be a mere drop in the bucket.

Mr. DIES. I agree with the gentleman on that. But we would like to have that "drop."

Mr. CANNON of Missouri. I am glad to know the gentleman favors it. And I hope he will also give us this $4,000,000. We need it to bolster cotton prices. I might say further that not only is the Department wrestling with the problem of locating these laboratories, but under the Bankhead-Jones Act the Department is also at this time in the midst of an extensive investigation in connection with the problem of establishing, with funds already provided, research laboratories, authorized by the Jones-Bankhead law, which are intended to carry on practically identical work. The Department has not yet determined where all these prior laboratories shall go, or what commodities they shall examine, and now it is sought to pile on the Department these four additional laboratories, when it has not yet completed the first assignment. It cannot possibly dispose of the additional burden before the next supply bill is ready. So the question is whether we shall at this time take this money for a purpose where it will be effective, or shall sterilize it and leave it hanging in midair where it can be of no service to anyone.

Mr. SOUTH. As a matter of fact if the gentleman's amendment is adopted, it will not increase the appropriation in the aggregate, will it?

Mr. CANNON of Missouri. No it will not affect the total at all, but it will take away from a sum which otherwise would be used for stabilization.

Mr. JONES. Is it not true that due to the fact that they cannot tell just how many will cooperate, they always have a reserve of 20 or 40 million dollars in the fund. Last year they saved $36,000,000, because they could not afford to promise payment to the farmer and not make it. In the $500,000,000 fund, the $4,000,000 set apart for laboratories would not interfere in any way, because they could use a part of the export fund and then replace it if they found they could not build the laboratory. So I do not think it would make much difference in the amount that would go to the farmer.

Mr. CANNON of Missouri. Cotton is selling today on the farm at 7 cents. As a matter of fact, one Member of the House who is conversant with the subject said yesterday that you could not sell cotton at all at the present time.

Mr. JONES. Then had we not better make research and find some new uses for it?

Mr. CANNON of Missouri. We are all agreed upon the importance of research, but it cannot be accomplished overnight. To make haste is to make waste.

Mr. ZIMMERMAN. Does not the gentleman think that we are in the position now to know just what we want to do with reference to establishing these laboratories for this reason?

The reports from the section of the country where I live indicate that even with the curtailment of the cotton program this year, with the favorable weather conditions we have, we will make as much cotton this year if not more than they made in 1937. Hence we will have a surplus, and it is high time the people were beginning to do something to find out new uses for cotton, because that surplus will be on our hands.

Mr. CANNON of Missouri. The gentleman has given the very reason why we ought to vote down the amendment of the gentleman from Texas. We are raising the greatest crop of cotton ever seen in this country. Reports that come in now show that we will raise a billion bushels of wheat this year.

The gentleman from Illinois [Mr. DIRKSEN], who has just returned from Illinois, says that never before was there prospect for so large a crop of corn as is now in prospect at the coming harvest. We are producing such enormous surpluses of cotton, corn, and wheat that prices must inevitably collapse unless we can save them under the provisions of the new farm bill. That will require funds. The price-stabilizing provisions of the bill are not operative unless financed. Give us this $4,000,000 in order to make the bill effective.

Mr. Speaker, I move the previous question on the motion of the gentleman from Texas.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Texas, to recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment numbered 101: Page 95, after line 18, insert the following:

And provided further, That in carrying out the provisions of the Third Deficiency Appropriation Act, fiscal year 1937, and section 381 (a) of the Agricultural Adjustment Act of 1938, as amended, relating to cotton price adjustment payments with respect to the 1937 cotton crop, in order to accelerate such payments the Secretary shall, notwithstanding said provisions, (1) treat all cotton not sold prior to September 10, 1937, as if it had been sold on a date when the average price of ⅞-inch Middling cotton on the 10 designated spot cotton markets was less than 9 cents per pound; (2) make payment on the basis of applications on forms prescribed by the Secretary which have been filed prior to July 16, 1938, as prescribed in regulations issued by him, by the producers, or the 1937 operator, or other person designated pursuant to such regulations, on behalf of all the producers on the farm in 1937; (3) make payment to producers upon the producer's certification that he is engaged in producing cotton in 1938 and has complied with the requirements as defined in said section 381 (a), or is not engaged in producing cotton in 1938, and upon his agreeing therein to refund the payment forthwith upon demand in case it is subsequently found that he has failed to comply with the requirements as defined herein and in said section 381 (a); and (4) make payments, as soon as practicable, on the basis of his estimate of the amounts which will be covered by the applications to be filed prior to July 16, 1938, and of the funds to be used out of the appropriation for the necessary administrative expenses of making the cotton price adjustment payments.

Mr. CANNON of Missouri. Mr. Speaker, I move to recede and concur in the Senate amendment with an amendment, which I send to the Clerk's desk and ask to have read.

The Clerk read as follows:

Amendment No. 101: Mr. CANNON of Missouri moves that the House recede from its disagreement to the amendment of the Senate No. 101, and agree to the same with an amendment, as follows: In lieu of the matter inserted by clauses (2) to (4), inclusive, of said amendment, insert the following:

"(2) Make payment on the basis of applications filed prior or subsequent to July 16, 1938, on forms prescribed by the Secretary, by the 1937 operator or other person designated pursuant to regulations prescribed by the Secretary on behalf of all the producers on the farm in 1937, or by individual producers, provided that (a) payment will not be made to the 1938 operator of the farm unless he certifies that he has complied thereon with the requirements defined in said section 381 (a), which certificate shall be taken to certify to such compliance on the part of all producers on the farm in 1938 who produced cotton in 1937, (b) payment shall not be delivered to any operator or producer until he has agreed in writing to refund the payment forthwith upon demand in case it is subsequently found that he has failed to comply with the requirements as defined herein and in said section 381 (a), (c) in cases where cotton was produced in 1937 on two or more producer units on the farm it shall be assumed that the production thereon was uniform, and (d) it shall be assumed that there was a total or partial crop failure resulting from hail, drought, flood, or boll-weevil infestation (which is defined to include any other insect or fungus) only if the yield in 1937 is below the base yield for the farm and in such case the total production shall be considered to be the normal yield for the farm multiplied by the number of acres planted to cotton in 1937;

and (3) make payments, as soon as practicable, on the basis of his estimate of the amounts which will be covered by the applications to be filed and of the funds to be used out of the appropriation for the necessary administrative expenses of making the cotton price adjustment payments."

Mr. TABER. Mr. Speaker, I demand a division of the question.

The SPEAKER. The gentleman from New York demands a division of the question. The first question will be on the motion to recede.

Mr. BOILEAU. Mr. Speaker, will not the gentleman from Missouri explain the amendment and what he proposes in his motion?

Mr. CANNON of Missouri. Mr. Speaker, owing to the inevitable delay in the program, we have not yet been able to pay the cotton producers of the South their allotments due for the 1937 crops, and unless legislative provision is made it cannot be paid before December, and that is too long to require them to wait for the money which should have been paid last year.

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

Mr. CANNON of Missouri. I yield.

Mr. HOPE. Why is it that payment cannot be made until December? As I understand it, under the cotton program a man is either in or out of compliance with the 1938 program when he plants his acreage. Why is it not possible to make that certificate and make the payment immediately?

Mr. CANNON of Missouri. The gentleman will recall that provision is made to measure each man's crop so as to verify his certification. It is impossible for them to make this measurement before December, or very late in the fall; and this waives the necessity of measurement before payment. At the same time it provides adequate safeguards under which the Government is protected against overpayment.

Mr. HOPE. I cannot understand why it is not possible to make the measurement any time after the crop is planted. There may be a perfectly obvious answer to that but I do not know what it is.

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

Mr. CANNON of Missouri. I yield.

Mr. FULMER. I may say to the gentleman from Kansas that I have had this matter up with the Secretary within the last few days. Under the original resolution this money could not be paid until the Secretary ascertained whether or not the farmer has complied with the 1938 program. They have not been able to ascertain this information, and until they get this information it will be in the fall. Now it is taking all their time and personnel to get the rental benefit payments under way, and these payments are considerably late. They tell me that unless this amendment is adopted they will not be able to make these payments until next fall. As a matter of fact the farmers at this time are very badly in need of these payments. The matter is safeguarded so that each farmer will get what he is entitled to and get it much earlier than otherwise.

Mr. HOPE. I have no objection to taking any steps necessary to make the payments, but I just cannot understand why these local committees cannot make the measurements at any time.

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

Mr. CANNON of Missouri. I yield.

Mr. PACE. Possibly it has occurred to the gentleman's mind, but I will tell him that the committees are working to give us our agricultural allotments for this year. We have not yet received our peanut allotments, and it must complete that. Under the present condition it is my opinion that instead of its being December when these payments are made, it will be next January or February unless this amendment is adopted.

Mr. HOPE. Are these committees working on these matters?

Mr. PACE. They are working on two items; they are working on this year's acreage allotment for cotton, peanuts, and corn in our section. They are now at work on that.

Mr. HOPE. Then the local committees are doing their utmost to make these allotments and carry out the other work?

Mr. PACE. They are working at it steadily.

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

Mr. CANNON of Missouri. I yield.

Mr. BOILEAU. This matter was before the Committee on Agriculture recently but I never learned what disposition of the matter was made. It is my recollection, however, that it was not approved. Was not a similar policy before the committee? I would like to get straightened out in my mind. Does the gentleman have any recollection of such matter being before the Committee on Agriculture?

Mr. FULMER. I do not remember this subject matter being before the Committee on Agriculture. That was, of course, one of the matters which was included in the 1938 A. A. A. act, when it was in conference.

Mr. BOILEAU. Just recently, I think the gentleman will probably recall that it was. My recollection is that a bill similar to this was before our committee within the last month or two.

Mr. FULMER. That was put on in conference.

Because of the work under the 1938 program—that is, getting it started—they laid aside the rental payments. Now, they are getting around to the rental payments, and until that matter is disposed of they cannot get around to remeasuring the cotton acreage so as to ascertain whether or not the farmers have complied.

Mr. BOILEAU. The gentleman is talking about a provision in the Farm Act.

Mr. FULMER. Yes.

Mr. BOILEAU. My recollection is that the gentleman himself, or some other gentleman in our committee, sponsored a separate bill on this same subject recently.

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

Mr. BOILEAU. I yield if I have the floor.

Mr. DOXEY. Over there it was known as leased and frozen acreage and a matter pertaining to the frozen-acreage proposition recently passed the House the other day, I think. It related to making subsidy payments available earlier than originally provided.

Mr. BOILEAU. That is right.

Mr. DOXEY. We said we would not discuss the subsidy payments in connection with the frozen acreage, because it was included in these other matters and we did not take it up.

Mr. BOILEAU. That was within the last 2 weeks in the Committee on Agriculture?

Mr. DOXEY. That is right.

Mr. BOILEAU. And the House Committee on Agriculture unanimously decided not to consider it at that time.

Mr. DOXEY. Oh, no.

Mr. BOILEAU. Because the committee felt it would not be advisable to open this thing up on the floor of the House.

Mr. DOXEY. No; that was not the purpose at all. We knew it was in the Senate and we thought there was no use including it in legislation coming from our committee.

Mr. BOILEAU. The reason it was not passed upon by the Committee on Agriculture, as I recall it, was because we did not want to open this subject up on the floor. This involved what we considered to be necessary amendments to the Farm Act, but we found it would be controversial and it was therefore eliminated. The committee discussed this at considerable length.

Mr. DOXEY. That might be the gentleman's position, but it was not the position of some of the other members of the committee. It was because we wanted to get the frozen acreage through. We thought we might be able to do it by unanimous consent, but we did not do that because we thought the gentleman was liable to object.

Mr. BOILEAU. The gentleman will recall there was not a word said in the committee meeting about this identical provision being in the agricultural bill.

Mr. DOXEY. We knew the Senate had it over there. We knew it was coming up in another body.

Mr. BOILEAU. No; I did not.

Mr. DOXEY. Well, I knew it.

Mr. BOILEAU. This provision was not in the bill. At least, it was not brought up in the discussion.

Mr. DOXEY. The subsidy payments were considered so that the farmer might be paid.

Mr. BOILEAU. It seems strange, if the gentleman and the other members of the committee had that knowledge, that they should have taken so much of the time of the committee in reference to a second bill. That part of the meeting was useless in the consideration of this subject matter. The gentleman who were interested in this subject matter tried to pass that provision of the bill, and it was decided that would not be advisable because of the fact there might be some objection.

Mr. DOXEY. We did not know that we used considerable time.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from South Carolina [Mr. FULMER].

Mr. FULMER. Mr. Speaker, regardless of what has been said here about this amendment, what difference would it make to anybody, in that we have $130,000,000 to pay off these farmers? If we can make some arrangement whereby we can do that now or within the next 30 or 60 days rather than wait until a definite survey has been made in order to find out about the acreage planted and then distribute the $130,000,000, I think we should do it. It is only a matter of giving to the farmers this money in the middle of the summer, whereas they would otherwise get it next fall. This will give them the benefit of that money in the summer, and it will require no more money. Every farmer will get that to which he is entitled, in the last analysis.

Mr. BOILEAU. Will the gentleman yield?

Mr. FULMER. I yield to the gentleman from Wisconsin.

Mr. BOILEAU. I agree with the gentleman, but I want to make the protest, however, against the Appropriations Committee coming in here and without even making an explanation of what is contained in this bill, bring a matter here in the form of an amendment to an appropriation bill which the Committee on Agriculture considered and decided not to bring up on the floor of the House. I do not believe there is any real objection to the purposes sought to be accomplished, but I do want to protest against the Appropriations Committee bringing this matter in in the way it has.

Mr. DIRKSEN. The Appropriations Committee did not bring in this matter. It was written in by the Senate.

Mr. CANNON of Missouri. The House did not bring this matter in.

Mr. BOILEAU. I agree in general with the gentleman.

Mr. FORD of Mississippi. The farmers of this country are not concerned with what committee handles the legislation just so they get the money, is that not correct?

Mr. FULMER. Yes.

Mr. MURDOCK of Arizona. Is not the Government safeguarded against overpayment in this matter?

Mr. FULMER. Absolutely. It does not require any additional money. It is simply a matter of getting the money to them in the middle of the summer when they can use it to a much better advantage than next fall at which time they will be selling cotton.

Mr. LUTHER A. JOHNSON. Is it not true that the farmers at this particular time, due to existing conditions, are in need of this subsidy payment now and, as a matter of fact, this is money due them on last year's cotton crop?

They should be paid without delay. It is past due and the payment now will be a godsend to the cotton farmers.

Mr. FULMER. Absolutely. We should pay it now instead of waiting until fall, at which time they will be selling their cotton.

Mr. HOPE. This is the third time the provision has been written. That is, we have rewritten it twice—once in the 1938 A. A. A. Act and this time. It has been rewritten two or three times. Does the gentleman think in the form we have it now it will be possible to make the payments?

Mr. FULMER. I do and at a much earlier date and at a time when they need this money very badly.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. FULMER. Mr. Speaker, may I say to the gentleman that we had this up in conference and, as he will remember, I opposed that kind of an amendment at that time, believing that would not result in bringing the payments as early to the farmers.

But now, after I have gone into the matter thoroughly, I find that because of the delay in putting the program into effect they will not be able to make these payments before fall, at which time the farmers will be selling cotton. I am now heartily in accord with this provision, which is safeguarded so as to give the farmers the money in the midst of the summer, when they need it more than any other time.

Mr. HOPE. The gentleman believes this will work, then?

Mr. FULMER. Yes; I do.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa [Mr. GILCHRIST].

Mr. GILCHRIST. Mr. Speaker, we have now come again to a cotton provision. The proposed amendment does not add one dime to the money which will go to the cotton producers. Of late there has been a great deal of idle and unmeasured talk about corn and cotton in an attempt to make people believe there is a fight between the cotton farmer and the corn farmer. I do not entertain any such an idea.

In the first place, agriculture should stand together. If we do not stand together, we will all fall separately. [Applause.]

In the second place, the corn farmer has nothing to fear from the cotton farmer down South. Do you know that the cottonseed alone on an acre of cotton will produce feed for livestock and also that it will produce more oil which is sold in competition with lard than the average acre of corn down South produces? You have heard a great deal about how they are going into the production of corn down South. As a matter of fact, an acre of cotton down there produces more lard substitutes in the ratio of something like 50 to 20 than the lard which an acre of corn down South produces. Furthermore, after extracting the oil they use cottonseed cakes as feed for their cattle and hogs. I am asking simply that the truth be made known—that is all.

In the third place, they cannot keep corn down South without a great deal of expense and trouble. They raise an average of only from 8 to 15 bushels an acre down there. Gentlemen on this floor in speeches have tried to make us believe that they were raising just as much corn as we, and in making comparisons these gentlemen naïvely used the average for the whole country as the basis of their figures for corn production in the South. I do not claim that these gentlemen were trying to misstate the facts, but their figures lead us into error; and error leads us into economic loss and distress. In many places in my district last year farmers raised an average of about 48 bushels per acre and some of them raised 70 to 80 bushels. Now, the farmers down South cannot keep corn on their farms very long because the weevil will eat it up and reduce it to dust just as soon as warm weather comes, and the boys from the southland will tell you that. The corn has to be fumigated. I am told by the Chairman of the Committee on Agriculture that in order to keep the corn at all through the summer months the farmers have to put it in bins only 2 feet deep and these bins have to be tight in construction. The cost is prohibitive. We have little fear on that score.

Figures have been given out by opponents to show that the corn acreage down there is increasing, and one of the great metropolitan newspapers of this country went back to 1929 to try to show that hog production is increasing in the South.

Statistics are often used unfairly. One can take exceptional years such as the extreme drought years and compare the figures with other years and make somewhat of a showing; but this is not fair because it is a half truth and therefore more deceiving than falsehood.

Opponents did not point out that livestock numbers were depleted in the Corn Belt by the two worst droughts in history coming in rapid succession in 1934 and 1936. They did not point out either that Iowa and Illinois farmers shipped practically as many hogs into commercial markets in 1936 as they did 10 years before in 1925 and 1926.

It is a well-known fact that cotton farmers decrease their corn production when they are getting good prices for cotton, and increase their corn production when cotton prices fall. From 1924 to 1929 the farmers in the 12 cotton-producing States of the South grew an average of about 28,000,000 acres of corn. (These 12 States are Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Arkansas, Oklahoma, Texas, and Tennessee.)

When the price of cotton fell from 20 cents a pound to 4 cents a pound they were forced to grow more corn for their own food. From 1929 to 1932 they increased their corn acreage from 26,737,000 acres to 31,836,000 acres, an increase of more than 4,000,000 acres.

When their cotton prices rose to more than 12 cents a pound they decreased their corn acreage. Last year they planted only 28,823,000 acres of corn, a decrease of more than 3,000,000 acres under their 1932 level.

The Corn Belt farmer need not worry about competition in corn and hog production from the South. His real interest lies in cooperation with the southern farmer in order to get better farm incomes in both the North and South. Agricultural interests should stand solidly together.

The pig crop report for December 1, 1937, issued by the Bureau of Agricultural Economics shows that the farmers in Iowa and Illinois intend to increase their hog production this year by nearly 1,000,000 head above last year. It shows that the farmers of the six States of North Carolina, South Carolina, Georgia, Alabama, Mississippi, and Arkansas do not intend to increase hog production. Hog numbers in these States were greater in 1933 than in 1938. They were 2,200,000 greater in 1920 than in 1938. They fell off 90,000 head from 1933 to 1935 and 1936.

In 1936 the farmers of Iowa and Illinois shipped 14,255,000 hogs to commercial markets. The farmers of the above six States shipped only 1,041,000 hogs to commercial markets.

The farmers of these six Southern States slaughtered on their own farms for their own consumption at home a total of 3,925,000 hogs, nearly four times as many as they marketed. The farmers of Iowa and Illinois slaughtered only 1,095,000 hogs on their own farms in 1936, about one-fourteenth as many as they marketed.

It can be seen readily that hog production in the South is largely for home consumption on the farms where farmers receive such small cash incomes that they are forced to grow much of their own food.

Will the farmers of Iowa worry much about competition from a State like Georgia where corn yields are usually about 10 bushels per acre? Will they worry about competition from a State like Georgia where nearly six times as many hogs are consumed on the farms where they are raised as are shipped to the commercial markets of the South? The farmers of Iowa usually market about 28 times as many hogs as they slaughter for home consumption.

In the fourth place I call attention to the fact that corn is a soil-depleting crop. If you are down South and put your cotton acreage into corn you will lose your soil-benefit payments. In some places these deductions for increasing soil-depleting crops amount to as high as $4 an acre. How foolish it would be for any man who can raise only 10 or 12 bushels of corn per acre to give up $4 an acre—practically all the corn is worth—in order to raise more corn in competition with corn men in the North? It is foolish on its face.

Mr. Speaker, as I said at the start, we ought again to realize that all agriculture should stand together. The provision under consideration here this morning does not increase the appropriation one dime, and it does not pay one penny more to the cotton producer, but the money will be paid at a little different time, and in a little different manner, and will give our friends down South who depend upon agriculture a little better opportunity to make a decent living.

In any and all events a farmer should be free either to go into the program or to stay out of it. There are some advantages to be gained in staying out of it and there are some advantages to be gained by going into it, and it is up to the farmer to decide for himself which is the best for him. Farmers are individualists and their work teaches them to be independent and they prize their liberties. It was not long ago that I stood on the old North Bridge at Lexington, immortalized by the poet when he said:

By the rude bridge that arched the flood
Their flag to April's breeze unfurled;
Here once the embattled farmers stood
And fired the shot heard 'round the world.

It was farmer folks who gained us our liberties in 1775. They are the folks who prize such liberties. They are the folks who will perpetuate them throughout the centuries.

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa [Mr. BIERMANN.]

Mr. BIERMANN. Mr. Speaker, I commend my distinguished friend from Iowa [Mr. GILCHRIST] for the sensible speech he has made on agriculture.

Farmers from all parts of the country can very well cooperate in many things. I have never thought that the farmers of the South and the farmers of my part of the country had any conflict of interest whatever. But this is not what I wanted to talk about.

The distinguished gentleman from Missouri [Mr. CANNON], the chairman of this subcommittee, drew attention a short time ago to the fact that it is difficult to hear in this Chamber and suggested that amplifiers be put in here so that the Speaker could hear the Members and the Members hear the Speaker, as well as one another. I thoroughly agree with that. It is important that we hear the debates going on here because many times valuable information and argument are supplied.

I think about 15,000 measures have been introduced in both Houses in each Congress since I have been here. I think something like 4,000 have actually been considered on the floor of this House in each Congress. It is important that we hear the debates, but it is just as important, and perhaps more important, that we understand the bills when we read them. When the gentleman from Missouri was talking about an amplifier, we were on page 92, I believe. I have counted the number of lines in the sentence starting on page 92, line 23. That sentence is 111 lines long.

Since the death of John Stuart Mill there has not been a mind in the world that could read 111 lines and understand the meaning thereof. Then I turn along in the bill and on page 107, beginning at line 23, I find a sentence of 64 lines; at page 110, beginning at line 13, there is a sentence of 43 lines. All through the bill there are sentences of 25 lines, 30 lines, 35 lines, and I submit that there are not many of us who can understand sentences of such length without reading them several times. We are required to spend entirely too much time reading and rereading bills merely to try to find out what they mean. If we could more readily learn what bills mean, we could spend more time determining whether they are good or bad bills. It is not at all necessary to draft these bills in language that is obscure and entangled. Neither is it necessary to use sentences 111, 64, or 43 lines long.

I appreciate the fact that these bills are drafted by lawyers. I also appreciate the fact that lawyers as a general rule are smarter than the rest of us. Their minds are exercised more. [Applause.] I ought to get applause from about two-thirds of the House on that remark.

Mr. HOPE. The gentleman ought to get it from the lawyers.

Mr. BIERMANN. About two-thirds of the Members are lawyers. But the greatest legal document, I believe, ever penned by human hand is the Constitution of the United States, and that was written in sentences of understandable length and in simple language. There are no long, entangled sentences in the Constitution of the United States. Happily and fortunately for the country the Constitution of the United States was not drafted by a lawyer. It was drafted by James Madison.

Mr. MURDOCK of Arizona. Mr. Speaker, will the gentleman yield?

Mr. BIERMANN. I yield.

Mr. MURDOCK of Arizona. This observation is hardly in keeping with the gentleman's remarks, but as lawyers differ as to sentences I want to suggest that some lawyers object to long sentences—the defense lawyers. Prosecuting lawyers are in favor of long sentences, are they not?

Mr. BIERMANN. That is a good point. I want to draw the attention of the House to the fact that we have a great deal of additional labor in the committees and in the House because we have to devote very much time trying to understand what these long, entangled, snarled, and obscure sentences mean.

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

Mr. BIERMANN. I yield.

Mr. GILCHRIST. The gentleman knows at least one lawyer on the Committee on Agriculture who talked the same way the gentleman did about using long sentences.

Mr. BIERMANN. That is true. Let more of us do more talking about it. Let us try to cause our bills to be drawn in easily understandable, unambiguous language. If we succeed we shall have improved very greatly the national legislative process.

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Speaker, that was a very interesting discussion by my learned friend from Iowa. It began with the amplifier and wound up as a dissertation on grammar, etymology, and kindred subjects.

Mr. CANNON of Missouri. I trust that the gentleman does not object to that performance.

Mr. DIRKSEN. Indeed, I do not. I thought it was so wise and profound that I am going to visit with the gentleman and pursue it further at some future time, but what I rose to remark, if I may presume to endeavor to enlighten the House, is about the parliamentary situation at the present time.

The gentleman from Missouri has made a motion to recede and concur with an amendment, and the gentleman from New York has asked for a division of the question. So I suppose the first question put to the House will be upon the matter of receding, and thereafter there will be a motion to concur with an amendment offered by the gentleman from Missouri. I hope, therefore, that you can vote to recede, and, secondly, that you can support the chairman of the subcommittee, because I do believe that the language offered by the chairman of the subcommittee is infinitely preferable to that which you find in the bill.

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

Mr. DIRKSEN. I yield.

Mr. HOPE. Will the gentleman explain briefly the difference in effect between the language in the bill, or in the Senate amendment, and in the substitute offered by the chairman?

Mr. DIRKSEN. If I may be so bold as to pretend that I understand the difference, I will say that in my judgment the difference goes mainly to paragraph 3 on page 96 of the bill, which, in my opinion, is rather loose language, in protecting the Federal Treasury where it is going to make advance payments. The motion offered by the gentleman from Missouri requires an agreement in writing in advance for the forthwith refund of payments in case there is no compliance, and I think that is infinitely better than what is in the Senate bill. In addition thereto, I do not know that I am so particularly alarmed about the payments in advance on the basis of written certification or a written agreement to refund in case of noncompliance, because it appears to me that under language of that kind the Federal Government could very well pursue a lien against the property of anybody who receives such a payment. So I believe that we are adequately safeguarded, and I hope that the motion of the gentleman from Missouri will prevail.

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

Mr. DIRKSEN. Yes.

Mr. BOILEAU. I did not have the opportunity to read the language of the amendment proposed by the gentleman from Missouri. Will the gentleman state whether or not that amendment provides for payments other than the subsidy payments provided under the basis of the 1937 crop? Does it provide advance payments for the crop of 1938?

Mr. DIRKSEN. Yes; it follows out in substance what you find in paragraph 3, but I think it tightens up some of the conditions under which those payments shall be made.

Mr. BOILEAU. The gentleman is talking about advance payments. One thing I have clearly in mind, and those are payments we authorized last August in the Third Deficiency Appropriation Act providing $65,000,000 for the years 1938 and 1939 as an aid or benefit of the 1937 crop. Thus far we have done nothing for the 1938 crop, except what we do in the general farm program. Does the gentleman say that this provides for advance payment on the 1938 crop?

Mr. DIRKSEN. Oh, no. It seems to me that the gentleman from Georgia [Mr. PACE] clearly stated the case, and I think Mr. FULMER also did a few minutes ago.

Mr. BOILEAU. I thought that was the situation, but the gentleman's answer to my first inquiry rather confused me.

Mr. DIRKSEN. I believe the Treasury is properly safeguarded, and in case of failure to make refund, in case there is noncompliance, will receive a return of that money.

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

Mr. DIRKSEN. Yes.

Mr. CRAWFORD. In what way does this amendment speed up the field work, so that the benefit payments can be made without further delay? Or does this amendment in some way eliminate the necessity of all that field work?

Mr. DIRKSEN. That was not the purpose of the amendment in the first place. It followed the purport provided on page 35, in order to accelerate such payment, and the purpose of the acceleration is because there has been delay in getting the 1938 act under way.

The SPEAKER pro tempore. The time of the gentleman from Illinois has expired.

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin [Mr. BOILEAU].

Mr. BOILEAU. Mr. Speaker, last August during the closing days of the session, in passing the third deficiency appropriation bill, we wrote into it a provision for subsidy payments on the 1937 cotton crop. At that time I think no one else took the floor in opposition besides myself, although I have just been informed that some other Members did. One of the things I said at that time was that you could not have payments until you had complete compliance with the 1938 program, and at that time the 1938 program had not been enacted into law, and I pointed out that no one in the world could have any idea of who was to get benefit payments. That is one of the reasons I advanced for voting down that proposal at that time. Since that time we have had at least two or three attempts to correct the language in that original proposal. It seemed to me ridiculous to pass legislation at that time which would make payments on a piece of legislation that had not been written. But that is water over the dam, and although I opposed the original subsidy and would vote today to repeal it, I do not think it is justified, nevertheless, when it comes to this proposition. I do not want my position misunderstood. I think this particular proposition is well taken, and that this amendment should be agreed to, because it does facilitate these payments. The original language was so loosely drawn, and the attempts to correct it were so loosely and poorly drawn, that we must

make this third attempt, so the people will know what we mean.

I take this opportunity of protesting against the practice of amendments being written into appropriation bills changing the law, and having the matter come back to us here for consideration without having the benefit of consideration on the part of the legislative committees. I am not casting aspersions or reflections on the Committee on Appropriations, because this matter was handed over to them and they had to do something with it. I believe, however, if the Committee on Appropriations would hereafter take a very strong stand against the writing of legislation in these appropriation bills, and utilize the regular legislative committee for the purpose of drawing legislation, we would be a little better off in the long run.

Also, I want it understood that the remarks I made a little while ago were directed against the procedure rather than the merits of this legislation.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield? I have been endeavoring to get 2 or 3 minutes' time, and trying to ask some questions.

Mr. BOILEAU. I yield at least for the gentleman to ask a question.

Mr. CRAWFORD. Wherein does this amendment make it unnecessary for the field work to be done so that benefit payments can be speeded up? Here is one reason I raise the question. On September 1, 1937, the President signed the sugar bill providing for benefit payments on the 1937 crop of sugar beets.

Those benefit payments have been held up pending reports in detail from the field work. Now, can we make this work both ways? I have not any opposition to this and do not intend to offer any, but can we fix this situation so that it works for a fellow who grows sugar beets, cotton, peanuts, or whatever the crop may be? We plant sugar beets about as early as you plant cotton, but there is no sign of any benefit payments yet to beet growers in my section, because payments are awaiting the detailed work in the field. This is the question I would like to have answered.

Mr. BOILEAU. I will answer the gentleman's question by saying that either I do not understand his situation or else I am confused as to the purpose of this provision.

Mr. CRAWFORD. This is the first chance I have had to ask a question about it. I may be wrong.

Mr. BOILEAU. I have not had a chance to study it, but, as I understand, the purpose for which this legislation is designed is to secure subsidy payments on the 1937 cotton crop. It has nothing to do with the regular payment under the soil-conservation program or parity-price payments. This is merely for the purpose of speeding up payments on the 1937 crop.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia [Mr. PACE].

Mr. PACE. Mr. Speaker——

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

Mr. PACE. I yield.

Mr. LAMBERTSON. I wish to say in the matter of offering amendments to appropriation bills that I have a resolution pending before the whole committee which pledges us not to do that thing, and I have argued it before the whole committee.

Mr. PACE. Mr. Speaker, I shall try to explain the difference between the Senate bill and the committee provision. First, the law now provides that in order to get a subsidy payment the farmer has to file his application by July 15 on forms prepared by the Secretary of Agriculture. It is now nearly June 15 and no measurements have been made and no application can be filed. The committee amendment authorizes the farmer to file his application after July 15 as well as before July 15.

Secondly, the law now authorizes a payment to a cotton farmer who had a cotton failure in 1937; that is, for example, it takes care of the poor fellow who usually would make 10 bales of cotton but made only 1. It provides that he can receive a payment under certain conditions on the other nine bales that his normal yield would have been. The committee amendment is very necessary to set up definite machinery as to how that shall be determined.

Mr. ANDRESEN of Minnesota. Mr. Speaker, will the gentleman yield?

Mr. PACE. I yield.

Mr. ANDRESEN of Minnesota. Does not the law provide that he shall get 3 cents a pound on normal production?

Mr. PACE. On normal yield; and if he has a drought or certain other conditions prevail he will get a little part of this subsidy payment. This amendment sets up the machinery.

Mr. ANDRESEN of Minnesota. That is already in the law.

Mr. PACE. But this machinery is necessary to define it, I am sure the gentleman will agree. It protects the United States Government and the other farmers who participate in this fund.

In the third place it accelerates the payment of this money. I hope you gentlemen will appreciate what we have been up against. When Congress adjourned last August every cotton producer in my district wanted to know where his subsidy payment was, and from that hour to this he has been wanting to know why he has not been paid his subsidy money.

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

Mr. PACE. I yield.

Mr. BOILEAU. Do they call it subsidy money down there?

Mr. PACE. It is often referred to in that way, but of course is more properly called price adjustment. I do not care what they call it, it was an effort to try to guarantee to the cotton producer 12 cents for his cotton, although it is not going to total that much in view of the enormous production we had last year, totalling 18,700,000 bales of cotton. The $130,000,000 appropriation will not pay 3 cents per pound on that many bales.

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

Mr. PACE. I yield.

Mr. CRAWFORD. The gentleman is describing almost an exact condition which prevails in my district.

Mr. PACE. I sympathize with the gentleman.

Mr. CRAWFORD. Why is it the sugar-beet situation has been overlooked since last September 1, 1937?

Mr. PACE. I am not familiar with the gentleman's industry, but I will gladly support the effort the gentleman from Michigan is making to hasten payment to his sugar-beet producers.

Mr. CRAWFORD. We have moved heaven and earth down here looking up the releases that have been made by the Secretary.

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

Mr. PACE. I yield.

Mr. HOPE. Has the language in the committee amendment been gone over by the Department's representatives, and do they give the assurance that this legislation will permit them to go ahead and make these payments?

Mr. PACE. The experts of the Department have approved this amendment. They have given us the assurance that with this amendment they can pay this money at an early date; and, of course, we all hope it will be within the next 30 days.

I hope you will vote to recede and then vote to concur in the Senate amendment as proposed to be amended by the committee. This money, the $130,000,000 which we appropriated last August for a cotton price adjustment, has been lying idle in the Treasury since that time, although our farmers have been and are now in desperate need of it.

Under the present law I am afraid it would be December, and possibly next January or February, before this money

could be paid to the farmers, because the Department would have to wait until the planting season is over, then measure every cottonfield in the United States, and then assemble all of these records and prepare the payments. This would be necessary in order to positively prove compliance with the 1938 cotton program. That is changed by the amendment by providing that the cotton farmer can immediately file his application for the subsidy payment and at the same time file a certificate that he has complied with the 1938 cotton program, and this will be accepted in lieu of actual measurement.

Also in this certificate the farmer agrees that he will refund the payment in case it is later found that he in fact failed to comply. There may be a few who may try to take advantage of this, but the number will be so small that we do not feel we should make our cotton farmers wait 6 or 8 months longer for this money.

I should mention that this amendment also makes it unnecessary for the farmer to sell his cotton in order to be eligible for his adjustment payment by providing that all cotton not sold prior to September 10, 1937, will be treated as if sold at less than 9 cents.

I hope this amendment will be promptly adopted, so our farmers can be assured that our promise to them of this subsidy or adjustment payment will soon be fulfilled.

The SPEAKER pro tempore (Mr. WARREN). The question is, Shall the House recede from its disagreement to Senate amendment No. 101?

The question was taken; and the House determined to recede from its disagreement to Senate amendment No. 101.

The SPEAKER pro tempore. The question now recurs to concurring in the Senate amendment with an amendment offered by the gentleman from Missouri [Mr. CANNON].

The question was taken; and the House determined to concur in the Senate amendment with an amendment.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment 102: Page 96, following amendment 101, insert: "*And provided further*, That in administering the naval stores conservation programs authorized in section 8 of the Soil Conservation and Domestic Allotment Act and in making payments thereunder to gum naval stores producers the Secretary may utilize the services of regional associations of such producers or any agency of the Government in lieu of the State, county, and other local committees utilized in the other agricultural conservation programs if he finds that more efficient administration will result, and the provisions of section 388 (b) of the Agricultural Adjustment Act of 1938 shall otherwise be applicable to the administration of said naval stores conservation programs."

Mr. CANNON of Missouri. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

Mr. DIRKSEN. Mr. Speaker, I ask for a division of the question.

The SPEAKER pro tempore. The question is, Shall the House recede from its disagreement to the Senate amendment?

The question was taken; and the House determined to recede from its disagreement to the Senate amendment.

The SPEAKER pro tempore. The question now recurs upon concurring in the Senate amendment.

The question was taken; and the House determined to concur in the Senate amendment.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment 104: Page 99, after line 9, insert:

"RETIREMENT OF COTTON POOL PARTICIPATION TRUST CERTIFICATES

"To enable the Secretary of Agriculture to carry into effect the provisions of title IV of the Agricultural Adjustment Act of 1938, approved February 16, 1938, fiscal year 1938, to remain available until June 30, 1939, $1,800,000: *Provided*, That the Secretary of Agriculture may, in his discretion, from time to time transfer to the General Accounting Office such sums as may be necessary to pay administrative expenses of the General Accounting Office in auditing payments under this title: *Provided further*, That the authority of the manager, cotton pool, to purchase and pay for participation trust certificates, Form C-5-I, shall extend to and include the 31st day of December 1938 but after the expiration of said limit, the purchase may be consummated of any such certificates tendered to the manager, cotton pool, on or before December 31, 1938, but where for any reason the purchase price shall not have been paid by the manager, cotton pool: *Provided further*, That the date May 1, 1938, appearing in title IV of the Agricultural Adjustment Act of 1938, as amended, shall not be applicable: *Provided further*, That in case any person who is entitled to payment on a participation trust certificate, Form C-5-I, dies, becomes incompetent, or disappears before receiving such payment or before application for such payment is executed, the Secretary of Agriculture shall provide by regulations, without regard to any other provisions of law, for such payment to such person as he may determine to be fairly and reasonably entitled thereto."

Mr. CANNON of Missouri. Mr. Speaker, I move that the House insist on its disagreement to the Senate amendment.

Mr. TARVER. Mr. Speaker, I offer a preferential motion.

The Clerk read as follows:

Mr. TARVER moves that the House recede from its disagreement to Senate amendment 104 and concur therein.

Mr. CANNON of Missouri. Mr. Speaker, I yeld 10 minutes to the gentleman from Georgia [Mr. TARVER].

Mr. TARVER. Mr. Speaker, may I point out that as I am advised the motion which I have submitted to recede and concur in the Senate amendment represents the views of three of the House conferees, one of whom felt, however, that the matter should be brought back to the House for a vote and for this reason did not believe he should vote in conference to concur in the Senate amendment.

I have no interest in this matter except that I believe that contracts of the Government of the United States should be kept and I believe further that explicit directions given by the Congress of the United States should be carried out by your Appropriations Committee.

This amendment involves the cotton pool participation certificates which were issued as the result of the plow-up campaign of 1933, at which time, as will be recalled, the farmers who plowed up part of their cotton were accorded the privilege of receiving cash payments or receiving part cash and options on Government-owned cotton. A great many of them accepted the part-cash and option plan. After options were issued to them on cotton, which at that time was priced at 6 cents per pound, they were thereafter accorded loans, first of 4 cents a pound and then 2 cents a pound; so that the total amount of the advance to them aggregated 12 cents per pound and at the time of the loan bringing the total amount to 12 cents per pound they were in position either to accept $3.10 per bale more than the cash which they received and surrender all of their rights, or accept these certificates which we are now considering and as to which the Congress is asked to appropriate $1 for each bale, representing a profit made in the operation of the cotton pool. Now, let us not be mistaken about this matter. If you will refer to page 39 of the hearings on Senate Joint Resolution 205, you will find a copy of the certificate in question, and I want to read it to you:

(A) The manager, after paying all charges incident to the operation of the pool, shall pay to the Secretary the proceeds derived from the sale of any cotton marketed up to an amount equal to 12 cents per pound of said cotton, that amount being the original option price of 6 cents per pound, plus the gross advances heretofore made to the producer, including carrying charges to October 1, 1934. After all debts and liens against the cotton shall have been discharged and all expenses incurred or fixed by the manager subsequent to October 1, 1934, in conjunction with the carrying, handling, and/or marketing of the said cotton, and in the conduct of the pool have been paid, the manager shall thereafter distribute the remaining proceeds ratably to the holders of record of participation trust certificates in accordance with their several interests as established by said certificates, and in accordance with applicable regulations.

So as a matter of contract with the Government of the United States, if profits were derived from the operation of the cotton pool, these certificate holders are entitled to those profits.

The evidence of Mr. Oscar Johnston, who was manager of the pool, delivered likewise before the Senate committee,

discloses that $1,803,000 was derived from the operations of the pool as profit.

I desire to read at this point from page 1254 of the Senate hearings on Senate Resolutions 103, 125, 172, and 182:

Mr. JOHNSTON. In the handling of Government accounting before that credit is set up to the pool the Comptroller General and the audit section are going to have to be convinced of each and every item that went into it when they undertake to break it down as proper charge. It is my judgment, both as a lawyer and as a manager, that every dime belongs to the pool.

I quote a further statement of Mr. Johnston on the same page, as follows:

Mr. JOHNSTON. The statement does not so disclose and does not so state, but that is a consolidated statement of the financial condition of the cotton operations as conducted as a continuous operation by the Secretary of Agriculture to date. As to what the participating trust certificate holders are entitled to is beside the point. My judgment is that they are entitled to all of it. His judgment may be that they are entitled to none of it. That is a matter yet to be determined.

I am not insisting that before the Subcommittee on Deficiency Appropriations officials of the A. A. A. did not appear and testify that this $1,800,000 were not profits of the cotton pool and testified in effect that instead of the cotton pool having made a profit it, in fact, had a deficit of $450,000.

They insisted, I very frankly state to you, that this $1,800,000 was derived from other operations of the Secretary of Agriculture in cotton, but between that evidence and that of the man who actually managed the pool and ought to be more familiar with its operations than anybody else there is a direct conflict.

It further appears that the Secretary of Agriculture in his handling of these trust assets of cotton belonging to these cotton farmers to whom it had been optioned throughout the country carried on various operations on the New York Cotton Exchange in the purchase and sale of cotton futures, and there is a great deal of evidence disclosed by the hearings which I have examined on whether the losses that he sustained and which have been undertaken to be charged against the cotton pool owners were sustained in their interest or in perhaps an unauthorized use of their assets and of the authority that he had as the trustee of their property and whether the profits he made should be credited to the pool. At any rate, after this conflict arose as to whether the $1,800,000, which is now in the Treasury of the United States, was the property of the owners of these cotton-pool-participation certificates and after the contentions of the representatives of the triple A had been made clear and the evidence of Mr. Johnston had been developed before a committee of the Senate, you took action. The Congress of the United States and the President of the United States settled the controversy. You passed the Agricultural Adjustment Act of 1938, and in title IV of that act you decided that this money belonged to the cotton-pool participants, and that it ought to be paid; and you wrote into that legislation the direction that it should be paid. I say, therefore, that if any basis for difference of opinion exists as to whether this $1,800,000 is the money of the cotton farmers who participated in this pool or is money derived from other operations of the Secretary of Agriculture in the handling of crop production loan cotton or in futures operations on the cotton market, if any ground for legitimate difference of opinion exists as to what is the truth of the matter, the question has been settled by the enactment of the legislation in question. I thought it was the duty of the conference committee, acting in behalf of the House in the consideration of this bill, to accept the direction which I conceived had been given to us by the enactment of the Agricultural Adjustment Act containing title IV, to which I have just made reference.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I yield 2 additional minutes to the gentleman from Georgia.

Mr. PATMAN. Mr. Speaker, will the gentleman yield for a question?

Mr. TARVER. I yield to the gentleman from Texas.

Mr. PATMAN. Is it not a fact that this money is in the hands of the Secretary of Agriculture at this time; and if the gentleman's motion prevails, it will not take any money out of the United States Treasury at all?

Mr. TARVER. No; this money has been turned over to the Treasury of the United States, as I understand.

Mr. PATMAN. At the same time it is in a special fund?

Mr. TARVER. It is in there; and under the terms of the trust certificates, if it was derived from the cotton represented by those certificates, it belongs, as a matter of law, to the cotton pool participation certificate owners.

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

Mr. TARVER. I yield to the gentleman from Michigan.

Mr. WOODRUFF. As a matter of fact, a large portion of this money undoubtedly belongs to the cotton farmers of the South?

Mr. TARVER. Yes.

Mr. WOODRUFF. I, as one Member of the House, cannot see why we should place a limitation upon paying those men. It is their money.

Mr. TARVER. Let me say to my friend, in agreement with his question, that if the Secretary of Agriculture or those acting under him have mixed trust funds which were in their charge with other funds so that they cannot distinguish between them, then, under the rules applicable in every court of equity in this country, the cestuisque trust whose funds have thus been mixed with other funds so that they cannot be divided are entitled to the entire fund. However, the evidence I have referred to indicates that the entire amount, $1,800,000, belongs to these certificate holders.

Mr. ANDRESEN of Minnesota. Mr. Speaker, will the gentleman yield?

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

Mr. ANDRESEN of Minnesota. Part of the cotton that was covered in this pool was taken from the cotton held by the Farm Board.

Mr. TARVER. Yes, a great deal of it was bought from the cotton purchased by the Farm Board. That is where part of this controversy has arisen, because the Farm Board paid a great deal more for it than did the cotton pool. The Department of Agriculture wants to charge these cotton-pool participants with the derelictions of the Farm Board, but the cotton could have been bought on the open market for the price or even less than the price of 6 cents per pound which was paid to the Farm Board.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from Minnesota [Mr. ANDRESEN].

Mr. ANDRESEN of Minnesota. Mr. Speaker, the gentleman from Georgia stated the cotton involved in this transaction came from the Farm Board. The Farm Board loaned the cotton farmers 16 cents a pound on this cotton and afterward sold it back to the farmers who had received the 16 cents a pound, for 5 and 6 cents a pound, so that the cotton farmers got 16 cents a pound, which is more than they have ever received during the 5 years and 4 months of the New Deal, and now they are coming in and asking to get this $1,800,000 in addition to the 16 cents and the profit they were able to make between the 6 cents they paid for it and the 12 cents for which they again sold it.

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

Mr. ANDRESEN of Minnesota. I yield to the gentleman from Georgia.

Mr. TARVER. The gentleman does not controvert the statement I have made that the Government could have bought the cotton in the open market for 6 cents a pound, just as it bought it from the Farm Board?

Mr. ANDRESEN of Minnesota. That is true, but the cotton farmers who are now asking for this $1,800,000 were paid 16 cents a pound on their cotton by the Farm Board on the loan that was made by the Farm Board to them, and the cotton farmers did not take the cotton back or redeem their pledge with the Board. Consequently, the Board became the owner of the cotton and they sold it back again to them, under the New Deal, at 6 cents a pound.

These are the facts, and if the cotton farmers are entitled to this extra money they should have it, but I do not believe they are and I do not believe they are entitled to the 3-cent subsidy voted to them here last August.

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

Mr. ANDRESEN of Minnesota. I yield to the gentleman.

Mr. GILCHRIST. Is it not true that the representative of the cotton interests in the hearings at page 18 admitted, first, that there was no moral responsibility in any of the Government agencies to take up these certificates, and, secondly, that there was no legal responsibility?

Mr. ANDRESEN of Minnesota. The gentleman is correct; and further than that, representatives of the Department of Agriculture appeared before our committee in opposition to this payment saying that the cotton farmers had received everything they were entitled to receive when the money was distributed by the cooperative agency handling the sale of it.

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

Mr. ANDRESEN of Minnesota. I yield to the gentleman from New York.

Mr. SNELL. Who owns these certificates now? As I understand, there are a number of small certificates outstanding.

Mr. ANDRESEN of Minnesota. The ownership is not distributed very widely. These certificates were transferable, as I understand it, and a good many of them were picked up by speculators. They have a record of who owns them and you will find a good many are also owned by certain large operators.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Speaker, there is pending now before the House a motion by the gentleman from Georgia [Mr. TARVER] to recede and concur in the amendment which the Senate wrote in the pending bill to pay $1,800,000 on the cotton participation certificates. If the motion of the gentleman from Georgia prevails, we will pay $1,800,000 to wind up this particular bit of business. I am supporting the gentleman from Georgia.

Mr. CANNON of Missouri. Mr. Speaker, will the gentleman yield?

Mr. DIRKSEN. Yes.

Mr. CANNON of Missouri. The gentleman recalls and the hearings show that the Department of Agriculture and those in charge have testified they have already wound up this matter?

Mr. DIRKSEN. Except the money.

Mr. CANNON of Missouri. And the pool owes the United States Government $459,000, so this is not a proposition to wind it up, it is already wound up, and this is a proposal to grant a gratuity.

Mr. DIRKSEN. This is a proposition to distribute what, in all conscience, is due to people with whom the Government entered into a solemn contract.

Mr. CANNON of Missouri. It was testified by both the Department of Agriculture and the Treasury Department that this would be a gratuity.

Mr. DIRKSEN. Mr. Speaker, let me say, particularly to my colleagues on this side of the aisle, I do not know what you think about the broad and sometimes seemingly academic question of Government morality, but it does appear to me that if there are no morals of Government and if the Federal Government does not stand by certain solemn undertakings which it has made with some of the producers of the country, then the whole moral structure falls to the ground, and this is the thing, in my judgment, that has persuaded me to go along with the Senate amendment.

Mr. CANNON of Missouri and Mr. GILCHRIST rose.

Mr. CANNON of Missouri. I trust the gentleman has read the hearings in which the Department of Agriculture testified not only that the United States Government was not legally bound, but that it was not morally bound, and since the gentleman has mentioned morals, the moral is that the United States Government is neither morally nor legally obligated. The moral obligation is to the taxpayers and the Treasury from which this money must be taken.

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

Mr. DIRKSEN. Let me proceed for a moment. You do not even know what I am going to say.

This matter of morals is purely a personal matter. Mr. Warren Chatfield Taylor, of the Treasury, may have one idea about morality and I may have another. Mr. Henry Wallace may have one idea about morality and I may have another. I am pursuing my own opinion and my own notion as to what I think are the morals of the case.

When the Senate wrote this provision into the pending bill I went to the Committee on Appropriations and took down a copy of the hearings that were held quite some time before, in fact, on the 14th of March, 1938, by the deficiency subcommittee on the question of the 1933 cotton pool participation trust certificates. I took that hearing down to my hotel and spent an evening going through it, and when I had gone through it I was prejudiced against this item in the Senate bill and had very carefully made up my mind that I was going to oppose the amendment. I did not know whether that was all of the case, so I went over and got myself some hearings from the Senate, to be specific, the hearings in 1936 and 1938. I examined copies of the so-called option contracts, and the other documents that were submitted, and on the basis of the whole testimony, I am urging you, or at least so far as I am concerned, I am going to vote to sustain the Senate, and I will tell you why.

It is very apparent, if you will read this hearing, that the situation sets itself up about as follows: In 1933 in the very first, all-inclusive farm bill, we set up a provision that cotton farmers might share on the basis of cotton option contracts and if he had $110 of cotton, as was indicated in these hearings, he could have it all in cash, or part cash, and the remainder in the form of a participation in cotton options on cotton which came into possession of the Federal Government through the operations of the Federal Farm Board. That was his benefit payment. That was a payment on account of the sacrifices that he made under the farm program, but he had an alternative.

The SPEAKER pro tempore. The time of the gentleman from Illinois has expired.

Mr. DIRKSEN. Mr. Speaker, will the gentleman yield me 5 minutes more?

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent that the hour for debate upon this amendment be extended 5 minutes, and that those 5 minutes be given to the gentleman from Illinois.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. DIRKSEN. Mr. Speaker, I thank the gentleman from Missouri. The cotton farmer had an option. He could take cash or part cash and an interest in a cotton option. After these options had been made, they set up a pool for the purpose of handling a lot of cotton that was an inheritance from the Farm Board. I know that as well as anybody. They sought to so administer this cotton as to not let two or three million bales get on the market at once, that the price structure might be saved. This pool was operating with some 450,000 or 460,000 interested parties. It finally got around to 1,900,000 bales. That constituted the real center of interest. They borrowed money from the Commodity Credit Corporation, and they gave them 4 cents a pound at first and later 2 cents a pound. Then it appears they were entitled to a balance of $1,800,000, and that is the question in issue at the present time. I said there is a moral question involved. So there is. Here is a copy of the 1933 cotton producers' pool that was approved by the Secretary of Agriculture, and paragraph (a) of section 3 says that, after certain expenses have been deducted, the managers shall thereafter distribute the remaining proceeds

ratably to the holders of record of participation certificates. That seems to be a very solemn undertaking under which we ought to pay the bill.

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

Mr. DIRKSEN. No. The fact of the matter is that all of these have been approved by the Secretary of Agriculture, and they constitute, in my judgment, a formal undertaking on the part of this country to pay, and the real issue now involved is whether or not some of these certificates have fallen into the hands of speculators and whether that fact should deny justice to some 340,000 actual farmer producers. I do not care whether they have fallen into the hands of speculators or not. When we passed the soldiers' bonus bill we were very careful to see to it that no transfer clause was inserted whereby they could alienate or assign. We did, however, put a transfer clause in this. They could sell these for 40 cents on a dollar or for 60 cents on the dollar. I am not going to look behind that contract to see whether or not 10 percent or 30 percent of these participation certificates are in the hands of speculators. Maybe they are, but the fact remains from all the testimony that I could get that about 80 or 85 percent of these certificates are still in the hands of the cotton-farmer producers. They are going to get the bulk of this, and if some of it finds its way into the coffers of speculators, well and good. We made it possible by a negotiable clause in this contract for them to transfer for a money consideration. So the whole thing involved is a moral question whereby Uncle Sam is expected to stand by and carry out the provisions of these undertakings and contracts and agreements that have been approved by the Secretary of Agriculture. Mr. Wayne Taylor and the Secretary of Agriculture can argue until they are blue in the face, but it does not controvert the fact that there is a moral undertaking in my opinion that we ought to pay them, even though some of these dollars may get into the hands of speculators.

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

Mr. DIRKSEN. Yes.

Mr. HOPE. Is it not a fact that this money, $1,800,000, was made as a result of the cotton-pool transaction?

Mr. DIRKSEN. Yes.

Mr. HOPE. And those transactions would not have been carried on except for the cotton-pool operations?

Mr. DIRKSEN. Yes; and the other thing is this, that if a cotton producer instead of taking cash and a cotton option, had taken all cash and then taken the difference represented by the option and bought for himself cotton on the market at that time and speculated, just as the producers pool might have speculated, he would have made more money than he will get under this, even when the $1,800,000 is paid.

Mr. CANNON of Missouri. If he had speculated, he would have been entitled to the proceeds of the cotton he sold.

Mr. DIRKSEN. Yes.

Mr. CANNON of Missouri. But would he have been entitled to the proceeds of the cotton that some other man had sold?

Mr. DIRKSEN. Yes; by virtue of the fact that he was a participant in the pool. It was in September 1934 that Oscar Johnson went on the radio. He was the manager of the cotton pool. He told the people to go into the pool, and exactly what their benefits would be. He was an employee of the Federal Government when he went on the radio at that time, and we ought to stand by the representations and allegations that had been made.

Mr. CANNON of Missouri. He did not tell them that they would have the proceeds of some other man's cotton. He said they would have the proceeds of their own cotton only. And they have received that and $459,000 more.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. BIGELOW].

Mr. BIGELOW. Mr. Speaker, I have been tremendously inspirited by what I have heard on the floor today. I have been depressed as to why I could not better understand the bills that were coming before us, but the speech of the gentleman from Iowa has explained it. Those who did not hear the speech I urge to read it in tomorrow's RECORD.

If I have not understood this amendment it is because this is another one of these long-sentence amendments. This amendment is 27 lines long. It is just one long sentence of 27 lines. I have tried to understand it, however. It seems to me that it offers an opportunity to some of us from the North to express our spirit of cooperation to the South. Pretty soon we are going to need the cooperation of our friends from the South on the wage and hour legislation, and I have been anxious for every opportunity that I could justly avail myself of, of reciprocating with our Southern friends. It does seem to me that our people from the northern cities should vote for this amendment to retain the Senate amendment in this bill.

I had most unusual good luck as a new Member in that the first bill I introduced was passed. It was a bill to pay $2,500 to a humble colored man in the west end of Cincinnati. After the Congress had voted to do that, he would certainly have been very much disappointed if by subsequent action the Congress had reversed itself and deprived him of this appropriation. This, it seems to me, is what we are proposing to do in the effort to reject the Senate amendment. An obligation had been assumed and acknowledged, and certain people were counting on that being honored.

By our action, if we throw out this amendment we will dishonor that obligation. The strange argument is made that we should refuse to pay for these certificates now because they have passed into the hands of other people. That is precisely the argument Alexander Hamilton made at the beginning of this Government, and I think we have praised him for 150 years for establishing the sanctity of Government obligations.

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

Mr. BIGELOW. I yield.

Mr. BIERMANN. The gentleman has got Alexander Hamilton mixed with James Madison. Alexander Hamilton wanted these friends of his to get a reward on their speculation, and James Madison did not.

Mr. BIGELOW. Alexander Hamilton wanted the Government to pay its obligations.

Mr. BIERMANN. He wanted the speculator who had bought these obligations at 10 cents on the dollar to have the opportunity to profit by their speculation. James Madison did not want it done; but that is not the issue here. The issue here is not whether the colored man got $2,500 for his own injury; the issue is whether he got the $2,500 for somebody else's injury.

Mr. BIGELOW. The issue here is whether this Congress is going to pay for these certificates when it has already agreed to pay for them and acknowledged its obligation.

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

Mr. BIGELOW. I yield.

Mr. TABER. The issue is whether the Government has already paid all that it agreed to pay on these certificates. There is no such question as the gentleman suggested. It has not arisen.

Mr. BIGELOW. The gentleman is opening up a question which has been decided by this Congress. We might argue that the Congress should not have agreed to pay the certificates; but having once made the agreement, how can this agreement be repudiated with honor?

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

Mr. BIGELOW. I yield.

Mr. CRAWFORD. Do I understand correctly that in the 1938 agricultural act passed since the first of the year this Congress put in the statute books a provision that $1,800,000 should be paid under this plan?

Mr. BIGELOW. That is my understanding of the situation.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield for one further question?

Mr. BIGELOW. I yield.

Mr. CRAWFORD. Has any payment been made since Congress passed that act?

Mr. BIGELOW. I understand there has not been any payment made. These certificates are virtually notes of this Congress that should be redeemed. [Applause.]

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from Mississippi [Mr. DOXEY].

Mr. DOXEY. Mr. Speaker, I hesitate to ask the distinguished chairman of this committee for this time because I am not a member of this particular conference committee, but I was a member of the legislative conference committee that brought this legislation into being, legislation that was approved and passed by this Congress. In approving this legislation Congress clearly indicated its intention to pay this $1,800,000 to the farmer to whom it was and is due. I, therefore, heartily favor the amendment offered by the gentleman from Georgia.

Some confusion exists in regard to this entire proposition. The discussion here indicates not only a wide difference of opinion but different sources of information. As chairman of an agricultural subcommittee I have gone into this cotton-pool proposition rather extensively, as well as other matters discussed and voted upon here, such as the establishment of laboratories, payment of the cotton subsidy, and the tenant problem which we will soon vote on and I trust approve the $25,000,000 item.

I will not rehearse in detail the history of this cotton pool certificate transaction, but I want to point out some facts in this regard that have not been brought to your attention. May I say further that I deeply appreciate the action of the House this morning with reference to this conference report, wherein it agreed with the Senate in respect to the laboratory provision and with reference to the subsidy provision. Many of us have labored long and hard for these agricultural benefits. I believe it will take similar action with respect to this cotton pool certificate payment, because, Mr. Speaker, we cannot at this time endeavor to balance the Budget at the sole and only expense of agriculture. [Applause.] Everything that has been done, the appropriation we have made, is just carrying out the mandate that Congress has already given by legislation duly and legally passed by the Congress. Nobody will deny that this $1,800,000 was made by virtue of the farmers cooperating in the program. If any Member wishes to deny that, I yield to him to challenge my statement.

Mr. HEALEY. Will the gentleman yield?

Mr. DOXEY. I yield to the gentleman from Massachusetts.

Mr. HEALEY. May I ask the gentleman for information as to whether or not this fund accrued as the result of transactions in the farmers' cotton and certificate holders' cotton?

Mr. DOXEY. Absolutely and unequivocably. They had two sets of books down there at the Department. One of them was a cotton pool certificate book and the other was the Secretary's cotton account. The man who ran that whole business down there was Oscar Johnston, of Mississippi, and there never was a more efficient or capable Government representative, in my humble judgment. It was largely the result of his business ingenuity and the manner in which he handled it that the profit was made. He testified there was no way in the world to carry on the operations of this cotton producers' pool without combining the cotton-pool books and the Secretary's cotton-account books. When you liquidated you had a net profit of $1,800,000 that by contract and by law belongs to the producers of cotton.

These certificates have not all fallen into the hands of speculators, either, as has been charged, because we have provided in the law that nobody gets more than $1 a bale on these certificates. I have not time to discuss this in detail at this point, but I say to you, my colleagues, having passed the legislation, I hope the House will not, as I say, balance the Budget or endeavor to do so at the sole expense of agriculture. [Applause.]

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. CULKIN].

Mr. CULKIN. Mr. Speaker, I find myself in strong accord with the preferential motion of the gentleman from Georgia [Mr. TARVER]. The South from Civil War days has been buying in a protective market and selling in a world market. When I voted for the A. A. A. I intended to correct that gross differential. The situation that arises under this amendment of the Senate was grounded in authorizing law passed in this year of our Lord by this Congress. I am speaking here today because a former constituent of mine, now residing in the South, writes me that these certificates are now being held by the farmers themselves. He states they have held them relying on the word of the Government. Word has gone out that they are in the hands of speculators, and I understand that is the ground on which the Secretary of Agriculture has repudiated them. The fact is, as I am advised, 84 percent of these certificates are now in the hands of the dirt farmers themselves.

In view of the former agreements and express statutory covenants of the Government, I urge the adoption of the preferential motion offered by the gentleman from Georgia [Mr. TARVER]. [Applause.]

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. JOHNSON].

Mr. LUTHER A. JOHNSON. Mr. Speaker, it strikes me that we have consumed a good deal of time in the discussion of a question that has already been settled and crystallized into law. When we passed the farm bill of 1938 there was included in that bill, under title IV, legislation passing upon the validity of these certificates and a finding by Congress that the United States Government owed $1,800,000 to the holders of these cotton-pool certificates. This bill passed the House, it passed the Senate, and was approved by the President. After it was approved a communication was sent by the President of the United States to the Committee on Appropriations and recommended an appropriation of $1,800,000 for the payment of these certificates. The Director of the Bureau of the Budget also recommended that they should be paid.

Mr. WHITTINGTON. Congress has passed upon this matter?

Mr. LUTHER A. JOHNSON. Congress has passed upon it, the President has passed on it, the Bureau of the Budget has passed on it, and everybody has passed on it, and now we are called upon to repudiate the action of Congress, the recommendation of the President and the Director of the Budget, because some bureaucrat in the Department of Agriculture tells the Committee on Appropriations that there is no legal or moral obligation on the part of the Government to pay the holders of these certificates.

Mr. MAHON of Texas. Mr. Speaker, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield to the gentleman from Texas.

Mr. MAHON of Texas. Is it not true that last year prior to the passage of the 1938 Farm Act the gentleman from Texas introduced a separate bill along this line and was very active in endeavoring to secure its passage?

Mr. LUTHER A. JOHNSON. On April 28, 1937, I introduced a bill, H. R. 6744, in connection with the matter covered by this provision of the Farm Act to pay the holders of these cotton-pool certificates, and I know the facts with reference to this matter.

It was called to my attention by farmers in my district, who own and hold these certificates and who wrote to inquire of me why they had not been paid, and I have continued to receive letters from many farmers in my district for the past 2 years.

I took the matter up, made a thorough investigation of it and became convinced that there was $1,800,000 profit from

the operation of this cotton pool and that this sum belonged to these farmers to whom were issued these cotton-pool certificates by the Government.

In 1933 the cotton producers' pool was created pursuant to the Agricultural Adjustment Act for the purpose of the orderly marketing of cotton presented by contracts of producers, the purpose of orderly marketing being to prevent the market being depressed by farmers all throwing their cotton upon the market for immediate sale.

Farmers who entered this pool were issued certificates which entitled them to their share of the profits derived from the handling of the cotton which they placed in the pool. Mr. Oscar Johnston was the manager of the so-called producers' pool.

There has been some conflict between the officials in the Department of Agriculture as to whether there was a profit or not, but the testimony of Mr. Oscar Johnston, the manager of the producers' pool, was to the effect that $1,800,000 was made as a profit, which should go to the holders of these certificates, and which, when divided among the holders of the certificates, would be at the rate of $1 per bale.

This $1,800,000 has never been paid to the farmers who hold these certificates. I believe it is a just claim. Whether you believe it is just or not, Congress has already decreed it to be just. It has already passed both Houses. I believe this House would be repudiating its own action and setting aside a judgment of Congress in denying this payment. I believe the preferential motion of the gentleman from Georgia should be adopted and the Senate amendment concurred in. [Applause.]

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. CRAWFORD].

Mr. CRAWFORD. Mr. Speaker, my position on this bill resolves itself down to this, that in the 1938 Farm Act this was acknowledged as a liability and we should proceed to meet that obligation. I voted against that act, but when I make an obligation or am a party to an obligation I believe in paying the bill, as bad as it may be. [Applause.]

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

Mr. CRAWFORD. I have only 2 minutes.

Mr. BIERMANN. The gentleman does not mean to say that every time this House authorizes an appropriation the House afterward is obligated to make the appropriation?

Mr. CRAWFORD. I should say I do believe in that if innocent parties are involved in the picture as in this case where farmers have been so assured that their claims evidenced by the certificates would be protected, and if we would accept that philosophy we would be more careful in incurring obligations by passing bills of authorization. Do not the Members of this body feel the farmer is tricked often enough by those who are a little more sagacious and informed, without this Congress adopting the policy of adding to his burdens and just in order to get his vote at election time?

Mr. BIERMANN. What is the use of having a Committee on Appropriations then?

Mr. CRAWFORD. To give a double check on what is going on and to give us a chance to discuss some of these things subsequent to the passage of the act of authorization, and to somewhat coordinate the income and outgo of the Federal Treasury in the face of rash authorizations and promises made by those who are so anxious to purchase votes through such promising.

Mr. BIERMANN. There are hundreds and millions and probably billions of dollars authorized to be spent.

Mr. CRAWFORD. In my private life, as the record will show, I am careful about incurring obligations, but if there is anything in which I take delight it is in meeting an obligation after having made it, and it does not make any difference what the bill is. [Applause.]

I do not like to go against the chairman of the committee or the gentlemen on this side who oppose this appropriation, but if this is an obligation, let us pay it.

It does not make any difference who holds the certificates. The 1938 Agricultural Adjustment Act led the world to believe this obligation was not only recognized but that it would be paid in full. I still believe in the farmers of this country having the right to transfer their property when they like, whether it be a horse or a cow, pig or chicken, a cotton-pool certificate or a piece of land; and I believe the third party should be protected in that respect. For that reason, I expect to support the motion of the gentleman from Georgia. Let this obligation, previously recognized, be paid and then God help this great people of ours unless in the future Congress is less inclined to promise everything under the sun which an already overburdened and discouraged people are unable to pay for. If we would treat the public purse with as much consideration as a wise man does his own, what great difficulties we could go around through not incurring them. But so long as we sit here and vote billions of dollars of obligations, with little thought of ever paying them, but at all times having in mind the public will be led into voting "for us," then just so much nearer will our democracy approach its end.

CALL OF THE HOUSE

Mr. BIERMANN. Mr. Speaker, I make the point of order a quorum is not present.

The SPEAKER pro tempore (Mr. GRIFFITH). The Chair will count. [After counting.] One hundred and sixty-five Members are present, not a quorum.

Mr. CANNON of Missouri. 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. 104]

Allen, Pa.	Dockweiler	McAndrews	Scrugham
Ashbrook	Douglas	McClellan	Simpson
Atkinson	Farley	McGranery	Smith, Okla.
Boehne	Fernandez	McGrath	Smith, Wash.
Byrne	Fries, Ill.	McGroarty	Stack
Celler	Gasque	McMillan	Steagall
Champion	Gingery	McSweeney	Sullivan
Clark, Idaho	Gray, Pa.	Maloney	Sweeney
Clark, N. C.	Green	Mitchell, Tenn.	Taylor, Colo.
Cochran	Griswold	Mosier, Ohio	Taylor, Tenn.
Coffee, Nebr.	Hancock, N. C.	Murdock, Utah	Thurston
Cole, Md.	Harrington	O'Connor, Mont.	Wadsworth
Creal	Harter	O'Day	Wearin
Crosby	Hendricks	Owen	Weaver
Cullen	Hennings	Reed, N. Y.	Whelchel
Curley	Hildebrandt	Robertson	White, Idaho
Deen	Hook	Robinson, Utah	White, Ohio
DeMuth	Imhoff	Ryan	Wigglesworth
DeRouen	Johnson, Minn.	Sabath	Wood
Dickstein	Kopplemann	Sadowski	Woodruff
Disney	Kvale	Satterfield	
Ditter	Lemke	Schaefer, Ill.	

The SPEAKER. On this roll call 342 Members have answered to their names, a quorum.

Further proceedings under the call were dispensed with.

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, I feel the House should have a clear picture of this situation before it votes. In order that it may, I am going to read two or three items and call attention to two or three things that seem to me to be the key to this situation and the reason Members should not vote for this appropriation.

In the first place, when the A. A. A. took effect, the cotton farmers were given the option, if a man had 10 acres of cotton which he was told not to plant, of taking $110 in cash or taking $80 in cash, plus an option for about 3 bales of cotton at 6 cents a pound, with no obligation on his part to take the cotton over if he did not want it or if it went down. Out of this speculation these farmers who took an option at 6 cents a pound got for not planting 10 acres of cotton $160.70, where the farmer who took cash got $110. So those who took this option got $50.70 more than those who took cash.

Now, the rest of the story is that the Government operated this cotton pool and out of the pool it received and paid out

to the owners of these certificates all the money that it received for the sale of this particular cotton and in addition $469,999.25.

There is no legal authority for this overpayment, but it has been made.

These people who went into this cotton speculation were required by the terms of their option and contract to pay the expenses of that pool and those expenses were deducted before the payments were made to them.

Now, when the agricultural bill was passed last winter the Senate shoved in a provision that authorized an appropriation to pay these people who speculated an extra dollar a bale. This would mean $3 for every 10 acres. This would mean they would not only have an advantage of $50.70 over the fellow who took cash but they would have an advantage of $53.70. This provision of the agricultural bill only authorized the money to be appropriated. If it is not appropriated, there is no obligation whatever on the part of the Government to pay a single cent.

Having gone into this speculation and having been given all the proceeds of the operation of that pool and all the profits that resulted from the operation of that pool and $469,999.25 in addition, there is no moral or legal obligation anywhere on the Government to pay them another cent.

This is the reason I believe this House should refuse to vote for the motion of the gentleman from Georgia to recede and concur. [Applause.]

Mr. CANNON of Missouri. Mr. Speaker, there is no more thankless task than opposing proposals to spend money. It is much easier to be Santa Claus than to be Shylock, and I choose the latter role reluctantly. But you passed this bill. You sent us over to confer with the Senate conferees. You told us to adhere to the bill; not to add anything to it and not to take anything from it; and so, not in expression of any personal preference but in conformity with the instructions of the House, we have endeavored to shape these amendments to meet with the views expressed by you in the passage of the bill.

Many Members of the House are not familiar with the circumstances giving rise to the pending amendment. Although it was introduced in both the House and the Senate more than a year ago it was pigeonholed by the Agricultural Committees of both Houses and when submitted to the House Committee on Appropriations was rejected by a unanimous vote of the subcommittee, which held hearings on it. It is a very simple proposition.

When the Farm Board closed its unfortunate activities the Government found itself loaded with a tremendous amount of cotton hanging over the market, depressing the price of spot cotton beyond hope of recovery until disposed of.

This cotton was put in two baskets. In the first basket they put the cotton to be used in carrying out the farm program. Under that program they contracted with every farmer who would plow up one-third of his crop, to put to his credit the cotton he would have raised on the plowed third in a pool, each farmer to have the profits from the amount of cotton specified in his contract.

Much has been said about the contract but no one has quoted the contract. That is the crux of the matter. I wish you would turn now to page 2540 of the Appendix to the RECORD and there you will find printed the essential provisions of that contract. What did the United States Government promise the farmers in that contract? It promised them every cent of profit made on what? Made on the cotton that he would have raised, made on the cotton that went into the pool. And the United States Government kept that contract to the letter. It paid back to the farmer every penny that went into the pool and every penny that was made by the pool. As the Government paid the farmers, it issued certificates. It paid 4 cents and issued a yellow certificate. When more was made, the farmer was paid 2 cents, and received a brown certificate. The brown certificate is the one at issue in this amendment. What did the certificate promise? It promised the holder a share of any future profits made by the pool. At the time it was issued cotton was selling for 13 cents and if it had remained at that figure additional profits would have been made and a further dividend declared. Unfortunately cotton went down, and instead of making money the pool lost money and there was nothing to be divided among the last certificates.

As a matter of fact when they got through their last dividend, instead of the United States Government owing the pool anything, the pool owed the United States Government, as you will see in the tabulated statement of transactions in the RECORD. It is not a matter of anybody's opinion. There are the figures. They speak for themselves. No one reading them can have any doubt that the farmers not only got every cent they were entitled to, but that they got $496,000 more than they were entitled to. Who says that the United States Government owes anything on these certificates? The only man who has been mentioned here today by anybody who advocates this gratuity is this man Johnston, who is himself an interested person. He is an interested witness. He wanted more money. He wanted to justify his management. He wanted it, because he was in the cotton business himself.

The Committee on Appropriations sent down to the Department for a report on this man's testimony, and on page 11486 of the record there is a statement from the Department of Agriculture which I trust you will read.

The rest of the cotton was put in the other basket. After all the cotton had been used that could be used in the surplus-control program there still remained a large part of the cotton received from the Farm Board.

It had no connection with the pool. It was entirely different cotton; was not included in any contract with the producers and had no relation to the pool activities or transactions. The Secretary of Agriculture went to New York and borrowed money from New York bankers to finance the sale of this cotton. It was an entirely separate transaction and has no connection with the pool, and that $1,800,000 is the profit they made from the cotton in the other basket. This is not an offhand statement made in heat of debate. Look on page 11487 and note what the Department of Agriculture says and what the Secretary of the Treasury says.

There it is officially over their own signatures, and they say that instead of the Government owing the pool anything the pool owes the Government $459,000.

I am reminded of a story of Daniel Webster's early practice. One of his neighbors was a carpenter, a good workman, but a man of large family and very little means. He came to Daniel one afternoon and said, "Mr. Webster, I have a problem to put up to you. The banker hired me to do a couple of days' work and paid me $2.50, everything he owed me, but a week after that he met me on the street one day and paid me the $2.50 again. The money does not belong to me, of course, but I am a poor man and have a large family, while the banker is rich and will not miss it, but my conscience hurt me, so I want to ask you, Mr. Webster, what do you think I ought to do?"

Mr. Webster said, "Go and ask him for it again."

That is what the cotton pool is doing. The Government has not only paid them in full but has paid them the second time and now they are asking to be paid the third time. The demand has been rejected by every committee of Congress that has considered it and every Department of the Government that is concerned in the transaction. The testimony is that there are no grounds, either legal or moral, in support of this amendment.

[Here the gavel fell.]

The SPEAKER. The time of the gentleman from Missouri has expired; all time has expired.

Mr. CANNON of Missouri. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the preferential motion of the gentleman from Georgia to recede and concur in the Senate amendment.

The question was taken; and on a division (demanded by Mr. CANNON of Missouri) there were—ayes 179, noes 49.

Mr. CANNON of Missouri. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 219, nays 122, not voting 87, as follows:

[Roll No. 105]

YEAS—219

Allen, La.	Disney	Johnson, Okla.	Peterson, Fla.
Allen, Pa.	Dixon	Johnson, W. Va.	Peterson, Ga.
Amlie	Dorsey	Jones	Pfeifer
Anderson, Mo.	Doughton	Kee	Phillips
Arends	Doxey	Kelly, Ill.	Poage
Ashbrook	Drew, Pa.	Kelly, N. Y.	Quinn
Barden	Drewry, Va.	Kennedy, Md.	Ramsay
Barry	Driver	Kennedy, N. Y.	Rankin
Bates, Ky.	Duncan	Keogh	Rayburn
Beam	Edmiston	Kerr	Richards
Beiter	Elliott	Kitchens	Robertson
Bernard	Evans	Kleberg	Rogers, Okla.
Bigelow	Faddis	Kramer	Roy
Bland	Farley	Kvale	Ryan
Boileau	Ferguson	Lambeth	Sacks
Boland, Pa.	Fitzpatrick	Lanham	Sadowski
Boren	Flaherty	Lanzetta	Sanders
Boyer	Flannagan	Larrabee	Sauthoff
Boykin	Flannery	Lea	Schneider, Wis.
Bradley	Forand	Leavy	Scott
Brooks	Ford, Calif.	Lewis, Md.	Shanley
Brown	Ford, Miss.	McFarlane	Sheppard
Buckler, Minn.	Frey, Pa.	McGehee	Sirovich
Buckley, N. Y.	Fuller	McKeough	Smith, Va.
Bulwinkle	Fulmer	McReynolds	Smith, W. Va.
Burch	Gambrill, Md.	Maas	Somers, N. Y.
Burdick	Garrett	Magnuson	South
Caldwell	Gavagan	Mahon, S. C.	Sparkman
Carlson	Gehrmann	Mahon, Tex.	Starnes
Cartwright	Goldsborough	Martin, Colo.	Sumners, Tex.
Case, S. Dak.	Greenwood	Massingale	Swope
Casey, Mass.	Greever	Maverick	Tarver
Chandler	Gregory	Mead	Taylor, S. C.
Chapman	Griffith	Meeks	Teigan
Claypool	Haines	Merritt	Terry
Coffee, Wash.	Halleck	Mills	Thomas, Tex.
Cole, Md.	Hamilton	Mitchell, Ill.	Thomason, Tex.
Collins	Hancock, N. C.	Moser, Pa.	Tolan
Colmer	Hart	Mott	Transue
Connery	Havenner	Mouton	Turner
Cooley	Healey	Murdock, Ariz.	Umstead
Cooper	Hendricks	Nichols	Vincent, Ky.
Costello	Hildebrandt	O'Brien, Mich.	Vinson, Ga.
Cox	Hill	O'Connell, Mont.	Voorhis
Cravens	Hobbs	O'Connell, R. I.	Wallgren
Crawford	Honeyman	O'Leary	Walter
Culkin	Hope	O'Toole	Warren
Daly	Houston	Owen	Wene
Deen	Hull	Pace	West
Delaney	Izac	Parsons	Whittington
Dempsey	Jarman	Patman	Wilcox
DeRouen	Jenckes, Ind.	Patrick	Withrow
Dies	Johnson, Luther A.	Patterson	Woodruff
Dingell	Johnson, Lyndon	Patton	Zimmerman
Dirksen	Johnson, Minn.	Pearson	

NAYS—122

Aleshire	Gamble, N. Y.	Luckey, Nebr.	Romjue
Allen, Del.	Gearhart	Ludlow	Rutherford
Allen, Ill.	Gifford	Luecke, Mich.	Schuetz
Andresen, Minn.	Gilchrist	McLaughlin	Schulte
Andrews	Gildea	McLean	Secrest
Bacon	Gingery	Mapes	Seger
Bates, Mass.	Gray, Ind.	Martin, Mass.	Shafer, Mich.
Bell	Guyer	Mason	Shannon
Biermann	Gwynne	May	Short
Binderup	Hancock, N. Y.	Michener	Simpson
Cannon, Mo.	Harlan	Nelson	Smith, Conn.
Cannon, Wis.	Harrington	O'Brien, Ill.	Smith, Maine
Church	Harter	Oliver	Snell
Clason	Hoffman	O'Malley	Spence
Cluett	Holmes	O'Neal, Ky.	Stefan
Cole, N. Y.	Hunter	Palmisano	Sutphin
Crosser	Jacobsen	Pettengill	Taber
Crowe	Jarrett	Pierce	Thom
Crowther	Jenkins, Ohio	Polk	Thomas, N. J.
Dondero	Kinzer	Powers	Thompson, Ill.
Dowell	Kirwan	Rabaut	Tinkham
Eaton	Kniffin	Randolph	Tobey
Eberharter	Knutson	Reece, Tenn.	Towey
Eckert	Kocialkowski	Reed, Ill.	Treadway
Eicher	Lambertson	Rees, Kans.	Williams
Engel	Lamneck	Reilly	Wolcott
Englebright	Lesinski	Rich	Wolfenden
Fish	Lewis, Colo.	Rigney	Wolverton
Fitzgerald	Lord	Robsion, Ky.	Woodrum
Fleger	Lucas	Rockefeller	
Fletcher	Luce	Rogers, Mass.	

NOT VOTING—87

Arnold	DeMuth	McCormack	Schaefer, Ill.
Atkinson	Dickstein	McGranery	Scrugham
Barton	Ditter	McGrath	Smith, Okla.
Bloom	Dockweiler	McGroarty	Smith, Wash.
Boehne	Douglas	McMillan	Snyder, Pa.
Boylan, N. Y.	Dunn	McSweeney	Stack
Brewster	Fernandez	Maloney	Steagall
Buck	Fries, Ill.	Mansfield	Sullivan
Byrne	Gasque	Mitchell, Tenn.	Sweeney
Carter	Gray, Pa.	Mosier, Ohio	Taylor, Colo.
Celler	Green	Murdock, Utah	Taylor, Tenn.
Champion	Griswold	Norton	Thurston
Citron	Hartley	O'Connor, Mont.	Wadsworth
Clark, Idaho	Hennings	O'Connor, N. Y.	Wearin
Clark, N. C.	Hook	O'Day	Weaver
Cochran	Imhoff	O'Neill, N. J.	Welch
Coffee, Nebr.	Keller	Plumley	Whelchel
Creal	Kopplemann	Ramspeck	White, Idaho
Crosby	Lemke	Reed, N. Y.	White, Ohio
Cullen	Long	Robinson, Utah	Wigglesworth
Cummings	McAndrews	Sabath	Wood
Curley	McClellan	Satterfield	

So the motion to recede and concur was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Hook (for) with Mr. Ditter (against).

Mr. O'Connor of Montana (for) with Mr. Reed of New York (against).

Mr. McClellan (for) with Mr. Douglas (against).

Mr. Gasque (for) with Mr. DeMuth (against).

Mr. Steagall (for) with Mr. Hartley (against).

Mr. Fernandez (for) with Mr. White of Ohio (against).

Mr. Maloney (for) with Mr. Wigglesworth (against).

Mr. Mansfield (for) with Mr. Plumley (against).

Until further notice:

Mr. Cochran with Mr. Carter.

Mr. McCormack with Mr. Wadsworth.

Mr. O'Connor of New York with Mr. Taylor of Tennessee.

Mr. Ramspeck with Mr. Barton.

Mr. Cullen with Mr. Welch.

Mr. Griswold with Mr. Brewster.

Mr. Mosier of Ohio with Mr. Lemke.

Mr. McMillan with Mr. Dunn.

Mr. Whelchel with Mr. Keller.

Mr. Arnold with Mr. Hennings.

Mr. Robinson of Utah with Mr. Byrne.

Mr. Boehne with Mr. Scrugham.

Mr. Long with Mr. Snyder of Pennsylvania.

Mr. Taylor of Colorado with Mr. Satterfield.

Mr. Bloom with Mr. Green.

Mr. Clark of Idaho with Mr. Atkinson.

Mr. Sabath with Mr. Smith of Washington.

Mr. Weaver with Mr. Boylan of New York.

Mr. Creal with Mr. Schaefer of Illinois.

Mr. Imhoff with Mr. Buck.

Mr. Kopplemann with Mr. Smith of Oklahoma.

Mr. Celler with Mr. McGranery.

Mr. Dockweiler with Mrs. Norton.

Mr. O'Neill of New Jersey with Mr. Wood.

Mr. Sullivan with Mr. Gray of Pennsylvania.

Mr. Murdock of Utah with Mr. Fries of Illinois.

Mrs. O'Day with Mr. Sweeney.

Mr. Dickstein with Mr. Clark of North Carolina.

Mr. McAndrews with Mr. Coffee of Nebraska.

Mr. McGrath with Mr. McSweeney.

Mr. White of Idaho with Mr. Crosby.

Mr. Mitchell of Tennessee with Mr. Cummings.

Mr. Wearin with Mr. Curley.

Mr. Champion with Mr. Stack.

Mr. SCHNEIDER of Wisconsin, Mr. FLANNAGAN, and Mr. GREENWOOD changed their vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 105: Page 101, line 8, strike out "$15,000,000" and insert in lieu thereof "$25,000,000."

Mr. CANNON of Missouri. Mr. Speaker, I move that the House insist on its disagreement to the amendment of the Senate No. 105.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I offer a preferential motion which I ask to have read.

The SPEAKER. The gentleman from Missouri moves that the House insist on its disagreement to the amendment of the Senate No. 105.

The gentleman from Oklahoma offers a preferential motion, which the Clerk will report.

The Clerk read as follows:

Mr. JOHNSON of Oklahoma moves that the House recede and concur in the Senate amendment.

Mr. CANNON of Missouri. Mr. Speaker, I yield 10 minutes to the gentleman from Oklahoma [Mr. JOHNSON].

Mr. JOHNSON of Oklahoma. Mr. Speaker, my motion just offered to recede and concur in the Senate amendment proposes to appropriate $25,000,000 instead of $15,000,000, as proposed by the House conferees.

I assume that it is well understood that this is what is known as the farm-tenant provision of the agricultural appropriation bill. It is unnecessary, I hope, to review the history of this farm-tenant legislation. Many of you remember that for the past several years past administrations made glowing promises to farm tenants. Many beautiful speeches were made, but farm tenancy has been on a sharp increase. past Congresses made mere gestures, bills were introduced, but year after year Congress would adjourn without actually doing anything except talk. You may also recall that early in this administration President Roosevelt called attention of the Congress to the urgent necessity of dealing with this ever-growing and perplexing problem of farm tenancy. But not until during the first session of the Seventy-fifth Congress was it possible to actually enact any legislation dealing with this deplorable and tragic tenancy problem.

Permit me to say that I am glad to have been permitted to have a small part in that legislation. The Democratic steering committee of the House met with the chairman of the Committee on Agriculture of the House and the Committee on Agriculture of the Senate, and it was out of these meetings that the compromise bill was finally agreed upon. Some of us were insisting that the sum of $50,000,000 per year was the minimum that we could afford to start on to make the program successful. But we had to take the compromise or nothing. It was necessary to compromise or again suffer defeat. The compromise, as you will recall, provided that for the first year $10,000,000 of Federal funds would be authorized to become available to tenant farmers as loans over a long period of years at a small rate of interest. Not a grant, mind you, but a loan, every dollar of which must be paid back to the Federal Treasury. The bill further authorized $25,000,000 the second year and $50,000,000 thereafter. The tenant farmers of America had a right to expect Congress to actually appropriate the amount authorized, small though the sum be in comparison with the widespread needs. But what happened? You will recall that for the first year the committee refused to recommend $10,000,000 authorized and gave all kinds of excuses for so doing. Then it was that this House said that that authorization was a solemn obligation, and the House voted overwhelmingly to appropriate the sum of $10,000,000.

Then, despite the action of this House, you remember that when this agricultural appropriation bill was before the House about the middle of last April we found that the committee recommended only $15,000,000 to carry out the provisions of the act which authorized $25,000,000 for the second year. At that time the committee explained its action by advising us that the Farm Security Administration had not spent all of the first $10,000,000 appropriated. We were further told that the Farm Security Administration could not wisely expend the entire $25,000,000 during the next year.

It will be recalled that at that time I offered an amendment to increase the amount to $25,000,000, the full amount authorized by law, and I explained at that time that the machinery of this organization had just been set up, that the first loan had been made only a few weeks prior to that date, and I predicted then that by July 1 there would be sufficient eligible applications and funds obligated to use all or practically all of $10,000,000 appropriated for the first year. We were told then that very few applications for loans had been received. In that connection let me say that I hold in my hand some up-to-date, up-to-the-hour information, which I secured from the Farm Security Administration since today noon. I am advised that there have been received up to date 38,010 applications with sufficient funds for only 2,000 loans. All these 38,000 and more applications are from bona fide tenants who are eligible under the law for such loans. I am further advised that only 30 days' to 6 weeks' time was permitted to make applications for these loans. That time limit is now closed, and no further applications are being accepted.

With from 30 days to 6 weeks to make application, there are now 38,010 eligible and deserving farmers begging for an opportunity to live under their own roofs and sit by their own firesides. Of those 38,000 applications, the committees have been forced to turn down over 36,000 for no reason other than a lack of sufficient money. But 2,400 have been approved to the extent that the tenant has gone out and selected his farm, which is approximately 400 more than there is money now to make loans for this purpose. Of those 2,400 loans that have been approved to the extent that the tenant has actually selected his farm, 1,851 have not only been approved by the tenant but have been approved by the local committee and are now in the process of closing, and the money soon will be obligated.

Again I have today been reliably informed that practically every dollar of the first $10,000,000 is now or will be obligated by July 1 and, with the exception of 25 loans that are to be made in the Hawaiian Islands, every region will obligate practically every dollar allocated it by July 1. The fact is that Oklahoma alone, where more than 65 percent of our farms are tilled by tenants, could wisely expend the full $25,000,000 next year and yet not solve this problem in my State. The situation is similar in Texas, Arkansas, and several other Southern and Midwestern States.

Mr. McFARLANE. Will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Texas.

Mr. McFARLANE. In that regard, due to the lateness of the time in which this Farm Administration has set up the farm-tenancy program, as the gentleman suggested, they have had a very short period of time only to throw this open to the public and only got into some 300 counties of the Nation. The applications for loans, some 38,000 in number that the gentleman states, have come from these counties only that they have had the opportunity of going into.

Mr. JOHNSON of Oklahoma. Yes.

Mr. McFARLANE. Had they had the opportunity to throw this open to all the farmers of the Nation and the money made available, we would have had 10 times that number available and the same amount of money in proportion badly needed. I call that to the attention of the gentleman.

Mr. JOHNSON of Oklahoma. I thank the gentleman for his contribution. I may say that when the pending agricultural appropriation bill first passed the House, on the 14th day of April, there might have been some color of reason for not appropriating the full amount at that time, but if there was any reason at that time, there is certainly no excuse now. The same conditions do not exist now. Frankly, I am saying this for the benefit of some of you Members who, through lack of information or otherwise, voted to cut this amount $10,000,000 below the sum authorized by this Congress when the same item was being considered last April.

Of course, it is true, as pointed out by the gentleman from Texas, that the Farm Security Administration was slow in setting up its farm-tenancy machinery. But in my State at least it has been set up carefully and very efficiently. Undoubtedly they could more efficiently use $50,000,000, now that the machinery has been set up, than the $10,000,000 expended since the program began.

Mr. ROBSION of Kentucky. Will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. I voted for the bill, and I am very much in sympathy with the program.

Mr. JOHNSON of Oklahoma. I thank the gentleman.

Mr. ROBSION of Kentucky. Can the gentleman give us some information as to what it costs per farm? I notice in my own district one or two loans have been made, and the amount advanced was $7,500 per unit. There are some 3,000,000 of these tenant farmers in the United States, and if

we go on at that rate will we not be very much limited, whereas maybe a $4,000 farm would help many more people?

Mr. JOHNSON of Oklahoma. I cannot tell the gentleman what it will cost. They can spend $25,000,000 with the same or practically the same machinery with which the first $10,000,000 has been loaned, as I have endeavored to explain.

Mr. MEEKS. Will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Illinois.

Mr. MEEKS. Is the gentleman able to tell us in what parts of the country these applications have been received?

Mr. JOHNSON of Oklahoma. I am told that applications have been received from all parts of the country, from practically every State in the Union, 333 counties in number. If the full amount of $25,000,000 is appropriated, as provided in the pending Johnson amendment, loans will be made in some 400 additional counties, making 733 counties in all. But bear in mind that this will make possible making only 4,000 additional loans, or 6,000 of the 38,010 applications which are already on file.

Mr. MEEKS. Do any come from the Middle West?

Mr. JOHNSON of Oklahoma. Yes. They come from practically every congressional district in the United States. In some districts these projects have all been placed in one county. Sometimes they put two to six in one county, but in too many instances in some of the most needy counties in my State not a single loan under this act has yet been made. But simply because this is not a drop in the bucket, simply because this does not touch the surface with reference to what ought to be done, is no excuse why we should not appropriate the amount authorized by law. [Applause.]

May I add that within a day or two the relief bill will be finally called up, and we will find that the body at the other end of this Capitol has added $300,000,000 for what they call slum clearance in the great cities. This makes $800,000,000 for relieving the housing situation in the great cities of the country. I doubt if a single dollar of that amount will go to Oklahoma. I have consistently voted to assist the needy in the great congested cities. Those of us from the great agricultural sections have not hesitated to come to the assistance of Members from the cities. If $800,000,000 can be justified for a slum-clearance program in the cities, then I submit in all fairness that we are not greedy in calling on you to vote today the amount Congress told the tenant farmers it would provide for loans to them for the next year. The question is, Shall we keep the faith?

Your vote today will decide the future of this farm-tenancy program. If this appropriation is today cut $10,000,000 below the sum authorized, this committee would have every reason to make a drastic cut next year. Let this be a test vote. Let us say to the committee in no uncertain terms that this Congress meant what it said when it passed the Bankhead-Jones Act. Again I appeal to Members to keep the faith. [Applause.]

Mr. CANNON of Missouri. Mr. Speaker, I yield to the gentleman from Ohio [Mr. HARTER].

CARE OF MATERIAL, ETC., IN THE HANDS OF THE NATIONAL GUARD OF THE SEVERAL STATES

Mr. HARTER submitted a conference report and statement on the bill (H. R. 9721) authorizing the disbursement of funds appropriated for compensation of help for care of material, animals, armament, and equipment in the hands of the National Guard of the several States, Territories, and the District of Columbia, and for other purposes.

AGRICULTURE DEPARTMENT APPROPRIATION BILL, 1939

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from Oklahoma [Mr. MASSINGALE].

Mr. MASSINGALE. Mr. Speaker, I feel as keenly as any man in this assembly the importance of this new governmental venture. I live in a community where there are fine farm lands, but where, because of the economic conditions under which the farmer lives, he cannot make a living. To me this program is a venture to build under this Government of ours a new foundation.

It is distressing to realize that I have seen the section that I represent go from a land of home owners to a land composed of a very large percent of tenants. In my portion of Oklahoma about 72 percent of the farms are farmed by tenants. You know and I know that this is a condition which no nation can stand. We are going to need in this country pretty soon, I apprehend, some stabilizers put out in various sections, and I do not know what you can do better than to put young and ambitious men and women on the farms of this country and make it possible for them to make a living there.

Let me tell you something about the operation of this law during the short period it has been tried out in Oklahoma. My home county happened to be selected as one of the counties of Oklahoma where men could apply to purchase homes for themselves. Every available allotment of money to buy a farm in that county was taken fortyfold, as far as applications were concerned. The people in my section want to buy a home and want to have some kind of security, so they may try again to see if they cannot contribute something to American life.

Only about 10 or 11 of the applicants were able to get farms under the money that was allotted for that purpose in the county of Oklahoma where I live. When a home was allotted under this program it was the cause of a celebration in the community where the farm was selected, the tenant approved, and the conveyance agreed upon. It is a matter of vital concern to the people of this country. However, it may be in some sections of the country, in the great Middle West, in the Plains country, we have a different condition of farm life from what prevails elsewhere. The farmers there have gone upon the theory that when the Government threw open that great country it gave the people to understand that farming was a kind of business, and that they were encouraged to plow under thousands of acres of that fertile land for the purpose, you might say, of having a contest to see who could raise the largest number of bushels of wheat or the largest number of bales of cotton per acre. The people became habituated to making a living out of selling farm products and making that business a commercial venture, with the result that we have gone to extremes out there. Now, I will tell you what we have under the policy that has been followed of mortgaging homes and mortgaging lands. We have a land of ownerless homes—a land of tenants. We owe it to those who think enough of farming to hang on to it under existing economic conditions to make it possible for as many as wish to become owners of these lands that are not owned by any farmer or local resident to take a new lease on life instead of being compelled to take a new lease each year on some absentee owner's land, if, indeed, such lease can be had at all. The safety of America will be assured when they—the sincere tenant farmers—become home owners. Remember, there are 3,500,000 of these tenants, and that great number of new home owners added to America's assets will be of more value than battleships or large armies without the homes. Let us avoid the odyssey of the poor of the Middle West in each autumn forced to a trek to southern California, where they may gather food enough in the outdoors to live upon. It is better to help them get homes at home.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. JONES].

Mr. JONES. Mr. Speaker, I would have preferred to yield my time to the gentleman from Oklahoma, who was making such a very fine speech, and I believe a very effective one—a speech that went to the very heart of this proposition.

The principal criticism that was offered in the House when the original proposal was presented was that the program was not ambitious enough, that there was not enough money involved, and that if we had asked for a half billion or a billion dollars we might have gotten somewhere. However, when it was found that under the circumstances prevailing

at that time we could not get that amount of money, the House, in its wisdom, decided that, after all, it might be best to start modestly; and we started with $10,000,000 the first year, $25,000,000 the second year, and $5,000,000 per year thereafter.

Farm tenancy has been growing for many years.. One of the most disturbing conditions, I believe, that exist in America today is the tendency toward tenancy.

The beautiful songs that have become immortal because they glorified the home were not composed or sung about a rented shack or a temporary abode, but about a home in the real sense of the word. This Republic is anchored in the homes of its people, and is builded on the character of its home-loving citizenship.

The interest that is displayed in this proposition is shown by the fact that with the program being made available in only a comparatively limited number of counties, 38,000 applications were filed in a few weeks, whereas with the funds that are made available this year only 2,000 applications are permitted to be approved. It takes very little additional time to organize in more counties on the same basis. It took a little time to get the program into action. This fund was not made available until last fall.

The officials must organize on a Nation-wide basis because the tenant problem is Nation-wide. I cannot conceive of a more important problem, looking down the years, than to try to reverse this swing from a tendency toward tenancy to a tendency toward home ownership.

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

Mr. JONES. I yield.

Mr. FERGUSON. To show how modest the program is, or how modest it was last year under the $10,000,000 appropriation, three counties in my district were allotted $2,400 for the entire three counties, not enough for even one project.

Mr. JONES. Well, in most of the districts I think it was pretty well divided on the ratio of tenancy existing and the funds available and the territory to be covered. As the gentleman knows, this is a broad, big country—big in many ways. I believe in this country. I believe in her future. Knowing the glory of the past and the accomplishments of the past, I am not discouraged. I believe we will go forward to greater things. We are going through a process of change. We have reached the end of an epoch and we are going from that into another epoch. Nobody knows just what it means or what it will be like, but it will be all right if we will work and we will build. We are going forward. If we fall, we will fall uphill, for civilization is advancing. We cannot afford to go back on principles that have been shown to be the foundation of civilization.

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

Mr. JONES. I yield.

Mr. GREENWOOD. We all recognize that $10,000,000 for the first year and $25,000,000 for the second year was a very modest beginning and we all wanted to help these tenants to own their own homes. The applications have now piled up. Some have received recognition and many, compared with those who have received recognition, have not received anything, and we ought to emphasize the fact that this is not a grant or a subsidy but is a loan on real estate to help men own their own homes. [Applause.]

Mr. JONES. The gentleman is quite right. That is a perfectly good statement and I endorse it. [Applause.]

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. MAVERICK].

SUM FOR FARM TENANCY NOT A DROP IN THE BUCKET

Mr. MAVERICK. Mr. Speaker, the matter we have before us today is an extremely important one—it concerns farm tenancy, landless people, and is vital to our Nation. The amount of money we authorized for farm tenancy was wholly inadequate in the first place.

It was to be $10,000,000 the first year and $25,000,000 the next year—nothing in comparison to the problem.

But if we go into the real facts concerning farm tenantry in this country, we realize that $25,000,000 is just a drop in the bucket.

So many of us from the South have talked today that this might look like a southern proposition, but this concerns the whole United States of America. The most conservative Republican ought to vote for this.

Farm tenancy is increasing in Wisconsin and Minnesota, which are said to be the best agricultural States in the Union. It is increasing in the Dakotas and it is increasing all over the United States of America. It is literally a national problem of stupendous proportions.

TWO HUNDRED MILLION ACRES DESTROYED—HOW ABOUT THE HUMANS?

We have in this country about 200,000,000 acres of land that have been destroyed, but the worst thing is the human destruction that is going on.

I want to tell you something else that is of extreme importance. This money is not going to any temporary bureau. This is not going to inexperienced men, but it is going to the Department of Agriculture which is permanently organized and well organized, and they will handle the work in a proper manner. We all know that the permanent bureaus of the Government handle their work better than the temporary ones.

We have allowed hundreds of millions of dollars for relief, and I have voted for it and I am glad I did. In the relief bill we passed, hundreds of millions of dollars are going for farm relief.

Why should we not take this money and put it in the farm-tenant problem so we can put men back on the farm where they can live like human beings instead of being on charity?

"CIVILIZATION BEGINS AND ENDS WITH THE PLOW"—GOVERNOR ROBERTS, OF TEXAS

There was an old man who lived in Texas and became a famous man and a Governor, who said, "Civilization begins and ends with the plow." It was Gov. O. M. Roberts. This was not just a speech; it was the truth. Civilization begins and ends with a plow.

This is not throwing money away, it is something that will really benefit the people of the United States, and I wish to make a particular appeal to my sidewalk-farmer friends from New York City and from Connecticut and Philadelphia and Chicago.

If you people want to sell things from your manufacturing districts in your big cities you should make it so that the rest of the people who live on the farms may have enough money to buy something from the factories on the sidewalks of New York and in the other cities of the country.

Some may say that there are not enough farmers for this project, but I say to you that if there is any opportunity whatever given to these people to get on the farms of the country there will be literally hundreds of thousands, not even tens of thousands, but hundreds of thousands of applications.

This amount of $25,000,000 is infinitesimal. It is the smallest amount you can think of, but this is as much as is authorized. If we ever hope to be effective and get at the tenant problem, the thing to do, the common-sense thing to do, and the conservative thing to do is to vote for this amendment appropriating $25,000,000.

Mr. MARTIN of Colorado. Mr. Speaker, will the gentleman yield for a question?

Mr. MAVERICK. I yield.

Mr. MARTIN of Colorado. I am supporting the Senate amendment, but I am not doing it on the theory that it will arrest the processes which are converting farm owners in this country into tenants; in fact, I am afraid it will not have any effect whatever in retarding farm tenancy.

Mr. MAVERICK. Then why are you voting for it?

Mr. MARTIN of Colorado. Because I am going to try everything that comes along that promises to help the farmer.

Mr. MAVERICK. All right; that is a good idea.

Mr. MURDOCK of Arizona. Mr. Speaker, will the gentleman yield?

Mr. MAVERICK. I yield.

Mr. MURDOCK of Arizona. I am heartily in favor of the amendment which the gentleman is advocating, and I want to ask him this question: Does not the gentleman believe that by putting the supervision of this expenditure in an old, conservative, well-established department, like the Department of Agriculture, that there will not be the relatively high overhead which we so often find when new projects are put in the hands of newly created bureaus?

Mr. MAVERICK. The gentleman is absolutely right.

I have been down to the Department of Agriculture and it is what you might call "infested" with Republicans, but even they are good men and they do a good job, and if this thing is done it will be a beneficial thing to the country. I am sure it will be handled in a proper way, so let us all vote for it and put it over. [Applause.]

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from Kansas [Mr. HOPE].

Mr. HOPE. Mr. Speaker, I hope the motion to recede and concur will be adopted. It is not necessary to go into the arguments that have been made many times as to the value of a farm-tenancy program. Congress has accepted and adopted those arguments. The country has recognized their value, but there is no use in trying to carry out a program of that kind unless we are prepared to do it in an adequate way. Twenty-five million dollars is not adequate. We will all have to admit that, but that is all that is authorized to be appropriated this year. This program has been continually cut down. It started out as a billion-dollar proposition. That was impossible. Then we talked about $50,000,000 a year. When the bill finally was passed it was $10,000,000 for the first year, $25,000,000 for the second, and then $50,000,000. Now we are trying to cut this from $25,000,000 to $15,000,000, if we follow the bill as it passed the House. When you consider the $10,000,000 took care of only approximately 2,000 farmers, the $25,000,000 will take care of only approximately 5,000, and it is easy to see that that is the very minimum with which we ought to proceed at this time. We are undertaking a housing program and a slum-clearance program in the cities involving vast subsidies and the expenditure of hundreds of millions of dollars. I am not criticizing that program, but we have rural slums that are just as bad as any slums in our great cities, and here is a program which does not involve a subsidy. It is a program in which the Government is going to get its money back, a very modest program, one which is operating successfully, and which requires only adequate funds to become a success over a period of years. Every civilized country has faced this farm-tenancy problem, and every country that has attempted the program has made a success of it—Ireland, Denmark, and other nations have made a success of their farm-tenancy programs, but considering their resources and ours and the size of their problem and ours, we are going at the matter in a very meager way.

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

Mr. HOPE. Yes.

Mr. MAVERICK. As a matter of fact could not the gentleman use $25,000,000 and more, conscientiously and honestly in the single State of Kansas?

Mr. HOPE. Undoubtedly.

Mr. MAVERICK. Or in any State in the Union.

Mr. HOPE. Certainly. Today under the present program in the State of Kansas it is being carried out in only 6 of our 105 counties.

Mr. HOUSTON. Can the gentleman tell us how many tenant farmers we have in Kansas today? Is it not over 40 percent?

Mr. HOPE. Yes. I think it is nearer 50 percent.

Mr. HOUSTON. And what proportion of the $25,000,000 would go to Kansas?

Mr. HOPE. I could not give the gentleman those figures, but with $25,000,000, we would get two and a half times as much as we got this year.

Mr. JOHNSON of Oklahoma. And if the House should refuse to accept the Senate amendment, then that would be a precedent by which the committee could next year refuse to appropriate $50,000,000 which this Congress has authorized for the tenant farmers for next year.

Mr. HOPE. I think that is a fair assumption. I hope this House will again put itself on record as being favorable to this worthy program by appropriating the full $25,000,000 which is authorized.

The SPEAKER pro tempore. The time of the gentleman from Kansas has expired.

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin [Mr. BOILEAU].

Mr. BOILEAU. Mr. Speaker, in support of this provision I want to make it clear that so far as I am concerned I do not think it is very much of a beginning in solving our farm-tenancy problem. As a member of the Committee on Agriculture, to which committee the President's recommendations were referred more than a year ago, I attempted to make a study of the recommendations of that committee, and after studying those recommendations very thoroughly, after conferring with men and women in this country who are vitally interested in this question of farm tenancy, I introduced a bill in the last session of Congress providing for a farm security corporation that would have a capital structure of $500,000,000 subscribed to by the Federal Treasury, because I believe that amount will be necessary to carry out the recommendations of the President's Committee on Farm Tenancy. The appropriation authorized by the bill passed last year of $10,000,000 the first year, $25,000,000 the second year, and $50,000,000 the third year, is merely a drop in the bucket, because the figures show conclusively that farm tenancy in this country has been increasing at the rate of 40,000 each year for a period of several years. With that increase of 40,000 farm tenants a year, one can readily understand that this meager appropriation of $25,000,000 which we are asking for is going only a very small part of the way in stamping out increased farm tenancy.

Even with this appropriation of $25,000,000 the farm tenancy of the following year will be greater than it is the coming year; but I feel that the beginning is worth more. If this $25,000,000 does nothing else it will at least provide sufficient funds to have this farm-tenancy program carried on in various sections throughout the entire country so that the people will be conscious of the great problem confronting us and will realize that it is possible to refinance these people who are now farm tenants, to place them in a position, not with a Government grant but with a Government loan that would be repaid, that the public will soon realize that it is possible to refinance these people and to place them upon farms that they can some day hope to own themselves.

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

Mr. BOILEAU. I yield.

Mr. SOUTH. Does not the gentleman believe that the expenditure of this money, which will be paid back later, will obviate the need of relief legislation for this class of people?

Mr. BOILEAU. I do not think there is any question about that; I agree with the gentleman heartily. I believe that it would go a long way in that direction. When, however, we see tenancy increase year after year at the rate of 40,000 or more a year and realize that over a period of 25 or 50 years there has been a great increase in farm tenancy with a smaller percentage of our farmers owning their homes, we must realize that if we are to rehabilitate American agriculture, if we are to give to the great masses of our people an opportunity to own their own homes and their own farms, we must start on this problem and start with a degree of determination to stamp from American life this unworthy system of farm tenancy and share-cropping that we have in the country today. We must make a beginning. This $25,000,000 is a modest amount. I wish I were able to vote here for $150,000,000 or $200,000,000, because we must

tackle this problem and tackle it seriously. My only hope is that in increasing the bill to this small amount, this pitifully small amount of $25,000,000, it will be a beginning in the right direction, that it will hurry the day when American public opinion will demand that we tackle this problem in a fundamental way. [Applause.]

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. POAGE].

Mr. POAGE. Mr. Speaker, we have given considerable time and attention to the matter of removing slums in the great cities. We have appropriated vast sums of money, hundreds of millions of dollars of money for the removal of slums in the great cities, and I have supported it, and you have supported it. I think it is a worthy undertaking, but there are slums in the rural districts of this Nation just as surely as there are in the great cities.

We have appropriated for the eradication of the slums in the rural districts, $10,000,000, practically nothing as compared with what we have done for our urban population. At the same time, remember the appropriations for slum clearance in our great cities carry with them a subsidy provision of 50 percent. With a 50-percent subsidy the Administrator of that undertaking came before this Congress within the last month and told us that it was necessary still further to liberalize the loan, for the Government to give a larger portion in order to get anybody to take the money. Not so with our effort to remove rural slums.

There we do not give one dollar of subsidy. We ask that the poor tenant farmer with one mule and one walking plow repay every dollar to the Federal Government. There is no subsidy, yet we stand here and say we hesitate to give the money this Congress authorized for the eradication of the rural slums in which one-third of our people live in the rural territories of this Nation.

I submit, Mr. Speaker, that it is not fair, it is not sound business to spend $6,000 for a home in the great cities on which the Government pays 50 percent subsidy and refuse to spend $5,000—and I just got the figures from Mr. Allgood within the last 30 minutes, that that is what it has been costing in the rural areas. It costs less, Mr. Speaker, to place a tenant farmer on a farm of his own in the rural areas than it does to erect a home in the slum districts of the great cities. If you put a man there, you give him simply a place where he lives. If you put a man on the farm, you not only give him a place where he lives but a place where he makes his living; you have provided him a home and you have provided him a job. When you put him in a $6,000 home in Washington and New York you have put him in nothing but a home.

You have to supply the man with a job in order to give him a way to live in that home. Not so on the farm.

Mr. SABATH. Will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Illinois.

Mr. SABATH. I think the gentleman is mistaken. We do not allow subsidies. We merely make loans.

Mr. POAGE. In the slum-clearance program we make loans; then we subsidize the cities by direct grants for the whole period of time, where the Federal Government and localities together pay the entire cost of construction. You cannot escape the conclusion that it is a subsidy and that the Government will never get back 50 percent of the cost. That 50 percent never gets back to the Federal Treasury.

Under the Jones-Bankhead bill, for which we are making appropriations now, 100 cents on the dollar, together with 3-percent interest, comes back to the Federal Government. You cannot escape that, either.

While that man has been paying back the Government you have taken him off relief; you have provided him with decent living quarters; you have provided him with a means of making a living, by going out on his farm and tilling it. You cannot do that in any city slum-clearance project, no matter how worthy it may be. [Applause.]

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Speaker, I find considerable delight in being able to follow my distinguished chairman, the gentleman from Missouri [Mr. CANNON] in insisting upon disagreement to this amendment. The House wrote into the bill $15,000,000 when it was pending before us. The bill went to the Senate and the Senate wrote in $25,000,000 for farm tenancy. The difference between those two sums constitutes what is now being ventilated before this body.

It was in July of 1937 that we passed the Farm Tenancy Act. It is not quite 11 months old. This thing is still in its infancy. I do not believe it is a good idea to venture too quickly unless we can be sure of the ultimate outcome of the implications of this program.

Much has been said that the House has authorized $25,000,000, but the House has not done anything of the kind. I believe that in the interest of accuracy we ought to be a little careful about the slipshod way in which we construe the language of statutes. Title I of Bankhead-Jones bill states that not to exceed $10,000,000 shall be appropriated the first year, not to exceed $25,000,000 the next year, and not to exceed $50,000,000 for succeeding years. It does not say that we have to appropriate $25,000,000 this year. You can start at the bottom with nothing and you can go up to $25,000,000.

The Farm Security Administration appeared before the committee. We had long hearings on this matter. So we thought we were doing the right thing in appropriating only $15,000,000 and take our time and patience in getting this program under way. I will tell you why I believe that is a good policy. It is estimated that there are 3,000,000 tenants in the country. It is admitted they are increasing at the rate of 40,000 per year and it is admitted also that it costs about $5,000 per family under the present act. Five thousand times three million is what? If we are going to take care of the tenancy problem it is going to cost $15,000,000,000. If you start too quickly and in too great volume upon this program we may learn a little bit later that perhaps we are moving in the wrong direction, making out of the Federal Government a mortgagee such as the world has never witnessed, taking into account farm tenancy, mortgages on farms, mortgages on homes, and mortgages on apartment buildings. We are going to set up the Federal Government as a mortgagee that will hold more mortgages than all the mortgage and financial lending institutions in this country and all other countries put together. I am not sure that we ought to project ourselves too quickly and to too great degree into this thing. Fifteen million dollars would take care of quite a number, a mere drop in the bucket, as the gentleman from Texas said, in proportion to the whole problem. If you are going to take care of the whole problem at the rate of $5,000 per person for 3,000,000 people, plus 40,000 accretions each year, it will take over 500 years, with only nominal appropriations, to finally catch up with the problem and then you would not have taken into account the 40,000 additions in each year.

You can see how gigantic this thing is. Do you want to go too far? The fact of the matter is that next year, if this $25,000,000 is approved, they will ask for $50,000,000. The next year it will not be $100,000,000, but may be two or three hundred million dollars. In a little while we will have so involved this Government as a landlord and mortgagee that we will not know where it will end.

Mr. SIROVICH. Will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from New York.

Mr. SIROVICH. What does the gentleman think of the interpolation of the paragraph in Oliver Goldsmith's Deserted Village which reads as follows:

> Well fares the land,
> To greater weal a way,
> Where men own farms,
> And there their children stay.

Mr. DIRKSEN. I might answer that by quoting Oliver Goldsmith, who talks about a "Bold peasantry, their country's pride, when once destroyed, can never be supplied."

I subscribe to that sentiment. But we are dealing here with a matter of practicability and reality. Since it is only 11 months old we ought to be careful and keep our feet on the ground.

I trust it is clear that I am not out of sympathy with the farm security program. I recognize the pressing nature of the farm-tenancy problem, but at the same time I want to emphasize the staggering immensity of the problem.

Once we have got well into the field it will be too late to turn back if we find that the program is a mistake. It will be too late to retreat. The demand for equality of treatment for all tenant farmers and those who are qualified to purchase farms under the provisions of the act will be so great that in a few years we shall be faced with outlays of a billion dollars a year. Even with such an outlay it would be a quarter of a century before we could completely master the problem, and when that happens the Federal Government, by means of farm-tenant mortgages and the requirement that tenants cooperate in all agricultural programs, will have socialized the land of this country. How many of you would care to commit yourself to such a program? Yet that is precisely what is at issue this afternoon.

Let us proceed slowly. Let us get our bearings. The enabling act has only been on the statute books for 11 months. We cannot hope with all the resources now available to the Treasury to do more than make a dent in this problem and what better reason is there for patience and caution in this gigantic undertaking.

I trust the House will follow the chairman of the subcommittee and vote to further disagree with the Senate.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. JOHNSON].

Mr. LUTHER A. JOHNSON. Mr. Speaker, may I say that the able chairman of the subcommittee, and I have a very high regard for his ability and the way he safeguards the Treasury, in opening the discussion on this conference report stated that we had exceeded the Budget estimate by $25,000,000. The gentleman seemed to have some feeling against his conscience that he had done that. I may say to the gentleman that agriculture is the greatest industry in America and that the other industries of the country are taken care of not in the agricultural appropriation bill, but throughout various bills. They have the housing bill, they have the bills with reference to slum clearance, they have the bills with reference to loans to railroads and all of such things. They do not all concentrate in one committee like agriculture. Everything we have for agriculture, the greatest industry we have, has to come through this one committee.

With respect to this farm-tenancy problem we have either launched upon a right program or a wrong program. If it is right, why not go ahead, and if it is wrong, why not stop? I cannot understand why they say, "Go slow, go slow." Why go slow? Because, they say, we want to feel our way. Feel our way, why? The problem is here and the need is here. Why not proceed?

Mr. THOMASON of Texas. Mr. Speaker, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield to the gentleman from Texas.

Mr. THOMASON of Texas. Does not the gentleman believe that if this House can appropriate $800,000,000 for slum clearance in the cities and build two battleships at approximately $70,000,000 per battleship, we ought to be able to squeeze out $25,000,000 for the tenant farmers?

Mr. LUTHER A. JOHNSON. The gentleman is exactly right. The cry of economy is not heard when we are legislating for other groups. Why invoke it against the farmers who need help? As was said by another speaker from Texas this afternoon, slum clearance will only furnish homes but this will furnish not only a place in which to live but the means by which to make a livelihood. This tenancy program will reduce other appropriations. It will take people off relief. It will help solve your other problems, because the foundation of civilization rests upon the farm home. When you bring happiness and prosperity there, these other problems will adjust themselves.

Mr. THOMASON of Texas. I wish to commend the gentleman for what he states and also to say I recall that almost 2 years ago the gentleman pioneered, along with others, in this field, and introduced a bill urging action upon this important subject in order to do away with the underprivileged in the country as well as in the city. I commend the gentleman as one of the able Members of the House who have led in that field. [Applause.]

Mr. LUTHER A. JOHNSON. I thank the gentleman.

Last year, on January 25, 1937, I introduced H. R. 3590, which authorized an appropriation of $1,000,000,000 to be loaned to tenant farmers with which to buy small farms, and this amount to be loaned by the Government to them at an interest rate of 2 percent. A number of other bills were introduced upon this subject, and the Committee on Agriculture had extensive hearings thereon, at which the authors of all the bills, including myself and other Congressmen, appeared and discussed at length the great need of such loans being made in order to reduce farm tenancy in this country.

The committee finally drafted a compromise bill, which embraced features of the various bills introduced, but authorized appropriations for only $85,000,000 at 3 percent interest, $10,000,000 to be appropriated for the first year, $25,000,000 for the second, and $50,000,000 for the third, and this compromise bill passed the House on June 29, 1937, and was signed by the President and became a law on July 22, 1937.

When this bill was considered in the House, I voted for it with misgivings, because it was the best that we could secure at that time, but in a speech which I delivered in the House, I expressed the belief that the $85,000,000 carried in the bill was grossly inadequate, but we were assured at that time that the amount would be greatly increased, if there was sufficient need and demand therefor.

The need of relief by tenant farmers is greater now than a year ago, and instead of increasing the amount, an effort is being made to reduce the amount $10,000,000 under that contained in the compromise bill.

This additional $10,000,000 is a drop in the bucket when compared with the great problem to be solved, but it will enable approximately 2,000 more farmers to buy homes.

The only reason assigned for the reduction of the appropriation is that the Farm Security Administration is unprepared to spend this amount and they must go slowly. The trouble is that those in charge of this program do not seem to understand its importance. They have merely been playing with it. For instance, in Texas there are 250 counties, and the farm-tenancy problem is serious in all of them, and yet during the past year in only 21 counties has the Farm Security Administration been buying homes for tenant farmers, and only a few purchases in each county.

The solution of the farm-tenancy problem will also tend to solve the unemployment problem and reduce expenditures for relief.

The money which we appropriate under this bill is not a gift to the tenant farmers, but a loan to them to enable them to buy small farms upon which to live. The Housing programs only provide homes in which to live, but the farm-tenant program provides not only homes for the tenant farmers in which to live, but also provides them with the means of making payment for those homes.

Congress should awaken to the seriousness of the farm-tenant problem. Fifty years ago 25 percent of the farmers were tenants, while today approximately 42 percent of all the farmers are tenants, and the number is increasing at the rate of over 40,000 each year.

If Congress would make an appropriation of $1,000,000,000, as provided in the bill which I introduced last year, the problem could then be attacked with some hope of solution. The farm homes of America constitute the foundation of our civilization, and if we can bring happiness and prosperity to them, then the problems of the people in the cities and the towns will adjust themselves.

I appeal to you, as you give billions to those without work in the cities, as you spend $800,000,000 for slum clearance in the cities, that you at least give this additional $10,000,000 to enable the small tenant farmer to buy homes so that they may enjoy the blessings of their own firesides, have a shelter for themselves and their families, and a means of livelihood so they can become real, independent American citizens. [Applause.]

Mr. Speaker, I hope the House will today concur in the Senate amendment and give us the full $25,000,000, which, although it is grossly inadequate, this $10,000,000 additional will at least provide homes and bring happiness to 2,000 more tenant farmers in the United States. [Applause.]

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from South Carolina [Mr. FULMER].

Mr. FULMER. Mr. Speaker, the arguments made in behalf of the motion offered by my good friend, the gentleman from Oklahoma, sound very good. I wish to say to you in speaking on this motion that in my earlier life I operated as a small tenant farmer. There is not a man on the floor of this House who has more sympathy for that class of farmer, or in fact, all farmers than have I. I have them on my farm today. I have supplied them from my general mercantile business and made loans to them at my bank. I know their problems, and I know just what they are up against.

Let me call to your attention the statement made by the gentleman from Wisconsin, that thousands of land owners, hard-working farmers who in a great many instances inherited their lands from their fathers and grandfathers, are going into the ranks of tenant farmers at the rate of 40,000 annually. May I make this further statement, and I want you to get this and I want you to remember this statement, that unless we can do something to maintain fair prices for farm products that you might just as well be placing this money in a rat hole. In other words, you cannot make land owners out of tenant farmers until you stop the thing that is making tenant farmers out of land owners. [Applause.]

Mr. Speaker, if we had at the head of the Farm Security Administration some good businessmen, men with experience in this line of work with a little common sense who would build the type of house that ought to be built and do the things that the tenant farmers might pay for, then the tenant farmers might become land owners.

Go down into my State, where they bought good land at $40 an acre—nothing wrong with land purchase—and built homes and surrounded them with wire fences and windmills and everything else that a real prosperous farmer should have, costing now about $10,000 to $16,000 for a one-horse farm. The best farmer in South Carolina, under present conditions, cannot pay for one of these farms.

I am voting for this amendment, but let me tell you that the only way to make landowners out of farmers is first to break up the monopolistic price fixing on practically everything that farmers have to buy or pass legislation fixing the prices on farm products on an equal basis with prices the farmers have to pay.

Farmers are being robbed by thousands of parasite middlemen operating between them and the consuming public.

Farmers need an up-to-date marketing and distributing system that would give to them some bargaining power in demanding a fairer price for their products. This Farm Security Administration shipped some time ago from Pennsylvania some 10 carloads of furniture to sell to these tenant farmers in my State. This furniture could have been purchased within 10 miles of this project from one of the best furniture factories in the Southeast and much cheaper. I could write quite a book on what is going on along this line, all of which is unbusinesslike and unfair. I want you to keep a close watch on this program in your districts which may be helpful to all of us in legislating and in appropriating and spending the taxpayers' money.

Mr. CANNON of Missouri. Mr. Speaker, I yield to the gentleman from Oklahoma [Mr. FERGUSON] such time as he may require.

Mr. FERGUSON. Mr. Speaker, I rise in support of the amendment offered by my colleague from Oklahoma [Mr. JOHNSON]. I have often said that the increase in the Federal debt will not ruin this country as long as there is a credit, an addition to the national wealth to offset Federal expense. Certainly purchasing farms for worthy tenant farmers comes in this category.

The twenty-five million provided in this amendment is hardly adequate. Under the ten million appropriated last year, only $2,500 was allocated to a district formed by three large counties in my district. Even the twenty-five million proposed in this amendment will only make one or two tenants able to buy a farm in this three-county district. I want to see this program succeed. However, I do not share the opinion of many of my colleagues who speak so glowingly of this program. It is only a step in the right direction. Unless we pay farmers who are now operating farms they have acquired by their own hard labor parity prices for farm products every year, 10 times as many thrifty and worthy farmers will lose their farms through foreclosure as are put back on the farm by this act.

The present farm bill does not solve the question, that is why I voted against it. Since its adoption 10 amendments have been put through Congress trying to make it workable. At this time I want to urge the House to accept the amendment put in the relief bill in the Senate providing $212,000,000 to make parity payments to farmers who conform to the agricultural program.

Every time the price of farm commodities falls business is stalemated and we have a recession. The farmer will accept regulated production when he receives cost of production for his products. That is why I voted to recommit the present farm bill in the hope of getting a real bill. I want to give the House this final note of warning. Unless farmers receive parity prices for their products the jackrabbits will always be miles ahead of the hounds, and no appropriation, no matter how large, will be able to put tenants back on farms as fast as low prices for agricultural products are forcing them off.

Mr. CANNON of Missouri. Mr. Speaker, I yield to the gentleman from Oklahoma [Mr. NICHOLS] such time as he may require.

Mr. NICHOLS. Mr. Speaker, I shall support the amendment which shall increase the appropriation to cure farm tenancy in the Nation from $15,000,000 to $25,000,000.

Many of you will remember that last year when this problem was before the House for consideration I had considerable to say about the subject and said at that time that the Government would not appropriate enough money to be of any material aid to the tenant farmers of the United States by giving them direct loans from the Government.

There are, at this time, 3,000,000 tenants in the United States and the experts in the Department of Agriculture estimate that tenancy is increasing by 40,000 farmers a year. Experts in the Department of Agriculture also estimate that it costs about $15,000 per farmer to make a landlord out of a tenant by this system.

Therefore if we were going to appropriate enough money to cure farm tenancy by this method we would have to appropriate approximately $45,000,000,000.

And, of course, the Congress is not going to do that.

And in the second place there is not a tenant in my congressional district who could make enough money off of a cotton farm to make a living for himself and family and pay back to the Government $15,000.

So why do we not quit fooling around with this all-important problem of farm tenancy? Why do we continue to kid

the farm tenants in the United States into thinking that they are going to receive some peculiar benefit from the appropriation of these millions of dollars?

Farm tenancy can be cured by a perfectly simple operation. And I have been working for the last 2 months, with the assistance of experts from the Department of Agriculture, on a bill which will be introduced at the first of the next session of Congress which will provide the solution.

That solution is to simply set up an agency of Government patterned after the Federal Housing Administration Act and by using the Government's credit and private capital fix it so that every farm tenant in the United States who is willing to work can become a landlord farmer. Last year we appropriated $10,000,000 for this purpose. This will be an appropriation of $25,000,000, which will make an appropriation of $35,000,000 in all that has been appropriated to relieve farm tenancy.

And I venture the assertion that there is not a Member in this House who has had more than 15 farmers taken care of under this plan.

Mr. DIRKSEN, from Illinois, a minute ago, just used figures to show that under this system it would take approximately 500 years to eliminate tenancy.

I hope that before we are called upon to appropriate the $50,000,000 provided for next year that my bill or a similar bill will have been adopted which will not make that appropriation necessary and which will give substantial relief to the tenant farmers of this country.

The money already appropriated is far more than it would have cost the Government to have done the job right under such a bill as I propose.

Mr. CANNON of Missouri. Mr. Speaker, I yield to the gentleman from Texas [Mr. SANDERS] such time as he may require.

OUR FARMERS DESERVE A CHANCE TO LIVE DECENT LIVES

Mr. SANDERS. Mr. Speaker, I heartily favor the Johnson amendment.

The thing we have got to remember is that by means of this amendment, which will make $25,000,000 available to attack the farm-tenancy problem with another effective broadside in 1938, we can go on with a progressive, constructive program to better our entire farm situation.

To get that into plainer, simpler English, if we go on with this work we have started in the proper, logical, sensible manner our good judgment dictates, we are going to be one step nearer the day when our cotton farmers and everybody depending on the soil for his existence will have a chance to live a decent American life.

I realize just as well as anyone else that financing the purchase of $25,000,000 worth of farms to give tenants a chance to own their own homes is but a drop in the bucket. Heaven knows it is a sufficiently small drop. It is not going to solve our farm problems by itself. But it is going to help.

I feel about this program and the whole constructive farm program of our administration a good deal like the east Texas country boy who decided he would like to take a trip down to see what the Gulf of Mexico looked like. He had heard a lot about it, but he wanted to see it for himself. He tried to find somebody who was going down to the Gulf, the whole 200 miles in one big jump, but he did not have any luck. Nobody from his town seemed to be going that way that summer.

He finally did locate one fellow who was going 35 miles down the road to fix a gin, so he took him up. After that he found a truck driver who was delivering some calves 20 miles farther on. Then he got a 15-mile lift. And a 10-mile lift. And some more little pick-ups. Nobody was going very far, but when he added the little distances all of them were going he got to the Gulf—his life ambition.

That is the way we have been going at this farm problem. There is not much use of our sitting around and griping because we cannot find anybody in a great big economic airship who can take us the whole trip from the hard times of today to the good times of the future between now and sunup. We had better begin taking the little rides we can catch in model T's and spring wagons and be thankful for them. This farm-tenant purchase program is one of those little rides. It is one of those little rides which, added to a lot more little rides, will eventually get us to the place we must reach—security for all our farmers.

A HOME IS EVERY FARMER'S AMERICAN RIGHT

Last year, with a few million dollars, we took a handful of good substantial tenants off the farms of our various States and set them up on their own, in their own homes, with all their debts financed so they could pay them.

Eventually these families will own their own homes—their right as American citizens.

Last year's few million dollars did not extend this advantage to very many people. This year's $25,000,000 cannot give very many more this chance. But when you add the results of both years together you are going to see that the start which is made is a very solid one. If we keep going on in this way you will see a real dent made in the problem. Mr. Speaker, we just cannot afford not to give some tenants their chance this year.

I live down in a cotton country and I know what this program can do for my people, for the South, and for the whole of America. That is why I am supporting it with every means at my command. The body and soul of our democracy is in the home owner, the man and woman with their little flock about them, rooted to the soil.

Whenever this man and this woman can look upon their own fireside and say to each other and to their boys and girls, "This is ours; this is the fortress of our living," we shall never have to fear that this democracy will go the way of the democracies of Europe we have seen skipping down the skids to collapse.

In the light of such truths, I believe we must all agree that we cannot spend one cent less than $25,000,000 in the next year to so entrench our democracy.

WE CANNOT RELAX OUR FIGHT FOR PARITY PRICE

We have all heard a great deal about what the ideal American farm picture should be.

It should be the farm family, living on its own, on land it has bought and paid for and cultivates with its own toil. It should be that farm family raising its crops, its herds of cattle, its pigs and chickens, and keeping its garden. It should be that family taking its products to market and selling them, paying its bills, banking a little money for a rainy day, and living a life benefited and improved and enlarged by all we have learned as a race in 10,000 slow years of getting civilized.

That is the ideal picture. But we all know that, smart as we are, we have not got that far. As able as we are to raise 80-story buildings, build dams miles long and hundreds of feet high, as able as we are to harness revolting rivers and put them to work, as able as we are to perform scientific miracles, all we have produced in the way of a farm economy up to the day the Roosevelt administration took hold is a second-hand old crippled hearse horse, half dead from starvation.

Now we are trying to take hold of things and get them ironed out. And we are getting them ironed out. By the new Agricultural Adjustment Act of 1938 we are smoothing out some of these problems. By this tenant purchase program we are ironing out some more. By a sane system of farm loans and in various other ways we are straightening out some more.

RELIEF IS A POOR REWARD FOR A LIFETIME'S TOIL

In our fight for parity price we are going to iron out yet more.

We all know we have got to have parity price. Parity price means that the farmer gets for his produce a pay which is scaled in the same manner that industrial and business prices are scaled—on what it costs to produce.

When a farmer produces cotton and sells it for 8 cents, although parity is about 17 cents—the price under which he can pay his expenses and make a little profit—there is something wrong. If he owns a home, he will have to lose it some day under such an arrangement. Relief and public

assistance, under such a foolish economy, are all he can hope to achieve.

That is why I have been fighting for parity price for our farmers all these years. I want to make it possible for them to buy their own homes, keep the homes they have already bought, and own now, by their own individual efforts.

That is the reason I introduced in this Congress a bill levying a manufacturer's tax. I have fought and worked for that measure all the way through. We have not got it yet, but we are still fighting for it. That measure of mine would have provided about $100,000,000 toward parity payments for cotton farmers. A small step, but, again, as in the case of the farm-tenant purchase program, a real step.

Because I want to get the farmer's income up toward parity, I have gone all the way down the line for such measures as the provision in the President's recovery bill to make available $212,000,000 for direct parity payments for farm commodities.

BUSINESS HAS PARITY—FARMERS ARE NOT GETTING RICH

We have got to achieve parity. Business has it. Industry has it. If they did not have it, they could not last 3 months. They are always talking about needing their profits. That is all right. That is perfectly honorable and legitimate and I have no objections. It is right and just.

But the farmer is always talking about something else. He has forgotten there are such things as profits. He is begging to get back his costs, this year, and for 10, 15, and 20 years which are gone. He will forget those past years if he can get on his feet. Get that point. He wants his costs. How long would business and industry take 8 cents for a product they could not turn out for less than 17 cents? It is silly to ask such a question. That is what the cotton farmer is doing, though, and has been doing for years. Yet everybody seems to wonder why he is not getting ahead, why he is not getting rich. Rich on 8-cent cotton. It just cannot be done.

No, Mr. Speaker; when I vote for parity prices for the cotton farmers, for all farmers, to give the farmers homes, to finance their loans, to help them in any other way, I am only insisting they have what everyone else demands, the right to exist.

I know I cannot get it for them all in one fell swoop. But I can get it for them in such ways as supporting a farm-tenant purchase program. I can get it for them in such ways as voting for the payment of $1,800,000 in cotton-pool certificates. I can get it for them by supporting parity payments in whatever form opportunity presents.

That is what I am doing and what I shall continue to do. It is the only means of our salvation.

Mr. CANNON of Missouri. Mr. Speaker, I yield to the gentleman from Arizona [Mr. MURDOCK] such time as he may desire.

Mr. MURDOCK of Arizona. Mr. Speaker, this proposition has had my sympathetic support from its beginning a year ago. I was deeply impressed in the first session of this Congress by the remarks of our distinguished Speaker in which he quoted pertinent lines of the poem The Man With the Hoe, and indicated their application. Naturally, I am for this amendment, which would increase the amount for this beginning work to the Senate figure of twenty-five millions. Acquainted as I am with the hardships and poverty of life on tenant farms in this, the richest agricultural country in the world, I feel that this appropriation is all too modest a beginning toward this great farm problem.

There has been some talk here today about Members who favor this increase having "heard from home." Now, I want to state that I am for this increase, and yet I have not had one word from Arizona demanding it. However, I do know that we have farm tenancy in Arizona—more than I wish we had.

It has been hinted that some Members are interested in their own situations alone. The RECORD will show that I voted for slum clearance, the housing program, and wage and hour legislation, not in a horse-trading fashion, but that we might have suitable provisions for the crowded industrial section of our country, if it could be had rightfully and without doing injury to my own section.

Some Members have called attention to the magnitude of our task in attempting to cope with the farm tenancy problem. I am dismayed by this task, but, is doing nothing about it a proper way to cope with it? This is too modest a beginning but, thank God, it is a beginning.

The remarks of the gentleman from South Carolina [Mr. FULMER] struck me with great force. He is right, that it is far more important that we attempt to do away with the causes of farm tenancy than that we try to cure farm tenancy. The two should go together. I am with the gentleman from South Carolina in all sound and fair remedial legislation that will strike at the root of the evil.

It does take one's breath away to realize that in this bill we are appropriating more than a billion dollars, but I think, to oppose the proposition before us because it increases this item from $15,000,000 to $25,000,000 without opposing the whole bill, is "straining at a gnat and swallowing a camel." Why do we hesitate to help put agriculture on a more sound, economic foundation? What better investment can we make than this appropriation presupposes? Only give us wise and efficient supervision of this fund, and the investment will prove the best possible for our Nation.

The previous question was ordered.

The SPEAKER pro tempore (Mr. DORSEY). The question is on the motion of the gentleman from Oklahoma [Mr. JOHNSON] that the House recede and concur in the Senate amendment.

The question was taken; and on a division (demanded by Mr. CANNON of Missouri) there were—ayes 102, noes 35.

Mr. CANNON of Missouri. Mr. Speaker, I object to the vote because of the absence of a quorum.

The SPEAKER pro tempore. The Chair will count. [After counting.] One hundred and seventy-eight Members are present, not a quorum.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 217, nays 103, answered "present" 1, not voting 107, as follows:

[Roll No. 106]

YEAS—217

Aleshire	Crowe	Griffith	Lesinski
Allen, Del.	Cummings	Guyer	Lewis, Colo.
Allen, La.	Daly	Gwynne	Luckey, Nebr.
Allen, Pa.	Deen	Hamilton	Luecke, Mich.
Amlie	Delaney	Hancock, N. C.	McCormack
Arnold	Dempsey	Harrington	McFarlane
Barden	DeRouen	Havenner	McGehee
Bates, Ky.	Dies	Healey	McGranery
Bernard	Dingell	Hendricks	McKeough
Bigelow	Disney	Hennings	McReynolds
Binderup	Dixon	Hildebrandt	Magnuson
Bloom	Dorsey	Hill	Mahon, S. C.
Boileau	Dowell	Hobbs	Mahon, Tex.
Boren	Doxey	Honeyman	Martin, Colo.
Boyer	Drew, Pa.	Hope	Massingale
Boykin	Driver	Houston	Maverick
Bradley	Duncan	Hull	Mead
Brewster	Eckert	Hunter	Meeks
Brooks	Edmiston	Izac	Mills
Brown	Eicher	Jacobsen	Mitchell, Ill.
Buck	Elliott	Jarman	Mott
Buckler, Minn.	Evans	Jenckes, Ind.	Mouton
Bulwinkle	Farley	Johnson, Luther A.	Murdock, Ariz.
Burdick	Ferguson	Johnson, Lyndon	Nelson
Caldwell	Flaherty	Johnson, Minn.	Nichols
Cannon, Wis.	Flannagan	Johnson, Okla.	O'Brien, Mich.
Carlson	Fleger	Johnson, W. Va.	O'Connell, Mont.
Case, S. Dak.	Ford, Miss.	Jones	O'Connell, R. I.
Chandler	Fries, Ill.	Kee	O'Malley
Chapman	Fuller	Keller	O'Neill, N. J.
Citron	Fulmer	Kelly, N. Y.	Owen
Claypool	Gambrill, Md.	Kennedy, Md.	Pace
Coffee, Wash.	Garrett	Kitchens	Patman
Collins	Gavagan	Kleberg	Patrick
Colmer	Gehrmann	Kniffin	Patterson
Cooley	Gildea	Knutson	Patton
Cooper	Gray, Ind.	Kramer	Pearson
Cox	Greenwood	Kvale	Peterson, Fla.
Cravens	Greever	Lanham	Pfeifer
Crosser	Gregory	Leavy	Phillips

Poage	Ryan	South	Vinson, Ga.
Polk	Sacks	Sparkman	Voorhis
Quinn	Sanders	Spence	Wallgren
Rabaut	Sauthoff	Starnes	Walter
Ramsay	Schneider, Wis.	Stefan	Warren
Ramspeck	Schulte	Sumners, Tex.	Welch
Randolph	Scott	Swope	Wene
Rankin	Secrest	Taylor, S. C.	West
Reece, Tenn.	Shanley	Teigan	Wilcox
Rees, Kans.	Shannon	Terry	Withrow
Richards	Sheppard	Thomas, Tex.	Wolverton
Rigney	Short	Thomason, Tex.	Zimmerman
Robsion, Ky.	Sirovich	Transue	
Rogers, Okla.	Smith, Conn.	Turner	
Romjue	Smith, W. Va.	Vincent, Ky.	

NAYS—103

Allen, Ill.	Eaton	Lambertson	Rockefeller
Anderson, Mo.	Eberharter	Lamneck	Rogers, Mass.
Andresen, Minn.	Englebright	Lanzetta	Rutherford
Andrews	Faddis	Lea	Schuetz
Arends	Fish	Lord	Seger
Bacon	Fitzgerald	Lucas	Simpson
Barry	Flannery	Luce	Smith, Maine
Bates, Mass.	Fletcher	Ludlow	Smith, Va.
Beam	Forand	McLaughlin	Snell
Beiter	Frey, Pa.	McLean	Somers, N. Y.
Bell	Gamble, N. Y.	Mapes	Sutphin
Biermann	Gifford	Martin, Mass.	Taber
Bland	Gingery	Mason	Tarver
Buckley, N. Y.	Haines	Merritt	Thom
Cannon, Mo.	Halleck	Michener	Thomas, N. J.
Casey, Mass.	Hancock, N. Y.	Moser, Pa.	Thompson, Ill.
Church	Harlan	O'Brien, Ill.	Tinkham
Clason	Hoffman	O'Leary	Tobey
Cole, N. Y.	Holmes	Oliver	Towey
Connery	Jarrett	O'Toole	Treadway
Costello	Jenkins, Ohio	Peterson, Ga.	Umstead
Crawford	Kelly, Ill.	Pettengill	Whittington
Crowther	Kennedy, N. Y.	Powers	Williams
Culkin	Keogh	Reed, Ill.	Wolcott
Dirksen	Kinzer	Rich	Wolfenden
Dondero	Kocialkowski	Robertson	

ANSWERED "PRESENT"—1

Engel

NOT VOTING—107

Ashbrook	Douglas	McClellan	Sadowski
Atkinson	Drewry, Va.	McGrath	Satterfield
Barton	Dunn	McGroarty	Schaefer, Ill.
Boehne	Fernandez	McMillan	Scrugham
Boland, Pa.	Fitzpatrick	McSweeney	Shafer, Mich.
Boylan, N. Y.	Ford, Calif.	Maas	Smith, Okla.
Burch	Gasque	Maloney	Smith, Wash.
Byrne	Gearhart	Mansfield	Snyder, Pa.
Carter	Gilchrist	May	Stack
Cartwright	Goldsborough	Mitchell, Tenn.	Steagall
Celler	Gray, Pa.	Mosier, Ohio	Sullivan
Champion	Green	Murdock, Utah	Sweeney
Clark, Idaho	Griswold	Norton	Taylor, Colo.
Clark, N. C.	Hart	O'Connor, Mont.	Taylor, Tenn.
Cluett	Harter	O'Connor, N. Y.	Thurston
Cochran	Hartley	O'Day	Tolan
Coffee, Nebr.	Hook	O'Neal, Ky.	Wadsworth
Cole, Md.	Imhoff	Palmisano	Wearin
Creal	Kerr	Parsons	Weaver
Crosby	Kirwan	Pierce	Whelchel
Cullen	Kopplemann	Plumley	White, Idaho
Curley	Lambeth	Rayburn	White, Ohio
DeMuth	Larrabee	Reed, N. Y.	Wigglesworth
Dickstein	Lemke	Reilly	Wood
Ditter	Lewis, Md.	Robinson, Utah	Woodruff
Dockweiler	Long	Roy	Woodrum
Doughton	McAndrews	Sabath	

So the motion to recede and concur was agreed to.

The Clerk announced the following additional pairs:

On this vote:

Mr. Gilchrist (for) with Mr. Maas (against).
Mr. Lemke (for) with Mr. Engel (against).
Mr. O'Connor of Montana (for) with Mr. Ditter (against).
Mr. Gasque (for) with Mr. Reed of New York (against).
Mr. McClellan (for) with Mr. Douglas (against).
Mr. Steagall (for) with Mr. Hartley (against).

General pairs:

Mr. Cochran with Mr. Carter.
Mr. Doughton with Mr. Wadsworth.
Mr. O'Connor of New York with Mr. Taylor of Tennessee.
Mr. Boland of Pennsylvania with Mr. Barton.
Mr. Woodrum with Mr. Cluett.
Mr. Griswold with Mr. Gearhart.
Mr. Drewry of Virginia with Mr. Shafer of Michigan.
Mr. McMillan with Mr. Dunn.
Mr. Burch with Mr. Woodruff.
Mr. Mosier of Ohio with Mr. Hart.
Mr. Whelchel with Mr. Palmisano.
Mr. Robinson of Utah with Mr. Byrne.
Mr. Boehne with Mr. Scrugham.
Mr. Long with Mr. Snyder of Pennsylvania.
Mr. Taylor of Colorado with Mr. Satterfield.
Mr. Green with Mr. Larrabee.
Mr. Clark of Idaho with Mr. Atkinson.
Mr. Sabath with Mr. Smith of Washington.
Mr. Wearin with Mr. Boylan of New York.
Mr. Creal with Mr. Schaefer of Illinois.
Mr. Imhoff with Mr. O'Neal of Kentucky.
Mr. Kopplemann with Mr. Smith of Oklahoma.
Mr. Celler with Mr. Kirwan
Mr. Dockweiler with Mrs. Norton.
Mr. Wood with Mr. Lewis of Maryland.
Mr. Sullivan with Mr. Gray of Pennsylvania.
Mr. Murdock of Utah with Mr. Fitzpatrick.
Mrs. O'Day with Mr. Sweeney.
Mr. Dickstein with Mr. Clark of North Carolina.
Mr. McAndrews with Mr. Coffee of Nebraska.
Mr. McGrath with Mr. McSweeney.
Mr. White of Idaho with Mr. Crosby.
Mr. Mitchell of Tennessee with Mr. Lambeth.
Mr. May with Mr. Plumley.
Mr. Parsons with Mr. Tolan.
Mr. Reilly with Mr. Wigglesworth.
Mr. Wearin with Mr. Curley.
Mr. Champion with Mr. Stack.
Mr. DeMuth with Mr. Fernandez.
Mr. Mansfield with Mr. Maloney.
Mr. Griswold with Mr. Pierce.
Mr. Cartwright with Mr. Ashbrook.
Mr. Kerr with Mr. Ford of California.
Mr. Cole of Maryland with Mr. Sadowski.

Mr. ENGEL. Mr. Speaker, I voted "no." I have a pair with the gentleman from North Dakota [Mr. LEMKE]. I withdraw my vote of "no" and ask to be marked present.

The result of the vote was announced as above recorded.

ORDER OF BUSINESS

Mr. RAYBURN. Mr. Speaker, when the House rises at the conclusion of the business now before the House, and whatever other business the Speaker takes up, I ask unanimous consent that it stand in recess until 8 o'clock this evening, and that it may then be in order to call individual bills on the Private Calendar and when that is finished to call bills on the Consent Calendar.

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

Mr. SNELL. Mr. Speaker, I reserve the right to object. Will not the gentleman modify his request and begin the calling of the Consent Calendar where we left off the last time the calendar was called?

Mr. RAYBURN. I think that is a reasonable request, Mr. Speaker, and I include it in my unanimous-consent request.

Mr. O'MALLEY. Mr. Speaker, I reserve the right to object. Do I understand that we will call the Consent Calendar, beginning where we left off the last evening, and then start over again and call those bills on the Consent Calendar that were objected to once?

Mr. RAYBURN. That is not my request.

Mr. O'MALLEY. I am trying to get what the gentleman from New York intends.

Mr. SNELL. What I have in mind is that we start where we left off. We would not go over the bills again tonight that have already been objected to or have been passed over, but start with the next bills on the Consent Calendar.

Mr. O'MALLEY. And then return to those that have been objected to?

Mr. SNELL. Not tonight. There would not be time; but that might come later.

Mr. MOTT. Mr. Speaker, I reserve the right to object, to inquire if anyone knows about what length of time would be devoted to the calling of the Consent Calendar.

Mr. SNELL. That is a very hard question to answer.

The SPEAKER. As the Chair understands the request of the gentleman from Texas, it is contemplated under the agreement, if it is entered into, that the call of the Consent Calendar will commence where we left off on the last call, and that we would finish the Consent Calendar.

Mr. LANZETTA. Mr. Speaker, I reserve the right to object, to ask the majority leader if it is possible to take up those bills on the calendar not objected to, but bills that were passed over without prejudice. A number of bills on that calendar should be acted upon, and I do not see any reason why we cannot go back to those bills, in view of the fact that they were not objected to.

The SPEAKER. Will the gentleman from Texas please restate his request?

Mr. RAYBURN. My request is that at the conclusion of the business now under consideration the House shall stand in recess until 8 o'clock this evening, and that then individual bills on the Private Calendar may be called; and after that the Consent Calendar then would be called, beginning at the place where we last left off.

Answering the gentleman from New York, I may say that I agree to the request of the gentleman from New York because it is the best that we can get. If we cannot get that, if objection is made to my request, then those who have bills on the Private Calendar and the Consent Calendar which have not been called may not get them called during this session of Congress.

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

There was no objection.

AGRICULTURAL APPROPRIATION BILL, 1939

The SPEAKER. The Clerk will report the next Senate amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 107: Page 102, line 7, strike out "$19,500,000" and insert "$42,000,000".

Mr. CANNON of Missouri. Mr. Speaker, I offer the following motion, which I send to the desk.

The Clerk read as follows:

Mr. CANNON of Missouri, moves: That the House recede from its disagreement to the amendment of the Senate No. 107, and agree to the same with an amendment, as follows: In lieu of the sum proposed in said amendment, insert "$32,000,000".

The SPEAKER. The question is on the motion of the gentleman from Missouri.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 110: On page 102, line 23, strike out "That not over $25,000 of funds provided for in this paragraph shall be expended on any one project," and insert: "That not to exceed $50,000 of this appropriation shall be available for expenditure for any one project designed in whole or in part to benefit lands by the irrigation thereof and all project facilities and appurtenances which depend for their utility in whole or in part upon each other or upon any common facility shall be deemed one project, and the authority contained in said act shall not be deemed to authorize the construction of any project not in accord with this limitation."

Mr. CANNON of Missouri. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate No. 110 and concur in the same.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 113. On page 105, after line 15, insert:

"INTERCHANGE OF APPROPRIATIONS

"Not to exceed 5 percent of the foregoing amounts for the miscellaneous expenses of the work of any bureau, division, or office herein provided for shall be available interchangeably for expenditures on the objects included within the general expenses of such bureau, division, or office, but no more than 5 percent shall be added to any one item of appropriation except in cases of extraordinary emergency, and then only upon the written order of the Secretary of Agriculture: *Provided*, That a statement of any transfers of appropriations made hereunder shall be included in the annual Budget."

Mr. CANNON of Missouri. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate No. 113 and concur in the same with an amendment.

The Clerk read as follows:

Amendment No. 113: Mr. CANNON of Missouri moves: That the House recede from its disagreement to the amendment of the Senate No. 113, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"INTERCHANGE OF APPROPRIATIONS

"Not to exceed 5 percent of the foregoing amounts for the miscellaneous expenses of the work of any bureau, division, or office herein provided for shall be available interchangeably for expenditures on the objects included within the general expenses of such bureau, division, or office, but no more than 5 percent shall be added to any one item of appropriation except in cases of extraordinary emergency."

The motion was agreed to.

On motion of Mr. Cannon of Missouri, a motion to reconsider the several votes by which the conference report and the Senate amendments were agreed to was laid on the table.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. St. Claire, one of its clerks, announced that the Senate had adopted the following order:

Ordered, That Mr. OVERTON and Mr. MCNARY be appointed additional conferees on the bill (H. R. 10618) authorizing the construction of certain public works on rivers and harbors for flood control and for other purposes.

Ordered, That the Secretary be directed to return to the House of Representatives the engrossed bill (S. 2165) to amend the act entitled "An act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes."

SUSAN LAWRENCE DAVIS

Mr. KENNEDY of Maryland. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 7759) for the relief of Susan Lawrence Davis, with a Senate amendment thereto, disagree to the Senate amendment, and ask for a conference.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Maryland? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. KENNEDY of Maryland, RAMSPECK, and CARLSON.

Mr. KENNEDY of Maryland. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 738) for the relief of Asa C. Ketcham, with a Senate amendment, and concur in the Senate amendment.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the Senate amendment, as follows:

Page 1, line 6, strike out "$2,500" and insert "$1,000."

The Senate amendment was concurred in.

BARBARA JEAN MATTHEWS

Mr. KENNEDY of Maryland. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4258) for the relief of Barbara Jean Matthews, a minor, with a Senate amendment, and concur in the Senate amendment.

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

There was no objection.

The Clerk read the Senate amendment, as follows:

Page 1, line 6, strike out "$2,500" and insert "$1,500."

The Senate amendment was concurred in.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. DITTER (at the request of Mr. SNELL) for the balance of the session on account of illness.

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER. The Chair designates the gentleman from North Carolina [Mr. WARREN] to act as Speaker pro tempore at the session of the House this evening.

TAXICAB INSURANCE, DISTRICT OF COLUMBIA

Mr. PALMISANO, from the Committee on the District of Columbia, filed a conference report and statement on the bill (H. R. 7084) to provide that all cabs for hire in the District of Columbia be compelled to carry insurance for the protection of passengers, and for other purposes.

ANNOUNCEMENT

Mr. CARTWRIGHT. Mr. Speaker, I wish to announce that had I been present I would have voted for the farm-tenant amendment on the agricultural appropriation bill. I was unavoidably absent.

EXTENSION OF REMARKS

Mrs. ROGERS of Massachusetts asked and was given permission to revise and extend her remarks.

RECESS

Mr. RAYBURN. Mr. Speaker, I move that the House stand in recess until 8 o'clock.

The motion was agreed to; thereupon (at 6 o'clock and 22 minutes p. m.) the House, pursuant to its previous order, stood in recess until 8 o'clock p. m.

EVENING SESSION

The recess having expired, the House was called to order by the Speaker pro tempore [Mr. WARREN] at 8 o'clock p. m.

The SPEAKER pro tempore. Under previous order of the House the Clerk will call the first bill on the Private Calendar.

Mr. THOMAS of New Jersey. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. The Chair will count. [After counting.] Eighty-two Members are present, not a quorum.

Mr. COOPER. 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. 107]

Allen, Ill.	Ditter	Knutson	Reilly
Andrews	Dockweiler	Kvale	Richards
Ashbrook	Doughton	Lanham	Robertson
Atkinson	Douglas	Larrabee	Robinson, Utah
Bacon	Drewry, Va.	Lemke	Robsion, Ky.
Barry	Driver	Lewis, Md.	Sabath
Bates, Ky.	Duncan	Ludlow	Sadowski
Beam	Eaton	McAndrews	Schaefer, Ill.
Biermann	Elliott	McClellan	Schuetz
Binderup	Fernandez	McCormack	Schulte
Bland	Fish	McGrath	Scrugham
Bloom	Fitzpatrick	McGroarty	Secrest
Boehne	Flannery	McLaughlin	Shannon
Boland, Pa.	Fleger	McMillan	Smith, Maine
Boylan, N. Y.	Gambrill, Md.	McReynolds	Smith, Okla.
Brewster	Gasque	McSweeney	Smith, Va.
Buckley, N. Y.	Gavagan	Maas	Smith, Wash.
Bulwinkle	Gildea	Magnuson	Somers, N. Y.
Burch	Gray, Pa.	Mansfield	Spence
Byrne	Green	Meeks	Stack
Carter	Greenwood	Mitchell, Ill.	Steagall
Cartwright	Gregory	Mitchell, Tenn.	Sullivan
Celler	Griswold	Mosier, Ohio	Sumners, Tex.
Champion	Guyer	Mouton	Sweeney
Chapman	Haines	Murdock, Utah	Taylor, Colo.
Citron	Hamilton	Nelson	Teigan
Clark, Idaho	Harlan	Nichols	Thurston
Clark, N. C.	Harrington	Norton	Tolan
Cluett	Harter	O'Brien, Ill.	Towey
Cochran	Hartley	O'Connell, Mont.	Vinson, Ga.
Coffee, Nebr.	Hildebrandt	O'Day	Wadsworth
Cole, Md.	Hobbs	Owen	Wearin
Colmer	Hook	Palmisano	Weaver
Creal	Hunter	Pearson	Welch
Crosby	Imhoff	Peterson, Fla.	Wene
Crosser	Jarrett	Peterson, Ga.	Whelchel
Curley	Keller	Pettengill	White, Idaho
Deen	Kelly, N. Y.	Plumley	Wigglesworth
Delaney	Kennedy, N. Y.	Poage	Withrow
Dempsey	Kinzer	Polk	Wood
De Muth	Kirwan	Randolph	Woodruff
Dickstein	Kleberg	Rayburn	
Dirksen	Kniffin	Reed, N. Y.	

The SPEAKER pro tempore. Two hundred and fifty-seven Members have answered to their names. A quorum is present.

On motion of Mr. COOPER, further proceedings under the call were dispensed with.

The SPEAKER pro tempore. Under previous order of the House, the Clerk will call the first individual bill on the Private Calendar.

PRIVATE CALENDAR

HARRIS A. ALISTER

The Clerk called the first bill on the Private Calendar, H. R. 6272, for the relief of Harris A. Alister.

The SPEAKER pro tempore. Without objection, the bill will be passed over.

There was no objection.

JOSEPH WEBBE

The Clerk called the next bill, H. R. 9012, for the relief of Joseph Webbe.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Joseph Webbe, of St. Louis, Mo., the sum of $1,000. Such sum represents the amount of a judgment on recognizance bond rendered against the said Joseph Webbe, surety, on June 3, 1936, because one Van Buren Martin, the principal, failed to appear in the Federal district court of Missouri on the day set for sentence. The said Joseph Webbe has paid the said judgment, although 8 days before the said judgment was rendered he supplied the Federal authorities with information which resulted in the apprehension of the said Van Buren Martin on June 6, 1936; said Van Buren Martin now being incarcerated in United States penitentiary under said judgment and sentence of aforesaid court.

With the following committee amendments:

Page 1, lines 6 and 7, strike out the period after the figures, insert a comma, strike out the words "Such sum represents", and insert "in full satisfaction of his claim against the United States for refund of."

Page 1, line 8, strike out the words "the said Joseph Webbe" and insert "him as."

Page 1, line 9, after the date, insert "and thereafter paid."

Page 1, line 10, strike out the words "Federal district court" and insert "United States district court for the eastern district."

Page 1, line 11, strike out the period after the word "sentence", insert a comma, strike out the remainder of the bill, and add the following: "although he was apprehended on June 6, 1936, with the assistance of said Joseph Webbe, and returned for sentence, without cost to the Government: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

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.

J. T. AND BILLIE HERREN

The Clerk called the next bill, H. R. 9516, for the relief of J. T. and Billie Herren.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. T. Herren, of Utica, Miss., the sum of $88.50 for hospital and medical bills and the sum of $500 as damages for injuries sustained by his minor son, Billie Herren, which occurred on the grounds of the Wise Consolidated School, near Utica, Miss., where Civil Works Administration employees were at work on February 15, 1934: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 7, strike out the words and figures "the sum of $500 as damages" and insert "to said J. T. Herren, as legal guardian of his minor son, Billie Herren, the sum of $500, in full settlement of all claims against the United States."

Page 1, line 8, strike out the words "his minor son, Billie Herren, which occurred" and insert "said Billie Herren."

Page 1, line 10, strike out the word "where" and insert "when struck by a hose pipe used on a."

Page 1, lines 10 and 11, strike out the words "employees were at work on" and insert "project."

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.

The title was amended to read as follows: "A bill for the relief of J. T. Herren and Billie Herren, a minor."

AMY M. GHENT

The Clerk called the next bill, H. R. 9535, for the relief of Amy M. Ghent.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Amy M. Ghent, Washington, District of Columbia, the sum of $1,500. The payment of such sum shall be in full settlement of all claims against the United States on account of personal injuries received by the said Amy M. Ghent as a result of a fall on the ice-covered steps of the old House Office Building on January 21, 1938, while the said Amy M. Ghent was en route to her work in such building.

With the following committee amendments:

In lines 6 and 7, strike out the figures and words "$1,500. The payment of such sum shall be" and insert "$250."

In lines 8 and 9, strike out the words "by the said Amy M. Ghent."

In line 11, strike out the words "the said Amy M. Ghent was."

At the end of the bill add:

"*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

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.

VICTOR H. TODARO

The Clerk called the next bill, H. R. 9859, for the relief of Victor H. Todaro.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Victor H. Todaro, of Shreveport, La., the sum of $15,000, in full satisfaction of his claim against the United States for permanent injury received during the progress of the Civil Works Administration project on the State fair grounds in Shreveport on February 28, 1934: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike out the figures "$15,000" and insert "$5,000."

Page 1, line 8, after the word "received", insert "when the wall of a building caved in on him."

Page 1, line 9, after the words "on the", insert "Louisiana."

Page 1, line 10, strike out the word "That" and insert the following in lieu thereof: "That no part of the amount appropriated in this act shall be paid to or received by any person or company, as subrogee of the rights of the said Victor H. Todaro against the United States, and."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

MANUEL L. CLAY

The Clerk called the next bill, H. R. 9922, for the relief of Manuel L. Clay.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that the bill (S. 3719) for the relief of Manuel L. Clay may be considered in lieu of the House bill.

There being no objection, the Clerk read the Senate bill as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Manuel L. Clay, father of Carlton Clay, a minor, of Stonington, Conn., the sum of $3,000. The payment of such sum shall be in full settlement of all claims against the Government of the United States for the death of the said Carlton Clay, on January 13, 1938, as a result of his being struck by a vehicle in the service of the Works Progress Administration on the Boston Post Road in the town of Stonington, Conn.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. COSTELLO. Mr. Speaker, I offer sundry amendments to make the Senate bill conform to the House bill as amended.

The Clerk read as follows:

Amendments offered by Mr. COSTELLO to Senate 3719:

On page 1, line 7, after "$3,000" insert "and to the legal guardian of George P. Jones, a minor, of Mystic, Conn., the sum of $500."

Page 1, line 7, strike out the period and the words "the payment of such sum shall be."

Page 1, line 8, strike out the words "Government of the."

Page 1, line 10, strike out the word "his" and insert the word "their."

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.

A similar House bill (H. R. 9922) was laid on the table.

F. A. RUMERY & SONS, OF PORTLAND, MAINE

The Clerk called the next bill, S. 82, for the relief of F. A. Rumery & Sons, of Portland, Maine.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to F. A. Rumery & Sons, of Portland, Maine, the sum of $1,215, in full satisfaction of all claims against the Government for extra expenses incurred in the construction of the United States inspection station at Houlton, Maine, under contract No. Tlsa-3536, dated September 22, 1932: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike out the figures "$1,215" and insert "$1,020."

Page 1, line 7, strike out the word "Government" and insert "United States."

Page 1, line 8, after the words "United States" insert "customs."

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.

MABEL F. HOLLINGSWORTH

The Clerk called the next bill, S. 606, for the relief of Mabel F. Hollingsworth.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the provisions and limitations of sections 15 to 20, both inclusive, 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, are hereby waived in the case of Mabel F. Hollingsworth, of West Allis, Wis., widow of William L. Hollingsworth, late a retired railway postal clerk, insofar as said Mabel F. Hollingsworth's claim for compensation for the death of said William L. Hollingsworth is concerned, and the United States Employees' Compensation Commission is authorized and directed to consider and act upon any claim filed with the Commission, within 1 year after the date of the enactment of this act, by said Mabel F. Hollingsworth for compensation under the provisions of such act

of September 7, 1916, as amended, for the death of said William L. Hollingsworth: *Provided*, That compensation, if any, shall commence from and after the date of the passage of this act.

With the following committee amendments:

Page 1, line 10, strike out the words "late a retired" and insert "who died August 18, 1935, from chronic silicosis and hypertrophy of the heart alleged to be the result of his employment as a."

Page 1, lines 10, 11, and 12, strike out the words "insofar as said Mabel F. Hollingsworth's claim for compensation for the death of said William L. Hollingsworth is concerned."

Page 2, line 3, strike out the words "1 year" and insert "6 months."

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.

JAMES D. M'EACHERN

The Clerk called the next bill, S. 866, for the relief of the estate of James D. McEachern.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $5,000 to the estate of James D. McEachern, in full settlement of all claims against the United States for the death of the said James D. McEachern resulting from an accident which occurred on December 16, 1935, at Cambridge, Mass., involving a Government-owned truck of the Department of the Interior: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, after the name "McEachern", insert "deceased, formerly of Cambridge, Mass,".

Page 1, lines 8 and 9, strike out the words "an accident which occurred" and insert "injuries sustained when he was struck."

Page 1, line 10, strike out the words "involving a Government-owned" and insert "by an Emergency Conservation Work.'

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.

STILLWELL BROS., INC.

The Clerk called the next bill, S. 1346, for the relief of Stillwell Bros., Inc.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Stillwell Bros., Inc., the sum of $5,986.92 in full settlement of all claims against the Government for losses incurred by them as subcontractors in the performance of work done in the construction of a dock at the navy yard, Bremerton, Wash., in 1917: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

In line 6, page 1, after the word "Incorporated", insert "of Seattle, Washington."

In lines 7 and 8, strike out the words "Government for losses incurred by them" and insert "United States on account of wage increases paid."

In lines 8 and 9, strike out the words "in the performance of work done in" and insert "under contract No. 2381, dated July 17, 1917, with the Navy Department, for."

In line 10, strike out the words "in 1917" and insert "during 1917 and 1918."

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.

GEORGE EHRET, JR.

The Clerk called the next bill, S. 2541, for the relief of the estate of George Ehret, Jr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding any limitation contained in section 301 (b) of the Revenue Act of 1926, as amended, with respect to the time within which State taxes shall have been paid and credits therefor claimed, the Commissioner of Internal Revenue is authorized and directed to consider any claim which may be filed within 60 days after the date of enactment of this act for a credit under such section in the case of the estate of George Ehret, Jr., late of the State of New York, and, in the consideration of such claim, to allow credit for any estate, inheritance, legacy, or succession taxes paid to the State of New York prior to the date of enactment of this act, and to refund to such estate the amount of any such credit allowed.

With the following committee amendment:

Page 2, line 3, after the word "allowed", insert "*Provided*, That in the settlement of said claim there shall be no allowance of interest."

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.

LEONA DRAEGER

The Clerk called the next bill, S. 2895, for the relief of Leona Draeger.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Leona Draeger, the sum of $1,000, and the sum of $50 per month, in a total amount of not to exceed $4,000, such payments to be in full satisfaction of all claims of said Leona Draeger and her three minor children against the United States for damages sustained by them as a result of the death of William F. Draeger, husband of the said Leona Draeger; said William F. Draeger having been struck and killed on May 6, 1937, on Highway No. 29, about 5 miles north of Box Elder, Mont., by an automobile operated by William McMurphy, an employee of the National Youth Administration then engaged in the performance of his duties as such employee: *Provided*, That no part of the amount authorized to be paid in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with such claims. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount authorized to be paid in this act in excess of 10 percent thereof on account of services rendered in connection with such claims, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 5, after the name "Draeger", insert "of Box Elder, Mont."

Page 1, line 11, after the name "Draeger", strike out the semicolon and the words "said William F. Draeger having been" in lines 11 and 12, and insert in lieu thereof "who was."

Page 2, line 2, strike out the name "William McMurphy."

Page 2, lines 3 and 4, strike out the words "then engaged in the performance of his duties as such employee."

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.

JOHN FANNING

The Clerk called the next bill, S. 3057, for the relief of John Fanning.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John Fanning, the sum of $2,500, in full satisfaction of his claim against the United States arising out of property damage and personal injuries suffered when he was struck by a truck driven by a Navajo Indian, near Flagstaff, Ariz., on May 30, 1936: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor

and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 5, after the name "Fanning", insert "of Tucson, Ariz."

Page 1, line 6, strike out the figures "$2,500" and insert "$2,000."

Page 1, line 8, strike out the word "he", and insert "the automobile he was driving."

Page 1, line 9, strike out the words "a Navajo Indian" and insert "an employee of the Indian Service, Interior Department, on United States Highway No. 66,".

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.

ESMERALD GOODMAN ET AL.

The Clerk called the next bill, S. 3540, for the relief of Esmerald Goodman, boatswain's mate, first class (lifesaving); Raymond H. Wilson, boatswain's mate, first class (lifesaving); Louis J. Burns, motor machinist's mate, first class (lifesaving); Silvie S. Langton, surfman; Eudorus J. Brown, surfman; Kenneth G. Sherwood, surfman; Alvin Combs, surfman; William E. Knight, surfman; Olaaf E. Starr, surfman; and Ejner E. Jensen, surfman.

There being no objection, the Clerk read the bill, as follows:

Be it enacted etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to personnel of the United States Coast Guard in full settlement of their claims against the United States for loss or destruction of, or damage to, personal property and effects as a result of the fire which occurred at the Coquille River Coast Guard Station, Bandon, Oreg., on September 27, 1936, as follows: Esmerald Goodman, boatswain's mate, first class (lifesaving), $110.70; Raymond H. Wilson, boatswain's mate, first class (lifesaving), $86.10; Louis J. Burns, motor machinist's mate, first class (lifesaving), $95.10; Silvie S. Langton, surfman, $80.75; Eudorus J. Brown, surfman, $65.60; Kenneth G. Sherwood, surfman, $41.25; Alvin Combs, surfman, $54.34; William E. Knight, surfman, $52.99; Olaaf E. Starr, surfman, $58.55; Ejner E. Jensen, surfman, $40.95.

With the following committee amendments:

Page 1, line 5, after the word "to", insert "the following-named".

At the end of the bill add:

": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

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

The title was amended so as to read: "A bill for the relief of certain personnel of the Coquille River Coast Guard Station, Bandon, Oreg."

A motion to reconsider was laid on the table.

WILLIAM J. PITOCHELLI

The Clerk called the next bill, S. 3573, for the relief of William J. Pitochelli.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William J. Pitochelli, of Lawrence, Mass., the sum of $837.13 in full satisfaction of his claim against the United States for injuries sustained by him as a result of an explosion of dynamite set off on a Works Progress Administration project at the city yard, Lawrence, Mass., on March 2, 1937: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with such claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with such claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$837.13" and insert "$1,500."

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.

G. E. MAXWELL

The Clerk called the next bill, S. 3584, for the relief of G. E. Maxwell.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Dr. G. E. Maxwell, of Springerville, Ariz., the sum of $332.70 in full settlement of any and all claims against the Government on account of medical services rendered to John Holmes, agent and employee of the Government, in the service of the Works Progress Administration, at Springerville, Ariz., on April 30, 1936: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 7, strike out the word "Government" and insert "United States."

Page 1, line 8, after the word "of", insert "emergency."

Page 1, line 9, strike out the words "agent and employee of the Government in the service of" and insert "an employee of."

Page 1, lines 9 and 10, strike out the words "at Springerville, Ariz., on" and insert "on authority of officials of the Works Progress Administration."

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.

CERTAIN OFFICERS AND ENLISTED MEN OF THE COAST GUARD

The Clerk called the next bill, S. 3734, for the relief of certain officers and enlisted men of the United States Coast Guard.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to personnel of the United States Coast Guard, in full settlement of their claims against the United States for loss or destruction of, or damage to, personal property and effects as a result of the fire which occurred on the Connecticut Street Pier, Seattle, Wash., on June 3, 1937, as follows: Earl K. Rhodes, lieutenant, $175; Christopher C. Knapp, lieutenant (junior grade), $358.50; Irving J. Stephens, lieutenant (junior grade), $204.90; Edgar V. Carlson, lieutenant (junior grade), $188.25; Albert J. Carpenter, lieutenant (junior grade), $281.75; Ralph D. Dean, ensign, $107; Thomas A. Ross, chief boatswain, $138.50; Emil Moen, boatswain, $50; Ellis F. Gradin, gunner, $379.30; Obey C. Scott, machinist, $40; Virgil L. McLean, pay clerk, $47.44; Joseph H. Chagnot, carpenter, $80; Melvin J. Archambeau, chief boatswain's mate, $8; and George Wray, chief carpenter's mate, $58.

With the following committee amendments:

Page 1, line 5, after the word "to", insert "the following-named."

At the end of the bill, add: ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

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.

WILLIAM T. J. RYAN

The Clerk called the next bill, S. 2557, for the relief of William T. J. Ryan.

Mr. HALLECK and Mr. HANCOCK of New York objected, and, under the rule, the bill was recommitted to the Committee on Military Affairs.

GUY CARLTON BAKER

The Clerk called the next bill, H. R. 667, to correct the records of the War Department to show that Guy Carlton Baker and Calton C. Baker or Carlton C. Baker is one and the same person.

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 amend the records of the War Department to show that Guy Carlton Baker is one and the same person as Calton C. Baker or Carlton C. Baker, who served in the War of 1812 as a private in Capt. Ezekiel Colburn's company, Lt. Col. Thomas B. Benedict's regiment, New York Militia.

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.

WILLIAM E. RICH

The Clerk called the next bill, H. R. 1299, for the relief of William E. Rich.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, William E. Rich, who was a member of the United States Army, shall hereafter be held and considered to have been honorably discharged from the military service of the United States.

With the following committee amendment:

At the end of the bill insert:

"*Provided*, That no bounty, back pay, pension, or allowances shall be held to have accrued prior to the passage of this 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.

HARRY J. SOMERVILLE

The Clerk called the bill (H. R. 9868) for the relief of Harry J. Somerville.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Harry J. Somerville, who served as a private, Troop K, Eleventh Regiment United States Cavalry, shall be held and considered to have been honorably discharged from the United States Army in the rank of private on July 26, 1918.

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.

EDWIN L. WADE

The Clerk called the bill (H. R. 725) for the relief of Edwin L. Wade.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edwin L. Wade, of Schenectady, N. Y., the sum of $1,559. The payment of such sum shall be in full settlement of all claims against the United States for damages sustained by the said Edwin L. Wade as a result of personal injuries received by him and property damage to his automobile when such automobile was struck, on the Middleburgh-Schoharie Highway, approximately 4 or 5 miles from Schoharie, N. Y., on December 3, 1935, by a truck in the service of the Civilian Conservation Corps.

With the following committee amendments:

In lines 6 and 7, strike out the figures and words "$1,559. The payment of such sum shall be" and insert "$484."

In lines 8 and 9, strike out the words "damages sustained by the said Edwin L. Wade as a result of."

In lines 10 and 11, strike out the words "struck, on" and insert "forced from."

In lines 11 and 12, strike out the words "approximately 4 or 5 miles from" and insert "near."

At the end of the bill add: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ROY M. YOUNG

The Clerk called the bill (H. R. 4115) for the relief of Roy M. Young.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Roy M. Young, the sum of $650 in full settlement of all claims against the United States for compensation on account of personal injuries and expenses incident thereto as a result of a collision involving a vehicle of the United States Army at the junction of United States Highways Nos. 41 and 22, in the State of Illinois, on April 2, 1935: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 5, after the word "Young", insert "of Evanston, Ill."

Page 1, line 7, strike out the words "for compensation."

The committee amendments were agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

ANNA MATTIL AND OTHERS

The Clerk called the bill (H. R. 7991) for the relief of Anna Mattil and others.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Anna Mattil, Rochester, N. Y., the sum of $20,000; to Mildred Reed, Coldwater, N. Y., the sum of $10,000; to John A. Mattil, Rochester, N. Y., the sum of $4,000; to John H. Mattil, Sr., Rochester, N. Y., the sum of $1,500; to Edward Kolb, Rochester, N. Y., the sum of $5,000; to Anna Fritz Starr, Rochester, N. Y., the sum of $1,000; to Deloris Clow, Rochester, N. Y., the sum of $5,000; to Julia Valentine, Rochester, N. Y., the sum of $3,000; to the legal guardian of Betty Jane Mosher, a minor, Rochester, N. Y., the sum of $10,000; to the legal guardian of Mary Ann Thesing, a minor, Rochester, N. Y., the sum of $5,000; to the legal guardian of Marjorie St. John, a minor, Rochester, N. Y., the sum of $20,000; to the legal guardian of George Mattil, a minor, Rochester, N. Y., the sum of $20,000; and to the legal guardian of Susie Spier, a minor, Rochester, N. Y., the sum of $5,000, in full settlement of all their claims against the Government of the United States for personal injuries sustained by them as the result of an explosion and fire caused by agents of the Bureau of Prohibition during a raid in the city of Rochester, N. Y., July 7, 1933: *Provided*, That no part of the amounts appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claims. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amounts appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claims, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike out the figures "$20,000" and insert "$1,250."

Page 1, line 7, strike out the figures "$10,000" and insert "$300."

Page 1, line 8, strike out the figures "$4,000" and insert "$300."
Page 1, line 10, strike out the figures "$1,500" and insert "$250."
Page 1, line 11, strike out the figures "$5,000" and insert "$300" and strike out the name "Anna" and insert "Anne."
Page 1, line 12, strike out the figures "$1,000" and insert "$300."
Page 1, line 13, strike out the figures "$5,000" and insert "$300."
Page 2, line 1, strike out the figures "$3,000" and insert "$100."
Page 2, line 3, strike out the figures "$10,000" and insert "$750."
Page 2, line 4, strike out the figures "$5,000" and insert "$500."
Page 2, line 6, strike out the figures "$20,000" and insert "$1,500."
Page 2, line 8, strike out the figures "$20,000" and insert "$1,000" and strike out the word "and."
Page 2, line 9, strike out the figures "$5,000" and insert the figures and words "$750; to the legal guardian of Richard Ormsby, a minor, Rochester, N. Y., the sum of $1,500; and to Richard Smith, Rochester, N. Y., the sum of $250."

The committee amendments were agreed to; and the bill, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CELIA KOEHLER

The Clerk called the bill (H. R. 9132) for the relief of Celia Koehler.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Celia Koehler, Custer, S. Dak., the sum of $10,000, in full settlement of all claims against the United States for the death of her husband, Frank Koehler, a flagman on a highway construction crew, who was killed on duty October 13, 1937, when struck by a truck belonging to the United States Forest Service, which was driven by an enrollee of the Civilian Conservation Corps in line of duty on United States Highway No. 16 within the boundaries of the Harney National Forest.

With the following committee amendments:

In line 6, strike out the figures "$10,000" and insert "$5,000."
In line 9, strike out the word "duty."
In line 11, strike out the words "which was" and insert "and."
At the end of the bill strike out the period, insert a comma, and add: "near Custer, S. Dak.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

D. B. CARTER

The Clerk called the bill (H. R. 9282) for the relief of the estate of D. B. Carter, of Richmond, Va.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the estate of D. B. Carter, of Richmond, Va., out of any money in the Treasury not otherwise appropriated, the sum of $10,000, in full settlement of all claims against the Government of the United States for personal injuries caused by an automobile truck leased to the United States Coast and Geodetic Survey and driven by an enlisted man named Frank Swoveland on January 14, 1934, about 5 miles west of Portsmouth, Va.: *Provided*, That the payment herein authorized shall not be subject to levy, garnishment, or other legal processes for any debts, except burial expenses: *Provided further*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 4, after the name "Carter", insert "deceased, formerly of."
Page 1, line 6, strike out the figures "$10,000" and insert "$3,000."
Page 1, line 8, strike out the words "caused by an automobile" and insert a comma and the words "or the death of said D. B. Carter on July 27, 1937, allegedly as a result thereof, sustained when the automobile he was driving was struck by a."
Page 2, lines 1, 2, 3, and 4, strike out the words "That the payment herein authorized shall not be subject to levy, garnishment, or other legal processes for any debts, except burial expenses: *Provided further*."

The committee amendments were agreed to; and the bill, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider the vote by which the bill was passed was laid on the table.

The title was amended so as to read: "A bill for the relief of the estate of D. B. Carter."

RUSSELL ANDEREGG

The Clerk called the bill (H. R. 9451) for the relief of Russell Anderegg, a minor, and George W. Anderegg.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Russell Anderegg, a minor, of Pittsburgh, Pa., the sum of $5,000 in full satisfaction of all claims against the United States for injuries sustained by him on August 25, 1936, when employees of the Works Progress Administration, while engaged on W. P. A. project No. 65–23–7310, located at Grandview Park, Mount Washington, Pittsburgh, Pa., negligently rolled a large locust post down the side of a hill, the post striking said Russell Anderegg; and to George W. Anderegg, of Pittsburgh, Pa., father of said injured minor, the sum of $2,071.34 in full satisfaction of all claims against the United States for all expenses incurred by him as a result of said injuries to his son: *Provided*, That no part of the amounts appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 7, strike out "$15,000" and insert "$5,000".

The committee amendment was agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time and passed and a motion to reconsider was laid on the table.

HAROLD E. THERIAULT

The Clerk called the bill (H. R. 9543) for the relief of Mr. and Mrs. Harold E. Theriault.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mr. and Mrs. Harold E. Theriault, of Avery, Idaho, the sum of $1,850, in full satisfaction of their claim against the United States for the destruction of their house as a result of blasting operations of the United States Forest Service on April 4, 1936, in connection with an Emergency Conservation road-construction project in the St. Joe National Forest.

With the following committee amendments:

In line 6, strike out the figures "$1,850" and insert "$844.20."
In line 10, after the word "Conservation", insert "Work."
At the end of the bill add: ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SHOSHONE GARAGE

The Clerk called the next bill, H. R. 9640, for the relief of the Shoshone Garage.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized to pay, out of any funds in the United States Treasury not otherwise appropriated, the sum of $1,200 to the Shoshone Garage, Pete H. Schultz, owner, of Cody, Wyo., in compensation for liquidated damages deducted from payments due the Shoshone Garage, Pete H. Schultz, owner, under a contract between the claimant and the Bureau of Reclamation of the Department of the Interior in March 1937 for unavoidable delay occasioned by floods and strikes beyond the control of claimant in the delivery of auto-

mobiles under said contract and from which no damage was suffered by the United States.

With the following committee amendments:

In line 3, after the word "authorized", insert "and directed."

In line 4, strike out the word "funds" and insert "money", and strike out the words "United States."

In line 7, strike out the word "compensation" and insert "settlement of all claims against the United States."

In line 9, after the word "contract", insert "numbered 12r-6941, dated February 11, 1937."

In lines 9 and 10, strike out the words "in March 1937 for" and insert "on account of."

At the end of the bill add: *"Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to and the bill, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

W. H. JOHNSTON, JR.

The Clerk called the next bill, H. R. 9888, for the relief of William Henry Johnston, Jr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the guardian of William Henry Johnston, Jr., of Salt Lake City, Utah, a minor, for the use of said minor, the sum of $5,000, in full satisfaction of all claims against the United States for the death of the father of said minor, William Henry Johnston, who was killed on April 29, 1937, by a cave-in occurring in a trench which deceased was engaged in digging under direction of prison officials while an inmate of the United States Penitentiary, McNeil Island, Wash.: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 5, after the words "to the", insert "legal."

Page 1, line 7, strike out the words and figures "for the use of said minor, the sum of $5,000" and insert "the sum of $3,500,".

Amend the title of the bill to read: "For the relief of William Henry Johnston, Jr., a minor."

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.

The title of the bill was amended so as to read: "A bill for the relief of William Henry Johnston, Jr., a minor."

GEORGE J. LEATHERWOOD

The Clerk called the next bill, S. 1987, for the relief of George J. Leatherwood.

Mr. Costello and Mr. Barden objected, and under the rule the bill was recommitted to the Committee on Claims.

CLARENCE DANIEL

The Clerk called the next bill, S. 2890, for the relief of Clarence Daniel.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated to the parents of Clarence Daniel, a minor, of Idabel, Okla., the sum of $3,500, in full satisfaction of all claims against the United States for damages for personal injuries received by the said Clarence Daniel when he was struck and run down, on May 5, 1937, by a Works Progress Administration truck which was carrying men to a work project: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 5, strike out the word "parents" and insert "legal guardian."

Page 1, line 8, strike out the words "for damages."

Page 1, line 9, strike out the words "and run down,".

Page 1, line 11, strike out the words "which was carrying men to a work project" and insert "on United States Highway numbered 70, near Idabel, McCurtain County, Oklahoma".

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.

The title to the bill was amended so as to read: "An act for the relief of Clarence Daniel, a minor."

MR. AND MRS. P. F. NIXON

The Clerk called the next bill, S. 3587, for the relief of Mr. and Mrs. P. F. Nixon, parents of Herschel Lee Nixon, deceased minor son.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mr. and Mrs. P. F. Nixon, of Littlefield, Tex., parents of Herschel Lee Nixon, deceased minor son, the sum of $3,000 in full satisfaction of all their claims against the United States for compensation on account of fatal injuries received by the said Herschel Lee Nixon on October 6, 1937, when he was crushed by a truck negligently driven by an employee of the Works Progress Administration, near Spade, Tex., which injuries resulted in the immediate death of the said Herschel Lee Nixon: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

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.

SAM ALEXANDER

The Clerk called the next bill, S. 2594, authorizing the President of the United States to summon Sam Alexander before an Army retiring board, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the President of the United States be, and he is hereby, authorized to summon Sam Alexander, formerly a field clerk, Quartermaster Corps, United States Army, and major, Signal Corps, United States Army, before a retiring board for the purpose of hearing his case and inquiring whether at the time of his separation from the service he was incapacitated for active service, and whether such incapacity was a result of an incident of service and if, as a result of such hearing and inquiry, it is found that he was so incapacitated, the President is authorized to appoint the said Sam Alexander a warrant officer, Regular Army, and place him immediately thereafter upon the retired list of the Army, with the same privileges and retired pay as are now or may hereafter be provided by law or regulation for warrant officers of the Regular Army: *Provided,* That the said Sam Alexander shall not be entitled to any back pay or allowances by the passage 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.

CHARLES D. BIRKHEAD

The Clerk called the next bill, S. 1564, for the relief of Charles D. Birkhead.

Mr. HANCOCK of New York and Mr. HALLECK objected, and under the rule the bill was recommitted to the Committee on Military Affairs.

ALBERT RICHARD JESKE

The Clerk called the next bill, H. R. 7606, for the relief of Albert Richard Jeske.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COSTELLO. Mr. Speaker, I object.

There being no further objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration laws, relating to the issuance of immigration visas for admission to the United States for permanent residence and relating to admissions at ports of entry of aliens as immigrants for permanent residence in the United States, the provisions of section 3 of the Immigration Act of 1917 (39 Stat. 875), as amended (U. S. C., title 8, sec. 136 (e)), which exclude from admission into the United States "persons who have been convicted of or admit having committed a felony, or other crime or misdemeanor involving moral turpitude", shall not hereafter be held to apply to Albert Richard Jeske, who is the husband of Martha Jeske, an American citizen, on account of offenses alleged to have been committed in connection with obtaining a passport for admission to the United States. If he is found otherwise admissible under the immigration laws an immigration visa may be issued and admission granted to Albert Richard Jeske under this act upon application hereafter filed.

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.

EMILY GERTRUDE TOBY

The Clerk called the next bill, S. 3758, for the relief of Emily Gertrude Toby.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration laws Emily Gertrude Toby shall not be denied an immigration visa, nor denied admission to the United States for permanent residence, because of the fact that on or about December 20, 1923, she was convicted of petty larceny and fined $25 at Winnipeg, Canada, when at the age of 20 years.

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.

WILLIAM KELLEY

The Clerk called the next bill, H. R. 5604, for the relief of William Kelley.

Mr. COSTELLO and Mr. HANCOCK of New York objected; and, under the rule, the bill was recommitted to the Committee on Claims.

JOHN B. JONES

The Clerk called the next bill, S. 652, for the relief of John B. Jones.

There being no objection the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers John B. Jones, who served as a first lieutenant, One Hundred and Forty-third Infantry, United States Army, shall hereafter be held and considered to have been discharged under honorable conditions from the military service of the United States on the 8th day of June 1918: *Provided*, That no back pay, compensation, benefit or allowance shall be held to have accrued prior to the passage 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.

JOHN W. BECK

The Clerk called the next bill, S. 1239, for the relief of John W. Beck.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the President of the United States be, and he is hereby, authorized to summon John W. Beck, a first lieutenant, United States Army, retired, before a retiring board, to inquire whether at the time of his retirement under section 24b, National Defense Act, as amended, he was incapacitated for active service, and whether such incapacity was a result of an incident of service, and if, as a result of such inquiry, it is found that he was so incapacitated, the President is authorized to nominate and appoint, by and with the consent of the Senate, the said John W. Beck, a first lieutenant, Regular Army, and place him immediately thereafter upon the retired list of the Army, with the same privileges and retired pay as are now or may hereafter be provided by law or regulation for officers of the Regular Army: *Provided*, That the said John W. Beck shall not be entitled to any back pay or allowances by the passage 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.

GEORGE H. LOWE, JR.

The Clerk called the next bill, S. 2883, for the relief of George H. Lowe, Jr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of section 10 of the act entitled "An act to maintain the credit of the United States Government," approved March 20, 1933, George H. Lowe, Jr., who enlisted in the United States Army on June 7, 1917, and served in France, and was commissioned a first lieutenant in the United States Army to rank as such from September 8, 1918, shall be held and considered to have entered commissioned service prior to November 11, 1918, notwithstanding that he was unable by reason of wounds suffered in action to qualify and accept the commission until November 16, 1918.

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.

BENJAMIN H. FAITH

The Clerk called the next bill, S. 3490, for the relief of Benjamin H. Faith.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the pension laws or any laws conferring rights, privileges, or benefits upon persons honorably discharged from the United States Army Benjamin H. Faith shall be held and considered to have been honorably discharged on July 7, 1919, as a private, Battery C, Fifteenth Regiment Field Artillery, United States Army; but no pension, pay, bounty, or other benefit, except the benefits of the World War Adjusted Compensation Act, as amended and supplemented, shall be held to accrue by reason of this act prior to its passage.

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.

PRESENTATION OF GOLD MEDALS TO MRS. ROBERT ALDRICH AND POSTHUMOUSLY TO ANNA BOULIGNY

The Clerk called the next bill, S. 3917, authorizing the President to present gold medals to Mrs. Robert Aldrich and posthumously to Anna Bouligny.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the President be, and he is hereby, authorized to present a gold medal of appropriate design to Mrs. Robert Aldrich, nee Margaret Livingston Chanler, and posthumously to Anna Bouligny, deceased, who, during the War with Spain, voluntarily went to Puerto Rico and there rendered service of inestimable value to the Army of the United States in the establishment and operation of hospitals for the care and treatment of military patients in Puerto Rico. The posthumous presentation to Anna Bouligny, deceased, shall be made to such representative of the said Anna Bouligny, deceased, as the President may designate. There is hereby authorized to be appropriated such sum as may be necessary to carry out the provisions of this act.

Amend the title so as to read: "An act authorizing the President to present gold medals to Mrs. Richard Aldrich and posthumously to Anna Bouligny."

With the following committee amendment:

Page 1, line 4, strike out "Robert" and insert in lieu thereof "Richard."

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.

The title was amended so as to read: "An act authorizing the President to present a gold medal to Mrs. Richard Aldrich and posthumously to Anna Bouligny."

ELMER W. HAAS

The Clerk called the next bill, H. R. 656, for the relief of Elmer W. Haas.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Elmer W. Haas be held and considered to have been enlisted May 5, 1898, in Company H, Twenty-first Regiment Kansas Volunteer Infantry, and honorably discharged from said company on August 4, 1898: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

REINSTATEMENT OF FIRST LT. WILLIAM B. BLAUFUSS

The Clerk called the next bill, H. R. 8799, to provide for the reinstatement of First Lt. William B. Blaufuss, United States Army, retired, to the active list of the Regular Army as a first lieutenant.

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 reinstate First Lt. William B. Blaufuss, retired from the Air Corps, United States Army, for physical disability, to the active list of the Regular Army as a first lieutenant, and the Secretary of War is further authorized and directed to effect the reinstatement of the said William B. Blaufuss not later than 60 days following enactment of this act.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the President of the United States be, and is hereby, authorized to summon William B. Blaufuss, a first lieutenant, United States Army, retired, before a retiring board to inquire whether at the time of his retirement he was incapacitated for active service and whether such incapacity was a result of an incident of service, and to further determine if he is incapacitated for active service at the present time; and if not, the Secretary of War be, and he is hereby, authorized and directed to reinstate William B. Blaufuss a first lieutenant, United States Army, said reinstatement to be effected not later than 60 days following the finding of said retiring board that said William B. Blaufuss is not incapacitated for active service."

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 so as to read: "A bill for the relief of William B. Blaufuss."

OLIN J. SALLEY

The Clerk called the next bill, H. R. 1768, for the relief of Olin J. Salley.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Olin J. Salley the sum of $44, which was the expense to which he was put in qualifying under the direction of the Veterans' Administration for the purpose of administering the estate of Timothy Jones, XC-126314, on April 10, 1931.

With the following committee amendments:

In line 5, after the name "Salley", insert a comma and the words "of Salley, S. C."

In line 6, strike out the words "which was" and insert "in full satisfaction of his claim against the United States for."

At the end of the bill strike out the period, insert a comma, and add:

"in the probate court of Orangeburg County, S. C.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

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.

CAPT. FRANCIS H. S. M'KEON

The Clerk called the next bill, H. R. 5777, for the relief of Capt. Francis H. S. McKeon.

There being no objection, the Clerk read the bill, as follows:

Be it enacted etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated and in full settlement against the Government, the sum of $291.46 to Francis H. A. McKeon, captain, Twenty-ninth Regiment, United States Infantry, being the amount stopped against his pay by reason of clerical failure to enter on the pay rolls of said regiment certain allotments of enlisted men, made against the pay of certain enlisted men, covering allotments made by them.

Amend the title so as to read: "A bill for the relief of Captain Francis H. A. McKeon."

With the following committee amendments:

In lines 5 and 6, strike out the words "and in full settlement against the Government."

In line 7, strike out the words "Twenty-ninth Regiment" and insert "Thirteenth, Infantry."

In line 8, strike out the words "Infantry, being" and insert "Army, in full satisfaction of his claim against the United States for refund of."

In lines 9 and 10, strike out the words "by reason of clerical failure to enter on the pay rolls of said regiment" and insert "on account of errors made by personnel in his office in failing to deduct."

In lines 11 and 12, strike out the words "covering allotments made by them." and add the following: "while he was detailed as personnel adjutant, Twenty-Ninth Infantry, United States Army, Fort Benning, Ga., during 1921 and 1922: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

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.

The title was amended so as to read: "A bill for the relief of Capt. Francis H. A. McKeon."

CURTISS AEROPLANE AND MOTOR CO., INC.

The Clerk called the next bill, H. R. 7144, for the relief of the Curtiss Aeroplane & Motor Co., Inc.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Curtiss Aeroplane and Motor Co., Inc., the sum of $53,072.38. Such sum represents additional costs incurred by such corporation in the performance of contracts with the Department of War dated June 24, 1932 (contract numbered W535-ac-5258), November 23, 1932 (contract numbered W535-ac-5536), February 27, 1933 (contract numbered W535-ac-5733), and September 29, 1933, bid August 2, 1933 (contract numbered W535-ac-6261).

With the following committee amendments:

In line 6, after the word "Incorporated", insert "of Buffalo, N. Y."

At the end of line 6 and at the beginning of line 7 strike out the figures and words "$53,072.38. Such sum represents" and insert "$45,191.89, in full satisfaction of its claim against the United States for."

In line 8, after the word "corporation" insert "as the result of compliance with the President's Reemployment Agreement, promulgated pursuant to the National Industrial Recovery Act."

At the end of the bill add:

"*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

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.

HYMAN GINSBERG

The Clerk called the next bill, H. R. 7170, for the relief of Hyman Ginsberg.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Hyman Ginsberg, Birmingham, Ala., the sum of $15,000. Such sum shall be in full settlement of all claims against the United States for damages sustained by the said Hyman Ginsberg as the result of being permanently disabled and wholly prevented from pursuing his occupation for the rest of his natural life from a collision involving the truck in which he was riding and a United States mail truck, the driver of which totally disregarded a "boulevard" sign driving the United States mail truck into the truck of Hyman Ginsberg: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, lines 6 and 7, strike out "$15,000. Such sum shall be" and insert "$4,000."

Page 1, line 8, start with the word "damages," strike out all of the bill through the word "from" in line 11, and insert "personal injuries and property damage sustained in."

Page 2, line 2, start with the word "the", strike out all of the bill through the name "Ginsberg" in line 2, page 2, and insert in lieu thereof "at the intersection of Twelfth Street South and Avenue H, Birmingham, Ala., on December 22, 1936."

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.

EMMETT LEE PAYNE

The Clerk called the next bill, H. R. 7485, for the relief of Emmett Lee Payne.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that the bill, S. 2624, for the relief of Emmett Lee Payne, may be considered in lieu of the House bill.

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Emmett Lee Payne, of Coahoma County, Miss., the sum of $5,000, in full settlement of all claims against the Government of the United States for personal injuries and property damage sustained on January 29, 1937, about 4 miles south of Lula, Coahoma County, Miss., on United States Highway No. 61, as a result of a collision between the truck driven by the said Emmett Lee Payne and Civilian Conservation Corps service truck No. 7, bearing United States license No. 31195-D. A.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

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 (H. R. 7485) was laid on the table.

OLYMPIO MEDINA

The Clerk called the next bill, H. R. 7636, for the relief of Olympio Medina.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Olympio Medina the sum of $5,000. Such sum shall be in full satisfaction of all claims against the United States for damages resulting from serious injury of the said Olympio Medina who, on May 17, 1934, suffered serious injuries when he was accidentally shot by a Federal agent in the employ of the United States Government: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 5, strike out the name "Olympio Medina" and insert "Olimpio Medina, of New York City."

Page 1, line 6, strike out the figures and words "$5,000. Such sum shall be" and insert "$1,000."

Page 1, lines 7 and 8, strike out the words "damages resulting from serious injury of the said Olympio Medina who", and insert "personal injury sustained."

Page 1, line 9, strike out the words "suffered serious injuries"

Page 1, lines 10 and 11, strike out the words "by a Federal agent in the employ of the United States Government" and insert "while an agent of the Bureau of Narcotics, Treasury Department, was effecting an arrest, at One Hundred and Thirteenth Street and Lenox Avenue, New York City."

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.

The title was amended so as to read: "A bill for the relief of Olimpio Medina."

MRS. OLIVE FLETCHER CONKLIN

The Clerk called the next bill, H. R. 8199, for the relief of Mrs. Olive Fletcher Conklin.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Olive Fletcher Conklin, of Miami, Fla., the sum of $5,000, in full settlement of all claims against the Government of the United States for personal and permanent injuries suffered by the said Mrs. Olive Fletcher Conklin as a result of a collision with a truck operated by an employee of the Government, in the city of Miami, Fla., on or about December 15, 1935.

With the following committee amendments:

In line 6, strike out the figures "$5,000" and insert "$3,000,".

In line 7, strike out the words "Government of the."

In line 8, strike out the words "and permanent."

In lines 8 and 9, strike out the words "the said Mrs. Olive Fletcher Conklin" and insert "her."

In lines 9 and 10, strike out the words "with a truck operated by an employee of the Government" and insert "between the automobile in which she was a passenger and a United States Army truck,".

In line 11, strike out the words "or about."

At the end of the bill add:

": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

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.

WILLIAM MONROE

The Clerk called the next bill, H. R. 9133, for the relief of William Monroe.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William Monroe, of Mellette County, S. Dak., the sum of $125 for the loss of one horse and $10 for the unauthorized use of his team by Government truck drivers to pull a 5-ton truck owned by the Emergency Conservation Works uphill at the Rosebud Agency, Rosebud, S. Dak.,

October 26, 1936, during which use one of the horses was injured and died.

With the following committee amendment:

In line 6, start with the figures "$125" and strike out the remainder of the bill, and insert in lieu thereof the following: $100, in full satisfaction of his claim against the United States for loss of a horse which had been used by employees of an Indian Emergency Conservation Work project of the Rosebud Indian Agency, S. Dak., to pull a truck, on October 26, 1936, and which died shortly after such use: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

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.

SAM KIMZEY

The Clerk called the next bill, S. 824, for the relief of Sam Kimzey.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sam Kimzey, of Cornelia, Ga., the sum of $1,500, in full satisfaction of his claim against the United States for damages arising out of the removal of certain buildings of an abandoned Civilian Conservation Corps camp from land owned by said Sam Kimzey: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike out the figures "$1,500" and insert "$500."

Page 1, line 8, strike out the word "an" and insert "the."

Page 1, line 9, after the word "camp", insert "P-79, at Cornelia, Habersham County, Ga."

Page 1, line 10, after the name "Kimzey", insert a comma and the words "after transfer of said camp on July 13, 1934, to the Federal Emergency Relief Administration."

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.

JAMES J. HOGAN

The Clerk called the next bill, S. 2505, for the relief of James J. Hogan.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to James J. Hogan, New Egypt, N. J., the sum of $380. Such sum shall be in full settlement of all claims against the United States for damages sustained by the said James J. Hogan on account of property damage received on January 13, 1937, when the car which he was driving on Pemberton-Wrightstown Highway, within the Camp Dix Military Reservation, Camp Dix, N. J., was involved in an accident with a Government truck operated in the service of the Civilian Conservation Corps: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, lines 5 and 6, strike out the words "allocated by the President for the maintenance and operation of the Civilian Conservation Corps," and insert "not otherwise appropriated."

Page 1, line 7, strike out the period after the figures, insert a comma, and strike out the words "Such sum shall be" in lines 7 and 8.

Page 1, line 9, strike out the words "for damages sustained by the said James J. Hogan."

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.

WILLIAM MOSELEY

The Clerk called the next bill, H. R. 6805, for the relief of William Moseley.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers William Moseley, who was a member of Company L, Ninth Regiment United States Volunteer Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 25th day of May 1899: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BUTLER LUMBER CO., INC.

The Clerk called the next bill, H. R. 10171, to amend the act entitled "An act giving jurisdiction to the Court of Claims to hear and determine the claim of the Butler Lumber Co., Inc."

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act giving jurisdiction to the Court of Claims to hear and determine the claim of the Butler Lumber Co., Inc.", approved March 3, 1927, be, and the same is hereby, amended to give the Court of Claims of the United States jurisdiction to hear and determine claims in addition to those already adjudicated by the Court of Claims in the case of the *Butler Lumber Co.* v. *The United States*, decided December 7, 1931 (73 C. Cls. 270), in favor of the Butler Lumber Co., as follows: A claim for the loss of land, timber, lumber, machinery, and cash through foreclosure in the total sum of $95,641, resulting from the furnishing of piling in the erection of a fueling station on Craney Island, in Norfolk Harbor, Va., which station was erected under a contract dated May 21, 1921, between W. S. Rendle and the United States Shipping Board, representing the United States of America, notwithstanding the said judgment of the Court of Claims, laches, or the statute of limitations. Suit in the Court of Claims may be brought by the receivers of the Butler Lumber Co., Inc., appointed by the Law and Equity Court of Richmond City, Va.

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.

DAVID R. THOMPSON AND RALPH S. WARNER

The Clerk called the next bill, H. R. 10326, to authorize and direct the Commissioners of the District of Columbia to set aside the trial-board conviction of Policemen David R. Thompson and Ralph S. Warner and their resultant dismissal, and to reinstate David R. Thompson and Ralph S. Warner to their former positions as members of the Metropolitan Police Department.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Commissioners of the District of Columbia be, and they are hereby, authorized and directed to set aside the trial-board conviction of Policemen David R. Thompson and Ralph S. Warner and their resultant dismissal, and to reinstate David R. Thompson and Ralph S. Warner to their former positions as members of the Metropolitan Police Department of the District of Columbia.

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.

WILLIAM J. COCKE

The Clerk called the next bill, S. 931, for the relief of the widow of the late William J. Cocke.

Mr. HANCOCK of New York and Mr. COSTELLO objected, and, under the rule, the bill was recommitted to the Committee on War Claims.

A. C. MESSLER CO.

The Clerk called the next bill, S. 3005, to confer jurisdiction on the Court of Claims to hear and determine the claim of the A. C. Messler Co.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Court of Claims of the United States be, and hereby is, given jurisdiction to hear and determine the claim of the A. C. Messler Co., of Providence, R. I., notwithstanding lapse of time or any statute of limitations and to award said company compensation for additional material furnished the Government under contract dated April 17, 1918, for the manufacture and delivery of cartridge clips.

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.

WILLIAM J. PILLSBURY, EXECUTOR

The Clerk called the next bill, H. R. 3961, for the relief of the estate of Benjamin A. Pillsbury (William J. Pillsbury, executor).

There being no objection the Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Benjamin A. Pillsbury (William J. Pillsbury, executor) the sum of $2,989.09. Such sum shall be in full satisfaction of all claims against the United States for damages to the schooner *A. B. Sherman* in 1899 while that vessel was under charter by the Navy Department.

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.

CHOCTAW COTTON OIL CO., ADA, OKLA.

The Clerk called the next bill, H. R. 8753, for the relief of the Choctaw Cotton Oil Co. of Ada, Okla.

There being no objection the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Choctaw Cotton Oil Co. of Ada, Okla., successors to the Farmers Cotton Oil Co. of Madill, Okla., the sum of $3,823.07, the balance due on cotton linters purchased by the United States Government under contract known as Seller's Contract of Sale No. 3250.

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.

JOHN B. BRACK

The Clerk called the next bill, H. R. 7293, for the relief of the estate of John B. Brack.

Mr. MOTT and Mr. HALLECK objected and, under the rule, the bill was recommitted to the Committee on War Claims.

WARD BELL

The Clerk called the next bill, H. R. 342, for the relief of Ward Bell.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ward Bell the sum of $5,208.90 in full settlement of his claim against the Government for injuries received while dismantling a still at Watertown, N. Y., under orders from a Federal prohibition agent.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to H. Ward Bell, of Watertown, N. Y., the sum of $1,708.90, in full satisfaction of his claim against the United States for personal injuries received on July 17, 1928, when an illegal still located in premises at Watertown, N. Y., which he was assisting in dismantling at the direction of a Federal prohibition agent, exploded as the result of alcoholic combustion therein: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

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 so as to read: "A bill for the relief of H. Ward Bell."

W. GLENN LARMONTH

The Clerk called the next bill, H. R. 347, for the relief of W. Glenn Larmonth.

There being no objection, the Clerk read the bill, as follows:

Be it enacted etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to W. Glenn Larmonth the sum of $739.75 in full settlement of his claim against the Government for injuries received while dismantling a still at Watertown, N. Y.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to W. Glenn Larmonth, of Watertown, N. Y., the sum of $739.75, in full satisfaction of his claim against the United States for personal injuries received on July 17, 1928, while acting in his capacity as a United States Commissioner for the Northern District of New York, when an illegal still located in premises at Watertown, N. Y., which was being dismantled at the direction of a Federal prohibition agent exploded as the result of alcoholic combustion therein: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

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.

LUKE A. WESTENBERGER

The Clerk called the next bill, H. R. 7818, for the relief of Luke A. Westenberger.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Luke A. Westenberger, of Gettysburg, Pa., the sum of $2,500 in full settlement of all claims for the loss of an eye sustained by him on May 27, 1936, while a student at Gettysburg College and receiving student aid from the National Youth Administration.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That in the administration 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 extended and limited by the acts of February 15, 1934 (48 Stat. 351) and June 22, 1936 (49 Stat. 1608), the United States Employees' Compensation Commission is hereby authorized and directed to receive and consider the claim of Luke A. Westenberger, of Gettysburg, Pa., for loss of his left eye as the result of an injury on May 27, 1936, allegedly sustained in the performance of his duties at Gettysburg College, Pa., while a recipient of student aid under the National Youth Administration: *Provided*, That claim hereunder shall be filed within 6 months after the approval of this 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.

CAPT. JAMES L. ALVERSON

The Clerk called the bill (H. R. 7966) for the relief of Capt. James L. Alverson.

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 credit the salary account of Capt. James

L. Alverson with the amount of $2,307.61, that being the amount of pecuniary liability charged against the said Capt. James L. Alverson for which he is being held accountable by reason of certain irregularities and embezzlement on the part of subordinates under Captain Alverson between February 1, 1929, and June 1, 1929, while Capt. James L. Alverson was stationed as post quartermaster at Fort George Wright, in the State of Washington; *Provided*, That any part of said sum of $2,307.61 which has been refunded to the Government prior to the enactment of this act by said Capt. James L. Alverson, either in cash or by deductions from Army salary, shall be immediately reimbursed and said reimbursement shall be charged to the current appropriation for the pay of the Army.

With the following committee amendment:

Strike out all after the enacting clause and insert "That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Captain James L. Alverson, Quartermaster Corps, United States Army, the sum of $2,307.61, in full satisfaction of his claim against the United States for a refund of said sum, paid to the Government on account of a stoppage in his pay resulting from a loss of public funds and property due to embezzlements and irregularities by a noncommissioned officer in the post commissary at Fort George Wright, Washington, between February 1 and June 1, 1929, during which period Captain Alverson was post quartermaster and accountable officer for the commissary: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EDWARD FORBES

The Clerk called the bill (H. R. 8098), conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of Edward Forbes, and others, as set out therein.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the Court of Claims of the United States to hear, determine, and render judgment, respectively, upon the claims of Edward Forbes; J. D. Lee; B. A. Dopcus; D. Shiver; W. P. Shepherd; T. A. Lee; C. J. Aspey; B. A. Morris; Ross Winnie; Gertrude Winnie; C. E. Thomas; A. F. Trivette; Fredde Anapu; Walter Danson; M. M. Richards; L. A. Knight; W. B. Shepherd; B. A. Morris and L. E. Aspey, a partnership; C. B. Rawls and W. J. Rawls, a partnership doing business as Rawls Brothers; G. J. Barstow and C. E. Thomas, a partnership; Knight & Co, Inc., a Florida corporation; and Tropical Produce Corporation, a Florida corporation, all of Palm Beach County, Fla., for damages or losses resulting from the construction of levees along the Caloosahatchee River and Lake Okeechobee drainage areas in Palm Beach County, Fla., by the War Department, and from high waters caused thereby.

SEC. 2. Suits upon such claims, respectively, may be instituted at any time within 1 year after the enactment of this act, notwithstanding the lapse of time or any statute of limitations, and proceedings for the determination of such claim, appeals therefrom, and payment of any judgment thereon shall be in the same manner as in the cases over which such court has jurisdiction under section 145 of the Judicial Code, as amended.

With the following committee amendment:

Strike out all after the enacting clause and insert: "That jurisdiction is hereby conferred upon the Court of Claims of the United States to hear, determine, and render judgment upon the claims of Edward Forbes; J. D. Lee; B. A. Dopcus; D. Shiver; W. P. Shepherd; T. A. Lee; C. J. Aspey; B. A. Morris and L E. Aspey, as joint adventurers; Ross Winne and Gertrude Winne, husband and wife; C. E. Thomas; Frede Anapu; A. Trivett; Walter T. Danson; M. M. Bryant; E. B. Steele; R. Y. Creech; Ida L. Creech; J. W. Ives; Roscoe Lee Braddock; H. A. Braddock; H. C. Warthen; H. H. Wedgworth; F. A. LeFils; R. H. Little; H. Robinson; J. R. Poland; Kreamer Sugar & Syrup Co.; C. B. Rawls and W. J. Rawls, a partnership doing business as Rawls Bros.; Tropical Produce Corporation, a Florida corporation, and B. A. Morris, as joint adventurers; G. J. Barstow and C. E. Thomas, as joint adventurers; and Knight & Co., Inc., a Florida corporation; all of Palm Beach County, Fla., or other persons engaged in farming on Kreamer, Torry, or Ritta Islands, in Lake Okeechobee, for damages to/or loss of crops, alleged to have resulted from the construction of levees along the Caloosahatchee River and Lake Okeechobee drainage areas in Palm Beach County, Fla., by the Corps of Engineers, War Department, and from high waters caused thereby: *Provided*, That suits hereunder shall be instituted within 1 year from the enactment of this act.

The committee amendment was agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill conferring jurisdiction upon the Court of Claims to hear and determine the claims of Edward Forbes and others."

STANLEY MERCURI

The Clerk called the bill (H. H. 8401) for the relief of Stanley Mercuri.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $2,500 to Stanley Mercuri, in full settlement of all claims against the United States for personal injuries sustained by him as a result of a collision between the truck which he was driving, belonging to G. Fried & Sons, and a United States mail truck, said collision occurring on July 16, 1937, at Brooklyn, N. Y.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contact to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

In line 5, strike out the figures "$2,500" and insert "$1,250."

In line 6, after the name "Mercuri", insert a comma and the words "of Brooklyn, N. Y."

In line 9, strike out the words "belonging to G. Fried and Sons."

In line 10, strike out the word "at" and insert "on the Manhattan Bridge, between New York City and."

The amendments were agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

IDA A. GUNDERSON

The Clerk called the bill (S. 213) for the relief of Ida A. Gunderson.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Ida A. Gunderson, of Bonners Ferry, Idaho, the sum of $5,000 in full satisfaction of all claims against the United States on account of the death of her husband, Gustave William Gunderson, who was killed near Wrencoe, Idaho, on May 19, 1934, when the automobile in which he was riding was struck by a Civilian Conservation Corps truck driven by Willis Mizier: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claims. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claims, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 5, strike out "allocated by the President for the maintenance and operation of the Civilian Conservation Corps" and insert "not otherwise appropriated."

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.

MRS. JOHN OLSON

The Clerk called the bill (S. 375) for the relief of Mrs. John Olson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. John Olson, of Grafton, N. Dak., the

sum of $1,500, in full satisfaction of her claim against the United States for damages on account of personal injuries suffered when said Mrs. John Olson slipped and fell on the sidewalk in front of the post-office building at Grafton, N. Dak., on December 23, 1933: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike out the figures "$1,500" and insert "$750."
Page 1, line 7, strike out the words "for damages."
Page 1, line 8, strike out the words "said Mrs. John Olson" and insert "she."
Page 1, line 9, after the words "on the", insert "hazardous."

The committee amendments were 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.

HENRY E. REENTS

The Clerk called the bill (S. 2052) for the relief of Henry E. Reents.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Henry E. Reents, out of any money in the Treasury not otherwise appropriated, the sum of $500, in full settlement of any and all claims against the Government for personal injuries sustained by him while in the performance of his duties as telegrapher for the Santa Fe Railway Co., at Strong City, Kans., June 11, 1936, when he was struck by mail sacks thrown from a moving train: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 4, after the name "Reents", insert "of Strong City, Kans."
Page 1, line 7, strike out the word "Government" and insert "United States."
Page 1, line 8, after the words "for the", insert "Atchison, Topeka, and."
Page 1, line 11, after the word "train", insert "by a railway mail clerk."

The amendments were 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 was laid on the table.

STUART C. PETERSON

The Clerk called the bill (S. 2072) for the relief of Stuart C. Peterson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Stuart C. Peterson, of Boone, Iowa, the sum of $750, in full satisfaction of his claim against the United States for injury to his right hand and index finger caused by the dropping of a heavy stamp window on it, at the United States post office, Boone, Iowa, October 31, 1936: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out the word "Boone" and insert "Kalona" and strike out the figures "$750" and insert "$500."

The committee amendment was greed 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.

OSCAR JONES

The Clerk called the bill (S. 2437) for the relief of Oscar Jones.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the provisions and limitations of sections 15 to 20, both inclusive, 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 and supplemented, are hereby waived in the case of Oscar Jones, formerly employed by the Civil Works Administration on a sanitation project at Cresaps, W. Va., and the United States Employees' Compensation Commission is authorized and directed to consider and act upon any claim filed with the Commission, within 1 year after the date of the enactment of this act, by said Oscar Jones for compensation under the provisions of such act of September 7, 1916, as amended and supplemented by the act of February 15, 1934 (48 Stat. 351), for disability alleged to be due to injuries received by him in the performance of his duties as an employee of such Administration on or about January 29, 1934: *Provided*, That no benefits shall accrue prior to the approval of this act.

With the following committee amendments:

Page 1, line 7, after the word "amended", insert a comma, and strike out the words "and supplemented" in line 8.
Page 1, line 9, after the name "Jones", insert "of Moundsville, W. Va."
Page 2, line 1, strike out the words "1 year" and insert "6 months."
Page 2, line 4, strike out the words "amended and supplemented" and insert "extended and limited."
Page 2, line 5, after the word "disability", insert "to his left eye."

The committee amendments were 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.

MRS. MORGAN R. BUTLER

The Clerk called the bill (S. 2994) for the relief of Mrs. Morgan R. Butler.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to Mrs. Morgan R. Butler, of Waukesha, Wis., the sum of $2,629, in full and final settlement of any and all claims against the United States for personal injuries received by her when the automobile which she was driving was struck by a truck operated by a Civilian Conservation Corps enrollee on Highway No. 51 near Minocqua, Wis., on August 14, 1935: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, lines 4, 5, and 6, strike out the words "allocated by the President for the maintenance and operation of the Civilian Conservation Corps," and insert "in the Treasury not otherwise appropriated."
Page 1, line 9, after the word "injuries" insert "and property damage."

The amendments were 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.

LIMA LOCOMOTIVE WORKS, INC.

The Clerk called the bill (S. 3031) for the relief of the Lima Locomotive Works, Inc.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Lima Locomotive Works, Inc., Lima, Ohio, the sum of $19,177 in full settlement of all claims against the Government growing out of the assessment of the penalty under General Accounting Office Settlement No. 0430787, December 14, 1936, File A 85795: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any

person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 7, after the word "the", strike out the remainder of the line and all of lines 8, 9, and 10, and insert: "United States for a refund of liquidated damages withheld from payments due under its contract No. ER-Als-1652, dated June 26, 1936, with the Forest Service, Department of Agriculture, for the delivery of four power shovels equipped with Diesel engines, on account of delays incurred in exchanging said engines."

The committee amendment was agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

SALVATORE SPAGNUOLO

The Clerk called the next bill, H. R. 10083, for the relief of Salvatore Spagnuolo.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Labor is directed to cancel forthwith the outstanding warrant of arrest, order of deportation, warrant of deportation, and bond, if any, in the case of the alien, Salvatore Spagnuolo, and is directed not to issue any further such warrants or orders in the case of such alien, insofar as such future warrants or orders are based on the unlawful entry of such alien into the United States prior to the enactment of this act. Hereafter, for the purposes of the immigration and naturalization laws, such alien shall be considered to have been, at New York, N. Y., on June 12, 1920, lawfully admitted to the United States for permanent residence.

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.

MIKE KOTIS

The Clerk called the next bill, H. R. 10627, for the relief of Mike Kotis.

Mr. HANCOCK of New York and Mr. MOTT objected, and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

ABERDEEN PROVING GROUND

The Clerk called Senate Joint Resolution 114, for the relief of certain persons who suffered damages occasioned by the establishment and operation of the Aberdeen Proving Ground.

Mr. THOMAS of New Jersey and Mr. TABER objected, and, under the rule, the joint resolution was recommitted to the Committee on Claims.

EDWARD N. JERRY

The Clerk called the next bill, S. 44, for the relief of Edward N. Jerry.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs is authorized and directed to extend the benefits of the act entitled "An act making eligible for retirement, under certain conditions, officers and former officers of the Army, Navy, and Marine Corps of the United States, other than officers of the Regular Army, Navy, or Marine Corps, who incurred physical disability in line of duty while in the service of the United States during the World War", approved May 24, 1928, to Edward N. Jerry, who was appointed as captain, Coast Artillery Officers' Reserve Corps, November 27, 1917, and who was assigned to active duty the same date. The application of the said Edward N. Jerry for the benefits of such act of May 24, 1928, shall be filed with the Veterans' Administration within 6 months from the date of the approval 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.

JOSEPH W. BOLLENBECK

The Clerk called the next bill, S. 1168, for the relief of Joseph W. Bollenbeck.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, or benefits upon retired officers of the United States Army, Joseph W. Bollenbeck, captain, United States Army, shall be held and considered, notwithstanding any other provision of law, to have been classified in class A and to have been retired on May 31, 1935, under section 1251 of the Revised Statutes for incapacity which was a result of an accident of service: *Provided*, That no back pay, allowance, compensation, pension, or other benefit shall be held to have accrued prior to the passage 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.

JOHN H. BALMAT, JR.

The Clerk called the next bill, S. 2408, for the relief of John H. Balmat, Jr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to consider and authorized to grant the application of John H. Balmat, Jr., former captain, One Hundred and Forty-seventh Regiment United States Field Artillery, for such of the benefits under the act entitled "An act making eligible for retirement, under certain conditions, officers and former officers of the Army, Navy, and Marine Corps of the United States, other than officers of the Regular Army, Navy, or Marine Corps, who incurred physical disability in line of duty while in the service of the United States during the World War", approved May 24, 1928, as the said John H. Balmat, Jr., may be entitled to in accordance with his disability rating: *Provided*, That the application of the said John H. Balmat, Jr., shall be filed with the Veterans' Administration within 6 months from the date of the approval 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.

CHARLES G. BOSTWICK

The Clerk called the next bill, H. R. 9448, for the relief of Charles G. Bostwick.

There being no objection the Clerk read the bill as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to furnish to Charles G. Bostwick, alias Carlos G. Bostwick, late of Company I, Second Regiment United States Infantry, hospital treatment or domiciliary care (and medical services in connection therewith) in a Veterans' Administration hospital or home.

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.

HELRY P. M'CAIG

The Clerk called the next bill, H. R. 8055, for the relief of Helry P. McCaig.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Helry P. McCaig, who was a member of Auxiliary Remount Depot 328 of the Veterinary Enlisted Corps of the National Army, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization on the 13th day of February 1918.

With the following committee amendments:

At the end of the bill insert the following proviso:

"*Provided*, That no back pay, compensation, benefits, or allowances shall be held to have accrued prior to the passage of this act: *Provided further*, That no adjusted compensation shall be payable by virtue 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.

ZISKIND SOKOLOW

The Clerk called the next bill, H. R. 10730, for the relief of Ziskind Sokolow.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Labor is directed to cancel forthwith the outstanding warrant of arrest, order of deportation, warrant of deportation, and bond, if any, in the case of the alien Ziskind Sokolow, and is directed not to issue any further such warrants or orders in the case of such alien, insofar as such future warrants or orders are based on the unlawful entry of such alien into the United States prior to the enactment of this act, or on perjury or false statements in connection with such entry into the United States or with any application heretofore made for a reentry permit or extension thereof. Hereafter, for

the purposes of the immigration and naturalization laws, such alien shall be considered to have been lawfully admitted to the United States for permanent residence at New York, N. Y.

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.

BARTHOLEMEW HARRINGTON

The Clerk called the next bill, H. R. 7294, for the relief of Bartholemew Harrington.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Labor is hereby authorized and directed to cancel the outstanding order and warrant of deportation in the case of Bartholemew Harrington, any provision of the existing law to the contrary notwithstanding. From and after the approval of this act, Bartholemew Harrington shall not again be subject to deportation by reason of the same fact upon which the outstanding proceedings rest.

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.

MARIA BARTOLO

The Clerk called the next bill, S. 3063, for the relief of Maria Bartolo.

Mr. COSTELLO and Mr. HANCOCK of New York objected, and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

CHARLES E. BLACK

The Clerk called the next bill, H. R. 2231, for the relief of Charles E. Black.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to pay to Charles E. Black, medical student, University of Tennessee at Memphis, only child of John Wesley Black, late private, Park Battery, Second Corps, Artillery Park, who was murdered on January 5, 1919, while a member of the American Expeditionary Forces, near Verdun, France, by Jay Morgan and Mack Holmes, soldiers in the United States Army, who were subsequently tried, convicted, and sentenced by a general court at Brest, to 25 and 15 years' imprisonment, respectively, the sum of $4,014.10 in full settlement of death compensation benefits under the War Risk Insurance Act, as amended, at the rate of $20 per month from January 6, 1919, to September 26, 1935, the date Charles E. Black reached the age of 21 years, payment to be made from the current appropriation, Military and Naval Compensation, Veterans' Administration 1937: *Provided, however*, That the Secretary of War is authorized and directed to certify to the Administrator of Veterans' Affairs in accordance with Public Law No. 120 (Adjusted Compensation Act), as amended, for payment, the amount of adjusted compensation payable in accordance with the foregoing act, upon receipt of a valid application from Charles E. Black, payment to be made by the Administrator of Veterans' Affairs from the current appropriation for payment of adjusted compensation benefits.

With the following committee amendments:

Page 1, line 11, after "court", insert the word "material."

Page 2, line 7, omit '1937" and strike out "however" and substitute therefor "further."

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.

DUDLEY E. ESSARY

The Clerk called the next bill, H. R. 3761, for the relief of Dudley E. Essary.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Dudley E. Essary, of Harrogate, Tenn., the sum of $1,050. Such sum shall be in full settlement of all claims against the United States for losses sustained by the said Dudley E. Essary as the result of a Government truck in the service of the Civilian Conservation Corps striking and damaging a filling station leased by the said Dudley E. Essary at Cumberland Gap, Tenn.

With the following committee amendments:

In lines 6 and 7, strike out the figures and words "$1,050. Such sum shall be" and insert "$253.20."

In line 8, strike out the words "the said Dudley E. Essary" and insert "him."

In line 9, strike out the words "Government truck in the service of the".

In line 10, after the word "Corps", insert "truck."

At the end of the bill, strike out the period, insert a comma, and add: "on December 21, 1933: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

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.

SUE VANRYN

The Clerk called the next bill, H. R. 4996, for the relief of Sue Vanryn.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $25,932 to Sue VanRyn, Marshfield, Wis., in full settlement of all claims against the Government of the United States for personal and permanent injuries suffered by her on August 22, 1934, when the automobile in which she was riding was struck and completely demolished through the negligent operation of a Civilian Conservation Corps truck at the intersection of Federal Highway No. 10 and County Trunk Highway H, in Wood County, Wis.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for anay agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof, on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Amend the title so as to read: "A bill for the relief of Sue VanRyn; Donald A. VanRyn, a minor; and the estate of Margaret Breseman, deceased."

with the following committee amendment:

Strike out all of the bill after the enacting clause through the word "Wisconsin" in line 2, page 2, and insert in lieu thereof the following:

"That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sue VanRyn, of Marshfield, Wis., the sum of $7,500, in full settlement of all claims against the United States for personal injuries and property damage sustained by herself, and for the death of her minor daughter, Teresa VanRyn; to the legal guardian of Donald A. VanRyn, a minor, of Marshfield, Wis., the sum of $2,500, in full settlement of all claims against the United States for personal injuries and property damage sustained by him; and to the administrator of the estate of Margaret Breseman, deceased, formerly of Marshfield, Wis., the sum of $343, in full settlement of all claims against the United States on account of her death; said injuries, deaths, and property damage having been received in a collision between the automobile in which they were passengers, driven by William A. VanRyn, and a Civilian Conservation Corps truck, on August 22, 1934, at the intersection of Spencer Road with Wood County Highway H, near Marshfield, Wis."

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 so as to read: "A bill for the relief of Sue VanRyn; Donald A. VanRyn, a minor; and the estate of Margaret Breseman, deceased."

JACK NELSON

The Clerk called the next bill, H. R. 6458, for the relief of Jack Nelson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jack Nelson, Greensburg, Pa., the sum of $2,000. The payment of such sum shall be in full settlement of all claims against the United States for damages sustained by the said Jack Nelson as a result of personal injuries received on

April 13, 1936, when he was struck, at 3 o'clock p. m., on South Diamond Street, Mount Pleasant, Pa., by a Government motor vehicle (truck license No. U. S. 33-326 D. A.) operated by one Bruce McCleod of the Department of Agriculture.

With the following committee amendments:

In line 5, after the word "to", insert "the legal guardian of."

In line 5, also, strike out the word "Greensburg" and insert "a minor, Mount Pleasant."

In line 6, strike out the figures and words "$2,000. The payment of such sum shall be" and insert "$695."

In lines 7 and 8, strike out the words "damages sustained by the said Jack Nelson as a result of."

In line 10, strike out the words "at 3 o'clock p. m."

In line 11, start with the word "Government", strike out the remainder of the bill and insert in lieu thereof the following: "Department of Agriculture truck, driven by an Emergency Conservation Work employee: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

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.

The title was amended so as to read: "A bill for the relief of Jack Nelson, a minor."

CHARLES P. M'CARTHY AND THE PAUL REVERE FIRE INSURANCE CO.

The Clerk called the next bill, H. R. 9569, for the relief of Charles P. McCarthy and the Paul Revere Fire Insurance Co.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated and in full settlement of all claims against the Government, the sum of $2,994.50 to Charles P. McCarthy and the sum of $913.44 to the Paul Revere Fire Insurance Co. for damages to a truck caused by a collision with a Works Progress Administration truck in Atlanta, Ga., on December 31, 1937.

With the following committee amendment:

Strike out all of the bill after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charles P. McCarthy, of Gorham, Maine, the sum of $1,600, in full settlement of all claims against the United States for damages to his truck and trailer as the result of a collision December 31, 1937, with a Works Progress Administration truck, on College Avenue near Murray Hill Avenue, Atlanta, Ga.: *Provided*, That no part of the amount appropriated in this act shall be paid to or received by any person or company as subrogee of the rights of said Charles P. McCarthy against the United States as the result of said accident, and no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

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 so as to read: "A bill for the relief of Charles P. McCarthy."

RELIEF OF CERTAIN CARPENTERS

The Clerk called the next bill, H. R. 10043, for the relief of certain carpenters whose tools were destroyed by fire while stored in a Works Progress Administration warehouse in Jersey City, N. J.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Thaddeu Tylick the sum of $62.25; to Gus Sundin the sum of $83.45; to Jack Jacobsen the sum of $48.54; to Peter Lynch the sum of $52.85; to Fred Koop the sum of $50.04; to John A. Daly the sum of $55.85; to Henry Nowinski the sum of $59.95; to Fred Barr the sum of $44.15; to John Wilson the sum of $63.20; to John Oswald Roseberg the sum of $39.28; to John Kenealy the sum of $39.45; to Zygment Kwiten the sum of $40.65; to Jerome S. Marsh the sum of $59.10; to Charles Watson the sum of $55.95; to Robert H. Hickman the sum of $49.05; to Patrick Morris the sum of $64.50; to William Hadder the sum of $62.90; to Michael Caporusso the sum of $35.90; to Gustave Barbato the sum of $48.45; to Harry Dnowski the sum of $72.19; to Sylvester Symanski the sum of $37.43; to Oscar Bodine the sum of $31.30; to Howard F. Welsh the sum of $72.45; to Joseph A. Ennis the sum of $64.50; to Bernard F. Garry the sum of $94.85; to Paul Pitush the sum of $60.80; to Gustav Richert the sum of $5.25; to Santo Morreele the sum of $77.35; to Felix Araneicke the sum of $55.50; to Charles Coombes the sum of $42.50; to William A. Gill, Jr., the sum of $80.70; to Walter Buskiewicz the sum of $69.45; to Christian Torre the sum of $42.73; to Harold Tribble the sum of $59.60; to A. Hazelwood the sum of $53.35; to Gustav Johnson the sum of $59.10; to Harold C. Kretzinger the sum of $65.21; to Axel Johnson the sum of $41.10; to Gustav Peterson the sum of $39.25; to Bruno Mattiello the sum of $94.89; to William Ward the sum of $52.30; to John W. Brunner the sum of $72.48; to John Murray the sum of $68.20; to Joseph Baumeister the sum of $35.40; to Andrew Canessa the sum of $70.20; to George Wybrandt the sum of $61.81; to Ingvald Gunderson the sum of $67.90; to John Ferguson the sum of $26.05; to Frank Loehr the sum of $30.50; to John De Bernardis the sum of $49.60; to Robert Eriksen the sum of $30.15; to Charles S. Dorsey the sum of $62.55; to William J. O'Connell the sum of $47.30; to William J. Stebner the sum of $84.65; to Barnett Katz the sum of $65.37; to Leon Halperin the sum of $61.25; to Albert H. Vietmeyer the sum of $69.90; to Carl Grimm the sum of $79; in all, the sum of $3,269.62, in full settlement of their claims against the United States for loss of tools which were destroyed by fire while stored in a Works Progress Administration warehouse at the Roosevelt Stadium, Jersey City, N. J., on March 11, 1937: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Strike out all of the bill after the enacting clause down through the word "*Provided*" in line 15, page 3, and insert in lieu thereof the following:

"That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, in accordance with such certifications as may be made by the Works Progress Administrator, or his duly authorized representative under this act, the claims of employees of the Works Progress Administration for their privately owned tools and personal property, which, while stored in a Works Progress Administration warehouse, were damaged or destroyed by fire that occurred on March 11, 1937, on a Works Progress Administration project located at Roosevelt Stadium, Droyer's Point, Jersey City, N. J.: *Provided*, That such payments as may be made hereunder shall be deemed to be in full settlement of all claims against the United States for said damage to, or loss of, tools and personal property: *Provided further*, That the total amount that may be paid hereunder by the Secretary of the Treasury in settlement of said claims shall not exceed the sum of $6,000. No payment shall be made under the provisions of this act unless application therefor shall be filed with the Works Progress Administration by or on behalf of the person entitled thereto within 6 months from the date of approval of this act. The Works Progress Administrator, or his duly authorized representative, shall determine the amount due on any application, and the person entitled thereto under the provisions of this act, and shall certify such determinations to the Secretary of the Treasury for payment of the claims, which determinations shall be final and conclusive upon the accounting officers of the Government: *And provided further*."

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.

RICHARD D. KRENIK

The Clerk called the next bill, S. 3046, for the relief of Richard D. Krenik.

Mr. HANCOCK of New York and Mr. HALLECK objected, and, under the rule, the bill was recommitted to the Committee on Claims.

LT. COMDR. ROBERT R. BLAISDELL AND LT. EDWARD W. HAWKES

The Clerk called the next bill, S. 3142, for the relief of Lt. Comdr. Robert R. Blaisdell and Lt. Edward W. Hawkes (retired), Supply Corps, United States Navy.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow

credit in the respective accounts of Lt. Comdr. Robert R. Blaisdell, Supply Corps, United States Navy, in the sum of $189.30, and Lt. Edward W. Hawkes, Supply Corps, United States Navy, retired, in the sum of $695.07, which sums represent amounts paid by officers to Commander Herbert Dumstrey, Chaplain Corps, United States Navy, as rental allowance covering the periods from January 1, 1933, to March 31, 1933, and January 1, 1934, to November 20, 1934, while on duty at the United States Naval Station, Guam, and which were subsequently disallowed by the Comptroller General in said disbursing officers' accounts.

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.

RICHARD K. GOULD

The Clerk called the next bill, S. 3446, for the relief of Richard K. Gould.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to settle and allow the claim of Richard K. Gould for compensation for services rendered as United States commissioner in the district of Maine, from January 1, 1935, to August 31, 1936, notwithstanding the fact that accounts therefor were not submitted by the commissioner within 1 year after the rendition of such services in accordance with the provisions of the act of March 1, 1933 (47 Stat. 1385).

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.

CHRIST RIEBER

The Clerk called the next bill, S. 3534, for the relief of Christ Rieber.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Christ Rieber, of Reichle, Mont., the sum of $1,000 in full satisfaction of his claim against the United States for damages resulting from the loss by fire on April 22, 1936, of a house and shed owned by him which was occupied by a Civilian Conservation Corps truck trails survey crew under the jurisdiction of the Department of Agriculture: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

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.

FORT HALL INDIAN IRRIGATION PROJECT, IDAHO

The Clerk called the next bill, S. 3561, for the relief of certain individuals in connection with the construction, operation, and maintenance of the Fort Hall Indian irrigation project, Idaho.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury, upon receipt of advice from the Secretary of the Interior to the effect that appropriate and properly executed easements have been obtained, be, and he is hereby, authorized and directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, to the following individuals or their heirs, an amount not exceeding the amounts herein specified: Arthur C. Swanson, $5,750; Thomas W. Cully, $3,743; Walter H. Lewis, $2,500; Dora Winschell, $3,040; Leona Gordon, $358; Calvin W. Billingsley, $800; Richard Torgensen, $120; John O. Wallace, $80; Charles Lau, $85; Joseph E. Lau, $133; Celia E. Bump, $99; Jesse H. Dredge, $1,450; C. E. and Leonard R. Stedman, $47; Roy J. Dygert, $132; Cora M. Lewis, $650; Fred Smola, $1,829; J. S. Bowker and J. L. Wilson, $45; L. E. Winschell, $20; James R. Moore, $473; W. James Chester, $100; Leonard Gerking, $1,503; F. N. Merrill, $200; Walter J. Hogan, $100; Fern J. Condie, $500; Wright Bros., $5,000; W. R. Larkin, $1,300; F. C. Christensen, $3,000; in all not to exceed $33,057: *Provided*, That the foregoing amounts shall be in full settlement for any and all past and present damages to the lands or personal property of the above-named individuals in connection with the construction, operation, and maintenance of the Blackfoot Reservoir, Gray's Lake, and the conveyance channel from Gray's Lake to the Blackfoot Reservoir of the Fort Hall Indian irrigation project, Idaho, and in full payment for easements obtained from said individuals covering the right to flood, impound, withdraw at will, water on, over, and from all lands owned, claimed, or possessed by said individuals in connection with the future operation of said project; and the acceptance of said sums by the individuals and their heirs shall act as a quittance of any and all rights or claims that may previously have existed against the United States by reason of such construction and operation of the said project: *Provided further*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid, or delivered to, or received by any agent, or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not exceeding $1,000.

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.

BERTRAM RICH

The Clerk called the next bill, S. 662, for the relief of Bertram Rich.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, to Bertram Rich, out of any money in the Treasury not otherwise appropriated, the sum of $1,574, in full settlement of all claims against the Government for injuries sustained by his daughter, Jeanne Rich, when the automobile in which she was riding was struck by a United States mail truck on February 28, 1932, in Boston, Mass.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 4, after the word "pay", insert a comma and strike out the words "to Bertram Rich."

Page 1, line 5, after the word "appropriated", insert "to the legal guardian of Jeanne Rich, a minor, of Roxbury, Mass."

Page 1, line 6, strike out the figures "$1,574" and insert "$750."

Page 1, lines 6 and 7, strike out the words "Government for" and insert "United States for personal."

Page 1, line 7, also strike out the words "his daughter, Jeanne Rich" and insert "her."

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.

The title was amended so as to read: "An act for the relief of Jeanne Rich, a minor."

WILLIAM E. JONES, ET AL.

The Clerk called the next bill, S. 667, for the relief of William E. Jones, Walter M. Marston, William Ellery, Richard P. Hallowell, 2d, and Malcolm Donald, as executors under the will of Frank W. Hallowell; and Malcolm Donald as executor under the will of Gordon Donald.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Commissioner of Internal Revenue be, and he is hereby, authorized and directed to receive, consider, and determine, in accordance with law but without regard to any statute of limitations, any claims filed not later than 6 months after the passage of this act by William E. Jones, of Newton, Mass.; Walter M. Marston, of Newton, Mass.; William Ellery, of Brookline, Mass.; Richard P. Hallowell, 2d, and Malcolm Donald as executors under the will of Frank W. Hallowell, late of Newton, Mass.; and Malcolm Donald as executor under the will of Gordon Donald, late of Wellesley, Mass., for the refund of Federal income and excess-profits taxes collected from the said William E. Jones, Walter M. Marston, William Ellery, Frank W. Hallowell, and Gordon Donald for the year 1917 in excess of the amounts properly due; and any claim so filed shall be regarded and treated for all purposes as if it had been duly filed within the period fixed by any statute of limitations which, except for the passage of this act, would be applicable thereto: *Provided*, That in the settlement of any claim so filed there shall be no allowance of interest.

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.

COMMUNITY INVESTMENT CO.

The Clerk called the next bill, S. 945, for the relief of the Community Investment Co., Inc.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Community Investment Co., Inc., a corporation organized under the laws of the State of California, the sum of $1,896.69. Such sum shall be in full settlement of its claim against the United States for a refund of income taxes for the year 1926, found by the Treasury Department to have been erroneously assessed, which claim was disallowed on the ground of failure to file within the statutory period of limitation: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

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.

FAYE B. MILLIE

The Clerk called the next bill, S. 3034, for the relief of Faye B. Millie.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Faye B. Millie, of Salem, Oreg., the sum of $176.13 in full satisfaction of all her claims against the United States for compensation for the performance of services as pay-roll clerk by her from September 16 to October 30, 1936, inclusive, in the office of the Oregon Recreational Demonstration Project No. 4 of the National Park Service, at Salem, Oreg.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with such claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with such claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

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.

ALPHA T. JOHNSON

The Clerk called the next bill, S. 3739, for the relief of Alpha T. Johnson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States is authorized and directed to credit the accounts of Alpha T. Johnson, postmaster at Fort Ransom, N. Dak., in the amount of $179.45, representing stamp and postal funds and stamp stock stolen from the Fort Ransom post office on August 18, 1936.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Alpha T. Johnson a sum equal to the total sum of any amounts which have been paid by her to the United States in settlement of such funds and stamp stock.

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.

OSCAR L. MATHER

The Clerk called the next bill, S. 3940, authorizing the Comptroller General of the United States to adjust and settle the claim of Oscar L. Mather.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to settle and adjust the claim of Oscar L. Mather, Madison Lake, Minn., for $241.80, for timber removed from his land, without authority therefore, by employees of the Government stationed at Civilian Conservation Corps Camp S-53, Side Lake, Minn., and to allow in full and final settlement of the claim the sum of not to exceed $241.80. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $241.80, or so much thereof as may be necessary, for the payment of the claim: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

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.

JAMES MEAGHER, DECEASED

The Clerk called the next bill, S. 1272, relative to the military record of James Meagher, deceased.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers James Meagher, deceased, who was a member of Company B, Eighty-eighth Regiment New York Volunteer Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private on August 12, 1863: *Provided*, That no back pay, compensation, bounty, benefit, pension, or allowance shall be held to have accrued prior to the passage 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.

ISABELLA HOOPER CARAWAY AND JAMES RANDOLPH HOOPER

The Clerk called the next bill, H. R. 2646, for the relief of Isabella Hooper Caraway and James Randolph Hooper.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $6,000, to Isabella Hooper Caraway and James Randolph Hooper, in the amounts of $2,000 to the former and $4,000 to the latter, widow and son of James Randolph Hooper, who died as a result of injuries sustained in a collision of an automobile in which he was riding with a truck negligently operated by the driver of forestry truck No. 756390, United States National Park Service, on the night of June 1, 1935.

With the following committee amendments:

In line 5, strike out the figures "$6,000" and insert "$1,500."

In line 6, after the word "and" insert "the sum of $2,000, to the legal guardian of."

In lines 6 and 7, strike out the words and figures "in the amounts of $2,000 to the former and $4,000 to the latter," and insert "a minor, both of Newport, Tenn., in full satisfaction of their claims against the United States as."

In line 8, after the name "Hooper," insert "Senior."

In line 10, start with the word "truck", strike out the remainder of the bill, and insert in lieu thereof the following:

"Civilian Conservation Corps truck, on State Highway No. 112, near Cherokee, N. C., June 2, 1935: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

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 so as to read: "A bill for the relief of Isabella Cooper Caraway and James Randolph Hooper, a minor."

MIRIAM THORNBER

The Clerk called the next bill, S. 2797, for the relief of Miriam Thornber.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Miriam Thornber, the sum of $3,500 in full satisfaction of her claim against the United States for damages arising out of personal injuries suffered when she was struck by a Civilian Conservation Corps truck, near Rillito, Ariz., on July 1, 1935: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 5, after the name "Thornber", insert "of Tucson, Ariz."

Page 1, line 7, strike out the words "damages arising out of."

Page 1, line 8, strike out the word "she" and insert "the automobile in which she was a passenger."

Page 1, line 9, after the word "truck", insert "on State Highway No. 84."

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.

LEWIS M. FOSTER

The Clerk called the next bill, S. 3470, for the relief of Lewis M. Foster.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding the provisions and limitations of sections 15 to 20, both inclusive, 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, the United States Employees' Compensation Commission be, and the same is hereby, authorized and directed to receive and consider, when filed, the claim of Lewis M. Foster, of Warren, Ohio, for disability alleged to have been incurred by him on May 12, 1936, while employed by the Works Progress Administration in Ohio, and to determine said claim upon its merits under provisions of said act: *Provided*, That claim hereunder shall be filed within 6 months after the approval of this act: *Provided further*, That no benefits shall accrue prior to the enactment of this act.

With the following committee amendments:

Page 1, lines 11 and 12, strike out the words "disability alleged to have been" and insert "fracture of the left elbow."

Page 1, line 12, strike out the words "while employed by" and insert "allegedly while in the performance of his duties as an employee of."

Page 2, line 1, after the word "in" insert "Trumbull County."

Page 2, line 2, after the word "under", insert "the remaining."

Page 2, line 2, after the word "act", insert "as extended and limited by the act of February 15, 1934 (48 Stat. 351)."

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.

DIRECTING COURT OF CLAIMS TO REOPEN CERTAIN CASES

The Clerk called the next bill, H. R. 9171, directing the Court of Claims to reopen certain cases and to correct the errors therein, if any, by additional judgments against the United States.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Court of Claims of the United States be, and it is hereby, authorized and directed to reopen the following just-compensation cases on its docket, heretofore disposed of by said court, to wit: Willard R. Cook & Co., Inc., against United States (No. 33984); A. E. Krise, receiver of the Fidelity Land & Investment Corporation (formerly Fidelity Land & Investment Corporation) against United States (No. 33988); Pine Beach Hotel Corporation (now represented by Charles H. Consolvo and A. E. Campe, its receivers) and others against United States (No. 34049); Harry L. Lowenberg and others against United States (No. 34727); Norfolk-Hampton Roads Co. against United States (No. 34751) (all of Norfolk, Va.); William G. Maupin, Jr., and others (now represented by George W. Maupin, as administrator and in his own right, E. Griffith Maupin, S. Dawson Maupin, Alliene Maupin, and Ruth Maupin, all of Portsmouth, Va.), docket No. 34681; and to ascertain and determine from the special findings of fact as therein made and recorded by said court, and with due regard to the requirements of the act applicable thereto under which such properties were taken and the fifth amendment to the Constitution of the United States, as defined by the Supreme Court in the case of Seaboard Air Line Railway against United States (261 U. S. 299), and other like cases, the amount of just compensation by way of interest, if any, at the rate of 6 percent per annum, alleged to be due and owing by the United States to the parties plaintiff from the date of taking to the time of the payment to them of the original judgments in each of said cases for their lands situate at Hampton Roads, Va., and taken for public use by the United States on June 28, 1917, by authority of the act of Congress of June 15, 1917 (ch. 29, 40 Stat. 207–208), and taken for public use by the United States on September 20, 1918, by authority of acts of Congress of May 16, 1918 (40 Stat. 550–551), and June 4, 1918 (40 Stat. 595), and an Executive order of the President dated June 18, 1918.

SEC. 2. If said court in such determination from the record in said cases shall find that it failed to include in its judgment in said cases the item of interest at a proper rate, or the equivalent thereof, as an element or part of just compensation then due said parties plaintiff for their said property, then it shall correct the same and adjudge to said parties plaintiff and against the United States in each of the above-specified cases such additional sum of money as may be determined by the court under section 1 of this act, with interest thereon at the rate of 6 percent per annum from the date of payment of the several judgments therein, until March 5, 1925, irrespective of any delay upon the part of the executive departments to see that just compensation is accorded to said landowners in respect of the premises, or any existing statute of limitation, or any other law to the contrary notwithstanding, except that either party litigant shall have the right to petition the Supreme Court of the United States for a writ of certiorari, as in other cases in the Court of Claims.

SEC. 3. The said court shall promptly proceed in said causes, each and all, upon motions filed therein by the parties plaintiff with the clerk of said court, if so filed within 4 months after the date of the approval of this act.

With the following committee amendments:

On page 2, line 19, strike out the words "rate of 6 percent per annum" and insert in lieu thereof the words "proper rate."

On page 3, line 11, after the word "shall", insert "have jurisdiction to."

On page 3, lines 15 and 16, strike out the words "rate of 6 percent per annum" and insert in lieu thereof the words "proper rate."

Mr. COSTELLO. Mr. Speaker, I offer a substitute amendment for the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. COSTELLO as a substitute for the committee amendment: On page 2, in line 19, after the words "at the", strike out "rate of 6 percent per annum" and insert in lieu thereof "rate of 3 percent per annum"; and on page 3, line 15, after the words "at the", strike out "rate of 6 percent" and insert in lieu thereof "the rate of 3 percent per annum."

The substitute amendment was agreed to.

The committee amendment as amended by the substitute 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.

A. J. MOSES

The Clerk called the next bill, S. 2948, for the relief of A. J. Moses.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to A. J. Moses, of Jellico Creek, Ky., in his own right and as legal guardian of Gladys Moses, a minor, the sum of $2,500 in full and final settlement of any and all claims against the United States for damage to his automobile and for personal injuries sustained by Gladys Moses, age 10, when the automobile belonging to A. J. Moses was struck by a Government truck operated in connection with the Civilian Conservation Corps, on State Highway 92, near Williamsburg, Ky., on the night of September 12, 1936: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, lines 4, 5, and 6, strike out the words "allocated by the President for the maintenance and operation of the Civilian Conservation Corps" and insert "in the Treasury not otherwise appropriated."

Page 1, line 7, after the word "of", insert "his minor daughter."

Page 1, line 8, strike out the words "a minor."

Page 1, line 11, strike out the words "age 10."

Page 1, line 12, strike out the words "belonging to" and insert driven by."

Page 1, line 12, and page 2, line 1, strike out the words "a Government truck operated in connection with" and insert "truck of."

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.

The title was amended so as to read: "An act for the relief of A. J. Moses and Gladys Moses, a minor."

LESTER P. BARLOW

The Clerk called the next bill, H. R. 10801, to carry out the findings of the Court of Claims in the case of Lester P. Barlow against the United States.

Mr. TABER, Mr. THOMAS of New Jersey, and Mr. RICH objected, and, under the rule, the bill was recommitted to the Committee on War Claims.

The SPEAKER pro tempore (Mr. WARREN in the chair). Calendar No. 1166, the bill (H. R. 10885) is not eligible to be considered under the unanimous-consent agreement.

GEORGE J. LEATHERWOOD

Mr. BARDEN. Mr. Speaker, I ask unanimous consent to return to Calendar No. 1078, the bill (S. 1987) for the relief of George J. Leatherwood, for reconsideration.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, I must object to returning to any bill. We have just gone through the calendar and we are now going to call the Consent Calendar, and I therefore must object.

Mr. BARDEN. Mr. Speaker, will the gentleman withhold his objection?

Mr. MARTIN of Massachusetts. I will withhold it, but I am going to object.

Mr. BARDEN. Please do not make that statement, because it happens that I objected to the consideration of the bill through mistake.

Mr. MARTIN of Massachusetts. I am sorry, but I shall have to object.

Mr. BARDEN. I hope the gentleman will not object, as I objected to the consideration of the bill through an error.

Mr. MARTIN of Massachusetts. I object, Mr. Speaker.

THE CONSENT CALENDAR

The SPEAKER pro tempore. Under the previous order of the House the Clerk will call the Consent Calendar beginning at No. 818.

NATIONAL CEMETERIES

The Clerk called the bill (H. R. 6925) to provide for a national cemetery in every State.

Mr. RICH. Mr. Speaker, this is not in accordance with the Budget, and therefore I shall object.

Mr. FADDIS. Mr. Speaker, will the gentleman withhold his objection?

Mr. RICH. I withhold it.

Mr. FADDIS. This does not cost the Government anything.

Mr. RICH. Let me read the gentleman this statement:

A similar bill (S. 948) was submitted to the Bureau of the Budget which reported that it would not be in accord with the program of the President.

HARRY H. WOODRING,
Secretary of War.

Therefore I do not believe, if it is not in accordance with the wishes of the War Department, we should permit the bill to come in now.

Mr. FADDIS. Will the gentleman read what the War Department reported on this bill? The War Department has consistently stated that the establishment of these cemeteries is a matter of policy for the Congress to determine. This has been their stand on the matter all the time.

Mr. RICH. I say that the Secretary of War does not believe it should be established and that is the only reason I am going to object to it. If it were not for that, I would not object.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. RICH. I object, Mr. Speaker.

COLONIAL NATIONAL HISTORICAL PARK

The Clerk called the bill (H. R. 9875) to revise the boundaries of the Colonial National Historical Park in the State of Virginia, and for other purposes.

The SPEAKER pro tempore. Is there objection?

Mr. RICH. Mr. Speaker, I object.

CALIFORNIA DEBRIS COMMISSION

The Clerk called the bill (H. R. 9881) to amend section 23 of the act to create the California Debris Commission, as amended.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 23 of the act approved March 1, 1893, entitled "An act to create the California Debris Commission and regulate hydraulic mining in the State of California," as amended by the act approved June 19, 1934, is hereby further amended by adding at the end thereof the following: "The Secretary of War is authorized to enter into contracts to supply storage for water and use of outlet facilities from debris storage reservoirs, for domestic and irrigation purposes and power development upon such conditions of delivery, use, and payment as he may approve: *Provided*, That the moneys received from such contracts shall be deposited to the credit of the reservoir project from which the water is supplied, and the total capital cost of said reservoir, which is to be repaid by tax on mining operations as herein provided, shall be reduced in the amount so received."

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.

HAWAIIAN ORGANIC ACT

The Clerk called the bill (H. R. 10764) to amend section 73 of the Hawaiian Organic Act, approved April 30, 1900, as amended.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 73 of the Hawaiian Organic Act, as amended, be, and the same is hereby, further amended by adding at the end of paragraph (1) of said section 73 the following: ": *Provided, however*, That any such lot not taken or taken and forfeited, or any lot or part thereof surrendered with the consent of the Commissioner, may, instead of being disposed of as hereinabove provided, be disposed of for cash and forthwith patented to any citizen of the United States, possessing the qualifications of a homesteader as now provided by law, applying therefor and who has qualified for and received a loan under the provisions of the Bankhead-Jones Farm Tenant Act, approved July 22, 1937, for the acquisition of a farm: *And provided further*, That any patent issued upon any such sale shall contain the same restrictive provisions as are now contained in a patent issued after compliance with a right of purchase lease, cash freehold agreement, or special homestead agreements."

SEC. 2. This act shall be in force and effect from and after its passage.

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.

ADDITIONAL DISTRICT JUDGE, EASTERN DISTRICT, PENNSYLVANIA

The Clerk called the bill (H. R. 8854) to repeal section 2 of the act of June 16, 1936, authorizing the appointment of an additional district judge for the eastern district of Pennsylvania.

The SPEAKER pro tempore. Is there objection?

Mr. WOLCOTT. Mr. Speaker, I reserve the right to object to ask the gentleman from Pennsylvania if the judicial conference has passed favorably upon this recommendation?

Mr. WALTER. Mr. Speaker, this recommendation was made by the Department of Justice, and the provisions contained in this bill were in the omnibus judge bill that was

passed by the House. The Senate inadvertently removed its provision. Senator HATCH, when he found a mistake had been made, introduced a bill in the Senate.

Mr. WOLCOTT. And this is to correct error on the part of the Senate?

Mr. WALTER. Yes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. WALTER. Mr. Speaker, I ask unanimous consent to substitute Senate 4050.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That section 2 of the act entitled "An act authorizing the appointment of an additional district judge for the eastern district of Pennsylvania", approved June 16, 1936 (49 Stat. 1523), be, and it 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.

A similar House bill was laid on the table.

WAPATO SCHOOL DISTRICT, YAKIMA COUNTY, WASH.

The Clerk called the bill (S. 1325) to provide funds for cooperation with Wapato School District No. 54, Yakima County, Wash., for extension of public-school buildings to be available for Indian children of the Yakima Reservation.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection?

Mr. HILL. Mr. Speaker, I reserve the right to object. Last Monday we passed H. R. 6970, which is a similar bill, and which had the adverse report of the Department, just like this one. It was passed by the Senate and was passed here by the House Committee on Indian Affairs. It provided for $25,000 cut of $30,000 and this provides for $50,000 out of $250,000.

Mr. WOLCOTT. I have not objected to the bill. I have asked that the bill go over without prejudice.

The SPEAKER pro tempore. The gentleman from Michigan asks unanimous consent that the bill be passed over without prejudice. Is there objection?

There was no objection.

STATE OF CONNECTICUT

The Clerk called the bill (H. R. 9981) for the relief of the State of Connecticut.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the State of Connecticut be, and it is hereby, relieved from all responsibility and accountability for certain quartermaster and other property to the approximate value of $4,152.75, the property of the War Department in possession of the Connecticut National Guard, which was lost, destroyed, or used for emergency relief work incident to the Connecticut floods of March 1936, and other relief work; and the Secretary of War is hereby authorized and directed to terminate all further accountability for said property.

With the following committee amendment:

Line 6, strike out "$4,152.75" and insert "$4,220.49."

The committee amendment was agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROHIBITING TRANSPORTATION OF STRIKEBREAKERS IN INTERSTATE COMMERCE

The Clerk called the next bill, S. 2403, to prohibit the transportation of certain persons in interstate or foreign commerce during labor controversies, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. RICH. Mr. Speaker, I object.

SECTION 128 OF THE JUDICIAL CODE

The Clerk called the next bill, S. 3469, to amend section 128 of the Judicial Code, as amended.

Mr. TABER. Mr. Speaker, reserving the right to object, will somebody explain the bill?

Mr. DIMOND. Mr. Speaker, this bill affects only Alaska and the Virgin Islands, and there is no objection to it from any source. It simply provides for an appeal from the District Court of Alaska and the Virgin Islands in all civil cases. It is recommended by the Attorney General and is supported by all the people of my country.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That paragraph "Third" of subsection (a) of section 128 of the Judicial Code, as amended (43 Stat. 936; U. S. C., title 28, sec. 225 (a)), be, and it is hereby, amended to read as follows:

"(a) The circuit courts of appeal shall have appellate jurisdiction to review by appeal final decisions—

"First. In the district courts, in all cases save where a direct review of the decision may be had in the Supreme Court under section 238.

"Second. In the United States District Court for Hawaii and for Puerto Rico, in all cases.

"Third. In the District Court for the District of Alaska, or any division thereof, and in the District Court of the Virgin Islands, in all cases; and in the United States District Court for the District of the Canal Zone in the cases and modes prescribed in sections 61 and 62, title 7, Canal Zone Code (48 Stat. 1122).

"Fourth. In the Supreme Courts of the Territory of Hawaii and of Puerto Rico, in all cases, civil or criminal, wherein the Constitution or a statute or treaty of the United States or any authority exercised thereunder is involved; in all other civil cases wherein the value in controversy, exclusive of interests and costs, exceeds $5,000, and in all habeas corpus proceedings.

"Fifth. In the United States Court for China, in all cases."

With the following committee amendment:

Page 1, line 3, strike out "paragraph 'Third' of".

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.

TRAVEL ALLOWANCE TO RAILWAY MAIL CLERKS

The Clerk called the next bill, H. R. 10051, to provide for travel allowance to railway mail clerks assigned to road duty.

Mr. RICH. Mr. Speaker, reserving the right to object, will the gentleman from New York explain the bill?

Mr. MEAD. Mr. Speaker, this is a bill that pertains to the travel pay of those in the Railway Mail Service. To illustrate the necessity of this bill let me point out that within the last 10 years the railway-mail travel allowance has been reduced by over $1,000,000. This results from the increased speed of trains. For example, today a railway-mail clerk in an 8-hour period will be farther away from his home base than he would have been 10 years ago perhaps in 10 or 12 hours. We have, for instance, a streamliner operating between Chicago and the Twin Cities making the trip in 5 hours. A railway-mail clerk, the only official of the Federal Government making that trip from Chicago to the Twin Cities, finds himself there in 5 hours. Under existing law he must remain there another 5 hours before he can get a meal item or a bed item. Other employees of the Post Office Department and of other departments begin to secure their expense item immediately upon leaving their base. Due to the increased speed of the trains, due to the fact that these men are doing more work than was done before, we are trying adequately to compensate them for this changed condition.

I may say to the gentleman from Pennsylvania that the bill originally presented to our committee requested a change from 10 hours to 6 to meet this dazzling speed. Our committee felt that a compromise between the 6 hours requested in the original bill and the 10 hours under present law would be reasonable. Our committee therefore set the figure at 8. This met the approval of all the members of the committee from both parties, and therefore it is before us tonight.

Mr. RICH. My reason for wanting an explanation was because these postal clerks have good jobs and receive good pay. This bill is going to require the Federal Government to expend an additional sum, according to the report, amounting to $885,000. I am not objecting to the postal clerks hav-

ing things more convenient and easier, but I ask the gentleman from New York, with conditions in the Post Office Department as they are today and with the conditions of the country as they are today, does not the gentleman think there are millions of people who would like to have a job even half as good as these men have?

Let us look at it from the standpoint of trying to be right and fair with everybody in this country. I appreciate the gentleman's position with the Post Office Department, and I am also interested in helping the post-office clerks. But I appeal to the Members of the Congress if they do not believe that adding to the cost of the Post Office at this time the sum of $885,000 to pay these men for not working for the time that elapses between the time they get to their destination and back home is not foolish? That is the only reason I bring this up, and I think you ought to explain that to the Members of the Congress. It ought to be a worth-while project if we approve it because we do not want to do too much for one class of people and not enough for another class.

Mr. MEAD. I will be glad to explain it in a minute.

Mr. HAINES. Will the gentleman yield?

Mr. MEAD. I yield to the gentleman from Pennsylvania.

Mr. HAINES. I believe my colleague from Pennsylvania wants to be fair about this matter.

Mr. RICH. Certainly. That is the reason I am asking about it.

Mr. HAINES. An injustice is being done these men who are sent away from home. There was a doubt in the minds of the members of our committee who heard the testimony on this bill. We do not believe that there will be entailed this amount of money in addition to what we are spending now.

Mr. RICH. Your report so shows.

Mr. HAINES. But we doubt that.

Mr. RICH. What is the salary received by these post-office clerks per annum?

Mr. HAINES. From $2,100 up.

Mr. RICH. Let me ask the gentleman as a member of this committee, as well as the gentleman from New York [Mr. MEAD], How many people in your districts have jobs that pay less than $2,100 a year?

Mr. HAINES. I do not think that is a fair question to ask. We would like to have everybody receive a salary of $2,100 or over.

Mr. MEAD. I may say that we are discussing a question that has brought about the very condition that you bring to our attention. We are discussing an amazing new age—an age of speed, power, and volume. As a result, one of these railway mail clerks today is doing the work that two or three railway clerks did at the turn of the century. It is the machine age in which we live that creates so many unemployed.

Every unemployed man in your district and my district would not only take a railway mail clerk's job perhaps for half pay, but he would take your job and my job for half pay. That is true whenever there is anyone out of work. But that is not the right gage to go by. May I say that in all justice to these men, we are trying to give them at least a small part of the compensation that they ought to have if we are going to give the human element the same compensation for the efficiency and for the results of the machine that is in evidence today.

Mr. RICH. I may say to the gentleman who has charge of the Post Office Department that we want to help the post-office employees.

Mr. MEAD. I know the gentleman does.

Mr. RICH. But let me tell the gentleman, you are going at the most rapid pace in this Congress that this Nation has ever seen. You are going along with the greatest spending any nation in the world has ever seen.

The regular order was demanded.

The SPEAKER pro tempore (Mr. WARREN). Is there objection to the present consideration of the bill?

Mr. RICH. Mr. Speaker, I want to answer.

The regular order was demanded.

Mr. RICH. Mr. Speaker, I want to show the gentleman from New York the speed at which we are going today.

The regular order was demanded.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. RICH. Mr. Speaker, I object, because I do not think this is justified at the present time.

STATE OF GEORGIA

The Clerk called the next bill, S. 3263, for the relief of the State of Georgia.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the State of Georgia and Maj. Leroy Cowart, United States property and disbursing officer for Georgia, are hereby relieved from accountability for certain property belonging to the United States, of the total money value of $4,491.65, which property was loaned to such State for use by the Georgia National Guard and was unavoidably lost or destroyed when issued for emergency relief work made necessary by tornadoes at Cordele, Washington, and Gainesville, Ga., in April 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.

RELIEF FOR GOVERNMENT CONTRACTORS

The Clerk called the next bill, H. R. 10306, to confer jurisdiction upon the Court of Claims to hear, determine, and enter judgment upon the claims of Government contractors whose costs of performance were increased as a result of the National Industrial Recovery Act of June 16, 1933.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. O'MALLEY. Mr. Speaker, reserving the right to object, to get an explanation of this bill. I want to find out if this bill proposes to let men who have contracts for Government works go into the Court of Claims and if they can show that the N. R. A. increased their cost of performance, the Court of Claims can render a judgment?

Mr. HEALEY. Mr. Speaker, this bill merely permits those persons who had contracts with the Government, entered into prior to the enactment of the N. R. A., whose costs were greatly increased as a result of abiding by the terms and conditions of the N. R. A., to go into the Court of Claims and prove that they were put to a great deal more expense than they ordinarily would have had.

Mr. O'MALLEY. In other words, this bill sets up Government contractors as a special class?

Mr. HEALEY. It permits them to go into court and present their claims.

Mr. O'MALLEY. It would not permit a private-business man who had a contract the cost of which was increased to get his cost back. He can go nowhere to get his cost back.

Mr. HEALEY. We would have no jurisdiction of that.

Mr. O'MALLEY. This sets up the Government contractors as a special class to receive relief from the N. R. A. while all other business concerns which had their costs increased get no such relief.

Mr. HEALEY. Of course, we would have no jurisdiction to confer that right on a private contractor.

Mr. O'MALLEY. Why should the Government contractor get his costs back?

Mr. HEALEY. Because he had to go to a great deal more expense in complying with the contract.

Mr. O'MALLEY. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

Mr. HEALEY. If the gentleman is going to object, all right. I do not want to see the bill be passed over without prejudice. If the gentleman is going to object, go ahead.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin that the bill may be passed over without prejudice?

Mr. HEALEY. I object, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. O'MALLEY, Mr. WOLCOTT, and Mr. COSTELLO objected.

Mr. O'MALLEY. Mr. Speaker, in accordance with the permission granted me to extend my remarks, I insert herewith the committee report on the measure which has just been under consideration, directing the particular attention of the Members of the House to the statements in the letter of the Secretary of War:

The Committee on the Judiciary, to whom was referred the bill (H. R. 10306) to confer jurisdiction upon the Court of Claims to hear, determine, and enter judgment upon the claims of Government contractors whose costs of performance were increased as a result of the National Industrial Recovery Act of June 16, 1933, after consideration, report the same favorably to the House with the recommendation that the bill do pass without amendment.

The purpose of the bill is to afford relief to such Government contractors, subcontractors, and completing sureties whose costs of performance of contracts entered into on or before August 10, 1933, were increased as a result of the enactment of the National Industrial Recovery Act.

Claims of contractors, subcontractors, and completing sureties have heretofore been filed as provided in the act of June 16, 1934, and the present bill precludes the filing of any new claims (except for the very few whose costs were increased during the short period from June 16 to August 10, 1933) and would restrict the jurisdiction of the Court of Claims to suits on claims heretofore filed with the exception mentioned.

The bill limits recovery to such contractors, subcontractors, and completing sureties whose claims for reimbursement were presented within the limitation period defined in section 4 of the act of June 16, 1934, and further provides that suits shall be instituted in the Court of Claims within 6 months after the enactment of this bill.

The War Department has reported upon an identical Senate bill (S. 3628). There is attached hereto and made a part of this report the recommendations of that Department on the Senate bill. The Secretary of War points out that the present bill is well designed, if enacted without change, to assure justice to all the claimants concerned while affording reasonable protection to the proper interests of the Government.

APRIL 21, 1938.

Hon. JOSIAH W. BAILEY,
Chairman, Committee on Claims, United States Senate.

DEAR SENATOR BAILEY: Careful consideration has been given to the bill, S. 3628, Seventy-fifth Congress, entitled "A bill to confer jurisdiction on the Court of Claims to hear, determine, and enter judgment upon the claims of Government contractors whose costs of performance were increased as a result of enactment of the National Industrial Recovery Act, June 16, 1933," which you transmitted to the War Department under date of March 11, 1938, with a request for copies of all pertinent papers in the War Department files relating to the matter, together with an opinion as to the merits of the bill.

Upon enactment of the National Industrial Recovery Act of June 16, 1933 (48 Stat. 195), it became apparent that the effect of that act, and of the codes and agreements to be made thereunder, would be generally to increase the costs of labor and materials, and thus to increase the costs of performance of then-pending Government contracts; the resulting manifest moral obligation of the Government to provide for the relief of the contractors against such increased costs of performance was promptly and definitely recognized in principle by the National Recovery Administration, in its Bulletin No. 4, issued in July 1933, which contained in paragraph 12 of the Official Explanation of the President's Reemployment Agreement, page 10 of the bulletin, the following:

"In some cases the final buyer is the Government, which, under existing laws, is generally not allowed to pay more than the contract price. The President has announced that he will recommend to Congress that appropriations be made to allow the Government to play its part by paying Government contractors who have signed the agreement for their increased costs."

No doubt it was in pursuance of the spirit of the assurance last quoted that the Government, during 1934, sought and obtained enactment of the act of June 16, 1934 (48 Stat. 974; U. S. C. 41; 28–33), mentioned at the end of the first section of the present bill. From the viewpoint of those who believe the Government to be morally obligated to make full and equitable reimbursement of the increased costs in question, the act last above mentioned has, in practical operation, fallen short of meeting that obligation. On account of certain restrictive terms, conditions, and limitations, and the construction placed thereon by the General Accounting Office, where final authority was lodged, that act has operated largely to defeat the remedial purposes for which the enactment of such legislation was sought. The foregoing reference to the General Accounting Office must not be understood as implying any criticism of that authority, or of the legal soundness of its rulings on claims presented under the act in question. This Department expresses no opinion as to the correctness of those rulings. The point made here is simply that the act, as construed and administered by the General Accounting Office, has not fully achieved the desired ends. Many of the contractors presenting claims regarded by the contracting departments as meritorious have had their claims rejected, wholly or in part, by reason of legal technicalities. (For examples: 14 C. C. 61, 318, 786; 15 C. C. 494, 529; 16 C. C. 700; 17 C. C. 201; A–56499, September 5, 1936; A–82020, January 11, 1937; and A–57021, October 28, 1937.) The act made no provisions for judicial review, but some claimants have in effect appealed from the decisions of the Comptroller General to the Congress, and have been granted relief by private acts. (For examples: Private Acts Nos. 260, 261, and 277, 75th Cong.)

Bills amendatory of the act of June 16, 1934, supra, designed to obviate or correct some of the unsatisfactory results of the original measure, were considered favorably in both Houses of the Seventy-fourth Congress. These were S. 4377 and H. R. 7293. The latter, having passed the House of Representatives, was also passed by the Senate with amendments, but failed of final passage (Rept. No. 1798, Committee on the Judiciary, House of Representatives, 74th Cong., 1st sess.; and Rept. No. 2293, Committee on Education and Labor, Senate, 74th Cong., 2d sess.). The bill S. 4377 was the subject of a letter under date of June 8, 1936, from the Acting Secretary of War to the chairman, Committee on Education and Labor, United States Senate, expressing approval of the bill, subject to certain suggestions for amendments therein.

The present bill, if enacted, would in effect largely repeal and supersede the original remedial act of June 16, 1934, supra. It would put an end to the authority of the Comptroller General under that act, and confer exclusive jurisdiction upon the Court of Claims to hear, determine, and adjudge the claims.

Such jurisdiction would, however, be limited to claims for increased costs incurred between June 16 and August 10, 1934, and to such other claims of the kind in question as were presented within the limitation period defined in section 4 of the act of June 16, 1934; that is to say, within 6 months from the date of approval of the act last mentioned 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. That jurisdiction would be further limited to claims on which suit shall have been instituted in the Court of Claims within 6 months after enactment of this bill or, at the option of the claimant, within 6 months after completion of the contract. The present bill would also in effect reopen to possible judicial review in the Court of Claims, at the suit of claimants, all settlements and adjustments of such claims already made, either by the Comptroller General under the act of June 16, 1934, or by any authority pursuant to private relief bills. It would eliminate many of the unduly restrictive terms and conditions of the original act, and leave the Court of Claims free to proceed with the adjudication of claims presented to it, subject only to the broad limitations on its jurisdiction above mentioned, its own rules and customs, and the ordinary principles of justice and equality.

From the viewpoint of this Department, the present bill is well designed, if it should be enacted without substantial change, to assure justice to all the claimants concerned, while affording reasonable protection of the proper interests of the Government. Accordingly, the War Department will interpose no objection to such enactment of the measure.

There are no papers in the files of the War Department relating to this matter that would appear likely to be of material assistance to the committee.

This proposed legislation was submitted to the Bureau of the Budget, which advised that there would be no objection to the submission of this report to the committee, with the understanding that no commitment would thereby be made with respect to the relationship of the proposed legislation to the program of the President.

Sincerely yours,

HARRY H. WOODRING,
Secretary of War.

MUIR WOOD TOLL ROAD

The Clerk called the next bill, H. R. 10752, to authorize Federal cooperation in the acquisition of the "Muir Wood Toll Road", located in Marin County, State of California, and for other purposes.

Mr. WOLCOTT. Reserving the right to object, Mr. Speaker, do I understand that a toll is being charged on this highway to the Muir Woods National Monument, and will a toll continue to be charged after the Government participates to the extent of $25,000?

Mr. LEA. The toll is charged at the present time, and if this road is acquired it is to be a free public road, maintained by the State or the county.

Mr. WOLCOTT. Then I understand that if this authorization goes through it will put this road upon the same basis as a Federal-aid road, and following that, no tolls will be charged on the road?

Mr. LEA. The gentleman is correct.

Mr. WOLCOTT. Can the gentleman tell me what are the approximate annual tolls?

Mr. LEA. If I recall rightly, an ordinary automobile pays 50 cents and a passenger is charged 25 cents if he goes in on the public bus.

Mr. WOLCOTT. What is the aggregate amount of the tolls collected?

Mr. LEA. I could not state the exact amount, but it is paying a very good income at the present time.

Mr. WOLCOTT. Do I understand this is a highway at the present time maintained by the State and leading to a national park?

Mr. LEA. No; it is maintained by private parties.

The regular order was demanded.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. TABER. I object, Mr. Speaker.

DISTRIBUTION OF PUBLIC DOCUMENTS TO DEPOSITORY LIBRARIES

The Clerk called the next bill, H. R. 5471, to amend the laws relating to the distribution of public documents to depository libraries.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 4 of the act (34 Stat. 1014) approved March 1, 1907 (U. S. C., title 44, sec. 85), be, and is hereby, amended to read as follows:

"85. Distribution of copies of publications to designated depositories and libraries; land-grant colleges as depositories: Upon request of the Superintendent of Documents, the Public Printer is hereby authorized and directed to either increase or diminish the number of copies of publications furnished for distribution, to designated depositories and State and Territorial libraries so that the number of copies delivered shall be equal to the number of libraries on the list: *Provided*, That the number thus delivered shall at no time exceed the number authorized under existing statute: *Provided further*, That the Public Printer shall not be precluded from furnishing the necessary number of copies as above provided, of the Journals of the Senate and House of Representatives, of all publications, printed upon the requisition of any congressional committee, of all Senate and House public bills and resolutions, and of all reports on private bills, concurrent or simple resolutions: *And provided further*, That of all publications and maps printed or reproduced elsewhere than at the Government Printing Office, the issuing agency shall not be precluded from furnishing the necessary number of copies to the Superintendent of Documents for distribution to depository libraries under this section. The allotment of copies furnished for distribution to libraries shall be increased or reduced, from time to time, as the redistricting of States or the rearrangement of depository lists under provisions of law shall demand, to such numbers as may be necessary to comply with the law. All land-grant colleges shall be constituted as depositories for public documents, subject to the provisions and limitations of the depository laws.

"Any provision contained in sections 54, 55, or 57 of the Printing Act of 1895 (28 Stat. 608, 609; U. S. C., title 44, secs. 131, 147, and 189, or any other act), which may be inconsistent herewith, is hereby repealed to the extent of such inconsistency only."

With the following committee amendments:

On page 2, line 6, strike out "not to be precluded from furnishing" and insert in lieu thereof the word "furnish."

On page 2, line 8, after the word "publications", insert in lieu thereof "not confidential in character."

On page 2, after the word "resolutions", strike out the colon and all thereafter down to and including the word "section", in line 17.

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.

DISTRIBUTION OF PUBLIC DOCUMENTS

The Clerk called the next bill, H. R. 10772, to amend certain sections of the act entitled "An act providing for the public printing and binding and the distribution of public documents," approved January 12, 1895, as amended.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That so much of chapter 23, section 73 (28 Stat. 615), of the Printing Act, approved January 12, 1895, as amended (U. S. C., Supp. III, title 1, sec. 30, and title 44, sec. 196), as relates to the compiling, editing, and indexing of the United States Statutes at Large, be, and is hereby, amended to read as follows:

"196. Statutes at Large; contents; admissibility in evidence: That the Secretary of State shall cause to be compiled, edited, indexed, and published the United States Statutes at Large, which shall contain all the laws and concurrent resolutions enacted during each regular session of Congress; all treaties to which the United States is a party that have been proclaimed since the date of the adjournment of the regular session of Congress next preceding; all international agreements other than treaties to which the United States is a party that have been signed, proclaimed, or with reference to which any other final formality has been executed, since that date; all proclamations by the President in the numbered series issued since that date; and also any amendments to the Constitution of the United States proposed or ratified pursuant to article V thereof since that date, together with the certificate of the Secretary of State issued in compliance with the provision contained in section 205 of the Revised Statutes of the United States (U. S. C., title 5, sec. 160). In the event of an extra session of Congress, the Secretary of State shall cause all the laws and concurrent resolutions enacted during said extra session to be consolidated with, and published as a part of, the contents of the volume for the next regular session. The United States Statutes at Large shall be legal evidence of the laws, concurrent resolutions, treaties, international agreements other than treaties, proclamations by the President, and proposed or ratified amendments to the Constitution of the United States therein contained, in all the courts of the United States, the several States, and the Territories and insular possessions of the United States."

SEC. 2. That so much of chapter 23, section 73 (28 Stat. 615), of the Printing Act, approved January 12, 1895, as amended (U. S. C., Supp. III, title 44, sec. 196a), as relates to the printing, binding, and distribution of the United States Statutes at Large, be, and is hereby, amended as follows:

(196a. Same; distribution.) In the phrase "and after the final adjournment of each session of Congress", insert the word "regular" before the word "session", so that such phrase will read as follows: "and after the final adjournment of each regular session of Congress."

In the phrase "To the Senate Library, not to exceed 25 copies", strike out the word "25" and insert "75", so that the phrase will read as follows: "To the Senate Library, not to exceed 75 copies."

In the phrase "To the House Library, not to exceed 50 copies", strike out the word "50" and insert "100", so that the phrase will read as follows: "To the House Library, not to exceed 100 copies."

SEC. 3. That chapter 23, section 5 (28 Stat. 602), of the Printing Act, approved January 12, 1895 (U. S. C., title 44, sec. 7), relative to the opening of bids for furnishing paper and envelopes for the public printing and binding and blank paper required for the use of the Government, be, and is hereby, amended to read as follows:

"(7. Opening bids; bonds.) The sealed proposals to furnish paper and envelopes shall be opened in the presence of the Joint Committee on Printing and the contracts shall be awarded by them to the lowest and best bidder for the interest of the Government; but they shall not consider any proposal which is not accompanied by a bond with security or certified check in the amount of $5,000 guaranteeing that the bidder or bidders, if his or their proposal is accepted, will enter into a formal contract with the United States to furnish the paper or envelopes specified; nor shall any proposal from persons unknown to them be considered unless accompanied by satisfactory evidence that the person making the proposal is a manufacturer of or dealer in the description of paper or envelopes proposed to be furnished."

SEC. 4. That all acts or parts of acts inconsistent with this act are hereby repealed.

SEC. 5. That this act shall be effective as of the beginning of the third session of the Seventy-fifth Congress, January 3, 1938.

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.

ISSUANCE OF BONDS BY COUNTY OF KAUAI, HAWAII

The Clerk called the next bill, H. R. 10835, to authorize the county of Kauai to issue bonds of such county in the year 1938 under the authority of act 186 of the Session Laws of Hawaii, 1937, in excess of 1 percent of the assessed value of the property in said county as shown by the last assessment for taxation.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the county of Kauai, Hawaii, be, and it is hereby, authorized to issue bonds of such county in the year 1938 under the authority for issuance of such bonds contained in act 186 of the Session Laws of Hawaii, 1937, regardless of whether or not the issuance of such bonds results in the incurring of indebtedness by said county in that year in excess of 1 percent of the assessed value of the property in the county as shown by the last assessment for taxation, regardless of any provision of the Organic Act or any other act of this Congress limiting the amount of indebtedness which said county can incur in any one year.

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.

JUVENILE DELINQUENTS

The Clerk called the next bill, H. R. 10694, to provide for the care and treatment of juvenile delinquents.

Mr. SACKS. Reserving the right to object, Mr. Speaker, may we have an explanation of this bill?

Mr. HEALEY. This is a bill to provide machinery in the Federal courts for the treatment of juvenile delinquents, under 17 years of age.

Mr. WOLCOTT. Mr. Speaker, I demand the regular order.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. HEALEY. Mr. Speaker, I ask unanimous consent that the bill (S. 4090) to provide for the care and treatment of juvenile delinquents may be considered in lieu of the House bill.

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That for the purposes of this act a "juvenile" is a person 17 years of age or under, "juvenile delinquency" is an offense against the laws of the United States committed by a juvenile and not punishable by death or life imprisonment.

SEC. 2. Whenever any juvenile is charged with the commission of any offense against the laws of the United States, other than an offense punishable by death or life imprisonment, and such juvenile is not surrendered to the authorities of any State, pursuant to the provisions of the act of June 11, 1932 (47 Stat. 301; U. S. C., title 18, sec. 662a), he shall be prosecuted as a juvenile delinquent if the Attorney General in his discretion so directs and the accused consents to such procedure. In such event such person shall be prosecuted by information on the charge of juvenile delinquency, and no prosecution shall be instituted for the specific offense alleged to have been committed by him. The said consent required to be given by such juvenile shall be given by him in writing before a judge of the district court of the United States having cognizance of the offense, who shall fully apprise the juvenile of his rights and of the consequences of such consent.

SEC. 3. The district court of the United States having jurisdiction of the offense shall have jurisdiction to try persons prosecuted as juvenile delinquents. For such purposes the court may be convened at any time and place within the district, in chambers or otherwise. The trial shall be without a jury. The consent on the part of the juvenile to be prosecuted on a charge of juvenile delinquency shall be deemed a waiver of a trial by jury.

SEC. 4. In the event that the court finds such juvenile guilty of juvenile delinquency, it may place him on probation under the provisions of the act of March 4, 1925, as amended (43 Stat. 1259; U. S. C., title 18, secs. 724 to 728), except that the period of probation may include but may not exceed the minority of the delinquent; or it may commit the delinquent to the custody of the Attorney General for a period not exceeding his minority, but in no event exceeding the term for which the juvenile could have been sentenced if he had been tried and convicted of the offense which he had committed. The Attorney General may designate any public or private agency for the custody, care, subsistence, education, and training of the juvenile during the period for which he was committed. The cost of such custody and care may be paid from the appropriation for "Support of United States prisoners" or such other appropriation as the Attorney General may designate.

SEC. 5. Whenever a juvenile is arrested on a charge of having committed an offense against the laws of the United States, the arresting officer shall immediately notify the Attorney General of such fact. If such juvenile is not forthwith taken before a committing magistrate, he may be detained in such juvenile home or other suitable place of detention as the Attorney General may designate for such purposes, but shall not be detained in a jail or similar place of detention, unless, in the opinion of the arresting officer, such detention is necessary to secure the custody of such juvenile, or to insure his safety or that of others. In no case shall such detention be for a longer period than is necessary to produce such juvenile before a committing magistrate. The committing magistrate may release such juvenile on bail, upon his own recognizance or that of some responsible person, or in default of bail may commit him to the custody of the United States marshal, who shall lodge him in such juvenile home or other suitable place of detention as the Attorney General may designate for that purpose. Such juvenile shall not be committed to a jail or other similar institution, unless in the opinion of the marshal it appears that such commitment is necessary to secure the custody of the juvenile or to insure his safety or that of others. A juvenile detained in a jail or similar institution shall be held in custody in a room or other place apart from adults if facilities for such segregation are available.

SEC. 6. The Director of the Bureau of Prisons may contract with public or private agencies for the custody, care, subsistence, education, and training of juvenile delinquents and may defray the cost of such custody, care, subsistence, education, and training from the appropriation for "Support of United States prisoners" or such other appropriation as the Attorney General may designate.

SEC. 7. A juvenile delinquent committed under this act who has, by his conduct, given sufficient evidence that he has reformed, may be released on parole at any time by the Board of Parole established by the act of May 13, 1930 (46 Stat. 272, ch. 255; U. S. C., title 18, sec. 723, subsecs. (a)-(c)). If it shall appear to the satisfaction of such Board that there is reasonable probability that such juvenile will, if conditionally released, remain at liberty without violating the law, then the Board may, in its discreton, parole such juvenile under conditions and regulations as the Board may deem proper.

SEC. 8. Nothing in this act shall be construed to supersede or repeal any provisions of law relative to the custody, care, subsistence, education, or training of juveniles, which are now or may hereafter be made particularly applicable to the District of Columbia.

SEC. 9. This act may be cited as "The Federal Juvenile Delinquency 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.

A similar House bill (H. R. 10694) was laid on the table.

BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

The Clerk called the joint resolution (H. J. Res. 711) providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress.

There being no objection, the Clerk read the joint resolution, as follows:

House Joint Resolution 711

Resolved, etc., That the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, caused by the expiration of the term of R. Walton Moore, June 29, 1938, be filled by the appointment of R. Walton Moore, a citizen of Virginia, to succeed himself, for the statutory term of 6 years.

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.

FILLING OF VACANCY IN THE BOARD OF REGENTS, SMITHSONIAN INSTITUTION

The Clerk called the joint resolution (H. J. Res. 712) providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress.

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, I wonder if the chairman of the Library Committee would inform the House of the manner of making the selection of these members of the Board of Regents other than Members of Congress?

Mr. KELLER. Mr. Speaker, I shall be pleased to do that. It is done in this way. Where a man has not so far been a member of the Board of Regents he is elected for some unusual service in one direction or another.

Mr. WOLCOTT. Who selects them?

Mr. KELLER. It is all agreed upon ahead of time with the Board itself as a rule.

Mr. WOLCOTT. Does the Board recommend the successors?

Mr. KELLER. Yes.

Mr. WOLCOTT. To whom do they make the recommendation?

Mr. KELLER. The Board meets and discusses these matters and takes them up with the chairman of the Library Committee of the House.

Mr. WOLCOTT. To whom does the Board of Regents make the recommendation?

Mr. KELLER. Let me illustrate by the one you have called up here.

Mr. SACKS. Mr. Speaker, regular order.

Mr. WOLCOTT. Mr. Speaker, I make the point of order a quorum is not present.

Mr. MARTIN of Massachusetts. Mr. Speaker, I make the point of order that the demand for the regular order is not in order because the gentleman who made it did not rise and address the Chair.

The SPEAKER pro tempore. The Chair sustains the point of order made by the gentleman from Massachusetts [Mr. MARTIN]. The gentleman who demanded the regular order did not stand and address the chair. The gentleman from Michigan is recognized.

Mr. WOLCOTT. Mr. Speaker, I understand, then, we are in status quo and I withdraw the point of order.

Mr. KELLER. These men have very generally been appointed from along the eastern seaboard, and finally I insisted with the Secretary that he should go west for one, and after conferring with the Governor of Illinois and several other men in that State who are interested in these matters we sent in the name of Mr. Compton, one of the noted physicists of the world and a winner of the Nobel Prize as a physicist.

Mr. WOLCOTT. I have no objection to Mr. Compton. I think his record shows he will be a very desirable member of this Board. The information I wanted was with respect to who makes the recommendation and who receives the recommendation.

Mr. KELLER. Of course, that goes to the Committee on the Library, but generally we confer. I conferred with Mr. Abbot.

Mr. WOLCOTT. Then the Board of Regents recommends to the Congress successors to fill vacancies on the Board?

Mr. KELLER. Sometimes they do and sometimes they get away with it and sometimes they do not. They wanted to appoint somebody else from the eastern seaboard and I objected. I said we ought to have somebody from out West and they finally gave me Mr. Compton.

The SPEAKER pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, caused by the death of Augustus P. Loring, be filled by the appointment of Arthur H. Compton, a citizen of Illinois, for the statutory term of 6 years.

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.

NOTICE OF DISCONTINUANCE OF MAIL TRAINS

The Clerk called the next bill, H. R. 10590, requiring 60 days' notice before discontinuance of any train carrying United States mails.

The Clerk read the title of the bill.

Mr. RICH. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

Mr. HAINES. Mr. Speaker, will the gentleman reserve his objection?

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, I hope the gentleman from Pennsylvania will not insist upon that. This bill, as I understand it, is to protect not only the efficiency of the mail but also the employees on these roads from a railroad immediately going out of business and thereby removing that railroad from responsibility for carrying the mail. I think this is a meritorious bill.

Mr. RICH. If that is the purpose of the bill, I am perfectly satisfied to let the bill go through. I thought it was for a different purpose.

Mr. MEAD. Mr. Speaker, I may say to the gentleman, if he will yield, these railroads notify the railroad commissions, and they have to do that as a matter of course; and we are just asking them to notify the Post Office Department as well.

Mr. RICH. The Post Office Department would want the same notice?

Mr. MEAD. That is right. We can then make arrangements for supplementary service.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the twenty-second paragraph (relating to additional or discontinued railway mail service) of section 5 of the act of Congress approved July 28, 1916 (39 Stat. 412, at 427; U. S. C., 1934 ed., title 39, sec. 564), is amended by inserting before the period at the end thereof a colon and the following: *"Provided further*, That the railroad company shall give 60 days' advance notice to the Postmaster General of the discontinuance of any train on which mails are carried, and the company shall not be relieved of the duty of carrying the mails on such train unless such notice is given."

With the following committee amendments:

Page 1, line 9, strike out "60" and insert "30."
Page 2, line 2, after the word "train", insert "or otherwise."

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.

The title was amended so as to read: "A bill requiring 30 days' notice before discontinuance of any train carrying United States mails."

PERISHABLE AGRICULTURAL COMMODITIES ACT

The Clerk called the bill (H. R. 10785) to amend the Perishable Agricultural Commodities Act, 1930, as amended.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 7 (a) of the Perishable Agricultural Commodities Act, 1930, as amended, is further amended by changing the semicolon at the end thereof to a period and adding the following language: "If, after the respondent has filed his answer to the complaint, it appears therein that the respondent has admitted liability for a portion of the amount claimed in the complaint as damages, the Secretary under such rules and regulations as he shall prescribe, unless the respondent has already made reparation to the person complaining, may issue an order directing the respondent to pay to the complainant the undisputed amount on or before the date fixed in the order, leaving the respondent's liability for the disputed amount for subsequent determination. The remaining disputed amount shall be determined in the same manner and under the same procedure as it would have been determined if no order had been issued by the Secretary with respect to the undisputed sum."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

BRIDGE ACROSS MISSISSIPPI RIVER, NATCHEZ, MISS.

The Clerk called the bill (S. 3597) to extend the times for commencing and completing the construction of a bridge across the Mississippi River, at or near Natchez, Miss., and for other purposes.

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 the bridge across the Mississippi River, at or near Natchez, Miss., authorized to be built by the city of Natchez and the county of Adams, State of Mississippi, by the act of Congress approved August 30, 1935, heretofore extended by acts of Congress approved May 1, 1936, and August 5, 1937, 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.

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 MISSOURI RIVER, DECATUR, NEBR.

The Clerk called the bill (S. 3611) to further extend the times for commencing and completing the construction of a bridge across the Missouri River between the towns of Decatur, Nebr., and Onawa, Iowa.

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, between the towns of Decatur, Nebr., and Onawa, Iowa, authorized to be built by the county of Burt, State of Nebraska, by section 29 of the act of Congress approved August 30, 1935, heretofore extended by act of Congress approved June 19, 1936, and further extended by act of Congress approved March 24, 1937, are hereby further extended 1 and 3 years, respectively, from August 30, 1938.

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.

NORTH DAKOTA STATE HIGHWAY DEPARTMENT

The Clerk called the bill (S. 3867) authorizing the North Dakota State Highway Department and the Department of Highways of the State of Minnesota to construct, maintain, and operate a free highway bridge across the Red River.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, the North Dakota State Highway Department and the Department of Highways of the State of Minnesota are authorized to construct, maintain, and operate a free highway bridge and approaches thereto across the Red River, at a point suitable to the interests of navigation, from a point in Walsh County, N. Dak., at or near the terminus of North Dakota State Highway No. 17, such point being located near the dividing line between sections 18 and 19, township 157 north, range 51 west, fourth principal meridian, to a point in Marshall County, Minn., located near the dividing line between sections 17 and 20, township 157 north, range 50 west, fourth principal meridian, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. There are hereby conferred upon the North Dakota State Highway Department and the Department of Highways of the State of Minnesota all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such 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 real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

SEC. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CITY OF DUBUQUE BRIDGE COMMISSION

The Clerk called the bill (S. 3892) creating the City of Dubuque Bridge Commission and authorizing said commission and its successors to purchase and/or construct, maintain, and operate a bridge or bridges across the Mississippi River at or near Dubuque, Iowa, and East Dubuque, Ill.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, the City of Dubuque Bridge Commission (hereinafter created, and hereinafter referred to as the "Commission"), and its successors and assigns, be, and are hereby, authorized to construct, maintain, and operate a bridge or bridges and approaches thereto, across the Mississippi River at or near the cities of Dubuque, Iowa, and East Dubuque, Ill., at a point suitable to the interest of navigation, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters", approved March 23, 1906, subject to the conditions and limitations contained in this act. For like purposes said Commission, or its successors and assigns, are hereby authorized to purchase, maintain, and operate all or any existing bridges for vehicular traffic crossing the Mississippi River at or near the city of Dubuque, Iowa, and may acquire control of any or all such existing bridges by purchase of stock in any corporation owning any such bridges, or by a conveyance from such corporation, and, in any case, said Commission shall be authorized to maintain and operate said bridge or bridges subject to the conditions and limitations contained in this act.

SEC. 2. There is hereby conferred upon the Commission and its successors and assigns the right and power to enter upon such lands and to acquire, condemn, occupy, possess, and use such real estate and other property in the State of Iowa and the State of Illinois, including real estate and other property acquired for or devoted to a public use or other purposes by the State of Illinois or the State of Iowa, or any governmental or political subdivisions thereof, as may be needed for the location, construction, operation, and maintenance of any such bridge and its approaches, upon making just compensation therefor, to be ascertained and paid according to the laws of the State in which such real estate or other property is situated, and the proceedings therefor shall be the same as in the condemnation of private property for public purpose in said State, respectively.

SEC. 3. The Commission and its successors and assigns are hereby authorized to fix and charge tolls for transit over such bridge or bridges in accordance with the provisions of this act, subject to the approval of the Secretary of War as provided by the act of Congress approved March 23, 1906.

SEC. 4. The Commission and its successors and assigns are hereby authorized to provide for the payment of the cost of such bridge or bridges as may be purchased or constructed, as provided herein, and approaches (including the approach highways which, in the judgment of the Commission, it is necessary or advisable to construct or cause to be constructed to provide suitable and adequate connection with existing improved highways) and the necessary land, easements, and appurtenances thereto, by an issue or issues of negotiable bonds of the Commission, bearing interest at the rate or rates of not more than 6 percent per annum, the principal and interest of which bonds, and any premium to be paid for retirement thereof before maturity, shall be payable solely from the sinking fund provided in accordance with this act, and such payments may be further secured by mortgage of the bridge or bridges. In like manner, bonds may be issued to pay the cost of improvements and permanent repairs to any bridge or bridges purchased. All such bonds may be registerable as to principal alone or both principal and interest, shall be in such form not inconsistent with this act, shall mature at such time or times not exceeding 25 years from their respective dates, shall be in such denominations, shall be executed in such manner, and shall be payable in such medium and at such place or places as the Commission may determine. The Commission may repurchase and may reserve the right to redeem all or any of said bonds before maturity in such manner and at such price or prices, not exceeding 105 and accrued interest, as may be fixed by the Commission prior to the issuance of the bonds. The Commission, when it deems it to be to the best interest of the Commission, may issue refunding bonds to repurchase and redeem any outstanding bonds, before the maturity thereof: *Provided*, That the refunding bonds shall mature at such time or times, not exceeding 50 years from the date of approval of this act, as the Commission may determine. The Commission may enter into any agreement with any bank or trust company in the United States as trustee having the power to make such agreement, setting forth the duties of the Commission in respect to the purchase, construction, maintenance, operation, repair, and insurance of the bridge or bridges, the conservation and application of all funds, the security for the payment of the bonds, the safeguarding of money on hand or on deposit, and the rights and remedies of said trustee and the holders of the bonds, restricting the individual right of action of the bondholders as is customary in trust agreements respecting bonds of corporations. Such trust agreement may contain such provisions for protecting and enforcing the rights and remedies of the trustee and the bondholders as may be reasonable and proper and not inconsistent with the law.

The bridge or bridges purchased or constructed under the authority of the act shall be deemed to be Federal instrumentalities for interstate commerce, the Postal Service, and military and other purposes authorized by the Government of the United States, and said bridge or bridges and the bonds issued in connection therewith and the income derived therefrom shall be exempt from all Federal, State, municipal, and local taxation. Said bonds shall be sold in such manner and at such time or times and at such price as the Commission may determine, but no such sale shall be made at a price so low as to require the payment of more than 6-percent interest on the money received therefor, computed with relation to the absolute maturity of the bonds in accordance with standard tables of bond values, and the face amount thereof shall be so calculated as to produce, at the price of their sale, the cost of the bridge or bridges, acquired and/or constructed, and approaches and the land, easements, and appurtenances used in connection therewith when added to any other funds made available to the Commission for the use of said purposes. The cost of the bridge or bridges acquired hereunder and the cost of the bridge to be constructed as provided herein, together with approaches and approach highways, shall be deemed to include interest during construction of the said bridge, and for 12 months thereafter, and all engineering, legal, architectural, traffic-surveying, and other expenses incident to the construction of the bridge and the acquisition of the necessary property, incident to the financing thereof, including the cost of acquiring existing franchises, riparian rights, plans, and works of and relating to the bridge or bridges now owned by any person, firm, or corporation, and the cost of purchasing all or any part of the shares of stock of any such corporate owner, or by conveyance from such corporation, if, in the judgment of the Commission, such purchases should be found expedient. If the proceeds of the bonds issued shall exceed the cost as finally determined, the excess shall be placed in the sinking fund hereinafter provided. Prior to the preparation of definite bonds the Commission may, under like restrictions, issue temporary bonds or interim certificates, with or without coupons, of

any denomination whatsoever, exchangeable for definite bonds when such bonds that have been executed are available for delivery.

SEC. 5. In fixing the rates of toll to be charged for the use of such bridge or bridges, in accordance with the act of Congress approved March 23, 1906, 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 or bridges and approaches under economical management, and to provide a sinking fund sufficient to pay the principal and interest of such bonds as the same shall fall due and the redemption or repurchase price of all or any thereof redeemed or repurchased before maturity as herein provided. All tolls and other revenues from said bridge or bridges are hereby pledged to such uses and to the application thereof as hereinafter in this section required. After payment or provision for payment therefrom of all such cost of maintaining, repairing, and operating and the reservation of an amount of money estimated to be sufficient for the same purpose during an ensuing period of not more than 6 months, the remainder of tolls collected shall be placed in the sinking fund, at intervals to be determined by the Commission prior to the issuance of the bonds. An accurate record of the cost of the bridge or bridges and 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. The Commission shall classify in a reasonable way all traffic over the bridge or bridges so that the tolls shall be so fixed and adjusted by it as to be uniform in the application thereof to all traffic falling within reasonable classes, regardless of the status or character of any person, firm, or corporation participating in such traffic, and shall prevent all use of such bridge or bridges for traffic except upon payment of tolls so fixed and adjusted. No toll shall be charged officials or employees of the Commission, nor shall toll be charged officials of the Government of the United States while in the discharge of duties incident to their office or employment, nor shall toll be charged members of the fire department or peace officers when engaged in the performance of their official duties.

Within a reasonable time after the construction of any bridge or bridges, or the purchase of any bridge or bridges, the Commission shall file with the Bureau of Public Roads of the United States Department of Agriculture a sworn itemized statement showing the cost of constructing or purchasing the bridge or bridges and their approaches, the cost of acquiring any interest in real or other property necessary therefor, and the amount of bonds, debentures, or other evidence of indebtedness issued in connection with the construction or purchase of said bridge or bridges.

SEC. 6. Nothing herein contained shall require the Commission or its successors to maintain or operate any bridge or bridges purchased hereunder, if and when all bonds issued for account of such bridge or bridges shall have been retired or provision for the payment of interest on and retirement of such bonds from the revenues from any other bridge or bridges shall have been made at the time of issuance of such bonds. Any bridge or bridges so purchased, with appurtenances and property thereto connected and belonging, may be sold or otherwise disposed of or may be abandoned or dismantled whenever in the judgment of the Commission or its successors, and subject to the approval of the Chief of the Bureau of Public Roads, United States Department of Agriculture, and the United States Secretary of War, it may be declared expedient so to do, and provisions with respect to and regulating any such sale, disposal, abandonment, or dismantlement may be included in proceedings for the issuance and sale of bonds for account of any such bridge or bridges. The Commission and its successors may fix such rates of toll for the use of such bridge or bridges as it may deem proper, subject to the same conditions as are hereinabove required as to tolls for traffic over the bridge to be constructed provided tolls shall be fixed and revised from time to time for traffic over all bridges so as not to adversely reflect upon the earnings of any bridge or bridges for account of which bonds may be outstanding. An accurate record of the cost of purchasing or constructing each such bridge; 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. 7. After payment of the bonds and interest, or after a sinking fund sufficient for such payment shall have been provided and shall be held for that purpose, the Commission shall deliver deeds or other suitable instruments of conveyance of the interest of the Commission in and to the bridge or bridges extending between the State of Iowa and the State of Illinois, that part of said bridge or bridges within Iowa to the State of Iowa or any municipality or agency thereof as may be authorized by or pursuant to law to accept the same (hereafter referred to as the "Iowa interests") and that part of said bridge or bridges within Illinois to the State of Illinois or any municipality or agency thereof as may be authorized by or pursuant to law to accept the same (hereinafter referred to as the "Illinois interests"); likewise the Commission shall deliver deeds or other suitable instruments of conveyance of the interest of the Commission in and to any bridge that may cross the Mississippi River between the city of Dubuque, Iowa, and the State of Wisconsin, that part of said bridge within Iowa to the State of Iowa or any municipality or agency thereof as may be authorized by or pursuant to law to accept the same (hereafter referred to as the "Iowa interests"), and that part of said bridge within Wisconsin to the State of Wisconsin or any municipality or agency thereof as may be authorized by or pursuant to law to accept the same (hereafter referred to as the "Wisconsin interests"), under the condition that the bridge or bridges shall thereafter be free of tolls and be properly maintained, operated, and repaired by the Iowa interests, the Illinois interests, and the Wisconsin interests, as may be agreed upon; but if the Iowa, Illinois, or Wisconsin interests, as the case may be, fail to accept, or are not authorized to accept, their respective portions of said bridge or bridges, then the Commission may deliver deeds, or other suitable instruments or conveyance of said portions, to any other interest which may accept and may be authorized to accept the same, under the condition that the bridge or bridges shall thereafter be free of toll and be properly maintained, operated, and repaired by said interests to whom said conveyances are delivered; but if either the Iowa interests or the Illinois interests or the Wisconsin interests, or any other interest hereinabove mentioned, shall not be authorized to accept or shall not accept the same under such conditions, then the bridge or bridges shall continue to be owned, maintained, operated, and repaired by the Commission, and the rates of tolls shall 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 or bridges and approaches under economical management, until such time as the Iowa interests, the Illinois interests, the Wisconsin interests, or any other interest hereinabove mentioned, shall be authorized to accept and shall accept such conveyance under such conditions. The rate or rates of toll for crossing any bridge now existing or hereafter constructed which abuts upon or enters into the corporate limits of the city of Dubuque, Iowa, shall not be reduced below the rate or rates now in effect on existing bridges so long as any indebtedness of said Commission for the account of any bridge or bridges shall be outstanding and unpaid.

(a) Notwithstanding any restrictions or limitation imposed by the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, or by the Federal Highway Act, or by an act amendatory of or supplemental to either thereof, the Secretary of Agriculture or any other Federal department or agency of the United States Government may extend Federal aid under such acts for the construction of said bridge or bridges out of any moneys allocated to the State of Iowa with the consent of the State highway commission of said State, and out of moneys allocated to the State of Illinois with the consent of the department of highways of said State.

SEC. 8. For the purpose of carrying into effect the objects stated in this act, there is hereby created the City of Dubuque Bridge Commission, and by that name, style, and title said body shall have perpetual succession; may contract and be contracted with, sue and be sued, implead and be impleaded, complain and defend in all courts of law and equity; may make and have a common seal; may purchase or otherwise acquire and hold or dispose of real estate and other property; may accept and receive donations or gifts of money or property and apply same to the purposes of this act; and shall have and possess all powers necessary, convenient, or proper for carrying into effect the objects stated in this act.

The Commission shall consist of W. M. Clemens, Charles G. Kretschmer, Charles T. Landon, Thomas M. Stampfer, of Dubuque, Iowa, and R. E. Werner of East Dubuque, Ill.; such Commission shall be a public body corporate and politic. Each member of the Commission shall qualify within 30 days after the approval of this act by filing in the office of the Secretary of Agriculture an oath that he will faithfully perform the duties imposed upon him by this act, and each person appointed to fill a vacancy shall qualify in like manner within 30 days after his appointment. Any vacancy occurring in said Commission by reason of failure to qualify as above provided, or by reason of death or resignation, shall be filled by the Secretary of Agriculture. Before the issuance of bonds as hereinabove provided, each member of the Commission shall give such bond as may be fixed by the Chief of the Bureau of Public Roads of the Department of Agriculture, conditioned upon the faithful performance of all duties required by this act, the cost of such surety prior to and during the construction of the bridge shall be paid or reimbursed from the bond proceeds and thereafter such costs shall be deemed an operating expense. The Commission shall elect a chairman and a vice chairman from its members, and may establish rules and regulations for the government of its own business. A majority of the members shall constitute a quorum for the transaction of business.

SEC. 9. The Commission shall have no capital stock or shares of interest or participation, and all revenues and receipts thereof shall be applied to the purposes specified in this act. The members of the Commission shall be entitled to a per diem compensation for their services of $10 for each day actually spent in the business of the Commission, but the maximum compensation of the chairman in any year shall not exceed $1,200, and of each other member shall not exceed $600. The members of the Commission shall also be entitled to receive traveling-expense allowance of 10 cents a mile for each mile actually traveled on the business of the Commission. The Commission may employ a secretary,

treasurer, engineers, attorneys, and other such experts, assistants, and employees as they may deem necessary, who shall be entitled to receive such compensation as the Commission may determine. All salaries and expenses shall be paid solely from the funds provided under the authority of this act. After all bonds and interest thereon shall have been paid and all other obligations of the Commission paid or discharged, or provision for all such payment shall have been made as hereinbefore provided, and after the bridge or bridges shall have been conveyed to the Iowa interests, the Illinois interests, and the Wisconsin interests, as herein provided, or otherwise disposed of as provided herein, the Commission shall be dissolved and shall cease to have further existence by an order of the Chief of the Bureau of Public Roads made upon his own initiative or upon application of the Commission or any member or members thereof, but only after a public hearing in the city of Dubuque, Iowa, notice of the time and place of which hearing and the purpose thereof shall have been published once, at least 30 days before the date thereof, in a newspaper published in the city of Dubuque, Iowa. At the time of such dissolution all moneys in the hands of or to the credit of the Commission shall be divided and distribution made between the interests of the States, as may be determined by the Chief of the Bureau of Public Roads of the United States.

SEC. 10. Notwithstanding any of the provisions of this act, the Commission shall have full power and authority to negotiate and enter into a contract or contracts with the State Highway Commission of Iowa and the Department of Highways of Illinois, the State Highway Department of Wisconsin, the city of Dubuque, Dubuque County, Iowa, or any county or municipality in the State of Illinois, whereby the Commission may receive financial aid in the construction or maintenance of a bridge or bridges and approaches thereto, and said Commission in its discretion may avail itself of all of the facilities of the State Highway Commission of the State of Iowa and the Department of Highways of the State of Illinois with regard to the construction of said proposed bridge or bridges, and the Commission may make and enter into any contract or contracts which it deems expedient and proper with the State Highway Commission of Iowa and the Department of Highways of Illinois, whereby said highway departments or either of them may construct, operate, and maintain or participate with the Commission in the construction, operation, maintenance of said bridge or bridges to be constructed hereunder, and approaches. It is hereby declared to be the purpose of Congress to facilitate the construction of a bridge and proper approaches across the Mississippi River at or near Dubuque, Iowa, and East Dubuque, Ill., and to authorize the Commission to promote said object and purposes, with full power to contract with either the State Highway Commission of Iowa or the Department of Highways of Illinois or with any agency or department of the Federal Government, or both, in relation to the purchase of condemnation, construction, operation, and maintenance of said bridges and approaches.

SEC. 11. Nothing herein contained shall be construed to authorize or permit the Commission or any member thereof to create any obligation or incur any liability other than such obligations and liabilities as are dischargeable solely from funds contemplated to be provided by this act. No obligation created or liability incurred pursuant to this act shall be a personal obligation or liability of any member or members of the Commission but shall be chargeable solely to the funds herein provided, nor shall any indebtedness created pursuant to this act be an indebtedness of the United States.

SEC. 12. The design and construction of any bridge which may be built pursuant to this act shall be in accordance with the standard specifications for highway bridges adopted by the American Association of State Highway Officials.

SEC. 13. 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 PISCATAQUA RIVER, N. H.

The Clerk called the bill (S. 3898), to extend the times for commencing and completing the construction of a bridge across the Piscataqua River at or near Portsmouth, N. H.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the time for commencing and completing the construction of the bridge across the Piscataqua River, at or near Portsmouth, N. H., authorized to be built by the Maine-New Hampshire Interstate Bridge Authority, by an act of Congress approved July 28, 1937, are hereby extended 1 and 3 years, respectively, from the date of approval hereof.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be 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, GARRISON, N. DAK.

The Clerk called the bill (S. 3907) to further extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Garrison, N. Dak.

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 the act of Congress approved February 10, 1932, and heretofore extended by acts of Congress approved February 14, 1933, and June 12, 1934, May 24, 1935, and June 5, 1936, are hereby further extended 2 and 4 years, respectively, from June 12, 1937.

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 MISSISSIPPI RIVER, ST. LOUIS, MO.

The Clerk called the bill (H. R. 10506) to extend the times for commencing and completing the construction of a bridge across the Mississippi River between St. Louis, Mo., and Stites, Ill.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the Mississippi River at or near a point on Broadway between Florida and Mullanphy Streets, in the city of St. Louis, Mo., and a point opposite thereto, in the town of Stites, in the county of St. Clair, State of Illinois, and connecting with St. Clair Avenue extended in said town, authorized to be built by the county of St. Clair, Ill., by an act of Congress approved August 30, 1935, are hereby extended 1 and 3 years, respectively, from August 30, 1938.

With the following committee amendments:

Page 2, line 1, after the figures "1935", insert "and heretofore extended by acts of Congress approved May 1, 1936, and June 9, 1937."

Page 2, line 2, after the word "hereby", insert the word "further."

The committee amendments were agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS MISSISSIPPI RIVER, ST. LOUIS, MO.

The Clerk called the next bill, H. R. 10507, to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near a point between Morgan and Wash Streets in the city of St. Louis, Mo., and a point opposite thereto in the city of East St. Louis, Ill.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the Mississippi River, at or near a point between Morgan and Wash Streets in the city of St. Louis, Mo., and a point opposite thereto in the city of East St. Louis, Ill., authorized to be built by the city of East St. Louis, Ill., by an act of Congress approved August 5, 1935, are hereby further extended 1 and 3 years, respectively, from May 3, 1938.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Page 1, line 9, after "approved", strike out "August 5, 1935, are" and insert "May 3, 1934, and heretofore extended by acts of Congress approved August 5, 1935, May 1, 1936, and June 2, 1937, are."

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 MISSOURI RIVER AT MIAMI, MO.

The Clerk called the next bill, H. R. 10539, to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Miami, Mo.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent to substitute the bill S. 3990, a similar bill.

The SPEAKER pro tempore. Is there objection?

There being no objection, the Clerk read the Senate 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, and heretofore extended by an act of Congress approved June 19, 1936, 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.

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 House bill (H. R. 10539) was laid on the table.

BRIDGE ACROSS MISSOURI RIVER, ARROW ROCK, MO.

The Clerk called the next bill, H. R. 10540, to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Arrow Rock, Mo.

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 the county court of Saline County, Mo., by an act of Congress approved August 12, 1937, are hereby extended 1 and 3 years, respectively, from August 12, 1938.

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 DES MOINES RIVER AT KEOSAUQUA, IOWA

The Clerk called the next bill, H. R. 10610, granting the consent of Congress to the Iowa State Highway Commission to reconstruct or construct, maintain, and operate a free highway bridge across the Des Moines River at or near Keosauqua, Iowa.

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 Iowa State Highway Commission to reconstruct or construct, maintain, and operate a free highway bridge and approaches thereto across the Des Moines River, at a point suitable to the interests of navigation, at or near Keosauqua, Iowa, 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. Said bridge may be reconstructed or constructed with the aid of any Federal funds appropriated and apportioned to the State of Iowa for expenditure under the Federal Highway Act, as amended and supplemented.

SEC. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

Page 2, lines 3 to 6, strike out all of section 2 of the bill.

Page 2, line 7, change "3" to "2."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS ST. LOUIS RIVER, DULUTH, MINN.

The Clerk called the next bill, H. R. 10632, authorizing the Port Authority of Duluth, Minn., and the Harbor Commission of Superior, Wis., to construct a highway bridge across the St. Louis River from Rice's Point in Duluth, Minn., to Superior in Wisconsin.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes the Port Authority of Duluth, Minn., and the Harbor Commission of Superior, Wis., their successors and assigns, are hereby authorized to construct, maintain, and operate a highway bridge and approaches thereto over and across the St. Louis River from the lower end of Rice's Point in Duluth, Minn., to the vicinity of the lower end of Banks Avenue extended to the shore line in Superior, Wis., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. There is hereby conferred upon the Port Authority of Duluth, Minn., and the Harbor Commission of Superior, Wis., all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such 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 real estate or other property is situated, upon making a 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. Notwithstanding any restriction or limitation imposed by the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, or by the Federal Highway Act, or by any act amendatory of or supplemental to either thereof, the Secretary of Agriculture may extend Federal aid under such acts, for the construction of said bridge, out of any moneys allocated to the State of Minnesota, with the consent of the department of highways of said State, and out of any moneys allocated to the State of Wisconsin, with the consent of the department of highways of said State: *Provided*, That notwithstanding any of the provisions of this act, the port authorities shall have full power and authority to negotiate and enter into a contract or contracts with the State Highway Commission of the State of Wisconsin and the State Highway Commission of the State of Minnesota, or with either of them, or with any other public body, whereby the port authorities may receive financial aid in the construction of the bridge and approaches thereto, and the port authorities may make and enter into any contract or contracts which they deem expedient and proper with both the said State highway commissions, or either of them, whereby both said State highway departments, or either of them, may construct, operate, and maintain, or participate with the port authorities in the construction, operation, and maintenance of said bridge and approaches.

SEC. 4. It is hereby declared to be the purpose of Congress to facilitate the construction of a bridge and proper approaches across the St. Louis River between Duluth, Minn., and Superior, Wis., and to authorize the port authorities to promote said object and purposes for the greater safety of navigation, in accordance with this act.

SEC. 5. The port authorities or their successors and assigns are hereby authorized to provide for the payment of the cost of the bridge and its approaches by an issue or issues of negotiable bonds or negotiable certificates of indebtedness of the port authorities bearing interest at not more than 6 percent per annum, the principal and interest of which bonds or certificates of indebtedness and any premium to be paid for retirement thereof before maturity shall be payable solely from the sinking fund provided in accordance with the act. Such bonds or certificates of indebtedness may be registrable as to principal alone or both principal and interest, shall be in such form not inconsistent with this act, shall mature at such time or times not exceeding 30 years from their respective dates, shall be in such denominations, shall be executed in such manner, and shall be payable in such medium and at such place or places as the port authorities may determine. The port authorities may repurchase and may reserve the right to redeem all or any of said bonds or certificates of indebtedness before maturity in such manner and at such price or prices, not exceeding 105 and accrued interest, as may be fixed by them prior to the issuance of the bonds or certificates of indebtedness. Nothing contained in this act shall be construed as limiting the powers now possessed or hereafter conferred under any applicable law of the State of Minnesota or the State of Wisconsin authorizing and empowering the Port Authority of Duluth or the Harbor Commission of Superior to issue and sell negotiable bonds or negotiable certificates of indebtedness; and the provisions of this act shall be deemed supplemental and in addition to all powers now possessed or hereafter conferred upon either of the said Port Authority of the city of Duluth and the said Harbor Commission of the city of Superior.

SEC. 6. Subject to and in accordance with the provisions of the General Bridge Act approved March 23, 1906, the Harbor Commission of Superior and the Port Authority of Duluth may jointly or severally make written application to the Secretary of War for the approval of the location and plans of said bridge. Upon the filing of said application, due notice to all interested parties of the filing of such application, and notice of hearing thereon, shall be given. If such application be approved, the instrument of approval shall be issued to the Duluth Port Authority and the Harbor Commission of Superior, jointly, unless the said port authority or the said harbor commission shall file with the Secretary of War, within 30 days of the receipt of such notice of approval, its refusal to accept such instrument of approval. Upon any such refusal being filed with the Secretary of War, the instrument of approval shall forthwith be issued to the port authority or harbor

commission, as the case may be, which shall file with the Secretary of War its written acceptance of such approval.

SEC. 7. The port authorities are hereby authorized to fix and charge tolls for transit over such bridge and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

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 maintenance, repairing, and operating the bridge and its approaches under efficient and economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including reasonable interest and financing cost, as soon as possible, under reasonable charges, but within a period of not to exceed 30 years from the completion thereof. After a sinking fund sufficient for such amortization and for the maintenance of said bridge and the approaches thereto, shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls. An accurate record of the cost of the bridge and its approaches, the expenditure 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. 8. 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 WABASH RIVER, MEROM, IND.

The Clerk called the next bill, H. R. 10670, to extend the times for commencing and completing the construction of a bridge across the Wabash River at or near Merom, Sullivan County, Ind.

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 Wabash River, at or near Merom, Sullivan County, Ind., authorized to be built by Sullivan County, Ind., or any board or commission of said county which is or may be created or established for the purpose, by an act of Congress approved February 10, 1932, heretofore extended by an act of Congress approved April 30, 1934, and June 27, 1935, and May 1, 1936, and July 5, 1937, are hereby extended 1 and 4 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 amendments:

Page 1, line 9, after "by", strike out "An act" and insert "acts."
Page 1, line 10, after "1934", strike out "and."
Page 1, line 10, after "June", change "27" to "28."
Page 1, line 10, after "1935", strike out "and."
Page 2, line 1, after "and", strike out "four" and insert "three."
Page 2, line 2, after "from", strike out "the date of approval hereof" and insert "July 5, 1938."

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.

VEHICULAR TUNNEL UNDER DELAWARE RIVER

The Clerk called the next bill, H. R. 10739, granting the consent of Congress to the State of New Jersey and the Commonwealth of Pennsylvania to enter into compacts or agreements with respect to constructing, maintaining, and operating a vehicular tunnel under the Delaware River.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. ALLEN of Delaware. Mr. Speaker, I object.

BRIDGE ACROSS PUGET SOUND, WASH.

The Clerk called the next bill, H. H. 10780, to amend section 1 of an act entitled "An act granting the consent of Congress to the county of Pierce, a legal subdivision of the State of Washington, to construct, maintain, and operate a toll bridge across Puget Sound, State of Washington, at or near a point commonly known as 'The Narrows,'" and to extend the times for commencing and completing the construction of such bridge.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent to substitute the bill S. 4144, a similar bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That section 1 of an act entitled "An act granting the consent of Congress to the county of Pierce, a legal subdivision of the State of Washington, to construct, maintain, and operate a toll bridge across Puget Sound, State of Washington, at or near a point commonly known as 'The Narrows'," approved May 28, 1934, be amended to read as follows:

"SECTION 1. That the consent of Congress is hereby granted to the county of Pierce, a legal subdivision of the State of Washington, or to Washington Toll Bridge Authority, a legal agency of the State of Washington, to construct, maintain, and operate a bridge and approaches thereto across Puget Sound, State of Washington, at or near a point commonly known as 'The Narrows,' at a point suitable to the interests of navigation, in accordance with the provisions of an act entitled 'An act to regulate the construction of bridges over navigable waters,' approved March 23, 1906, and subject to the conditions and limitations contained in this act."

SEC. 2. That the times for commencing and completing the construction of such bridge, heretofore extended by acts of Congress approved August 27, 1935, and July 5, 1937, are hereby further extended 1 and 3 years, respectively, from July 5, 1938.

SEC. 3. That 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.

A House bill (H. R. 10780) was laid on the table.

LOUISIANA-VICKSBURG BRIDGE COMMISSION

The Clerk called the next bill, H. R. 10791, creating the Louisiana-Vicksburg Bridge Commission; defining the authority, power, and duties of said commission; and authorizing said commission and its successors and assigns to purchase, maintain, and operate a bridge across the Mississippi River at or near Delta Point, La., and Vicksburg, Miss.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. McGEHEE. Mr. Speaker, I object.

CONSTRUCTION OF A BRIDGE AT SOUTH SIOUX CITY, NEBR.

The Clerk called the next bill, H. R. 10818, to amend the act authorizing the construction of a bridge at South Sioux City, Nebr.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that the bill S. 4126 be substituted for the House bill.

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That all rights, powers, and duties conferred upon and vested in the county of Dakota, State of Nebraska, by section 30 of the act of August 30, 1935 (49 Stat. 1073), as extended, are hereby vested in and conferred upon Ira Z. Thorn, John Sohn, and Thomas J. Hartnett, county commissioners of the county of Dakota, State of Nebraska, and their successors in office, and Malcolm R. Smith, county attorney of the county of Dakota, State of Nebraska, and his successors in office, acting as a bridge commission, and to be known and designated as South Sioux City Missouri River Bridge Commission (hereafter called the "commission"). No act of said commission shall be valid unless concurred in by not less than three members thereof. The commission shall select a chairman and a secretary and treasurer from its own members. The commission shall have all the ordinary and usual powers necessary to carry out the purposes of section 30 of such act of 1935, as hereby amended, and in connection therewith may adopt rules of procedure and bylaws; enter into contracts and employ such managers, agents, and clerical help as may be necessary; and fill any vacancy caused by the death, resignation, or refusal or failure to act of any of its members. The term of any person selected by the commission to fill a vacancy shall terminate upon the election and qualification of an official member successor in office.

SEC. 2. (a) In order to promote interstate commerce, improve the postal service, and provide for military and other purposes, the commission, in addition to the rights, powers, and duties conferred upon and vested in it by such act of 1935, as amended, is authorized to acquire by purchase, gift, or otherwise and thereafter to operate and maintain an existing bridge over the Missouri River which (including approaches) abuts upon or enters into the corporate limits of either or both the cities of South Sioux City, Nebr., and Sioux City, Iowa.

(b) There is hereby conferred upon the commission 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 maintenance and operation of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which

such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

(c) The said commission 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.

(d) 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 20 years from the acquisition 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. 3. The commission is authorized and empowered to issue revenue bonds for the purposes of acquiring and constructing the bridges provided for in this act, said bonds to be paid out of the tolls collected from said bridges. Such revenue bonds shall bear interest at not more than 6 percent per annum, payable semi-annually, and may be redeemable at the option of the commission, at not more than the par value thereof, plus a premium of 5 percent. Such bridges, and the bonds issued in connection therewith, and the income derived therefrom, shall be exempt from any Federal, State, municipal and local taxation. The commission may secure said revenue bonds and the interest thereon by a mortgage or deed of trust of its bridge properties. The State of Nebraska and the State of Iowa, acting separately or jointly, may at any time acquire and take over all right, title, and interest in either or both such bridges, including approaches, and including any interest in real property necessary therefor, then owned and operated by the commission and may charge and collect tolls for transit over either or both such bridges to provide bonds to meet reasonable annual maintenance, repair, and operation costs, and to create a sinking fund sufficient to amortize the cost of acquiring such bridges, or either of them, including reasonable interest and financing costs, and after a sinking fund sufficient for such amortization shall have been so provided, such bridge, or bridges, thereafter shall be maintained and operated free of toll. It shall not be necessary to condemn or expropriate such property but the said commission shall deliver same by proper instrument of conveyance, and no damages or compensation whatsoever shall be allowed for any such right, title, and interest; but such conveyance shall be made and taken subject to the bonds, debentures, or other notes of indebtedness of said commission then outstanding, including accrued interest thereon.

SEC. 4. In the event such bridges, or either of them, shall at any time be taken over or acquired by said States, or either of them, all rights, powers, and duties conferred upon and vested in the commission by this act shall be conferred upon and vested in said States.

SEC. 5. The times for commencing and completing the construction of the bridge authorized to be built by section 30 of such act of 1935, as amended and extended, are hereby further extended 1 and 3 years, respectively, from August 30, 1938.

SEC. 6. 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.

A similar House bill (H. R. 10818) was laid on the table.

EXEMPTION OF PUBLICLY OWNED HIGHWAY BRIDGES FROM LOCAL TAXATION

The Clerk called the next bill, S. 252, to exempt publicly owned interstate highway bridges from local taxation.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. THOMPSON of Illinois. Mr. Speaker, I object.

BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

The Clerk called the joint resolution (S. J. Res. 264) providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress.

There being no objection, the Clerk read the Senate joint resolution, as follows:

Resolved, etc., That the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, caused by the death of Robert W. Bingham, be filled by the appointment of Harvey N. Davis, a citizen of New Jersey, for the statutory term of 6 years.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REPAYMENT TO RIO GRANDE CONSERVANCY DISTRICT

The Clerk called the next bill, H. R. 9524, to authorize an appropriation for repayment to Middle Rio Grande Conservancy District, a subdivision of the State of New Mexico, of the share of the said district's construction and operation and maintenance costs applicable to certain properties owned by the United States, situated in Bernalillo County, N. Mex., within the exterior boundaries of the district; to authorize the Secretary of the Interior to contract with said district for future operation and maintenance charges against said lands; to authorize appropriation for extra construction work performed by said district for the special benefit of certain Pueblo Indian lands; and to authorize appropriation for construction expenditures benefiting certain acquired lands of Pueblo Indians of the State of New Mexico.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. TABER. Mr. Speaker, I would like to have an explanation of this bill.

Mr. GREEVER. Mr. Speaker, I may say for the benefit of the gentleman that this authorizes the United States by paying a certain sum to that district, which was constructed by white settlers, to allow certain Indians within the district to participate in the conservancy district. It is very desirable that that be done because of the necessary water supply they need for their land. The other people have undertaken the whole cost and this gives the Pueblo Indians the right to participate in it by payment of their proportionate cost, which has already been appraised.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., (1) That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $20,470.71 for repayment to Middle Rio Grande Conservancy District, a corporate political subdivision of the State of New Mexico, of the unpaid share of the construction costs of said district for conservation, irrigation, drainage, and flood control applicable to the following-described lands in the county of Bernalillo, State of New Mexico, within the exterior boundaries of said district:

One hundred and forty-two and nine one-hundredths acres in Bernalillo County, N. Mex., known and described as the lands of the Albuquerque Indian School of the Department of the Interior, United States of America.

The lands so described being owned by the United States and having been materially benefited by the construction works of the said district, and the share of the costs of such construction having been determined by an appraisal of benefits made by the said district's board of appraisers at the same time and in the same manner and on the same basis as appraisals made against other lands in the said district, and the assessments made thereon by the board of commissioners of said district being the same as that made against like lands similarly situated.

(2) That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $1,539.65 for repayment to Middle Rio Grande Conservancy District for the equal and pro rata assessment for operation and maintenance costs for the year 1934, 1935, 1936, and 1937 against lands described in paragraph (1).

(3) That the Secretary of the Interior be, and he is hereby, authorized and directed to enter into an agreement with Middle Rio Grande Conservancy District for the payment of future operation and maintenance costs which shall be levied and assessed against the properties described in paragraph (1), the said agreement to provide that all assessments and levies thereunder shall be on the same equal basis as assessments and levies against other lands similarly situated or assessed in said district.

The said operation and maintenance charge to be upon all lands included within the Albuquerque Indian School in Bernalillo County, N. Mex.

(4) That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $3,338.17 for repayment to Middle Rio Grande Conservancy District of the cost of extra construction works performed by the district for the special benefit of certain Indian lands belonging to certain Pueblo Indians of New Mexico situate within the exterior

boundaries of said district, such works not having been provided for in the district's approved official plan but which were constructed at the instance and request of agents of the Bureau of Indian Affairs.

(5) That there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of $10,378.26 for repayment to Middle Rio Grande Conservancy District for assessed construction costs upon the following-described lands in Sandoval County, N. Mex., within the exterior boundaries of the Middle Rio Grande Conservancy District:

Pueblo lands' board description	Acres purchased	Conservancy district appraisal record		
		Description		Acres benefited
		Map	Tract	
COCHITI PUEBLO				
P. C. 60, p. 1	1.555	2	3	1.56
P. C. 58, p. 1	2.321	2	4	2.32
P. C. 58, p. 2	3.019	2	2	3.02
P. C. 55, p. 1	6.262	2	9	6.26
P. C. 79, p. 2	5.514			
P. C. 7, p. 4	1.475	2	30	16.31
P. C. 79, p. 1 (pt.)	0.369			
P. C. 51, p. 2 (pt.)	10.231			
P. C. 116, p. 1	14.512	3	69	14.41
P. C. 50, p. 1	5.080	2	22a	4.08
		2	22b	1.00
		2	21	14.75
P. C. 7, p. 6	17.748	2	46a	2.47
		2	46b	.10
Total	68.086			66.28
SANTO DOMINGO PUEBLO				
P. C. 13, p. 1	35.530	4	49	14.90
P. C. 4, p. 1	21,410	4	74	11.64
P. C. 10, p. 1	18.570	4	69	11.56
P. C. 1, p. 1	13.220	4	78	9.23
P. C. 11, p. 1	33.710	4	68	5.14
P. C. 14, p. 1		4	47	11.15
Total	122.440			63.62
SAN FELIPE PUEBLO				
P. C. 1, p. 1	7.836	5	89	7.84
P. C. 8	3.480	6	60	3.48
P. C. 4	92.360	6	57	21.20
P. C. 5		6	58	2.15
P. C. 6		6	64	49.50
P. C. 2, p. 1	5.894	5	88	4.67
P. C. 7, p. 1	1.610	6	59	1.61
P. C. 11, p. 1	3.860	6	63	3.86
P. C. 10	1.810	6	62	1.81
P. C. 14	37.100	6	66	38.42
P. C. 13	3.630	6	65	3.86
Total	157.580			138.40
Total, all pueblos	348.106			238.30

The said lands having been purchased by the United States for certain Pueblo Indians of New Mexico under and by virtue of the act of June 7, 1924; and that prior to such purchase the said district had placed assessments on said lands in the amounts set forth above as their pro rata share of the costs of the construction works of said district; and the moneys hereby authorized to be appropriated are to be full and complete payment for such assessments.

(6) That the provisions of the act of August 27, 1935 (49 Stat. 887), authorizing the Secretary of the Interior to provide by agreement with Middle Rio Grande Conservancy District, a subdivision of the State of New Mexico, for maintenance and operation on newly reclaimed Pueblo Indian lands in the Rio Grande Valley, N. Mex., reclaimed under previous act of Congress, and authorizing an annual appropriation to pay the cost thereof for a period of not to exceed 5 years, are hereby extended for an additional period of 5 years to 1945.

With the following committee amendments:

On page 2, line 1, eliminate the figure and parentheses "(1)" and after the word "hereby", insert the words "authorized to be."

On page 2, line 3, after the word "to", insert the word "the."

On page 2, line 14, change the period to a comma, and at the beginning of line 15 use a small "t."

On page 3, line 1, change the figure and parentheses "(2)" to "Sec. 2", and after the word "hereby", insert the following words "authorized to be."

On page 3, line 3, after the word "to" insert the word "the."

On page 3, line 6, strike out "paragraph (1)" and insert in lieu thereof the words "section 1 of this act."

On page 3, line 7, change the figure and parentheses "(3)" to "Sec. 3."

On page 3, line 9, after the word "with" insert the word "the."

On page 3, line 12, strike out the word and figure "paragraph (1)" and insert in lieu thereof the words "section 1."

On page 3, line 19, change the figure and parentheses "(4)" to "SEC. 4", and after the word "hereby" insert the words "authorized to be."

On page 3, line 20, after the word "appropriated", insert the words "to be reimbursed in accordance with existing law."

On page 3, line 21, after the word "to", insert the word "the."

On pages 4 and 5, strike out all of paragraph (5), commencing with line 6 on page 4 and all on page 5, and insert the following:

"SEC. 5. That the provisions of the act of August 27, 1935 (49 Stat. 887), authorizing the Secretary of the Interior to provide by agreement with the Middle Rio Grande Conservancy district, a subdivision of the State of New Mexico, for maintenance and operation on newly reclaimed Pueblo Indian lands in the Rio Grande Valley, N. Mex., reclaimed under previous act of Congress, and authorizing an annual appropriation to pay the cost thereof for a period of not to exceed 5 years, are hereby extended for an additional period of 5 years to 1945, and the provisions of this section shall be applicable to lands purchased by the United States for certain Pueblo Indians of New Mexico under and by virtue of the act of June 7, 1924 (43 Stat. 636), 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.

Mr. CASE of South Dakota. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. CASE of South Dakota. Mr. Speaker, may I ask whether or not the remaining bills on the calendar are eligible to be called? I make this inquiry to ascertain whether they have been on the calendar long enough. May I inquire further, if I fail to make that point of order at this time, when a later bill is called, which I desire to put over, will I lose my right to make the point of order?

The SPEAKER pro tempore. Under the unanimous consent agreement entered into this afternoon, it was agreed that all bills on the Consent Calendar shall be called.

Mr. TABER. Mr. Speaker, of course that was to begin with No. 818.

The SPEAKER pro tempore. Yes, beginning where we started tonight. The Chair would hold therefore that the bills that have not been called are eligible to be called.

EXCHANGE OF LAND BETWEEN SAN DIEGO, CALIF., AND THE UNITED STATES

The Clerk called the next bill, S. 2629, to authorize an exchange of lands between the city of San Diego, Calif., and the United States.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized to transfer to the city of San Diego, Calif., free from all encumbrances and without cost to said city of San Diego, all right, title, and interest to the land contained within that part of the naval supply depot described as follows:

All that portion of the former military reservation heretofore known as the San Diego Barracks, situated in the city of San Diego, State of California, comprising block 31 of New San Diego according to the map of New San Diego made by A. B. Gray and J. D. Johns, and on file in the office of the county recorder of San Diego County, said lot being also shown on P. W. drawing No. NT4-4/31-13(2), bearing the legend "Naval Operating Base, San Diego, Calif., Supply Depot, Block 31—New San Diego, Transferred from War Department to Navy Department by Executive Order 7451 dated September 17, 1936",

in consideration of the transfer to the United States by said city of San Diego, free from all encumbrances and without cost to the United States all right, title, and interest to the lands contained within the following-described areas:

Parcel No. 1: Beginning at the northeast corner of block 18, according to map of municipal tidelands subdivision tract No. 1, filed in the office of the city clerk of the city of San Diego and numbered Document No. 100007; thence north 89°58′20″ west along the northerly boundary of said block 18, 200 feet to its northwesterly corner; thence south 0°1′40″ west on a line parallel to and distant 200 feet easterly from the existing United States bulkhead line for the Bay of San Diego, a distance of 300.15 feet to a point; thence south 89°58′20″ east at right angles to last-described course a distance of 200 feet to a point; thence north 0°1′40″ east at right angles to the last-described course, a distance of 300.15 feet to the point or place of beginning, containing 60,030 square feet or 1.3781 acres of land, more or less.

Parcel No. 2: Beginning at the northwesterly corner of block 19, according to map of municipal tidelands subdivision tract No. 1, filed in the office of the city clerk of the city of San

Diego, and numbered document No. 100007; thence south 0°1'40" west on a line parallel to and distant 500 feet easterly from the existing United States bulkhead line for the bay of San Diego a distance of 300.15 feet to a point; thence south 89°58'20" east at right angles to the last-described course a distance of 180.16 feet to a point; thence north 0°1'40" east on a line parallel to and distant 680.16 feet easterly from the said United States bulkhead line a distance of 300.15 feet to a point; thence north 89°58'20" west at right angles to the last-described course a distance of 180.16 feet to the point or place of beginning, containing 54,075 square feet or 1.2414 acres of land, more or less.

With the following committee amendments:

Page 2, line 12, after "United States", insert "except as hereinafter provided."

Page 4, line 7, change the period to a colon and add: "*Provided*, That the Secretary of the Navy may acquire by purchase the outstanding leasehold interest in and existing improvements on said block 19.

"SEC. 2. There is authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, such sums as may be necessary to effectuate the purposes of this act, but not to exceed $18,000."

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.

PROHIBITION OF USE OF COMMUNICATION FACILITIES FOR CRIMINAL PURPOSES

The Clerk called the next bill, S. 3756, to prohibit the use of communication facilities for criminal purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. O'MALLEY. Mr. Speaker, reserving the right to object, this is a rather all-inclusive bill. The possibilities and dangers of going too far in restriction of the communication system by any Government officer or any Government official makes me feel this type of bill should not be passed under this procedure. It does not allow time to study it and I hope the gentleman will request that it be passed over without prejudice.

Mr. QUINN. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

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

There was no objection.

TRANSFER TO PENNSYLVANIA A CERTAIN TRACT OF LAND IN DELAWARE COUNTY, PA.

The Clerk called the next bill, H. R. 10355, to transfer, assign, and convey to the Commonwealth of Pennsylvania a certain tract of land, containing about 6½ acres situate in Tinicum Township, Delaware County, Pa.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

Mr. WALTER. Mr. Speaker, will the gentleman withhold that request? If that is done the possibility of having the bill enacted into law during the present session will be entirely removed.

Mr. COSTELLO. I may state to the gentleman that my reason for making the request is that the committee report fails to give any information whatsoever as to why this tract of 6½ acres should be transferred to the State of Pennsylvania. There is no information as far as the report is concerned as to how the land was acquired, what department of the Government owns it, or whether any department of the Government is in any way opposed to or in any way approves of this bill.

Mr. WALTER. I have not seen the report, but the fact is that this land was acquired by the Government to be used for a quarantine station. In 1912 the State of Pennsylvania gave to the Federal Government land to be used for that purpose, for a dollar a year. The site on Tinicum Island selected for that purpose was abandoned. In view of the fact the State has given the land to the Federal Government for a dollar a year, we believe we are entirely justified in seeking this tract of land to be used as a State park.

Mr. COSTELLO. In other words, no department of the Government at present would be affected by the transfer of this land?

Mr. WALTER. No; I do not believe so.

Mr. COSTELLO. The land is not being used at the present time.

Mr. WALTER. Oh, no; it is not being used at all.

Mr. COSTELLO. Then I withdraw my request, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Whereas the United States of America is the owner of a certain tract of land, containing 6½ acres, situate in Tinicum Township, Delaware County, Pa., and described as more fully set forth hereafter, which land was purchased in 1799 for the purpose of establishing a quarantine station for the port of Philadelphia, in conjunction with the lazaretto or board of health station established in 1799 by the Commonwealth of Pennsylvania, on land adjoining the said tract; and

Whereas on or about 1893 the said lazaretto and quarantine stations were transferred from Tinicum Island to Marcus Hook, Pa.; and

Whereas on or about 1919 the Commonwealth of Pennsylvania closed its lazaretto or board of health station in Marcus Hook and authorized the lease or transfer of the said property to the United States of America, to be used for the purposes of its quarantine station; and

Whereas the Commonwealth of Pennsylvania has, since 1919, leased its Marcus Hook station to the United States of America at the annual rental of $1 per year, thereby making a gift of the said property to this Government; and

Whereas the Commonwealth of Pennsylvania, in conjunction with the United States Government, through the United States Delaware Valley Tercentenary Commission, established by Congress, is now celebrating the three-hundredth anniversary of the establishment of its first permanent white settlement, first law courts, first schools, first churches, which were established in 1638 in New Sweden, which included Tinicum Island, Pa.; and

Whereas the said tract of land purchased by the United States of America in 1799, in Tinicum Township, is part of the site of the said first permanent white settlement in Pennsylvania, and is believed to contain many relics of historic interest and value to the Commonwealth of Pennsylvania and to the United States of America; and therefore the said tract has recently been approved by the Advisory Board on National Parks, Historic Sites, Buildings, and Monuments as a site of State and National historical significance; and the Treasury Department, Procurement Division, at the request of the National Park Service, is now holding the said property for transfer to the National Park Service or to the Commonwealth of Pennsylvania for the purpose of developing it and preserving it as a historic site; and

Whereas the Commonwealth of Pennsylvania recently acquired, by gift from the Swedish Colonial Society, another tract of land, containing 7¼ acres, which tract is adjacent to the United States Government tract and is also part of the site of the first permanent white settlement in Pennsylvania; and the said Commonwealth of Pennsylvania has established a memorial park thereon, known as Governor Printz Park; and

Whereas the said Commonwealth of Pennsylvania has requested the United States of America to transfer to it the said tract of 6½ acres adjoining Governor Printz Park, for the purpose of adding it to the said park and developing, improving, and maintaining it as a historic memorial park: Therefore

Be it enacted, etc., That the United States of America hereby assigns, transfers, and grants, as a gift, to the Commonwealth of Pennsylvania, to be turned over to the Pennsylvania Historical Commission to be administered by it as a part of the Governor Printz Park, a certain tract of land, situate on the Delaware River, in Tinicum Township, County of Delaware, Commonwealth of Pennsylvania, containing 6½ acres and described as follows:

Beginning at a stake at the side of the said Delaware River, the corner of this land and a certain other tract of land known as "Old Lazaretto"; thence extending along the said "Old Lazaretto" north four degrees thirty minutes east nine hundred and fifteen and seventy-five one-hundredths feet to a point in the south side of Second Street (sixty feet wide); thence extending along the south side of the said Second Street north eighty-five degrees thirty minutes west three hundred feet to a point; thence extending along a line at right angles to the said Second Street south four degrees thirty minutes west eight hundred and seventy-seven and eight-tenths feet to a point in the shore line of the said Delaware River; thence extending along the said river three hundred and twenty-one feet to the first-mentioned point and place of beginning. Being the same premises which John Taylor and Mary Taylor, his wife, by indenture bearing date November 21, 1799, and recorded in the office for the recording of deeds in and for the said Delaware County, at Media, in Deed Book E, page 151, granted and conveyed unto the United States of America, in fee.

SEC. 2. This land is hereby transferred and assigned to the Commonwealth of Pennsylvania as a gift for the purpose of adding it to the memorial park known as Governor Printz Park, which the said Commonwealth has established on land adjacent to the above-described land in the said township of Tinicum, county of Delaware, and which park memorializes the site of the establishment of the first white settlement, first law courts, first schools, and first churches in Pennsylvania.

SEC. 3. In order to carry out the purpose and intent of this act the Secretary of the Interior and other officers of the United States of America are hereby authorized and directed to make, execute, and deliver to the said Commonwealth of Pennsylvania such deeds, grants, and conveyances as may be necessary to vest title to the said lands in the Commonwealth of Pennsylvania in fee simple.

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.

DEPOSIT AND INVESTMENT OF INDIAN FUNDS

The Clerk called the next bill, S. 2163, to authorize the deposit and investment of Indian funds.

Mr. WOLCOTT. Reserving the right to object, Mr. Speaker, it seems to me the department is defeating its purpose in the enactment of this bill. Under the Federal Deposit Insurance Act, as I understand it, if these Indian funds are transferred from the Federal Treasury and deposited in any bank, they will then be insured only up to $5,000. If that bank happens to close no preference is given to these funds. I notice the bill provides that permission is granted to deposit these funds in banks without segregating the shares of each individual member. I believe it is a very dangerous thing to take these Indian funds from a safe depository, such as the Treasury of the United States, and put them into a depository of doubtful safety. I have no particular objection to the investment of these funds in Federally guaranteed bonds, but I do believe the first provision should be deleted.

For that reason, Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

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

There was no objection.

APACHE TRIBE OF THE MESCALERO RESERVATION, N. MEX.

The Clerk called the next bill, S. 2827, to authorize the purchase of certain lands for the Apache Tribe of the Mescalero Reservation, N. Mex.

Mr. TABER. Reserving the right to object, Mr. Speaker, I have tried to get a copy of this bill but have been unable to do so. I shall have to ask someone to explain it.

Mr. Speaker, in the absence of an explanation, I ask unanimous consent that the bill may be passed over without prejudice.

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

There was no objection.

SHOSHONE (WIND RIVER) INDIAN RESERVATION

The Clerk called the next bill, S. 3415, to purchase certain private lands within the Shoshone (Wind River) Indian Reservation.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That upon conveyance to the United States of America in trust for the Indians of the Shoshone (Wind River) Reservation, Wyo., of title, satisfactory to the Secretary of the Interior, to the lands described below, the Secretary of the Treasury is hereby authorized and directed to pay to A. L. Simpson, out of any money in the Treasury not otherwise appropriated, the sum of $2,700: The northeast quarter northwest quarter section 26, southeast quarter southwest quarter section 23, and a tract beginning at the southwest corner of the southeast quarter northwest quarter section 23; thence north 1,042 feet; thence south 46°51′ east approximately 907.3 feet to the east line of the west half southeast quarter northwest quarter section 23; thence south to the southeast corner of the southwest quarter southeast quarter northwest quarter section 23; thence west to the point of beginning, all being in township 1 south, range 3 east. Wind River meridian, Wyoming, containing approximately 91.107 acres.

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.

COLORADO-BIG THOMPSON PROJECT

The Clerk called the next bill, H. R. 10713, providing that excess-land provisions of Federal reclamation laws shall not apply to certain lands that will receive a supplemental water supply from the Colorado-Big Thompson project.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. COSTELLO. Mr. Speaker, I ask that the bill (S. 4027) providing that excess-land provisions of Federal reclamation laws shall not apply to certain lands that will receive a supplemental water supply from the Colorado-Big Thompson project may be considered in lieu of the House bill.

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the excess-land provisions of the Federal reclamation laws shall not be applicable to lands which now have an irrigation water supply from sources other than a Federal reclamation project and which will receive a supplemental supply from the Colorado-Big Thompson project.

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 (H. R. 10713) was laid on the table.

AMENDMENT OF THE FEDERAL CROP INSURANCE ACT

The Clerk called the joint resolution (H. J. Res. 705) to amend the Federal Crop Insurance Act.

Mr. TABER. Reserving the right to object, Mr. Speaker, what is the object of this bill?

Mr. JONES. The object of this bill is to permit in respect of insurance matters that every farmer may pay his premiums for 2 years. If the farmer happens to have a good crop year and wants to pay his premium for 2 years he will be permitted to pay the premium for not only the current year but the succeeding year. That is the way we have amended it. The suggestion was made that the farmer be permitted to pay the premiums for any number of years, but the committee thought it should be limited to 2 years.

Mr. TABER. Does the farmer get a lower rate, or what?

Mr. JONES. No, he just pays a certain percentage of the production of wheat, depending upon the number of bushels for which he insures. He can pay it in either wheat or cash, but it may be paid on the basis of the average production of that area.

This would simply permit him to pay 2 years, if he wanted to, when he happened to have a crop.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. JONES. Mr. Speaker, there is a similar Senate bill (S. 4076), passed without this limitation, and I ask unanimous consent that the Senate bill may be considered in lieu of the House bill with an amendment to the Senate bill making it conform with the House bill.

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

There was no objection.

The Clerk read the Senate bill (S. 4076), as follows:

Be it enacted, etc., That section 508 (a) of the Federal Crop Insurance Act (title V of Public, No. 430, 75th Cong.), approved February 16, 1938, is hereby amended by striking out the period at the end of the first sentence thereof and inserting in lieu thereof a colon and the following: "*Provided further*, That the Corporation may, upon such terms and conditions as it shall determine, accept payments from producers in any year to be applied toward premiums on their insurance contracts for future years."

Mr. JONES. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JONES: On page 1, line 11, after the word "for", strike out the words "future years" and insert "the current and next succeeding year."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill was laid on the table.

The Clerk called the joint resolution (H. J. Res. 710) to prescribe the acreage allotments for wheat for 1939.

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

Mr. JONES. Mr. Speaker, will the gentleman yield a moment on that?

Mr. CASE of South Dakota. Yes.

Mr. JONES. The expression here does not state the purpose of the bill. This simply fixes a minimum. It does not fix the amount, but fixes a minimum below which the allotment cannot go.

Mr. CASE of South Dakota. I have the bill before me and what I am afraid of is that the minimum fixed will become the maximum.

Mr. JONES. If the gentleman will permit an explanation, there is a formula in the bill under which, if there is a big crop, and it looks like there might be a big crop this year, it would force the acreage down to forty or forty-five million acres, which is too big a cut.

Mr. CASE of South Dakota. I would like to see an amendment to provide that in the distribution of the acreage allotment of the proposed 52,000,000 acres, or whatever it may be, that market classifications be recognized so that proportionate cuts could be made in accordance with the true sources of wheat surplus, if any. Within the past week, the wheat people from Minnesota, North Dakota, and South Dakota have been meeting with respect to the problem that confronts them in applying acreage allotments to the hard wheats. They contend that the hard wheats do not create the surplus of the country, and unless I can be assured the gentleman will offer some amendment that will provide protection to the hard wheat growers, I shall be obliged to object.

Mr. JONES. We would not want to start at this time making any changes that would be a matter of administration. That would be something that should be covered by the terms of the bill. I may say that the gentleman may find himself in this position, and this is one reason I am anxious about the matter. Under the formula in the bill we might find ourselves cut to forty or forty-five million acres, according to the interpretation of the Department, at least, and we would have a good deal larger cut than if we would say the cut should not be below 52,000,000 acres. We will not be any worse off and the only effect of this would be to lift the acreage allotment in the event the formula would make it too low.

Mr. CASE of South Dakota. Would not the gentleman be willing to have the bill go over so we can consider the matter further? This is a very complex matter and a very important one. It seems to me that it should not be passed after 10:30 at night without any debate.

Mr. JONES. We are expecting to adjourn shortly, and this would have to be passed by the Senate.

Mr. BOILEAU. Mr. Speaker, if the gentleman will permit, it was reported to the committee that, unless this bill was passed, the matter the gentleman is fearful about would be exaggerated, and the intention was to relieve the very situation about which the gentleman complains. In other words, unless we do pass this bill, you will have only about 44,000,000 acres the following year. This puts it up to 52,000,000 acres.

Mr. CASE of South Dakota. The growers at least will then have an opportunity to say whether they want to reduce or not. What will be the benefit payments? Will they be correspondingly adjusted?

Mr. JONES. They will not be affected. There will not be quotas unless the farmers vote it, but if the situation develops where they have quotas, and you drive down to 44,000,000 acres, you will have run yourself into a jam.

Mr. CASE of South Dakota. Is there objection to letting this bill go over until tomorrow? It has just been reported out; it is very controversial and it deserves consideration from many angles.

Mr. JONES. The Consent Calendar may not be called again. We have three or four conference reports, and the wage and hour bill coming in, next week, and this bill has to go through the Senate.

Mr. CASE of South Dakota. Today I received a letter from one man who said that if we could do something to protect the hard-wheat growers we would do more for that country than the whole relief program can do. Unless I can be assured of your being willing to go over until we have an opportunity to know what the bill does, and whether there is any way to protect the wheat growers in the hard-wheat country, I shall have to object.

Mr. JONES. That would not be germane to this.

Mr. CASE of South Dakota. It all deals with allotment of wheat acreage.

Mr. BOILEAU. As I understand it, this year there are 79,000,000 acres; and, unless we do something about it, next year it will be cut from 79,000,000 acres to 44,000,000 acres. The purpose of this amendment is to give you greater acreage, and that is why the members of the committee voted out the bill.

The SPEAKER pro tempore. Is there objection?

Mr. CASE of South Dakota. Mr. Speaker, I object.

GEORGE J. LEATHERWOOD

Mr. BARDEN. Mr. Speaker, I ask unanimous consent to return to Calendar No. 1078, S. 1987, for the relief of George J. Leatherwood.

The SPEAKER pro tempore. Is there objection?

Mr. O'BRIEN of Illinois. I object.

TRIBAL AFFAIRS, OSAGE INDIANS OF OKLAHOMA

Mr. DISNEY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 4036) relating to the tribal and individual affairs of the Osage Indians of Oklahoma.

The SPEAKER pro tempore. Is there objection?

Mr. TABER. Mr. Speaker, I reserve the right to object. It was understood that we should have no business except that particularly specified tonight.

Mr. WOLCOTT. Mr. Speaker, the gentleman from Oklahoma [Mr. DISNEY] and the gentleman from North Dakota each has a bill which I understand was inadvertently left off the calendar. It was to go on the calendar today. The calendar was printed yesterday. They came to us and told us the situation and we gave our consent as much as we could that they could bring it up, because it was eligible to be on the calendar.

Mr. TABER. What does the bill do?

Mr. DISNEY. Mr. Speaker, the gentleman from Michigan [Mr. WOLCOTT] is not quite correct about this being inadvertently left off the calendar. I asked the Speaker's permission to call it up because I have to be away probably the rest of the session. It is not inadvertently left off the calendar. The report was made today. It is an accommodation to me personally.

Mr. WOLCOTT. I had been informed that it was eligible to be on the calendar.

Mr. DISNEY. I understand that. The bill provides for the administrative management of the Osage Indians.

Mr. TABER. Is there any charge against the Government?

Mr. DISNEY. No; it is the Indians' own money.

Mr. TABER. The expenditure of tribal funds?

Mr. DISNEY. Yes.

Mr. TABER. To what extent?

Mr. DISNEY. It provides that the Secretary of the Interior may pay taxes from the individual funds on his unrestricted land at the discretion of the Secretary of the Interior. That is the substance of the first section. The second section relates to the segregation of not over 160 acres of land for homestead purposes.

Mr. TABER. Did the Indian Bureau approve it?

Mr. DISNEY. Yes.

Mr. O'MALLEY. When did the Committee on Indian Affairs report out that bill?

Mr. DISNEY. The committee was polled today.

Mr. O'MALLEY. The committee was polled?

Mr. DISNEY. Yes.

Mr. O'MALLEY. I may say to the gentleman that I am a member of the committee and I was not polled.

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

Mr. TABER. Mr. Speaker, I must object.

EXTENSION OF REMARKS

Mr. O'MALLEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD at the point where I objected to the bill (H. R. 10306), and to include therein and at that point the committee report on that bill.

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

There was no objection.

Mr. O'MALLEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a letter from the Central Labor Union, a proposed amendment by the labor union, and a letter from the American Federation of Labor on the taxicab-liability law, conference report on which was filed today.

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

There was no objection.

Mr. VOORHIS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein three short quotations.

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

There was no objection.

GEORGE J. LEATHERWOOD

Mr. BARDEN. Mr. Speaker, I ask unanimous consent to return to Calendar No. 1078, and for the present consideration of the bill, S. 1987, for the relief of George J. Leatherwood.

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

There was no objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted etc. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to George J. Leatherwood, the sum of $750, in full settlement of all claims against the United States on account of an injury sustained by him at Murphy, N. C., on or about the 7th day of October 1930, in an attempt to assist in apprehending Jess McPherson, Walter Bryson, and Casey Bryson, who had robbed a post office at Coker Creek, Tenn., the said George J. Leatherwood having been summoned by A. M. Carringer, chief of police at Murphy, N. C., to assist in the apprehension of said robbers: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, after the name "Leatherwood", insert a comma and the words "of Murphy, N. C."

Page 1, line 8, strike out the words "or about."

Page 1, line 9, strike out the words "in an attempt to assist in apprehending" and insert "while assisting in the apprehension of."

Page 1, line 12, after the word "summoned", insert "and deputized."

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.

EXTENSION OF REMARKS

Mr. PHILLIPS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein correspondence and a newspaper article on the subject of planetarium.

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

There was no objection.

SENATE BILLS AND JOINT RESOLUTION REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2165. An act to amend the act entitled "An act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes; to the Committee on the Judiciary.

S. 2412. An act for the relief of A. Pritzker & Sons, Inc.; to the Committee on Claims.

S. 2651. An act to name the bridge to be erected over the Anacostia River in the District of Columbia after the late "March King," John Philip Sousa, composer of the Stars and Stripes Forever; to the Committee on the District of Columbia.

S. 2702. An act for the relief of James A. Ellsworth; to the Committee on Claims.

S. 2750. An act to amend the Packer and Stockyards Act, 1921; to the Committee on Agriculture.

S. 2792. An act to authorize the withdrawal of national-forest lands for the protection of watersheds from which water is obtained for municipalities, and for other purposes; to the Committee on Agriculture.

S. 2811. An act to amend the Judicial Code by adding thereto a new section, to be numbered 659 (1), relating to the certification, authentication, and use in evidence of documents of record or on file in public offices in the state of Vatican City; to the Committee on the Judiciary.

S. 2844. An act relating to the disposition of certain funds held by the State of Mississippi on behalf of veterans of the Spanish-American War; to the Committee on War Claims.

S. 2854. An act conferring jurisdiction upon the Court of Claims to hear and determine the claims of the Prairie Band or Tribe of Pottawatomie Indians of Kansas and Wisconsin against the United States; to the Committee on Indian Affairs.

S. 2927. An act to regulate the times and places of holding court in Oklahoma; to the Committee on the Judiciary.

S. 3048. An act authorizing the Secretary of Commerce to convey a certain tract of land to the State of Oregon for use as a public park and recreational site; to the Committee on Merchant Marine and Fisheries.

S. 3062. An act for the relief of Thomas H. Eckfeldt; to the Committee on Claims.

S. 3132. An act granting to certain needy persons the right to obtain fuel from lands of the agricultural experiment station near Miles City, Mont.; to the Committee on Agriculture.

S. 3157. An act to empower the President of the United States to create new national forest units and make additions to existing national forests in the State of Montana; to the Committee on Public Lands.

S. 3203. An act to amend the act entitled "An act for the retirement of employees of the Alaska Railroad, Territory of Alaska, who are citizens of the United States," approved June 29, 1936, and for other purposes; to the Committee on Civil Service.

S. 3225. An act for the relief of Otto C. Asplund; to the Committee on Claims.

S. 3230. An act to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and acts amendatory thereof and supplementary thereto; to the Committee on the Judiciary.

S. 3251. An act for the relief of Alice Minnick; to the Committee on Claims.

S. 3265. An act for the relief of the officers of the Russian Railway Service Corps organized by the War Department under authority of the President of the United States for service during the war with Germany; to the Committee on Military Affairs.

S. 3283. An act to authorize the Secretary of the Interior to place certain records of Indian tribes of Nebraska with the Nebraska State Historical Society at Lincoln, Nebr., under rules and regulations to be prescribed by him; to the Committee on Indian Affairs.

S. 3286. An act to authorize the addition of certain lands to the Wenatchee National Forest; to the Committee on Public Lands.

S. 3292. An act to afford an opportunity of selection and promotion to certain officers of the United States Naval Academy, class of 1909; to the Committee on Naval Affairs.

S. 3337. An act to amend section 2 of the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1919, and for other purposes," approved July 1, 1918, to increase the authorized percentage of privates, first-class, in the Marine Corps from 25 to 40 percent of the whole number of privates; to the Committee on Naval Affairs.

S. 3405. An act conferring jurisdiction upon the Court of Claims of the United States to hear, examine, adjudicate, and render judgment on the claim of the legal representative of the estate of Rexford M. Smith; to the Committee on Claims.

S. 3493. An act providing for the suspension of annual assessment work on mining claims held by location in the United States; to the Committee on Mines and Mining.

S. 3503. An act to liberalize the laws providing pensions for veterans and the dependents of veterans of the Regular Establishment for disabilities or deaths incurred or aggravated in line of duty other than in wartime; to the Committee on Pensions.

S. 3513. An act to authorize the Chief of Engineers of the Army to enter into agreements with local governments adjacent to the District of Columbia for the use of water for purposes of fire fighting only; to the Committee on Military Affairs.

S. 3517. An act for the relief of David B. Monroe; to the Committee on Military Affairs.

S. 3548. An act to amend section 9 of the Civil Service Retirement Act, approved May 29, 1930, as amended; to the Committee on the Civil Service.

S. 3682. An act for the relief of Lofts & Son; to the Committee on Claims.

S. 3694. An act to provide for the issuance of a license to practice the healing art in the District of Columbia to Dr. Sigfried Speyer; to the Committee on the District of Columbia.

S. 3706. An act to establish and promote the use of standard methods of grading cottonseed, to provide for the collection and dissemination of information on prices and grades of cottonseed and cottonseed products, and for other purposes; to the Committee on Agriculture.

S. 3708. An act for the relief of Jack Lecel Haas; to the Committee on Naval Affairs.

S. 3745. An act to amend Public Law No. 383, Seventy-third Congress (48 Stat. L. 984), relating to Indians, by exempting from the provisions of such act any Indian tribe on the Standing Rock Reservation located in the States of North and South Dakota; to the Committee on Indian Affairs.

S. 3763. An act to increase the period for which leases may be made for grazing and agricultural purposes of public lands donated to the States of North Dakota, South Dakota, Montana, and Washington by the act of February 22, 1889, as amended; to the Committee on Public Lands.

S. 3787. An act awarding a Navy Cross to Hector Mercado; to the Committee on Naval Affairs.

S. 3805. An act to adjust the lineal positions on the Navy list of certain officers of the Supply Corps of the United States Navy; to the Committee on Naval Affairs.

S. 3817. An act for the relief of John Haslam; to the Committee on Claims.

S. 3830. An act for the relief of William C. Willahan; to the Committee on Claims.

S. 3886. An act for the relief of Otis M. Culver, Samuel E. Abbey, Robert E. Patterson, and Joseph Reger; to the Committee on Military Affairs.

S. 3891. An act to provide for the reimbursement of certain enlisted men of the Navy for the value of personal effects lost in a fire at the Naval Air Station, Hampton Roads, Va., May 15, 1936; to the Committee on Claims.

S. 3916. An act for the relief of George Francis Burke; to the Committee on Military Affairs.

S. 3921. An act for the relief of Remijio Ortiz; to the Committee on Claims.

S. 3938. An act to authorize the transfer to the jurisdiction of the Secretary of the Treasury of portions of the property within the military reservation known as the Morehead City Target Range, N. C., for the construction of improvements thereon, and for other purposes; to the Committee on Military Affairs.

S. 3969. An act to amend section 23 of the act of March 4, 1909, relating to copyrights; to the Committee on Patents.

S. 3986. An act to amend subsection (d) of section 202 of the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture.

S. 3989. An act to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Arrow Rock, Mo.; to the Committee on Interstate and Foreign Commerce.

S. 4005. An act for the relief of Ida May Swartz; to the Committee on Claims.

S. 4007. An act authorizing the county of Lawrence, Ky., to construct, maintain, and operate a free highway bridge across the Big Sandy River at or near Louisa, Ky.; to the Committee on Interstate and Foreign Commerce.

S. 4011. An act to extend the time for completing the construction of a bridge across the Mississippi River at or near a point between Cherokee and Osage Streets, St. Louis, Mo.; to the Committee on Interstate and Foreign Commerce.

S. 4048. An act to amend section 4197, of the Revised Statutes, as amended (46 U. S. C. 91), and section 4200 of the Revised Statutes (46 U. S. C. 92), and for other purposes; to the Committee on Merchant Marine and Fisheries.

S. 4069. An act to authorize the Secretary of War to lend certain property to the Reunion Committee of the United Confederate Veterans to be used at their annual encampment to be held at Columbia, S. C., from August 30 to September 2, 1938; to the Committee on Military Affairs.

S. 4070. An act to authorize the attendance of the Marine Band at the United Confederate Veterans' 1938 Reunion at Columbia, S. C., from August 30 to September 2, 1938, both dates inclusive; to the Committee on Military Affairs.

S. 4076. An act to amend the Federal Crop Insurance Act; to the Committee on Agriculture.

S. 4096. An act to authorize the erection within the Canal Zone of a suitable memorial to the builders of the Panama Canal and others whose distinguished services merit recognition by the Congress; to the Committee on Merchant Marine and Fisheries.

S. 4132. An act limiting the hours of labor of certain officers and seamen on certain vessels navigating the Great Lakes and adjacent waters; to the Committee on Merchant Marine and Fisheries.

S. J. Res. 212. Joint resolution to investigate the claims against the United States of certain members of the Wisconsin Band of Pottawatomie Indians; to the Committee on Indian Affairs.

ENROLLED BILLS SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 7560. An act to authorize alterations and repairs to certain naval vessels, and for other purposes;

H. R. 8673. An act for the relief of certain persons at certain projects of the Farm Security Administration, United States Department of Agriculture;

H. R. 9014. An act to authorize the conveyance to the Lane S. Anderson Post, No. 297, Veterans of Foreign Wars of the United States, of a parcel of land at lock No. 6, Kanawha River, South Charleston, W. Va.;

H. R. 9610. An act to amend the National Firearms Act;

H. R. 10076. An act to create the White County Bridge Commission; defining the authority, power, and duties of said commission; and authorizing said commission and its successors and assigns to purchase, maintain, and operate a bridge across the Wabash River at or near New Harmony, Ind.;

H. R. 10261. An act creating the Arkansas - Mississippi Bridge Commission; defining the authority, power, and duties of said commission; and authorizing said commission and its successors and assigns to construct, maintain, and operate a bridge across the Mississippi River at or near Friar Point, Miss., and Helena, Ark., and for other purposes;

H. R. 10459. An act to amend certain provisions of law relative to the production of wines, brandy, and fruit spirits so as to remove therefrom certain unnecessary restrictions; to facilitate the collection of internal-revenue taxes thereupon; and to provide abatement of certain taxes upon wines, brandy, and fruit spirits where lost or evaporated while in the custody and under the control of the Government without any fault of the owner; and

H. R. 10722. An act to authorize the attendance of the Marine Band at the National Encampment of the Grand Army of the Republic to be held at Des Moines, Iowa, September 4 to 8, inclusive, 1938.

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 2532. An act for the relief of Mr. and Mrs. Guy R. Syth;

S. 2876. An act for the relief of Mark H. Doty;

S. 3079. An act for the relief of George W. Breckenridge;

S. 3227. An act for the relief of Mr. and Mrs. Chester A. Smith; and

S. 3512. An act for the relief of Elizabeth Cory.

BILLS AND JOINT RESOLUTIONS 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 joint resolutions of the House of the following titles:

H. R. 1252. An act for the relief of Ellen Kline;

H. R. 1476. An act for the relief of Mrs. W. E. Bouchey;

H. R. 1737. An act for the relief of Marie Frantzen McDonald;

H. R. 1744. An act for the relief of Grant H. Pearson, G. W. Pearson, John C. Rumohr, and Wallace Anderson;

H. R. 2347. An act for the relief of Drs. M. H. DePass and John E. Maines, Jr., and the Alachua County Hospital;

H. R. 3313. An act for the relief of William A. Fleek;

H. R. 4033. An act for the relief of Antonio Masci;

H. R. 4232. An act for the relief of Barber-Hoppen Corporation;

H. R. 4304. An act for the relief of Hugh O'Farrell, and the estate of Thomas Gaffney;

H. R. 4544. An act to divide the funds of the Chippewa Indians of Minnesota between the Red Lake Band and the remainder of the Chippewa Indians of Minnesota, organized as the Minnesota Chippewa Tribe;

H. R. 4668. An act for the relief of James Shimkunas;

H. R. 5166. An act to relinquish the title or interest of the United States in certain lands in Houston (formerly Dale) County, Ala., in favor of Jesse G. Whitfield or other lawful owners thereof;

H. R. 5592. An act to amend an act entitled "An act extending the homestead laws and providing for right-of-way for railroads in the District of Alaska, and for other purposes," approved May 14, 1898 (30 Stat. 409, 414);

H. R. 5904. An act for the relief of L. P. McGown;

H. R. 5957. An act for the relief of LeRoy W. Henry;

H. R. 6243. An act to authorize a survey of the old Indian trail and the highway known as "Oglethorpe Trail" with a view of constructing a national roadway on this route to be known as "The Oglethorpe National Trail and Parkway";

H. R. 6404. An act for the relief of Martin Bevilacque;

H. R. 6508. An act for the relief of Gladys Legrow;

H. R. 6646. An act for the relief of Dr. A. J. Cottrell;

H. R. 6689. An act for the relief of George Rendell, Alice Rendell, and Mabel Rendell;

H. R. 6847. An act for the relief of the Berkeley County Hospital and Dr. J. N. Walsh;

H. R. 6936. An act for the relief of Joseph McDonnell;

H. R. 6950. An act for the relief of Andrew J. McGarraghy;

H. R. 7040. An act for the relief of Forest Lykins;

H. R. 7421. An act for the relief of E. D. Frye;

H. R. 7548. An act for the relief of J. Lafe Davis and the estate of Mrs. J. Lafe Davis;

H. R. 7560. An act to authorize alterations and repairs to certain naval vessels, and for other purposes;

H. R. 7590. An act to quiet title and possession to certain islands in the Tennessee River in the counties of Colbert and Lauderdale, Ala.;

H. R. 7639. An act for the relief of Al D. Romine and Ann Romine;

H. R. 7734. An act conferring jurisdiction upon the United States District Court for the Southern District of Ohio to hear, determine, and render judgment upon the claim of A. L. Eldridge;

H. R. 7761. An act for the relief of Sibbald Smith;

H. R. 7817. An act for the relief of C. G. Bretting Manufacturing Co.;

H. R. 7834. An act to amend the act entitled "An act to provide compensation for disability or death resulting from injuries to employees in certain employments in the District of Columbia, and for other purposes";

H. R. 7855. An act for the relief of Frieda White;

H. R. 7880. An act to amend the Veterans' Regulation No. 10, pertaining to "line of duty" for peacetime veterans, their widows and dependents, and for other purposes;

H. R. 7933. An act to facilitate the control of soil erosion and/or flood damage originating upon lands within the exterior boundaries of the San Bernardino and Cleveland National Forests in Riverside County, Calif.;

H. R. 7998. An act for the relief of the First National Bank & Trust Co. of Kalamazoo, Kalamazoo, Mich.;

H. R. 8134. An act to quiet title and possession to certain lands in the Tennessee River in the counties of Colbert and Lauderdale, Ala.;

H. R. 8192. An act for the relief of Herbert Joseph Dawson;

H. R. 8193. An act for the relief of the Long Bell Lumber Co.;

H. R. 8252. An act to quiet title and possession to a certain island in the Tennessee River in the county of Lauderdale, Ala.;

H. R. 8376. An act for the relief of James D. Larry, Sr.;

H. R. 8543. An act for the relief of Earl J. Lipscomb;

H. R. 8565. An act defining the compensation of persons holding positions as deputy clerks and commissioners of United States district courts, and for other purposes;

H. R. 8665. An act to amend section 3336 of the Revised Statutes, as amended, pertaining to brewers' bonds, and for other purposes;

H. R. 8673. An act for the relief of certain persons at certain projects of the Farm Security Administration, United States Department of Agriculture;

H. R. 8729. An act granting pensions and increases of pensions to needy war veterans;

H. R. 8773. An act to authorize the Secretary of the Interior to dispose of surplus buffalo and elk of the Wind Cave National Park herd, and for other purposes;

H. R. 8794. An act to provide for holding terms of the District Court of the United States for the Eastern District of Virginia at Newport News, Va.;

H. R. 8835. An act for the relief of Fred H. Kocor;

H. R. 8916. An act for the relief of N. W. Ludowese;

H. R. 9014. An act to authorize the conveyance to the Lane S. Anderson Post No. 297, Veterans of Foreign Wars of the United States, of a parcel of land at lock No. 6, Kanawha River, South Charleston, W. Va.;

H. R. 9200. An act for the relief of Filomeno Jiminez and Felicitas Dominguez;

H. R. 9201. An act for the relief of the Federal Land Bank of Berkeley, Calif., and A. E. Colby;

H. R. 9203. An act for the relief of certain postmasters and certain contract employees who conducted postal stations;

H. R. 9214. An act for the relief of C. O. Hall;

H. R. 9227. An act to amend an act entitled "An act to authorize boxing in the District of Columbia, and for other purposes";

H. R. 9287. An act to authorize the Cairo Bridge Commission, or the successors of said Commission, to acquire by purchase, and to improve, maintain, and operate a toll bridge across the Mississippi River at or near Cairo, Ill.;

H. R. 9371. An act authorizing the grant of a patent for certain lands in New Mexico to Mitt Taylor;

H. R. 9374. An act for the relief of the Robert E. Lee Hotel;

H. R. 9404. An act to provide for the establishment of a commissary or vending stand in the Washington asylum and jail;

H. R. 9417. An act to amend the District of Columbia Alcoholic Beverage Control Act;

H. R. 9468. An act to amend the act of May 13, 1936, providing for terms of the United States district court at Wilkes-Barre, Pa.;

H. R. 9475. An act to create a commission to procure a design for a flag for the District of Columbia, and for other purposes;

H. R. 9523. An act to add certain lands to the Ochoco National Forest, Oreg.;

H. R. 9557. An act to authorize the Secretary of Commerce to dispose of material of the Bureau of Lighthouses to the sea scout department of the Boy Scouts of America;

H. R. 9610. An act to amend the National Firearms Act;

H. R. 9611. An act to permit sales of surplus scrap materials of the Navy to certain institutions of learning;

H. R. 9683. An act to amend the act of June 25, 1910, relating to the construction of public buildings, and for other purposes;

H. R. 9707. An act to authorize the conveyance of the old lighthouse keeper's residence in Manitowoc, Wis., to the Otto Oas Post, No. 659, Veterans of Foreign Wars of the United States, Manitowoc, Wis.;

H. R. 9848. An act to require that horses and mules belonging to the United States which have become unfit for service be destroyed or put to pasture;

H. R. 9933. An act to authorize the United States Golden Gate International Exposition Commission to produce and sell certain articles, and for other purposes;

H. R. 9975. An act to extend the times for commencing and completing the construction of a bridge over Lake Sabine at or near Port Arthur, Tex.;

H. R. 9983. An act authorizing the city of Greenville, Miss., and Washington County, Miss., singly or jointly, to construct, maintain, and operate a toll bridge across the Mississippi River from a point at or near the city of Greenville, Washington County, Miss., to a point at or near Lake Village, Chicot County, Ark.;

H. R. 10075. An act to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Brownville, Nebr.;

H. R. 10076. An act to create the White County Bridge Commission; defining the authority, power, and duties of said commission; and authorizing said commission and its successors and assigns to purchase, maintain, and operate a bridge across the Wabash River at or near New Harmony, Ind.;

H. R. 10154. An act to authorize the Secretary of War to lend War Department equipment for use at the 1938 National Encampment of Veterans of Foreign Wars of the United States to be held in Columbus, Ohio, from August 21 to August 26, 1938;

H. R. 10155. An act to permit articles imported from foreign countries for the purpose of exhibition at the Seventh World's Poultry Congress and Exposition, Cleveland, Ohio, 1939, to be admitted without payment of tariff, and for other purposes;

H. R. 10261. An act creating the Arkansas-Mississippi Bridge Commission; defining the authority, power, and duties of said commission; and authorizing said commission and its successors and assigns to construct, maintain, and operate a bridge across the Mississippi River at or near Friar Point, Miss., and Helena, Ark.; and for other purposes;

H. R. 10275. An act to extend the times for commencing and completing the construction of a bridge and causeway across the water between the mainland, at or near Cedar Point and Dauphin Island, Ala.;

H. R. 10297. An act to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Rulo, Nebr.;

H. R. 10312. An act to amend section 3 of the act entitled "An act to protect the lives and health and morals of women and minor workers in the District of Columbia, and to establish a Minimum Wage Board, and to define its powers and duties, and to provide for the fixing of minimum wages for such workers, and for other purposes", approved September 19, 1918 (40 Stat. 960, 65th Cong.);

H. R. 10455. An act to authorize the Secretary of War to proceed with the construction of certain public works in connection with the War Department in the District of Columbia;

H. R. 10459. An act to amend certain provisions of law relative to the production of wines, brandy, and fruit spirits so as to remove therefrom certain unnecessary restrictions; to facilitate the collection of internal-revenue taxes thereupon; and to provide abatement of certain taxes upon wines, brandy, and fruit spirits where lost or evaporated while in the custody and under the control of the Government without any fault of the owner;

H. R. 10462. An act to amend the act entitled "An act creating the Mount Rushmore National Memorial Commission and defining its purposes and powers," approved February 25, 1929, as amended;

H. R. 10488. An act to provide for allowing to the Gem Irrigation District and Ontario-Nyssa Irrigation District of the Owyhee project terms and payment dates for charges deferred under the Reclamation Moratorium Acts similar to those applicable to the deferred construction charges of other projects under said acts, and for other purposes;

H. R. 10530. An act to extend for 2 additional years the 3½-percent interest rate on certain Federal land-bank loans, and to provide for a 4-percent interest rate on land bank commissioner's loans until July 1, 1940;

H. R. 10611. An act to extend the times for commencing and completing the construction of a bridge across the Coosa River at or near Gilberts Ferry in Etowah County, Ala.;

H. R. 10643. An act to amend the act of August 9, 1935 (Public, No. 259, 74th Cong., 1st sess.);

H. R. 10652. An act to provide for the ratification of all joint resolutions of the Legislature of Puerto Rico and of the former legislative assembly;

H. R. 10673. An act to exempt the property of the Young Women's Christian Association in the District of Columbia from national and municipal taxation;

H. R. 10722. An act to authorize the attendance of the Marine Band at the national encampment of the Grand Army of the Republic to be held at Des Moines, Iowa, September 4 to 8, inclusive, 1938;

H. R. 10737. An act to authorize the Secretary of War to grant rights-of-way for highway purposes and necessary storm sewer and drainage ditches incident thereto upon and across Kelly Field, a military reservation in the State of Texas; to authorize an appropriation for construction of the road, storm sewer, drainage ditches, and necessary fence lines;

H. J. Res. 582. Joint resolution supplementing and amending the act for the incorporation of Washington College of Law, organized under and by virtue of a certificate of incorporation pursuant to class 1, chapter 18, of the Revised Statutes of the United States relating to the District of Columbia;

H. J. Res. 631. Joint resolution to provide for the erection of a monument to the memory of Gen. Peter Gabriel Muhlenberg;

H. J. Res. 655. Joint resolution amending paragraph (4) of subsection (n) of section 12B of the Federal Reserve Act, as amended;

H. J. Res. 658. Joint resolution for the designation of a street or avenue to be known as "Maine Avenue"; and

H. J. Res. 672. Joint resolution for the designation of a street to be known as "Oregon Avenue," and for other purposes.

ADJOURNMENT

Mr. COOPER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 47 minutes p. m.) the House adjourned until tomorrow, Saturday, June 11, 1938, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1424. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to provide and maintain an adequate supply of suitable seed for production of food for the population of Hawaii in times of emergency, was taken from the Speaker's table and referred to the Committee on Agriculture.

1425. A letter from the Secretary of War, transmitting a draft of a bill to amend and clarify the provisions of the act of June 15, 1936 (49 Stat. 1507), and for other purposes, was taken from the Speaker's table and referred to the Committee on Military Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. DIES: Committee on Rules. House Resolution 524. Resolution providing for the consideration of S. 3104, an act for the payment of awards and appraisals heretofore made in favor of citizens of the United States on claims presented under the General Claims Convention of September 8, 1923, United States and Mexico; without amendment (Rept. No. 2676). Referred to the House Calendar.

Mr. O'CONNOR of New York: Committee on Rules. House Resolution 92. Resolution authorizing the Speaker to appoint a committee of seven Members of the House of Representatives to investigate the allegations and charges that a monopoly or monopolies exist in radio broadcasting; without amendment (Rept. No. 2678). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 498. Resolution providing for an investigation and study of the Committee on Merchant Marine and Fisheries; without amendment (Rept. No. 2679). Referred to the House Calendar.

Mr. COX: Committee on Rules. House Resolution 526. A resolution providing for the consideration of House Joint Resolution 671, to create a Bureau of Fine Arts in the Department of the Interior for the promotion of art and literature through the use of copyrighted and copyrightable material and to define the powers and duties of said bureau, and for other purposes; without amendment (Rept. No. 2680). Referred to the House Calendar.

Mr. RAMSPECK: Committee on the Civil Service. S. 3525. An act to amend the act entitled "An act to extend the benefits of the Civil Service Retirement Act of May 29, 1930, as amended, to certain employees in the legislative and judicial branches of the Government," approved July 13, 1937; with amendment (Rept. No. 2682). Referred to the Committee of the Whole House on the state of the Union.

Mr. RAMSPECK: Committee on the Civil Service. House Joint Resolution 551. Joint resolution providing compensation for certain employees; with amendment (Rept. No. 2683). Referred to the Committee of the Whole House on the state of the Union.

Mr. SWEENEY: Committee on the Post Office and Post Roads. House Joint Resolution 663. Joint resolution to provide for the operation of the Peru & Indianapolis Railway post office by motor vehicle over the public highways; without amendment (Rept. No. 2690). Referred to the Committee of the Whole House on the state of the Union.

Mr. DEROUEN: Committee on the Public Lands. S. 3890. An act to extend the provisions of the act of June 8, 1906 (34 Stat. 225), entitled "An act for the preservation of American antiquities," and for other purposes; with amendment (Rept. No. 2691). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROMJUE: Committee on the Post Office and Post Roads. H. R. 9803. A bill to extend to custodial service employees employed by the Post Office Department certain benefits applicable to postal employees; with amendment (Rept. No. 2692). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHANDLER: Committee on the Judiciary. H. R. 10753. A bill to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States" approved July 1, 1898, and acts mendatory thereof and supplementary thereto; without amendment (Rept. No. 2693). Referred to the House Calendar.

Mr. MALONEY: Committee on Interstate and Foreign Commerce. H. R. 10620. A bill to remove existing reductions in compensation for transportation of Government property and troops incident to railroad land grants; without amendment (Rept. No. 2694). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROGERS of Oklahoma: Committee on Indian Affairs. S. 4036. An act relating to the tribal and individual affairs of the Osage Indians of Oklahoma; with amendment (Rept. No. 2700). Referred to the Committee of the Whole House on the state of the Union.

Mr. SUMNERS of Texas: Committee on the Judiciary. House Joint Resolution 697. Joint resolution to create a temporary national economic committee; with amendment (Rept. No. 2701). 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. EBERHARTER: Committee on Claims. H. R. 8318. A bill for the relief of C. R. Henderson; with amendment (Rept. No. 2684): referred to the Committee of the Whole House.

Mr. SUTPHIN: Committee on Naval Affairs. S. 3171. An act for the relief of William Server Rhodes, chief boatswain's mate, United States Navy, retired; without amendment (Rept. No. 2686). Referred to the Committee of the Whole House.

Mr. PALMISANO: Committee on the District of Columbia. S. 3694. An act to provide for the issuance of a license to practice the healing art in the District of Columbia to Dr. Sigfried Speyer; without amendment (Rept. No. 2687). Referred to the Committee of the Whole House.

Mr. PHILLIPS: Committee on Naval Affairs. S. 3810. An act to extend to Chief Quartermaster Clerk David C. Buscall, United States Marine Corps (retired), the benefits of the act of May 7, 1932, providing highest World War rank to retired warrant officers; without amendment (Rept. No. 2688). Referred to the Committee of the Whole House.

Mr. MAAS: Committee on Naval Affairs. H. R. 10659. A bill to adjust the lineal positions on the Navy list of certain officers of the Supply Corps of the United States Navy; without amendment (Rept. No. 2689). Referred to the Committee of the Whole House.

Mr. GILDEA: Committee on Immigration and Naturalization. H. R. 9729. A bill for the relief of Guiseppi Quercia; without amendment (Rept. No. 2695). Referred to the Committee of the Whole House.

Mr. GILDEA: Committee on Immigration and Naturalization. H. R. 6754. A bill to authorize the cancelation of deportation proceedings in the case of Apostolos Vasili Percas; with amendment (Rept. No. 2696). Referred to the Committee of the Whole House.

Mr. SCHULTE: Committee on Immigration and Naturalization. S. 3064. An act for the relief of George Henry Levins; without amendment (Rept. No. 2697). Referred to the Committee of the Whole House.

Mr. SCHULTE: Committee on Immigration and Naturalization. S. 2090. An act authorizing the naturalization of Vernice May McBroom, and for other purposes; without amendment (Rept. No. 2698). Referred to the Committee of the Whole House.

Mr. SCHULTE: Committee on Immigration and Naturalization. S. 3633. An act authorizing the naturalization of Albin H. Youngquist, and for other purposes; without amendment (Rept. No. 2699). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. FISH: A bill (H. R. 10886) to prohibit the payment of ransom money to kidnapers; to the Committee on the Judiciary.

By Mr. GEARHART: A bill (H. R. 10887) to amend section 334 (h) of the Agricultural Adjustment Act of 1938 to prescribed cotton-acreage allotments for farms; to the Committee on Agriculture.

By Mr. SHEPPARD: A bill (H. R. 10888) granting wartime benefits to veterans of campaigns and expeditions; to the Committee on World War Veterans' Legislation.

By Mr. VINSON of Georgia: Resolution (H. Res. 527) providing for the consideration of S. 1131 and prescribing the time to be used to consider said bill; to the Committee on Rules.

By Mr. FLETCHER: Resolution (H. Res. 528) approving an international economic conference; to the Committee on Foreign Affairs.

By Mr. SUMNERS of Texas: Joint resolution (H. J. Res. 715) in respect of salaries of judges and justices appointed under the act of May 31, 1938; to the Committee on the Judiciary.

By Mr. DINGELL: Joint resolution (H. J. Res. 716) authorizing the payment of compensation to certain judges appointed, prior to the beginning of the first session of the Seventy-sixth Congress, during recesses of the Senate; to the Committee on the Judiciary.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of New Jersey, memorializing the President and the Congress of the United States to consider their Assembly Concurrent Resolution No. 4, dated January 24, 1938, with reference to taxes on the sale of gasoline; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Ohio, memorializing the President and the Congress of the United States to consider their Resolution No. 168, dated May 24, 1938, with reference to legislation affecting Cowen Creek project in Clinton County, Ohio; to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. DIXON: A bill (H. R. 10889) for the relief of Robert Green; to the Committee on Claims.

By Mr. GRISWOLD: A bill (H. R. 10890) authorizing the President of the United States to appoint Pvt. John R. Kissinger as a major in the United States Army and then place him on the retired list; to the Committee on Military Affairs.

By Mr. KEE: A bill (H. R. 10891) for the relief of Thomas Goode; to the Committee on Military Affairs.

By Mr. KERR: A bill (H. R. 10892) for the relief of Pomeroy Parker; to the Committee on Naval Affairs.

By Mr. RANDOLPH: A bill (H. R. 10893) for the relief of Mary S. Arthur, as executrix of the estate of Richard M. Arthur, deceased; to the Committee on Claims.

PETITIONS, ETC.

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

5338. By Mr. BUCKLEY of New York: Petition of the United Federal Workers of America, requesting support of the Federal workers' appeals bill (H. R. 8428), the Federal Workers' Minimum Wage Act (H. R. 9158), and the Federal Workers' Overtime Act (H. R. 9157); to the Committee on the Civil Service.

5339. By Mr. KENNEDY of New York: Petition of the National League of District Postmasters, concerning House bill 1531; to the Committee on the Civil Service.

5340. Also, petition of the American Federation of State, County, and Municipal Employees, Buffalo, N. Y., concerning Senate bill 2165 and House bill 6449; to the Committee on the Judiciary.

5341. By Mr. SUTPHIN: Petition of the New Jersey State Assembly (the State Senate concurring), memorializing Congress to abandon the Federal gasoline sales tax and surrender to the States exclusively the power to tax such sales in the future; to the Committee on Ways and Means.

5342. By the SPEAKER: Petition of the Mariposa County Board of Supervisors, Mariposa County, Calif., petitioning consideration of their resolution with reference to House bill 4199, known as the General Welfare Act; to the Committee on Ways and Means.

5343. Also, petition of the city of Cincinnati, State of Ohio, petitioning consideration of their resolution dated June 8, 1938, pertaining to the compromise bill providing for control of pollution in the Ohio River; to the Committee on Rivers and Harbors.

5344. Also, petition of the Kings County Consolidated Civic League, Brooklyn, N. Y., petitioning consideration of their petition with reference to the Home Owners' Loan Corporation legislation; to the Committee on Banking and Currency.

5345. Also, petition of the Board of Supervisors of Douglas County, State of Wisconsin, petitioning consideration of their resolution with reference to House bill 4199, known as the General Welfare Act; to the Committee on Ways and Means.

5346. Also, petition of C. E. Glander and others, of Columbus, Ohio, petitioning consideration of their petition with reference to Works Progress Administration; to the Committee on Ways and Means.

HOUSE OF REPRESENTATIVES

SATURDAY, JUNE 11, 1938

The House met at 12 o'clock noon.

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

Our blessed Heavenly Father, we entreat Thee to hear our supplication. The hushed voices of our hearts, unheard and unsung, to them Thou wilt turn an attentive ear. We pray Thee that Thou mayest have Thy rightful way in our thought and practice, that high endeavor may be inspired in our daily circumstances. Thy will be done, O God; it bids the weak be strong and commands the strong to be just. May we seek that life which is eternal now; this is life eternal, to know God and His only begotten Son whom He has sent. We praise Thee, our Father, that He fulfills the old-world dreams, hopes, and aspirations. In His holy name. Amen.