CONFIRMATIONS

Executive nominations confirmed by the Senate March 19 (legislative day of March 4), 1940

UNITED STATES MARSHALS

Roulhac Gewin to be United States marshal for the southern district of Alabama.

Henry C. Walthour to be United States marshal for the southern district of Georgia.

John E. Sloan to be United States marshal for the western district of Pennsylvania.

POSTMASTERS

CALIFORNIA

Ivy E. Reynolds, Byron.
George W. Hull, Camino.
Allan M. Davis, Exeter.
Callie R. Mason, Lost Hills.
Albert R. White, Monolith.
Dorothy M. Montgomery, Oceano.
Anna W. Scherrer, Placerville.
Charles H. Hayden, San Rafael.
Grady P. Hobson, Selma.
William Chester Barry, Soledad.
Harriet J. Gross, Wheatland.

FLORIDA

Elmer L. Grantham, Archer.
Douglas G. Perry, Avon Park.
Schubert S. Welling, Babson Park.
Ethel S. Pierce, Boynton.
Beulah L. Kunberger, Florence Villa.
Frederick F. Stump, Starke.
Mary L. Woodmansee, Valpariso.

KENTUCKY

Joseph V. Carder, Brownsville.
Anna Mary Bowne, Clearfield.
Lester Jeter, Hustonville.
Milton R. Snyder, Jr., Milton.
Robert J. Walker, Paint Lick.
Everett T. Breen, Stamping Ground.

LOUISIANA

Kenneth B. Anderson, Bogalusa.

MARYLAND

John W. L. McAvoy, Boonsboro.
Charles P. Anger, Garrison.
William D. Lovell, Jr., New Windsor.
Levin D. Lynch, Ocean City.
Clarence H. Chute, Pasadena.
Maurice T. Truitt, Pittsville.
Edward L. Bachtell, Smithsburg.
John O. Crapster, Taneytown.

NEW HAMPSHIRE

Ambrose P. McLaughlin, Bretton Woods.
Carl D. Roche, Keene.
Norman E. Perkins, Sunapee.
J. Arthur Lemaire, Suncook.

NEW MEXICO

Martin Baca, Belen.

OKLAHOMA

Belle Huntington, Luther.
Joseph L. Pryor, Olustee.
Albert M. Lewis, Stuart.
Rennie Alvin Bolar, Waynoka.

PENNSYLVANIA

Arthur R. Cramer, Bangor.
John J. Verbos, Steelton.

SOUTH DAKOTA

Amelia L. Rositch, Bowdle.
Bastian J. Kallemeyn, Hayti.

WEST VIRGINIA

Sally D. Lyon, Boomer.
James T. Murphy, Grafton.
Charles H. Corman, Spring Hill.
Joseph F. Graham, Tunnelton.

HOUSE OF REPRESENTATIVES

TUESDAY, MARCH 19, 1940

The House met at 12 o'clock noon.

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

Almighty God, our most merciful Father, we rejoice that the night is not eternal and when it is gone there comes another day bringing with it a new, glad morning of hope and promise. O let us hear in our breasts the musings of the peace of God which passeth all understanding. Do Thou inspire us by the mercies of our Saviour to follow after love which is the soul's richest attainment and heaven's highest vocation. Knowledge may come, wisdom linger, but love never faileth. It is the oldest and the newest remedy for human ills because it is the divinest. We praise Thee that the everlasting arms are as dependable as the everlasting hills and humanity's hopes are realized in a dateless Christ. As heirs of an ageless kingdom, we look up to Thee with gratitude and praise. O Thou, who whispereth through the worlds of space, let us hear the music we hope to sing. In our Redeemer's name. Amen.

The Journal of the procedings 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 insists upon its amendments to the bill (H. R. 8641) entitled "An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1940, to provide supplemental appropriations for such fiscal year, and for other purposes," 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. ADAMS, Mr. GLASS, Mr. MCKELLAR, Mr. HAYDEN, Mr. BYRNES, Mr. HALE, and Mr. TOWNSEND to be the conferees on the part of the Senate.

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

S. 3046. An act to extend to certain officers and employees in the several States and the District of Columbia the provisions of the act entitled "An act to prevent pernicious political activities," approved August 2, 1939.

ROLAND HANSON

Mr. KENNEDY of Maryland. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 1160) for the relief of Roland Hanson, a minor, and Dr. E. A. Julien, and insist on the amendments of the House, agree to the conference asked by the Senate, and appoint conferees.

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 THOMAS of New Jersey.

WARREN ZIMMERMAN

Mr. KENNEDY of Maryland. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 4126) for the relief of Warren Zimmerman, with Senate amendments, disagree to the Senate amendments, 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

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hears none, and appoints the following conferees: Messrs. KENNEDY of Maryland, RAMSPECK, and THOMAS of New Jersey.

VETERANS' BENEFITS

Mr. JARMAN. Mr. Speaker, by direction of the Committee on Printing, I report back a privileged resolution, Report No. 1810, and ask for its immediate consideration.

The Clerk read as follows:

House Resolution 409

Resolved, That a revised edition of the compilation containing information concerning monetary and other benefits available to persons who have served in the armed forces of the United States and their dependents pursuant to laws administered by the Veterans' Administration and other Government agencies, including the War Department and the Civil Service Commission, prepared by Hon. WRIGHT PATMAN, Representative from Texas, be printed as a House document; and that 20,000 additional copies thereof be printed for the use of the House document room.

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

Mr. JARMAN. I yield.

Mr. RICH. The gentleman will remember that in the meetings of the Committee on Printing I stated that I would have no objection to having this document printed providing the Veterans' Administration or someone in authority checked to see that the statements made by the distinguished gentleman from Texas were the laws as now enacted. Has this been accomplished?

Mr. JARMAN. Pursuant to the suggestion made by the gentleman, I may say that, while that probably has not been accomplished yet, I made inquiry this morning and have been assured by General Hines that it will be done.

Mr. RICH. Before the document is printed?

Mr. JARMAN. Before it is printed. It will not be printed for several months. This is merely authorization for the printing.

The SPEAKER. The question is on the resolution.

The resolution was passed.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. NICHOLS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an editorial entitled "Cuba's Vast Importance to the United States."

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. NICHOLS. Mr. Speaker, I ask unanimous consent to extend my own remarks and to include therein an editorial entitled, "Americans All," the slogan.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. McKEOUGH. Mr. Speaker, I ask unanimous consent to extend my remarks and to include therein a speech released by Under Secretary of Commerce Noble with relation to employment facts in connection with the coming census.

The SPEAKER. Without objection it is so ordered.

There was no objection.

Mr. McKEOUGH. Mr. Speaker, I ask unanimous consent to extend my own remarks and to include therein a statement recently appearing in the Chicago Evening American by the financial editor indicating the earning power of corporations for the year 1939.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GEYER of California. Mr. Speaker, I ask unanimous consent to extend my remarks in two particulars: First, to insert a speech made by myself over the National Broadcasting System entitled "Government by a Minority Is Un-American," and also to print in the RECORD a news release from David Lasser, president of the Workers' Alliance, and a reply from M. S. Eccles, Governor of the Federal Reserve Board.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HENDRICKS. Mr. Speaker, I ask unanimous consent to extend my remarks and to include therein a letter written by Dr. John J. Tigert, president of the University of Florida, and one by Dr. W. S. Allen, president of the John B. Stetson University, of DeLand, Fla. These letters have to do with the National Youth Administration.

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

Mr. RICH. Mr. Speaker, reserving the right to object, who made these addresses?

Mr. HENDRICKS. Dr. John J. Tigert, president of the University of Florida. It happens to be a letter, not an address. The other is a letter by Dr. W. S. Allen, president of John B. Stetson University.

Mr. RICH. They are just letters.

Mr. HENDRICKS. Yes.

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

There was no objection.

EXCESS PROFITS OF WAR INDUSTRIES

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

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

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, on the first day of the present session I introduced a bill, H. R. 7645, which provides for a tax to be imposed on excess profits derived out of war trade. The reason for that bill was and is now that certain industries derive very great advantage from the present international situation which, however, operates to the positive detriment of other industries.

The facts in the case as revealed by actual experience amply bear this out. The Secretary of Agriculture, for example, in testifying before a Senate committee, pointed out that whereas we have had an increase of 410 percent in the exportation of aircraft engines and other types of munitions, on the other hand the export of wheat and wheat flour have declined 73 percent. The same is true with reference to the foreign trade in fruits, vegetables, tobacco, and other agricultural commodities.

The levying of this tax will not fall on normal profits but on abnormal profits due to war trade. It is a matter of justice that this bill be passed, particularly if by our failure to take such a step it would mean the curtailing of necessary activities on the part of the Government which are needed for our unemployed, our farmers, and other people at this time.

A few industries shared very large profits in the closing quarter of 1939. These were the industries most closely associated with munitions manufacture. But we know already that most American producers of peacetime goods are being hurt, not helped, by the wars abroad.

We have started a program of enabling needy and poorly nourished families to increase their consumption of farm products. This has meant more to eat for people who need food. It has also meant an expanded market for many farm commodities here at home. How logical, how fair, how truly Christian it would be to pass H. R. 7645, levy taxes on abnormal profits derived from shipping American resources abroad for war purposes and use the money to expand to the needy of the whole Nation this blue-stamp plan of the Surplus Commodities Corporation.

EXTENSION OF REMARKS

Mr. PATMAN asked and was given permission to extend his own remarks in the RECORD.

PERMISSION TO ADDRESS THE HOUSE

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to address the House today for 20 minutes at the conclusion of the business on the Speaker's table and after the disposition of the legislative business in order for the day and any other special orders that may have been entered.

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

There was no objection.

EXTENSION OF REMARKS

Mr. THORKELSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include quotations from Chief Justice Hughes and the Supreme Court of the United States, as well as excerpts from the bill on civil rights.

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

There was no objection.

Mr. BREWSTER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter written by myself to a constituent.

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

There was no objection.

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the Adrian (Mich.) Daily Telegram.

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

There was no objection.

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein excerpts from Supreme Court decisions pertaining to the bill H. R. 952.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota [Mr. CASE]?

There was no objection.

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include excerpts with reference to the Wheeler-Lea railroad bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. VAN ZANDT]?

There was no objection.

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial from the Warsaw Record and Herald on one branch of farming.

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

There was no objection.

MINE DISASTERS

Mr. JENKINS of Ohio. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

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

There was no objection.

Mr. JENKINS of Ohio. Mr. Speaker, I take this time to discuss with the membership briefly the terrible calamity that has befallen the people of the vicinity of St. Clairsville, Ohio. I refer to the terrible mine explosion which has and is attracting the attention and sympathy of the whole Nation. Today around the entrance to this coal mine are thousands of people milling around awaiting confirmation of the sad fate which they well know has befallen about 60 miners whose bodies have not yet been taken from the mine. No doubt some have gone upon this scene out of curiosity but most of them who are there have gone because of the sympathy which rational people must have for those who have lost their relatives in such a terrible manner.

I have had reports from mine officials of much prominence and much experience and as they describe the results of this explosion one can in a small measure at least imagine the force of the explosion. Steel cars and steel motors were carried forward before the force of this explosion as if they were nothing. The entry of the mine which is the tunnel through which the men pass and the coal is hauled was practically closed up in many places because the force of the explosion was sufficient to tear down posts and to blow down slate and other natural supports used to hold the mine in workable condition.

The fact that the source of this explosion has not yet been determined is another source of worry because all persons will be under fear of similar explosion until it is determined what caused this explosion.

It appears now that more than 70 men have given up their lives in this terrible disaster. No one can visualize the terrorizing effect of such a disaster unless he has witnessed it. A few years ago a similar explosion occurred in one of the large mines in my district. Of that mine it has been said, as of the mine in which the recent explosion occurred, that it was a model mine and was looked upon as the last word in safety. One day when that mine was being inspected by experts who had come to see and to learn a great explosion occurred, killing more than 80 men. When I heard of the calamity I hastened to the place, but before I got there they had taken out all those who had been unable to make their own escape. More than 80 bodies had been stripped of their clothing and washed and laid side by side in some vacant rooms that were nearby this great mining industry.

To be in the crowd and to witness the terrorizing agony of the wives and children of these dead men was an experience which I never again want to undergo. From what I have said you would probably imagine that these wives and relatives would be hysterical and that their demonstrations of terror would be by shrieks and shouts, but that was not always the case. While I was there there was a terrible sense of depressing suspense that awed everybody into silence. Set jaws and blanched faces and far-away glances were characteristic of practically all the people there. Occasionally a few commands were given by those in charge of the crowds, but silence seemed to be the most marked depressing characteristic of that occasion. Wives would come forward with tearless eyes, and when discouraged in their determination to see the bodies of their deceased husbands, pushed aside all such advice and stoically marched up the steps and into the room to claim the bodies of their own husbands. Such a show of stoical courage I had never seen before. The well springs of tears and of sentiment had been frozen. Nothing was left but a sort of involuntary of subconscious psychology that drew these sorrowing people to their loved ones unconsciously and irresistibly.

No doubt at St. Clairsville today the same atmosphere is prevalent because human nature usually reacts the same under similar circumstances. I am sure that the sympathy of this Congress goes out to those who have lost their loved ones and to this whole community that has been so terribly shocked.

Likewise I feel that I can safely assure this Congress and the whole American people that these who have been bereaved and their friends and neighbors are deeply appreciative of the expressions of sympathy that are coming to them from all parts of these United States.

May we all as American citizens hope that never again shall another community be visited with such a devastating plague as has come upon the vicinity of St. Clairsville and may we as Congressmen feel it our duty should the occasion present to do what we can to prevent recurrence of such disasters.

Mr. Speaker, I think I can safely say that America mourns with those who mourn and appreciates the dangers that the coal miners of the Nation assume when they descend into the bowels of the earth among such terrible dangers and uncertainties to bring forth a product for the use and benefit of all the people.

ANNIVERSARY OF THE BIRTH OF WILLIAM JENNINGS BRYAN

Mr. SNYDER. 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 Pennsylvania [Mr. SNYDER]?

There was no objection.

Mr. SNYDER. Mr. Speaker, 80 years ago today there was born on the banks of the Platte River, in Nebraska, a scholar, humanitarian, statesman, and philosopher who was destined to perform a most important part in framing and building the network of many of the fundamental institutions within our

Nation that would live long after he had passed on to his reward.

Yes, my friends, William Jennings Bryan has gone to his reward; but as we look back over the pages of history, and especially the CONGRESSIONAL RECORD, we find that many of the principles for which he stood and advocated before he became a Member of Congress, while he was in Congress, and from that time on, have become realities, while at the time he advocated them they were looked upon as being far-fetched and fantastic.

In these days of trouble and turmoil throughout the world, the life of William Jennings Bryan lives afresh within the memories of those who really knew him.

In one of his monumental addresses, The Prince of Peace, he said in substance that there could be no real peace in any nation until the people of that nation accepted the Divine Father as the ruler of all. I believe if he were here today, he would say that there could be no real peace in certain of our overseas countries until there was a spiritual revival within the hearts of the people of those nations. Under the conditions existing today, I think Mr. Bryan would repeat the following portion of the address he delivered at Chautauquas in 1901 in which he said:

> Instead of trying to make our flag float everywhere, let us make it stand for justice wherever it floats—for justice between man and man, for justice between nation and nation, and for humanity always. And then the people of the world will learn to know and revere that flag, because it will be their protection as well as ours.

Many times as I sit here on the floor of the House and listen to my colleagues discuss the farm problem, I think of the Crown of Thorns speech which Mr. Bryan delivered on July 8, 1896, when he held spellbound those thousands who had gathered in the Convention Hall, in Chicago, with his wonderful appeal for better things in life. He made the strongest plea that was ever made for the farmers in that famous address when he said:

> Burn down your cities and leave our farms, and your cities will spring up again as if by magic; but destroy our farms and the grass will grow in the streets of every city in the country.

Again as we today grapple with our labor problem, I think of the same speech, where you will find the sentence that has been ringing down throughout the years since he uttered it on that historic occasion:

> You shall not press down upon the brow of labor this crown of thorns; you shall not crucify mankind upon a cross of gold.

Mr. Speaker, the deep-seated fundamentals necessary for the preservation of a democratic form of government such as ours were always strongly advocated and jealously guarded by this great humanitarian, and as the years go on more and more will we realize that William Jennings Bryan was truly a statesman, a philosopher, and a Christian gentleman who ever advocated the right.

CALL OF THE HOUSE

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

The SPEAKER. Obviously a quorum is not present.

Mr. COSTELLO. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 47]

Alexander	Cole, N. Y.	Harter, Ohio	Magnuson
Allen, Ill.	Creal	Healey	Mansfield
Barnes	Crosser	Hess	Martin, Ill.
Bates, Mass.	Crowther	Hinshaw	Mills, Ark.
Beam	Culkin	Hoffman	Monroney
Bender	Darrow	Hook	Moser
Blackney	Dies	Horton	Myers
Boehne	Ditter	Jarrett	Oliver
Bradley, Pa.	Douglas	Jeffries	Osmers
Brown, Ohio	Duncan	Johnson, Luther	Reed, Ill.
Buck	Fay	Keller	Reed, N. Y.
Buckley, N. Y.	Ferguson	Lambertson	Rockefeller
Burdick	Fernandez	Larrabee	Ryan
Burgin	Flaherty	Lewis, Ohio	Sabath
Byrne, N. Y.	Flannagan	McArdle	Sacks
Byron	Flannery	McCormack	Sandager
Casey, Mass.	Folger	McGranery	Scrugham
Cluett	Garrett	Maas	Seccombe
Coffee, Wash.	Gehrmann	Maciejewski	Secrest
Seger	Somers, N. Y.	Tinkham	Wigglesworth
Shannon	Starnes, Ala.	Wadsworth	Williams, Del.
Sheridan	Sumners, Tex.	Wheat	Wolcott
Smith, Ill.	Taylor	Whelchel	Wood
Smith, Va.	Tenerowicz	White, Idaho	
Smith, Wash.	Thomas, N. J.	White, Ohio	

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

Further proceedings under the call were dispensed with.

C. Z. BUSH AND W. D. KENNEDY

Mr. KENNEDY of Maryland. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 3481) for the relief of C. Z. Bush and W. D. Kennedy, with a Senate amendment thereto, disagree to the Senate amendment, and ask for a conference.

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 THOMAS of New Jersey.

EXTENSION OF REMARKS

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and include therein a speech I made before the Rivers and Harbors Congress.

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

There was no objection.

OMNIBUS PRIVATE CLAIMS BILL

The SPEAKER. The Clerk will call the first omnibus claims bill on the calendar.

The Clerk called the bill (H. R. 7338) for the relief of sundry claimants, and for other purposes.

The Clerk read as follows:

> Title I—(H. R. 554. For the relief of Meta De Rene McLoskey)
>
> That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to pay to Meta De Rene McLoskey, mother of Arthur Lee McLoskey, formerly a member of Company I, Forty-seventh Regiment United States Infantry, who disappeared on May 7, 1918, all such installments of money which she would be entitled to receive as beneficiary of policy No. T-2024764. The first of such installments shall be paid within 90 days from the date of the enactment of this act and continue during her natural life or until she has received the full amount of said policy.

Mr. COSTELLO. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. COSTELLO: On page 1, strike out all of title I.

Mr. COSTELLO. Mr. Speaker, the proposed bill is for the relief of Meta De Rene McLoskey. The claimant is the mother of a veteran who disappeared on May 7, 1918, just 3 days before his company sailed for France. According to the records of the War Department, this veteran did not sail with his company and the War Department has no record of him at any time subsequent to May 7, 1918.

The bill provides for the payment of a war-risk insurance policy to the mother, Mrs. McLoskey, the claimant in this bill. The veteran entered the service on March 29, 1918. On May 2 and until May 7 he was hospitalized for a skin disease, and thereupon disappeared completely. There has been no subsequent record of this soldier at any time.

The soldier was carrying two small insurance policies when he entered the service. Both policies provided payment at the end of 5 years in the event of his disappearance. These policies have been paid. The veteran also took out a World War risk insurance policy in the sum of $10,000, naming his mother as beneficiary.

The Veterans' Administration is opposed to this bill on the ground that the date of death cannot be proven. A legal suit was brought to recover under the policy, but that action was discontinued prior to judgment being rendered, on June 1, 1926. This bill has been before the Congress since the Seventy-first Congress. In the Seventy-fifth Congress the bill was passed but received a pocket veto.

It is my opinion, Mr. Speaker, that the bill should not be favorably considered by the House, and for that reason I have offered a motion to strike out the title.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

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

Mr. SCHAFER of Wisconsin. Is it not a fact that this payment will be made out of the veterans' insurance fund, in which other veterans who did not disappear during their service and who served at the front and paid their premiums have an interest?

Mr. COSTELLO. The gentleman is quite correct. There is no question but that the money would come out of the insurance fund; but as far as the premiums that are being paid into it are concerned, I may say to the gentleman that it is my understanding that the premiums paid on the insurance will in no way compensate the Government in the total amount the Government ultimately will pay out under the policies that have been issued to veterans of the World War.

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

Mr. COSTELLO. I yield to the gentleman from Arkansas.

Mr. KITCHENS. If we adopt this precedent the House will have no other business to perform for a good long while because many thousands of these cases have been tried by the Federal courts and been disposed of in one way or another. Many of them have been lost there. If the claimants can now come to the Congress and get a new trial of these cases, we will be opening up a very broad field here, and it will be unfair and unjust to many other veterans.

Mr. COSTELLO. The gentleman is quite correct.

Mr. VORYS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. COSTELLO. I yield to the gentleman from Ohio.

Mr. VORYS of Ohio. Do I correctly understand there has been a trial in court on the theory that this disappearance so long ago created a presumption of death, and that this trial has been decided against this claimant?

Mr. COSTELLO. No; a suit was instituted to collect under this insurance policy but before the case reached judgment the suit was withdrawn. As a result, no determination in the courts was had upon this particular case.

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

Mr. COSTELLO. I yield to the gentleman from Oregon.

Mr. MOTT. Did I correctly understand the gentleman to say that his reason for now recommending that the House do not favorably consider the bill is the Presidential veto?

Mr. COSTELLO. No. I said I believe the bill should not be considered favorably because it is not meritorious, and also because the actual death of the veteran has not been proven. His disappearance is a strange incident. The Veterans' Administration is opposing the bill.

Mr. MOTT. A presumption of this veteran's death was created sufficient to satisfy the Prudential Life Insurance Co. that he was dead, and the company paid the claim, did it not?

Mr. COSTELLO. Two small policies were carried by the veteran, and those two policies have been paid.

Mr. MOTT. Why should it require more evidence to satisfy the Veterans' Administration of this veteran's death than it should to satisfy the Prudential Life Insurance Co.?

Mr. COSTELLO. Because of the requirement that the date of death must be proven in order to obtain payment upon an insurance policy issued by the Federal Government.

[Here the gavel fell.]

Mr. LUDLOW. Mr. Speaker, I rise in opposition to the amendment.

The SPEAKER pro tempore (Mr. LANHAM). May the Chair inquire of the gentleman from Indiana if he introduced the original bill?

Mr. LUDLOW. I am the author of the bill, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Indiana is recognized for 5 minutes.

Mr. LUDLOW. Mr. Speaker, I think the general observations made by my friend the gentleman from Arkansas [Mr. KITCHENS] and others who have discussed this bill are certainly well taken; but now let us look at the facts with respect to this particular measure.

My friend the gentleman from California, one of the ablest and most valuable Members of this House, states there is no evidence in the record to establish the death of this veteran. I do not believe the gentleman from California, with all of his great diligence and usefulness in ferreting these different measures, has looked into the record of this particular case. There is a lot of evidence in the record of this case that is not in the report. I am afraid the gentleman got his ideas about this bill entirely from the report. Notwithstanding his great capacity for hard work, he does not have time to go into the files of these cases to examine them in minute detail.

This veteran is reported by the War Department as missing since May 7, 1918, and not as missing in action, from which it is inferred that he was a deserter. He had at the time of his disappearance on May 7, 1918, war-risk insurance which would carry him until July 31, 1918. I wish you would bear this fact in mind.

There is in the file of the case letters which were sent to me from four of his comrades, who have stated over their signatures that they were with him when he was killed in action on June 29, 1918, or 2 days before his insurance expired.

I want to read to the House extracts from some of these letters. The War Department, you understand, has no record of his ever having gone overseas. These are his comrades speaking now.

Earl G. Reiser, rural route No. 1, Charlottesville, Ind., says:

> He was in my company and was wounded the same day that I was. That was in the afternoon of the 29th of July 1918 at Sergy, France. We were both hit with a high-explosive shell and one of his legs was very near torn off. We were taken to the first-aid station and they said that there was no chance for him. I was sent from there to Base Hospital No. 1 in Paris and Mr. McLoskey was left at the first-aid station, and I am sure that is where he died, for they had said that he did not have a chance to pull through.

This is one comment——

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

Mr. LUDLOW. I yield to the gentleman.

Mr. COSTELLO. May I ask the gentleman whether those letters were submitted to the committee at the time the bill was up for consideration?

Mr. LUDLOW. These letters have been in the hands of the committee for some time, but not when the first reports were made.

Mr. COSTELLO. I want to state to the gentleman——

Mr. LUDLOW. It seems to me the committee has followed the original report and has not given due consideration to this evidence.

Mr. COSTELLO. The fact is, they do not appear in the committee report, and this is the first I have heard of any such letters being submitted, and apparently the War Department is not aware of them.

Mr. LUDLOW. Let me read from some more letters.

Jerry Skaggs, another comrade, who was a mechanic, under date of July 2, 1935, in a letter to me states:

> Arthur Lee McLoskey was my buddy and we sailed for France on date of May 10, 1918, on transport *Caserta*. He was killed while by my side carrying ammunition for automatic rifles at Sergy, on Ourque River, on or about July 28 or 29, 1918. This was about 9 a. m. and the first day our company saw action.

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

Mr. LUDLOW. I have only 5 minutes and I want to make my case, if I can.

Mr. MOTT. I wanted to offer a helpful suggestion.

Mr. LUDLOW. Go ahead.

Mr. MOTT. The gentleman has read an affidavit from a comrade of this man, which affidavit said he was killed while he was at the side of that comrade. I will ask the gentleman if he does not think that in itself constitutes proof if there is nothing offered to the contrary?

Mr. LUDLOW. I certainly think so. I want to read the other letters.

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

Mr. LUDLOW. Yes.

Mr. COSTELLO. Are these letters or signed affidavits?

Mr. LUDLOW. They are letters.

Mr. COSTELLO. Are they sworn to?

Mr. LUDLOW. They have not been sworn to, but they are bona fide letters, written to me. I obtained from the War Department the names of surviving comrades of this man, and wrote to them. That is how I got these replies.

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

Mr. LUDLOW. Mr. Speaker, is it permissible for me to ask unanimous consent to proceed for 5 minutes further?

The SPEAKER pro tempore. Under the interpretation of the rules that request for an extension of time would not be in order.

Mr. LUDLOW. That being the case I would say that I have two more letters from comrades of this man who say they were with him when he was killed in action. I think the case is conclusive, and this amendment should be rejected.

The SPEAKER pro tempore. The question is on the motion of the gentleman from California to strike out title I.

The question was taken; and on a division (demanded by Mr. LUDLOW) there were—ayes 33, noes 61.

Mr. COSTELLO. Mr. Speaker, I object to the vote upon the ground that there is no quorum present, and I make the point of order that there is no quorum present.

The SPEAKER pro tempore. The Chair will count. [After counting.] One hundred and twenty-two Members present, not a quorum. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 70, nays 236, not voting 124, as follows:

[Roll No. 48]

YEAS—70

Allen, Pa.	Davis	Hobbs	Powers
Anderson, Calif.	Dondero	Holmes	Rogers, Okla.
Andrews	Doughton	Hope	Romjue
Beckworth	Doxey	Jenkins, Ohio	Schafer, Wis.
Brown, Ga.	Durham	Johnson, Lyndon	South
Bryson	Dworshak	Kean	Spence
Bulwinkle	Ellis	Kerr	Sumner, Ill.
Burch	Ford, Miss.	Kilburn	Taber
Byrns, Tenn.	Gamble	Kilday	Tarver
Cannon, Mo.	Gore	Kitchens	Terry
Case, S. Dak.	Gossett	Kleberg	Thomas, Tex.
Chapman	Guyer, Kans.	Kramer	Thomason
Cochran	Gwynne	Landis	Vorys, Ohio
Cooper	Halleck	McGehee	Vreeland
Costello	Hancock	McLean	Warren
Courtney	Hare	Norrell	West
Cox	Hart	O'Neal	
Crawford	Hartley	Pearson	

NAYS—236

Allen, La.	Cullen	Hall, Edwin A.	Leavy
Andersen, H. Carl	Cummings	Hall, Leonard W.	LeCompte
Anderson, Mo.	Curtis	Harness	Lemke
Andresen, A. H.	D'Alesandro	Harrington	Lesinski
Angell	Delaney	Harter, N. Y.	Lewis, Colo.
Arends	Dempsey	Harter, Ohio	Luce
Arnold	Dickstein	Havenner	Ludlow
Austin	Dingell	Hawks	Lynch
Ball	Dirksen	Hendricks	McAndrews
Barry	Disney	Hennings	McDowell
Barton	Ditter	Hill	McGregor
Bates, Ky.	Drewry	Hook	McKeough
Bell	Dunn	Houston	McLaughlin
Bland	Eberharter	Hull	McLeod
Boland	Edmiston	Hunter	McMillan, Clara G.
Bolles	Elliott	Izac	McMillan, John L.
Boren	Elston	Jarman	Mahon
Bradley, Mich.	Engel	Jenks, N. H.	Maloney
Brewster	Englebright	Jennings	Marcantonio
Brooks	Fenton	Jensen	Marshall
Buck	Fitzpatrick	Johns	Martin, Iowa
Buckler, Minn.	Flaherty	Johnson, Ill.	Martin, Mass.
Camp	Ford, Leland M.	Johnson, Ind.	Mason
Cannon, Fla.	Gartner	Johnson, Okla.	Massingale
Carlson	Gathings	Johnson, W. Va.	May
Carter	Gearhart	Jones, Ohio	Michener
Cartwright	Gerlach	Jones, Tex.	Miller
Celler	Geyer, Calif.	Jonkman	Mills, La.
Chiperfield	Gibbs	Kee	Monkiewicz
Church	Gifford	Keefe	Monroney
Clark	Gilchrist	Kefauver	Moser
Clason	Gillie	Kelly	Mott
Claypool	Goodwin	Kennedy, Md.	Mundt
Clevenger	Graham	Kennedy, Michael	Murdock, Ariz.
Coffee, Nebr.	Grant, Ala.	Kinzer	Murdock, Utah
Cole, Md.	Grant, Ind.	Kirwan	Murray
Colmer	Green	Kocialkowski	Nelson
Connery	Gregory	Kunkel	Nichols
Corbett	Griffith	Lambertson	O'Brien
Cravens	Gross	Lanham	O'Connor
O'Day	Reed, N. Y.	Secrest	Thorkelson
O'Leary	Rees, Kans.	Shafer, Mich.	Tibbott
O'Toole	Rich	Shanley	Tolan
Pace	Richards	Sheppard	Treadway
Parsons	Risk	Smith, Conn.	Van Zandt
Patman	Robertson	Smith, Maine	Vincent, Ky.
Patrick	Robinson, Utah	Smith, Ohio	Ward
Patton	Robsion, Ky.	Smith, Va.	Weaver
Peterson, Fla.	Rodgers, Pa.	Smith, W. Va.	Welch
Peterson, Ga.	Rogers, Mass.	Snyder	Wheat
Pfeifer	Routzohn	Sparkman	Whittington
Pierce	Rutherford	Springer	Williams, Mo.
Pittenger	Sasscer	Steagall	Winter
Poage	Satterfield	Stearns, N. H.	Wolfenden, Pa.
Polk	Schaefer, Ill.	Stefan	Wolverton, N. J.
Rabaut	Schiffler	Sutphin	Wood
Ramspeck	Schuetz	Sweeney	Woodruff, Mich.
Randolph	Schulte	Talle	Youngdahl
Rankin	Schwert	Thill	Zimmerman

NOT VOTING—124

Alexander	Darden	Johnson, Luther A.	Sacks
Allen, Ill.	Darrow	Keller	Sandager
Barden	DeRouen	Kennedy, Martin	Scrugham
Barnes	Dies	Keogh	Seccombe
Bates, Mass.	Douglas	Knutson	Seger
Beam	Duncan	Larrabee	Shannon
Bender	Eaton	Lea	Sheridan
Blackney	Edelstein	Lewis, Ohio	Short
Bloom	Evans	McArdle	Simpson
Boehne	Faddis	McCormack	Smith, Ill.
Bolton	Fay	McGranery	Smith, Wash.
Boykin	Ferguson	Maas	Somers, N. Y.
Bradley, Pa.	Fernandez	Maciejewski	Starnes, Ala.
Brown, Ohio	Fish	Magnuson	Sullivan
Buckley, N. Y.	Flannagan	Mansfield	Sumners, Tex.
Burdick	Flannery	Martin, Ill.	Taylor
Burgin	Folger	Merritt	Tenerowicz
Byrne, N. Y.	Ford, Thomas F.	Mills, Ark.	Thomas, N. J.
Byron	Fries	Mitchell	Tinkham
Caldwell	Fulmer	Mouton	Vinson, Ga.
Casey, Mass.	Garrett	Myers	Voorhis, Calif.
Cluett	Gavagan	Norton	Wadsworth
Coffee, Wash.	Gehrmann	Oliver	Wallgren
Cole, N. Y.	Healey	Osmers	Walter
Collins	Hess	Plumley	Whelchel
Cooley	Hinshaw	Rayburn	White, Idaho
Creal	Hoffman	Reece, Tenn.	White, Ohio
Crosser	Horton	Reed, Ill.	Wigglesworth
Crowe	Jacobsen	Rockefeller	Williams, Del.
Crowther	Jarrett	Ryan	Wolcott
Culkin	Jeffries	Sabath	Woodrum, Va.

So the motion to strike out was rejected.

The Clerk announced the following pairs:

General pairs:

Mr. Beam with Mr. Wadsworth.
Mr. Boykin with Mr. Knutson.
Mr. Caldwell with Mr. Alexander.
Mr. Collins with Mr. Jarrett.
Mr. Woodrum of Virginia with Mr. Darrow.
Mr. Mansfield with Mr. Jeffries.
Mr. Sullivan with Mr. Hoffman.
Mr. Keogh with Mr. Reed of Illinois.
Mr. Creal with Mr. Williams of Delaware.
Mr. Martin J. Kennedy with Mr. Sandager.
Mr. Boehne with Mr. Cole of New York.
Mr. Luther A. Johnson with Mr. Bolton.
Mr. Fernandez with Mr. Osmers.
Mr. Rayburn with Mr. Culkin.
Mr. Gavagan with Mr. Hess.
Mr. Sumners of Texas with Mr. Oliver.
Mr. Tenerowicz with Mr. Wolcott.
Mr. Whelchel with Mr. Short.
Mr. McCormack with Mr. Reece of Tennessee.
Mr. Starnes of Alabama with Mr. Bender.
Mr. Mills of Arkansas with Mr. Thomas of New Jersey.
Mr. Ferguson with Mr. Lewis of Ohio.
Mr. Flannagan with Mr. Douglas.
Mr. Maciejewski with Mr. Simpson.
Mr. Fulmer with Mr. Maas.
Mr. Fay with Mr. Horton.
Mr. Keller with Mr. Crowther.
Mr. Barden with Mr. Seger.
Mr. Cooley with Mr. White of Ohio.
Mr. Bloom with Mr. Fish.
Mr. Darden with Mr. Rockefeller.
Mr. Crosser with Mr. Plumley.
Mr. Burgin with Mr. Hinshaw.
Mr. Lea with Mr. Wigglesworth.
Mr. Dies with Mr. Seccombe.
Mr. Garrett with Mr. Allen of Illinois.
Mr. Folger with Mr. Tinkham.
Mr. Mouton with Mr. Brown of Ohio.
Mr. Vinson of Georgia with Mr. Cluett.
Mr. Casey of Massachusetts with Mr. Blackney.
Mr. Fries with Mr. Burdick.
Mr. Mitchell with Mr. Bates of Massachusetts.
Mr. Barnes with Mr. Myers.
Mrs. Norton with Mr. Buckley of New York.
Mr. Ryan with Mr. Bradley of Pennsylvania.
Mr. Sheridan with Mr. Evans.

Mr. Wallgren with Mr. Taylor.
Mr. Smith of Washington with Mr. Byron.
Mr. Byrne of New York with Mr. Sacks.
Mr. Healey with Mr. Merritt.
Mr. Sabath with Mr. Somers of New York.
Mr. Walter with Mr. Duncan.
Mr. Smith of Illinois with Mr. Coffee of Washington.
Mr. Scrugham with Mr. Crowe.
Mr. Faddis with Mr. Magnuson.
Mr. Larrabee with Mr. McArdle.
Mr. DeRouen with Mr. Edelstein.
Mr. McGranery with Mr. Jacobsen.
Mr. Shannon with Mr. Martin of Illinois.

Mr. CRAWFORD changed his vote "no" to "aye."

Mr. DURHAM changed his vote from "no" to "aye."

The result of the vote was announced as above recorded.

The doors were opened.

Mr. LUDLOW. Mr. Speaker, I submit to the House two more letters from comrades of the veteran, as follows:

CHICAGO, ILL., *August 7, 1935.*

Hon. LOUIS LUDLOW,
House of Representatives, Washington, D. C.

DEAR SIR: This will acknowledge receipt of your letter of August 1 relative to Arthur Lee McLoskey, a World War soldier in Company I, Forty-seventh United States Infantry, Fourth Division.

I am quite familiar with this case and gladly offer any assistance that I can give to help secure relief for his aged parents.

On the morning of July 28, 1918, he was a member of our company, present and accounted for. The following day we went into combat, and after we had been relieved and members of the company checked on July 31, he was missing and unaccounted for. We were unable to learn from any of the surviving members of the company whether he had been killed or taken prisoner, and for this reason carried him on our reports as "missing in action."

We investigated his case from every possible angle and could not determine what actually happened to him. My personal opinion is that he was blown to pieces by a direct shell explosion; however, if this was the case, there was no witness who could swear to that.

I have a complete roster of the company, and if you wish to correspond with any of the other members, please let me know and I will forward you a list of names and addresses.

If there is anything additional that I can do, please let me hear from you.

Yours very truly,

JOSEPH A. KUMMERER,
11403 Forest Avenue, Chicago, Ill.

POMONA, CALIF., *October 11, 1937.*

Hon. LOUIS LUDLOW,
House of Representatives, Washington, D. C.

DEAR MR. LUDLOW: In answer to your letter of September 9 with reference to Arthur Lee McLoskey, I would state the following:

During action at Sergy, France, July 29, 1918, I remember McLoskey as a member of a certain squad, which I saw just a few minutes before I was wounded myself, move into position under cover of a wild-rose bush. I was possibly 40 feet away when a large high-explosive shell struck this rose bush, by the fragment of which I was wounded. The bush was blown away and a large hole made in the ground.

While I never saw any member of this squad again alive or dead, they were all reported killed. It is my belief and opinion they were all destroyed beyond recognition and probably their identification tags were never found.

I have no records or documents which would be of any use as evidence in this case.

Very sincerely,

LOUIS T. ROBERTS.

I want the House to have all of the facts in my possession; and in justice to the Veterans' Administration, which opposes this bill, I will state that it adheres to its opposition, notwithstanding what I believe is the very conclusive nature of the evidence presented in these four letters. The Veterans' Administration conducted an investigation and reported to me that the writer of one of the letters, Joseph A. Kummerer, had repudiated the statement he made to me, but I never had any notice from the veteran to that effect. I believe in the absolute justice of the statement just made by the gentleman from Oregon [Mr. MOTT], who said in effect that a statement from even one eyewitness who was a comrade of the veteran and who saw the veteran killed ought to be conclusive proof of the justice of this claim. I commend the Veterans' Administration for meticulous care in the administration of the veterans' law, but the long and ripe experience I have had with that Administration sometimes makes me wonder if it does not lean over backward in resolving every doubt against the veteran. These four letters were voluntarily written to me, without the slightest duress, and it seems impressive to me that, though they came from widely separated persons, none of whom had knowledge that the others had written, they agree as to the time and place of the infliction of the injuries in action which they say caused the death of the veteran. Louis T. Roberts, one of the comrades whose letter is quoted above, was captain of the company in which Mr. McLoskey served.

While there has been much official opposition to this bill, it has had the strongest possible support from the American Legion, which investigates these cases very thoroughly through its rehabilitation department. Capt. Watson B. Miller, the head of that department, enjoys in fullest measure the confidence of everybody on Capitol Hill. If Members of Congress want to know more about the merit of this bill I ask them to contact Captain Miller. He came up on the hill to help me to present it in hearings before congressional committees, so deep was his interest in it, and when he could not come in person he gave me letters to read to the committees. In a letter to me dated March 10, 1937, he said:

I am sincerely interested in the McLoskey bill, and I believe it worthy. You and I have been rather close to this situation for a number of years. I have not advocated in 14 years more than three or four special measures.

You can see how sincerely Captain Miller is interested in this old mother's claim when he includes it among the three or four special measures he has advocated in 14 years of wonderful service for the veterans as a whole.

It is true, as the gentleman from California [Mr. COSTELLO] has told you, that the President once vetoed this bill after it passed Congress, but knowing the President as I do, and believing as I do in his sense of justice, I do not believe he would have vetoed the bill if he had known all of the facts.

The record establishes the fact that the veteran's insurance was in force on and after the date his comrades testify this action took place. That being the case, I submit it is clear beyond any question that the veteran's mother is entitled to the benefits of the war-risk insurance carried by the veteran and that this bill is entirely meritorious and should pass.

The Clerk read as follows:

Title II—(H. R. 1361. For the relief of Henry Fischer)

That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to pay to Henry Fischer, the foster father of Edward R. Fischer (Army serial No. 3465043), late a corporal, Fifteenth Service Company, Signal Corps, United States Army, all such installments of money remaining unpaid on the insurance policy (numbered XC-66180) which he would be entitled to receive, and in the same manner as though the said Henry Fischer were within the restricted permitted class of beneficiaries for war-risk insurance.

Mr. COSTELLO. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. COSTELLO: Page 2, line 4, strike out all of title II.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes.

Mr. COSTELLO. Mr. Speaker, the present bill would pay to Henry Fischer the balance of a war-risk insurance policy in the sum of $5,724, now unpaid. Henry Fischer is the foster father of the World War veteran. The veteran at the age of 2 years was taken from a foundling home by the Fischers and reared by them. No formal adoption proceedings were had. When the veteran entered the service he took out a war-risk insurance policy and named therein as his beneficiary his foster mother. As a result of that, on his death she received 123 payments as beneficiary of that policy. She thereupon died and left 117 payments unpaid, a balance of $5,724. Under existing law the foster father, not being named as a beneficiary either in the policy or in the will of the deceased veteran, he is not entitled to receive the balance of the policy. Instead, under the law, the money is payable to the estate of the veteran if there are any heirs of his estate.

If not, the money escheats to the United States military and naval insurance appropriation. Under the law in the State of Minnesota, where the Fischers are domiciled, the foster father not having legally adopted the veteran, could not share in his estate. However, under the rulings of the Veterans' Administration the foster father is entitled to and does receive $20 monthly as foster parent of the deceased veteran. I might call to the attention of the House the fact that if this policy were paid to the foster father, the estate of the veteran might make claim to the money in the event some heirs might appear, such as his real parents, thereby causing double payment. Nevertheless, that is comparatively quite unlikely in this particular case. Under existing provisions of the law the foster father is not entitled to receive the balance due under this policy, and the Veterans' Administration opposes the enactment of this legislation. For that reason I have moved to strike out title II.

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

Mr. COSTELLO. Yes.

Mr. COCHRAN. Does the gentleman say that this veteran had no father or mother other than the foster father and mother?

Mr. COSTELLO. Apparently that is correct. They reared him from the age of 2 years.

Mr. COCHRAN. And the gentleman says that he named as beneficiaries the foster father and mother?

Mr. COSTELLO. He named his foster mother solely as his beneficiary. He did not name his foster father. On the death of the mother the foster father, not having been named as beneficiary, could not receive any benefits under the policy.

Mr. COCHRAN. Did the mother receive the entire benefits payable under the policy?

Mr. COSTELLO. The mother received a little over one-half of the total payments under the policy.

Mr. COCHRAN. Did he recognize his foster father as his parent?

Mr. COSTELLO. There is no question of that here. He was reared by them since he was 2 years old up to the time he went to war and he looked on them as his parents.

Mr. COCHRAN. That answers my question.

Mr. COSTELLO. He was taken from a foundling home to Minnesota, and was reared by his foster parents, the Fischers.

My purpose in making this statement, Mr. Speaker, is to apprise the House concerning each of these bills. I have no personal interest in the current case one way or the other. I merely want to explain to the House what the situation is from the investigation made by the committee. It is up to the House to do what they wish with the bill, to approve its passage or to reject it.

Mr. COCHRAN. In view of all the circumstances, as expressed by the gentleman from California, I think the bill should be passed. In some States the foster father would be recognized.

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

Mr. COSTELLO. I yield.

Mr. PITTENGER. So far as the record shows this boy was raised by these people as his foster parents, who later in life became dependent upon him. Is that correct?

Mr. COSTELLO. The gentleman has stated the case correctly, and the foster father is receiving $20 monthly pension from the Veterans' Administration because he is the foster father of a veteran.

Mr. PITTENGER. So far as the record shows there are no other heirs?

Mr. COSTELLO. Apparently there are no other heirs, not even the real parents. Had there been evidence that there were other heirs the balance of this policy would have been paid to the estate of the veteran and it would be paid out to those heirs.

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

Mr. COSTELLO. I yield.

Mr. TERRY. Does the gentleman say that if this man had been the veteran's real father instead of his foster father that he would have been entitled to these payments as against the heirs?

Mr. COSTELLO. The gentleman is quite correct.

The only question that arises in this case is the fact that there was no legal adoption. Had there been a legal adoption the foster father would, under the Minnesota law, have been the heir to the estate of this veteran; but since he is not an heir to the estate, under our veterans' legislation, the Veterans' Administration cannot pay the money to the estate, because, if they did pay it to the estate, the money would escheat then to the State of Minnesota, and the law specifically provides that in such case the money, instead of escheating to the State of Minnesota, is to escheat to the United States military and naval insurance fund.

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. COSTELLO. I yield.

Mr. CASE of South Dakota. What does the gentleman have to say with respect to that portion of the report which states that, while they took no legal steps of adoption, they did, however, go to the parish priest in their neighborhood and report the adoption of the child and effected a change of name, and thereafter considered him their adopted son?

Mr. COSTELLO. The officials went to New York and obtained this child from a foundling home, and the hospital records show there was the equivalent of adoption papers, so the report states, but, as far as Minnesota is concerned, there was no legal adoption. The child, however, was taken under proper papers from the foundling home in New York and the name was presumably changed on the parish records, but legally there was no adoption, and hence, under the law, there is no basis on which the Veterans' Administration would be able to pay the balance of this insurance to the foster father.

Mr. CASE of South Dakota. As I understand the purpose of these claim bills, it is that Congress can correct things where, under existing laws, there is no provision for their accomplishment.

Mr. COSTELLO. That is purely a question as to what the House might determine to do in this case.

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

Mr. COSTELLO. I yield.

Mr. McKEOUGH. As I understood the gentleman's statement, there were no other heirs developed, that is, legally developed?

Mr. COSTELLO. So far as it appears, there are no other heirs.

Mr. McKEOUGH. How many years ago did this gentleman die?

Mr. COSTELLO. He died in service October 31, 1919.

Mr. McKEOUGH. So the probability of any heirs being developed is very remote?

Mr. COSTELLO. The gentleman is entirely correct.

[Here the gavel fell.]

Mr. PITTENGER. Mr. Speaker, I rise in opposition to the amendment.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Minnesota.

Mr. PITTENGER. Mr. Speaker, I think that the gentleman from California [Mr. COSTELLO] has been eminently fair in his statement of this case.

Mr. Speaker, this bill merely corrects a technicality, and I believe the motion to strike out the title should be voted down. The gentleman from California has called attention to this technicality, namely, that there was a failure to go through adoption proceedings.

If this claimant were the natural father, he would get the money. He, a stranger, took this boy and raised him. By every rule of equity he ought to receive these payments.

Mr. VAN ZANDT. Mr. Speaker, will the gentleman yield?

Mr. PITTENGER. I yield.

Mr. VAN ZANDT. Is it not true that the soldier paid monthly premiums on this policy?

Mr. PITTENGER. I think the record shows that.

Mr. VAN ZANDT. Is it not true that the Veterans' Administration is simply asking Congress for authority to pay this claim?

Mr. PITTENGER. They do not do it in this report because of the fact there were no legal adoption papers executed.

Mr. VAN ZANDT. Then they ask the Congress of the United States to make it legal so they can pay it?

Mr. PITTENGER. They pass the buck to Congress. I think the motion to strike the title ought to be voted down. The vote here ought to be "no."

Mr. COSTELLO. Will the gentleman yield?

Mr. PITTENGER. I yield to the gentleman from California.

Mr. COSTELLO. I think the statements that have been made are a little too free. The Veterans' Administration does not approve the bill at all.

Mr. PITTENGER. I did not say they did.

Mr. COSTELLO. The gentleman from Pennsylvania sort of inferred that.

Mr. PITTENGER. They passed the buck.

Mr. COSTELLO. The Veterans' Administration is unable to recommend the bill to the favorable consideration of the committee. That is the statement they make.

Mr. PITTENGER. The Congress has to correct this defect by law. The vote here ought to be "no."

Mr. CASE of South Dakota. Will the gentleman yield?

Mr. PITTENGER. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. In my earlier statement I failed to mention that the hospital sent an agreement along with the boy at the time he was sent to these foster parents. I agree with the gentleman from Minnesota that equity here calls for the payment of the balance of this policy to the man who reared the boy.

Mr. BUCKLER of Minnesota. Will the gentleman yield?

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

Mr. BUCKLER of Minnesota. I do not see any reason why this father, after taking the boy and rearing him from the time he was 2 years old and taking care of him, as I understand it, after he came home from war, should not be paid.

Mr. PITTENGER. The gentleman is correct.

Mr. BUCKLER of Minnesota. I do not see any reason why through a little technicality here this father should not have the little pension that is coming to that boy as long as he reared him and took care of him all these years.

Mr. MASON. Will the gentleman yield?

Mr. PITTENGER. I yield to the gentleman from Illinois.

Mr. MASON. The vote on this motion will determine whether the Congress believes in equity and justice or whether the Congress is going to be finicky and take advantage of a situation that was overlooked in connection with the legal adoption of this boy, although to all intents and purposes adoption was completed.

Mr. PITTENGER. I think the gentleman is correct.

Mr. VAN ZANDT. Is it not true that since the World War veteran paid a monthly premium on this policy, that the Government is making no gift to the foster father; they are simply giving to the foster father what the veteran paid for?

Mr. PITTENGER. That is right.

[Here the gavel fell.]

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from California [Mr. COSTELLO] to strike out title II of the pending bill.

The amendment was rejected.

The Clerk read as follows:

Title III—(H. R. 2014. For the relief of Margaret Redmond)

That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to pay, out of any money appropriated for the payment of pensions, to Margaret Redmond the sum of $5,257.50. Such sum represents pension which should have been paid to James Redmond, deceased husband of the said Margaret Redmond, for the period from December 1, 1923, to September 30, 1935, under the Indian wars' pension statutes, but an application for such pension made by him in the month of December 1923 was lost or mislaid without fault on his part, and he has not been paid pension for any period prior to September 30, 1935. The said James Redmond served as a private in Company B, Seventh Regiment United States Cavalry, from September 21, 1878, to September 20, 1883; was honorably discharged; and was 85 years of age at the time of his death on September 26, 1936.

Mr. COSTELLO. Mr. Speaker, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. COSTELLO: Page 2, line 16, strike out all of title III.

Mr. COSTELLO. Mr. Speaker, the present bill directs the Veterans' Administrator to pay to the claimant $5,257.50, representing pension which would have been paid to her husband if his application for pension benefits had not been mislaid or lost. The husband, a veteran of the Indian wars, applied to his Representative for pension benefits on or about December 1, 1923. He did not file the application with the Pension Bureau but alleged that he filled out the blank in the office of his Representative upon whom he depended for its forwarding to the Veterans' Administration. A thorough search of the Veterans' Administration's files failed to reveal the existence of the application, and apparently no acknowledgment of the receipt thereof was ever forwarded to the veteran. There is no correspondence of record between the Veterans' Administration and this veteran concerning his application. He cannot produce the ordinary notification card which is sent on receipt of every application. He has stated in another application, which he executed on September 27, 1935, a second application which he made, that he had not previously made a claim for pension.

The deceased veteran contended that when no reply was received regarding the application he assumed he was not eligible and did not prosecute the matter further. On the basis of his application in 1935, he was allowed benefits from that date. That was, of course, the first application that actually reached the Veterans' Administration. He appealed from the decision of the Appeals Board, which sustained the decision of the Veterans' Administration, denying claimant's right to payments from time of making the alleged first application. The veteran died on September 26, 1936, and an award was made to his widow, the claimant herein, of a pension of $30 per month from October 26, 1936.

I might state in defense of the veteran that at the time he filled out his second application he alleges that he did not fully understand the questions that were asked him. He himself did not fill in the answers. He did so with the aid of a Legion official, who filled out his complete application. So he says he did not realize the nature of the questions when he was asked whether he had previously applied. I may also state that at that time he was approximately 80 years of age.

In conclusion, may I say that the Veterans' Administration opposes this bill, saying:

In view of the determinations made in this case, including that of the Board of Veteran Appeals, that there is total absence of any official information to establish the fact that the veteran submitted properly executed application, it is believed that the passage of this bill would be discriminatory.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

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

Mr. SCHAFER of Wisconsin. I am a member of the Committee on Invalid Pensions, which has jurisdiction over pensions arising out of the Indian wars. Is it not a fact that that Indian war veteran legislation provides that pension shall commence from the date of filing the application therefor in the Bureau of Pensions and not in a Congressman's office or an agent's office?

Mr. COSTELLO. That is correct so far as the law is concerned. Of course, it is possible the Congressman failed to send it down, or, having sent it down, it was lost in the files of the Veterans' Administration. That is the contention which is made. The Veterans' Administration, of course, simply allege that the application was never received by them, hence they could not take any action upon it.

For that reason, Mr. Speaker, I have moved to strike out this title in the bill.

Mr. BELL. Mr. Speaker, I rise in opposition to the amendment.

Mr. Speaker, as you already know, this is a bill for the relief of Margaret Redmond, an old lady out in Missouri, the widow of a man who, back in the late seventies and early eighties, was a volunteer in the forces of the United States, out there fighting those roving tribes of Indians. They were the men who reduced to civilization the territory out of which that great northwestern block of States was founded. Congress, recognizing that these men for their patriotism and their self-sacrifice were entitled to certain preferences, provided under the law that when they arrived at a certain age all they had to show was that they had fought in that war and had been honorably discharged.

This is a case where there is no dispute about Mr. Redmond having fought, and no dispute about his honorable discharge. There is no dispute that in 1935 he made an application, and from then on received his pension for that period. The bill involves the period from 1923 to 1935. There is no dispute about the amount. We claimed that he was entitled to $7,500, but the Veterans' Administration said, "No, it is only $5,200." We said, "All right." So we are agreed on that.

The only question involved in this case is the question of whether a proper application was filed; in other words, whether Mr. Redmond asked for what was coming to him back in 1923. The testimony shows that Henry L. Jost, a former Member of this House, in high standing, under oath, has made a statement that he did file that application back in 1923.

The Veterans' Administration takes the position that a Member of Congress under oath making that sort of a statement is not submitting any evidence whatever. They say, "We do not find any correspondence or any papers in our old files; therefore, the application was not filed."

I felt the innate justice of this claim and spent some time trying to look into it. I even went over to the Veterans' Administration and talked to some of the clerks there. Some of them said, "Now, do not mention our names, but we will very frankly admit that a lot of these papers were lost when we moved."

The whole question, Mr. Speaker, is whether or not the absence of these papers is evidence which overshadows the sworn testimony of a Member of this House, and I am telling you it is admitted that some of these papers have been lost. There has been a great disposition on the part of some departments to feel that the word of a Member of Congress is not evidence. I do not feel that way about it.

There is another point which was brought up, that when the application was filed in 1935 in that application there was a statement—you know how these statements are written in fine print—in which he said he had made no previous application. Let us be fair about this matter. At the time Mr. Redmond signed that little printed form he was a man past 80 years old, a man almost deprived of his sight and his hearing by his advanced age. He wanted to get this pension filed, and he wanted to get his papers fixed up. Someone came in and said, "Sign here." The Veterans' Administration is now taking advantage of a fine-print clause, a trick clause, if you please, in a statement filed by a veteran blind and weak and trembling in his old age, and it is trying to deprive him and his widow of the money that is justly due him under the law of the United States. Therefore, Mr. Speaker, I ask you to vote against this amendment.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from California to strike out the title.

The amendment was rejected.

The Clerk read as follows:

Title IV—(H. R. 2853. For the relief of Frank Burgess Bruce)

That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to pay to Frank Burgess Bruce, of Savannah, Ga., the father of Ashmead Ferguson Bruce, late a private, first-class, in Battery F, Sixty-first Regiment Coast Artillery Corps, discharged March 1, 1919, all such installments of money unpaid on war-risk insurance certificate No. T-1016361.

Mr. COSTELLO. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COSTELLO: On page 3, beginning in line 8, strike out all of title IV.

Mr. COSTELLO. Mr. Speaker, the present bill directs the Veterans' Administrator to pay Frank Burges Bruce, of Savannah, Ga., the father of Ashmead Ferguson Bruce, a private in the Coast Artillery prior to his death, all moneys unpaid on a certain war-risk insurance certificate. The evidence shows that the decedent on January 6, 1918, applied for insurance in the amount of $10,000, naming his father as beneficiary. He was discharged from the service on March 1, 1919. The premium for April was paid on April 11, 1919. On July 19, 1919, there were received two envelopes postmarked July 17, 1919, one of which contained $6.50 and the other of which contained $12.80, premiums due on the policy.

The insured died on July 15, 1919. On November 11 a letter was written the beneficiary advising him that the policy had lapsed, but that consideration would be given to any evidence that premiums had been paid. In response the receipts for April 11 and for July 17 were presented. An award was therefore approved authorizing the payment of the insurance to the beneficiary in installments of $57.50 monthly. He received these until July 15, 1933, when payments were stopped, effective on that date. The insurance lapsed for nonpayment of the premium due May 1, 1919. It could not have been in force at the time of the veteran's death unless it was reinstated during his lifetime.

If reinstatement had been accomplished, the date would have been the date of the receipt of the premium, the date upon which the premiums were placed in the mail being accepted as the date of receipt. However, the premiums were not placed in the mail until July 17, 1919, 2 days following the date of death of this veteran. For that reason the policy was not reinstated during the lifetime of the veteran. The amount which the beneficiary has already received in excess of $9,000 is, in fact, an overpayment, a payment that was not really due. However, because of the beneficiary's financial condition, no attempt has been made to recover the amount that has been paid.

The explanation which is offered by the beneficiary alleges that the brother of the veteran left two envelopes which had been addressed to the Veterans' Administration by the veteran prior to his death in a post-office substation located in a drug store in Savannah. The letters were to have been registered and mailed on the 14th or 15th of July. They allege the brother left them there at that time, but apparently they were not mailed out until 2 days after the death, judging from the postmarks.

The Veterans' Administration strongly opposes the bill because of the fact that various similar cases are being presented from time to time, and to grant relief in this particular case would work an injustice in other cases of a similar nature where relief should possibly be granted if it is to be in this particular instance. For this reason I have offered this motion to strike out the title and recommend that it be agreed to.

Mr. PETERSON of Georgia. Mr. Speaker——

The SPEAKER pro tempore. Did the gentleman from Georgia introduce this bill?

Mr. PETERSON of Georgia. I did, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 5 minutes.

Mr. PETERSON of Georgia. Mr. Speaker, my good friend the gentleman from California [Mr. COSTELLO] has correctly stated the facts with reference to this claim, and from a strictly technical standpoint, probably, the Government or the Veterans' Administration is correct in its contention. This, however, is the true situation. This veteran placed in a post-office substation in the city of Savannah, Ga., funds which paid all premiums due on this policy. The letter containing these payments was placed in the substation on July 14. After they had been placed in the substation this veteran was in an automobile wreck, and as a result of injuries sustained in that wreck he died on the following day, July 15.

The money which he placed in the mails the day before his death did not reach the Veterans' Administration until after his death.

This case was considered and reviewed by the Veterans' Administration. It was determined that this veteran had met the requirements of the law and the Veterans' Administration proceeded to pay his father, the beneficiary under this policy, the amounts due until they had paid the total sum of $9,660. At that time the beneficiary, who was suffering financial adversities, contacted the Veterans' Administration and asked if it was possible for him to receive advance payments in order to meet certain payments due on his home which was in process of being foreclosed. The Veterans' Administration then proceeded to review the case and determined not to pay him anything further. However, no additional evidence of any nature whatsoever was presented when this last review was made by the Veterans' Administration, and no new evidence had been submitted warranting either a review of the case or the revoking of the decision of the Veterans' Administration to pay the claim.

I think the case is correctly stated by the Claims Committee when it says that this appears to be a clear case wherein the Government has taken advantage of a technicality to discontinue payment of installments of money remaining unpaid on an insurance contract which the insured believed to be in good standing at the time of his death, and which, I wish to add, the insured did everything within his power to see was in good standing at the time of his death, and it was no fault on the part of the insured that the money was not received by the Veterans' Administration previous to the time of his death.

It is evident, Mr. Speaker, that this is a case where the Veterans' Administration is taking advantage of a clear technicality, and under the rules of equity and fairness and justice the remaining portion of this outstanding insurance policy should be paid to this beneficiary.

[Here the gavel fell.]

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from California [Mr. COSTELLO] to strike out the title.

The question was taken; and on a division (demanded by Mr. COSTELLO) there were—ayes 29, noes 46.

Mr. COSTELLO. Mr. Speaker, I object to the vote on the ground a quorum is not present.

The SPEAKER pro tempore. The gentleman from California makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and twelve Members present; not a quorum. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 83, nays 227, not voting 120, as follows:

[Roll No. 49]

YEAS—83

Allen, Pa.	Dondero	Halleck	May
Andersen, H. Carl	Doughton	Hancock	Michener
Anderson, Calif.	Durham	Hartley	Miller
Andresen, A. H.	Dworshak	Hobbs	Murray
Andrews	Faddis	Holmes	O'Neal
Arends	Ford, Leland M.	Hope	Pierce
Barton	Ford, Thomas F.	Hull	Plumley
Bradley, Mich.	Gamble	Jensen	Rich
Bryson	Gartner	Johns	Robertson
Buck	Gearhart	Johnson, Ind.	Rogers, Okla.
Bulwinkle	Gerlach	Jonkman	Schwert
Byrns, Tenn.	Gifford	Kean	Springer
Carlson	Gilchrist	Keefe	Stefan
Carter	Gillie	Kilburn	Sumner, Ill.
Clason	Goodwin	Kitchens	Taber
Claypool	Gore	Kunkel	Tinkham
Cochran	Gossett	Lanham	Vorys, Ohio
Costello	Grant, Ind.	LeCompte	Warren
Crawford	Gwynne	Lemke	West
Crowe	Hall, Edwin A.	McGehee	Whittington
Dempsey	Hall, Leonard W.	Martin, Mass.	

NAYS—227

Allen, La.	Barry	Boren	Cannon, Fla.
Anderson, Mo.	Bates, Ky.	Boykin	Case, S. Dak.
Angell	Beckworth	Brewster	Celler
Arnold	Bell	Brooks	Chapman
Austin	Bland	Brown, Ga.	Chiperfield
Ball	Boland	Buckler, Minn.	Church
Barnes	Bolles	Byron	Clark
Clevenger	Havenner	Marcantonio	Schiffler
Coffee, Nebr.	Hawks	Marshall	Schuetz
Cole, Md.	Hendricks	Martin, Iowa	Schulte
Colmer	Hennings	Mason	Secrest
Connery	Hill	Massingale	Shafer, Mich.
Cooper	Hook	Mills, La.	Shanley
Corbett	Houston	Monkiewicz	Simpson
Courtney	Izac	Monroney	Smith, Conn.
Cox	Jarman	Moser	Smith, Maine
Cravens	Jenkins, Ohio	Mott	Smith, Va.
Creal	Jenks, N. H.	Mundt	Smith, Wash.
Culkin	Jennings	Murdock, Ariz.	Smith, W. Va.
Cullen	Johnson, Ill.	Nelson	Snyder
Curtis	Johnson, Luther A.	Nichols	Somers, N. Y.
D'Alesandro	Johnson, Lyndon	Norrell	South
Davis	Johnson, Okla.	Norton	Sparkman
Delaney	Johnson, W. Va.	O'Connor	Spence
Dickstein	Jones, Ohio	O'Day	Steagall
Dingell	Jones, Tex.	O'Leary	Stearns, N. H.
Dirksen	Kee	O'Toole	Sumners, Tex.
Doxey	Kelly	Pace	Sutphin
Drewry	Kennedy, Martin	Parsons	Sweeney
Dunn	Kennedy, Md.	Patman	Talle
Eaton	Kennedy, Michael	Patrick	Tarver
Eberharter	Keogh	Patton	Terry
Edmiston	Kerr	Pearson	Thill
Elliott	Kilday	Peterson, Ga.	Thomas, Tex.
Ellis	Kinzer	Pfeifer	Thomason
Elston	Kirwan	Pittenger	Thorkelson
Engel	Kleberg	Poage	Tibbott
Englebright	Kocialkowski	Polk	Tolan
Evans	Kramer	Powers	Treadway
Fenton	Lambertson	Rabaut	Van Zandt
Flaherty	Landis	Ramspeck	Vincent, Ky.
Ford, Miss.	Leavy	Randolph	Voorhis, Calif.
Fulmer	Lesinski	Rankin	Vreeland
Gathings	Lewis, Colo.	Rees, Kans.	Wallgren
Gavagan	Luce	Richards	Ward
Geyer, Calif.	Ludlow	Risk	Welch
Gibbs	Lynch	Robinson, Utah	Wheat
Graham	McAndrews	Robsion, Ky.	Williams, Mo.
Grant, Ala.	McDowell	Rodgers, Pa.	Wolcott
Green	McGregor	Rogers, Mass.	Wolfenden, Pa.
Gregory	McKeough	Romjue	Wolverton, N. J.
Griffith	McLaughlin	Routzohn	Wood
Guyer, Kans.	McLeod	Rutherford	Woodruff, Mich.
Hare	McMillan, Clara G.	Sasscer	Woodrum, Va.
Harness	McMillan, John L.	Satterfield	Youngdahl
Harrington	Mahon	Schaefer, Ill.	Zimmerman
Harter, Ohio	Maloney	Schafer, Wis.	

NOT VOTING—120

Alexander	Darden	Jarrett	Reed, N. Y.
Allen, Ill.	Darrow	Jeffries	Rockefeller
Barden	DeRouen	Kefauver	Ryan
Bates, Mass.	Dies	Keller	Sabath
Beam	Disney	Knutson	Sacks
Bender	Ditter	Larrabee	Sandager
Blackney	Douglas	Lea	Scrugham
Bloom	Duncan	Lewis, Ohio	Seccombe
Boehne	Edelstein	McArdle	Seger
Bolton	Fay	McCormack	Shannon
Bradley, Pa.	Ferguson	McGranery	Sheppard
Brown, Ohio	Fernandez	McLean	Sheridan
Buckley, N. Y.	Fish	Maas	Short
Burch	Fitzpatrick	Maciejewski	Smith, Ill.
Burdick	Flannagan	Magnuson	Smith, Ohio
Burgin	Flannery	Mansfield	Starnes, Ala.
Byrne, N. Y.	Folger	Martin, Ill.	Sullivan
Caldwell	Fries	Merritt	Taylor
Camp	Garrett	Mills, Ark.	Tenerowicz
Cannon, Mo.	Gehrmann	Mitchell	Thomas, N. J.
Cartwright	Gross	Mouton	Vinson, Ga.
Casey, Mass.	Hart	Murdock, Utah	Wadsworth
Cluett	Harter, N. Y.	Myers	Walter
Coffee, Wash.	Healey	O'Brien	Weaver
Cole, N. Y.	Hess	Oliver	Whelchel
Collins	Hinshaw	Osmers	White, Idaho
Cooley	Hoffman	Peterson, Fla.	White, Ohio
Crosser	Horton	Rayburn	Wigglesworth
Crowther	Hunter	Reece, Tenn.	Williams, Del.
Cummings	Jacobsen	Reed, Ill.	Winter

So the motion to strike out was rejected.

The Clerk announced the following additional pairs:

Additional general pairs:

Mr. Disney with Mr. Ditter.
Mr. Cannon of Missouri with Mr. Reed of New York.
Mr. Weaver with Mr. Knutson.
Mr. Burch with Mrs. Bolton.
Mr. Cummings with Mr. McLean.
Mr. Peterson of Florida with Mr. Hess.
Mr. Murdock of Utah with Mr. Maas.
Mr. Hunter with Mr. Winter.
Mr. Cartwright with Mr. Harter of New York.
Mr. Rayburn with Mr. Darrow.
Mr. Camp with Mr. Smith of Ohio.
Mr. Maciejewski with Mr. Sandager.
Mr. Folger with Mr. Oliver.
Mr. Fitzpatrick with Mr. O'Brien.
Mr. Kefauver with Mr. Reed of Illinois.
Mr. Tenerowicz with Mr. Williams of Delaware.
Mr. Buckley of New York with Mr. Scrugham.
Mr. Magnuson with Mr. Myers.
Mr. Sheridan with Mr. Crosser.

Mr. PEARSON changed his vote from "aye" to "no."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER pro tempore. The Clerk will report the next title.

The Clerk read as follows:

Title V—(H. R. 5719. Conferring jurisdiction upon the Court of Claims of the United States to hear, consider, and render judgment on the claims of Joliet National Bank, of Joliet, Ill., and Commercial Trust & Savings Bank, of Joliet, Ill., arising out of loans made to the Joliet Forge Co., of Joliet, Ill., for the providing of additional plant facilities and material for the construction of steel forgings during the World War)

That jurisdiction is hereby conferred upon the Court of Claims of the United States, whose duty it shall be, notwithstanding the lapse of time or the bar of statute of limitations or any previous decisions by any court, board, or commission, to hear, consider, and render judgment against the United States in favor of said Joliet National Bank, of Joliet, Ill., and said Commercial Trust & Savings Bank, of Joliet, Ill., or either of them, or any receiver or successor of either of them, for any losses that said Joliet National Bank and said Commercial Trust & Savings Bank, or either of them, may have sustained as a result of loans made by said Joliet National Bank and said Commercial Trust & Savings Bank, or either of them, to the Joliet Forge Co., of Joliet, Ill., for the purpose of providing and furnishing additional plant facilities, equipment, or materials for the construction of steel forgings during the World War as if the same were claims against the United States; and if any other legal or equitable claims arising out of the transactions in connection therewith; but no recovery shall be had for any losses in excess of the losses that shall be affirmatively shown to have been caused by the failure of the United States to comply with its obligations to and with either the Joliet Forge Co., of Joliet, Ill., the Joliet National Bank, of Joliet, Ill., or the Commercial Trust & Savings Bank, of Joliet, Ill., or either of them: *Provided*, That separate suits may be brought by each of said Joliet National Bank and Commercial Trust & Savings Bank or their receivers or successors, or both, may be joined in one suit and separate judgments may be rendered according as their separate interests may appear, but no suit shall be brought after the expiration of one from the effective date of this act: *Provided further*, That any evidence or testimony heretofore offered before any court, board, or commission, with respect to these transactions, together with the exhibits therein offered, may be introduced before the Court of Claims, with the full force of depositions, subject to objections as to relevancy and materiality: *And provided further*, That either party shall have the same right to a review by the Supreme Court of the United States of any decision by the Court of Claims as now exists by law in other cases decided by the Court of Claims.

Mr. MOTT. Mr. Speaker, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. MOTT: Page 3, beginning in line 17, strike out all of title 5.

Mr. MOTT. Mr. Speaker, I offer this amendment for the purpose of raising a question and if the question is satisfactorily answered, I shall have no further objection to the consideration of the bill; and in this connection I may say that I know of no way of raising the question except by a motion to strike out the item.

In its original form this was a claim of the Joliet Forge Co. against the United States. That bill was passed by the House and Senate but received a pocket veto from the President; and I assure you that the fact that it received a pocket veto from the President would not in any way prejudice me against the bill.

This is the question I wish to raise. I am not able to understand how the two banks of Joliet, who are now the claimants under the pending bill, are proper parties to this legislation or to the litigation contemplated in it. There is some indication that the Joliet Forge Co. would have at least a moral claim against the Government, because the testimony shows that the manager of the supply division of the Emergency Fleet Corporation, during the war, did direct this forge company to increase the facilities of its plant, and because the company complied with the order, and thereby incurred indebtedness, it had a claim against the Government; a claim which properly could have been considered by the Court of Claims or by the Congress. For that reason, if the Joliet Forge Co. or its general creditors were the claimants under this bill, I would have no hesitancy whatever in having the claim submitted to the Court of Claims.

However, the banks and not the forge company or its general creditors are the claimants here. Because the banks loaned this forge company money does not create any contract obligation between the banks and the Government. That does not make the banks parties at all to this proposed litigation, and it does not entitle them to be claimants in this bill. I take it that the forge company is now defunct, for otherwise this matter would have been brought in the name of the Joliet Forge Co. and not in the name of the banks.

The committee report discloses that the banks loaned money to this forge company and that they are bringing this claim for the purpose of reimbursing themselves for the money that they loaned the corporation. The question I am raising is, How does this state of facts create an obligation on the part of the Government to the banks? If whoever is sponsor for this bill can tell me by what right in law or equity it would be proper for the banks to come here and recover from the Government the money they loaned to the Joliet Forge Co., while leaving out of consideration altogether the general creditors of the defunct Joliet Forge Co., then I shall have no further objection to the bill. I think, however, the House is entitled to a full statement on this point before it considers the bill.

Mr. DIRKSEN. Mr. Speaker, I rise in opposition to the motion of the gentleman from Oregon. The pending bill was introduced by the gentleman from Illinois [Mr. REED] because the city of Joliet happens to be in his congressional district. The facts are essentially as stated by my good friend the gentleman from Oregon [Mr. MOTT]. It is rather a singular thing about war claims that when the hysteria and emotionalism of war possessed the country we had agents of the Government and agents of governmental agencies going about the country exhorting manufacturers to go into debt for the purpose of producing war essentials, and that is the reason why the Joliet Forge Co., which was manufacturing steel forgings for the United States Shipbuilding Corporation and the Emergency Fleet Corporation and other governmental agencies, was exhorted by the district manager or inspector for one of the corporations of the Government to expand its plant to 300 percent of the then present capacity within the space of 120 days.

That is a tremendous financial demand to make upon any industry, but they addressed themselves to the job and had to go to the banks in Joliet, Ill., for the purpose of procuring funds.

It was also indicated to them at the time that if they could not get funds from the bank there would be the possibility of a Government loan. As a result, they expanded the plant. When the war finally spun into an armistice, followed by a peace, here was a considerable plant the capacity of which was absolutely useless both to this company, to the city of Joliet and its environment, because there was no longer that great impact of war business. Here, however, was a debt of perhaps $100,000 or more than $100,000 in the first instance, so what should they do?

Finally, the company became defunct, and I assume—although I cannot say as a matter of fact, not having been the sponsor of the bill—that the assets were no doubt assigned to the banks of Joliet. Since that time, under the banking holiday of 1933, to my own certain knowledge, these banks encountered difficulties; and today, or at that time at least, a receiver was in charge; and it was the receiver who indicated that a claim should be made in behalf of the funds or the moneys that rightly were owed by the United States Government to the Joliet Forge Co. That is the situation.

The gentleman from Oregon raises the question of privity of contract. This is a matter on which lawyers can discourse at great length, but I do not propose to weary you with a great legal discourse on the general subject of privity, because it occupies great tomes in the learned profession of the law. I do say, however, that when an agency of the Government comes to a plant and says, "Expand your plant," then business with the company ceases and the company finally becomes defunct with the bank holding the bag, meaning that the depositors and the stockholders hold the bag; then, irrespective of very fine meticulous legal distinctions that may enter into the picture, there is a moral obligation that the Federal Government ought to undertake in this bill.

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

Mr. DIRKSEN. If the gentleman will just indulge me a moment, then I will yield.

This bill does not take any money out of the Treasury. It is a jurisdictional bill and asks the right to go before the Court of Claims irrespective of any statutes or the operation of the statute of limitations for the purpose of there presenting this claim and laying down the essential facts.

It was said that the bill was vetoed before, and that is true—by a pocket veto because the Comptroller's Office had not gotten to the White House, I expect, before the veto was finally entered in order to bring out the other side of the picture. Since that time, however, new language has been incorporated into the bill, and this language reads as follows:

No recovery shall be had for any losses in excess of the losses that shall be affirmatively shown to have been caused by the failure of the United States to comply with its obligations to and with either the Joliet Forge Co., of Joliet, Ill., the Joliet National Bank, of Joliet, Ill., or the Commercial Trust & Savings Bank, of Joliet, Ill., or either of them.

All this bill seeks to do, therefore, is to confer jurisdiction upon the Court of Claims to hear evidentiary and substantive facts.

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

Mr. DIRKSEN. I yield.

Mr. MOTT. Assume, for the sake of argument, that all the gentleman says is true—and I imagine it is, although the evidence set out in the printed report does not show it—but even though it be true and recovery is had, the proceeds of that recovery would go, not to the creditors of the concern which had a claim against the Government but to the banks between which and the Government there was absolutely no contractual obligation whatever. Does the gentleman think that is fair?

Mr. DIRKSEN. Yes; I do, for this reason: In the first place, the banks were creditors of the Joliet Forge Co.; and, secondly, if there were any other creditors whose claims were not assigned to the bank or purchased by the bank, it is up to the creditors themselves to prefer their claims against the Government to protect their rights or interests. They failed to do so. That is their hard luck, but that is no reason why the position of the banks ought to be impaired.

Mr. MOTT. In this claim, as I see it, the banks of Joliet are bringing a claim against the Government to collect money they lent to a corporation which in turn claimed it had a contractual obligation with the Government. I do not feel that the Government should pay any money whatever out to the creditors or stockholders of this defunct corporation. It certainly should not prefer one creditor, namely, the bank, to all the rest of the creditors.

Mr. DIRKSEN. Whether by law or by morals, it occurs to me that the two banks were subrogated to the position once occupied by the Joliet Forge Co., and that is privity enough, so far as I am concerned, in justifying the right to let this claim go before the Court of Claims for final disposition.

[Here the gavel fell.]

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Oregon.

The amendment was rejected.

Mr. HANCOCK. Mr. Speaker, there are two slight inaccuracies in this title. I ask unanimous consent to strike out the word "if," in line 18, page 4, and on page 5, line 8, after the word "one," to insert the word "year." Obviously there is an omission in one place and an extra word in the other place.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. HANCOCK]?

Mr. O'CONNOR. Mr. Speaker, reserving the right to object, what title did the gentleman direct his amendment to?

Mr. DIRKSEN. Title V.

Mr. HANCOCK. It is simply to correct an obvious mistake in language.

The SPEAKER pro tempore. Without objection, the corrections indicated by the gentleman from New York [Mr. HANCOCK] will be made.

There was no objection.

The Clerk read as follows:

Title VI—(H. J. Res. 156. Authorizing and directing the Comptroller General of the United States to certify for payment certain claims of grain elevators and grain firms to cover insurance and interest on wheat during the years 1919 and 1920 as per a certain contract authorized by the President)

Whereas it is provided in the act entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel" (ch. 53, 40 Stat. L., approved August 10, 1914, and ch. 125, 40 Stat. L., approved March 4, 1919), wherein the President was authorized to determine and fix a guaranteed price, to be paid producers of wheat, and wherein the President was further authorized as follows:

"Whenever the President shall find it essential in order to carry out the guaranties aforesaid, or to protect the United States against undue enhancement of its liabilities thereunder, he is authorized to make reasonable compensation for handling, transportation, insurance, and other charges with respect to wheat and wheat flour of said crops and for storage thereof in elevators, on farms and elsewhere"; and

Whereas the President by an Executive Order No. 3087, dated May 14, 1919, in pursuance of the power conferred on him by said act, did order as follows:

"I further find it essential and hereby direct that in order to carry out the guaranties made producers of wheat of the crops of 1919, and to protect the United States against undue enhancement of its liabilities thereunder the United States wheat director utilize the services of the Food Administration Grain Corporation (now the United States Grain Corporation by reason of a change of name authorized by Executive order) as an agency of the United States, and I authorize the Food Administration Grain Corporation * * * to enter into such voluntary agreements, to make such arrangements, and to do and perform all such acts and things as may be necessary to carry out the purposes of said act"; and

Whereas the United States Grain Corporation, in pursuance of said Executive order, and for the purpose of carrying out and making effective the guaranteed price, made and entered into, a certain contract, known as the "Grain dealers' agreement," with various independent and farmer grain firms and grain-elevator companies in Montana, North Dakota, South Dakota, Minnesota, Nebraska, Kansas, Iowa, Missouri, Wyoming, and Oklahoma, and wherein it was agreed as follows:

"Fourth. In case the dealer (the elevator firms) shall be unable, after using every effort and all diligence to ship in any week such total of grain as makes the equivalent of at least 20 percent of the amount of wheat in his elevator and owned by him at the beginning of such week, the Grain Corporation shall pay to the dealer to cover insurance and interest for such week seven-twentieths of 1 cent per bushel on wheat in the elevator owned by him at the beginning of such week"; and

Whereas the President, in an Executive Order No. 3320, dated August 21, 1920, did approve, ratify, and confirm all acts done or authorized by the said United States Grain Corporation in carrying out and making said guaranteed price effective; and

Whereas all said grain dealers (the elevator firms) under the terms of said dealers' contract were required by said United States Grain Corporation to, and in accordance therewith each said grain dealer did, make prescribed written weekly reports to said United States Grain Corporation; and in due course there was duly and truly entered from said weekly reports upon the books of said United States Grain Corporation as money earned by said grain dealers, and each of them under the terms of said contract, and as justly due and truly owing to each said grain dealer from the United States Grain Corporation, the several sums of money, as reported by the Department of Commerce in its reports filed with the Secretary of the Senate, to which reports reference is hereinafter made; and

Whereas all the records, books of account, and files of the United States Grain Corporation were placed in the custody of the Department of Commerce by and pursuant to an Executive Order No. 4791 of the President, dated the 31st day of December 1927, and were in the custody of the Department of Commerce at the time of the making and filing with the Senate of the reports of the Department of Commerce hereinafter mentioned; and

Whereas on the 18th day of June 1929 the Senate of the United States duly adopted Senate Resolution 98 (71st Cong., 1st sess.), directing the Department of Commerce to furnish the Senate and file with the Secretary of the Senate the names and addresses of each person, firm, or corporation as they appear on the books and records of the United States Grain Corporation, who have, or appear to have, therefrom, a claim against the United States Grain Corporation or the United States, unpaid, in whole or in part, for such interest and insurance under and by virtue of said contract; and the respective amounts entered on said books and records as apparently earned by each said person, firm, and corporation under and by virtue of said contract; and

Whereas in pursuance of said resolution (No. 98) of the Senate, the Department of Commerce, subsequent to the adoption thereof

and prior to the 14th day of December 1929, did furnish the Senate and did file with the Senate written reports wherein the Department of Commerce set forth the names and addresses of divers persons, firms, corporations, and grain dealers, and therein, further, did set forth opposite said names and addresses the respective amounts actually entered upon the records and books of the said United States Grain Corporation as accrued under the terms of said grain dealers' contract, to said persons, firms, corporations, and grain dealers; reference to said reports so filed being hereby made for greater particularity; and

Whereas it appears from said reports of said Department of Commerce, so filed with the Senate, that all the amounts and credits due from said United States Grain Corporation under said grain dealers' contract to the persons, firms, and corporations named in said report still remain unpaid; and

Whereas said persons, firms, corporation, and grain dealers named in said reports of said Department of Commerce are now, and heretofore have been, making claim for payment thereof: Now, therefore, be it

Resolved, etc., That the Comptroller General of the United States, upon the filing with his office of an affidavit by any person, firm, corporation, or grain dealer named in said reports of the said Department of Commerce, so filed with the Secretary of the Senate, or by an officer of said person, firm, corporation, or grain dealer, or the successor or legal representative of such person, firm, corporation, or grain dealer, stating that the person, firm, corporation, or grain dealer making said affidavit is the identical person, firm, corporation, or grain dealer named in said reports of said Department of Commerce or is the successor or legal representative of such person, firm, corporation, or grain dealer, and as such, is entitled to receive payment of the respective amount stated in said report of said Department of Commerce as filed with the Secretary of the Senate and therein set opposite the several names of such person, firm, corporation, or grain dealer shall forthwith certify to the Secretary of the Treasury of the United States for payment to such person, firm, corporation, or grain dealer, together with the reasonable and necessary expense incident to the administration of this resolution in the office of the Comptroller General of the United States, out of any funds of the United States Grain Corporation now in possession of the United States, or out of any funds in the United States Treasury not otherwise appropriated, the respective amounts stated in said reports of the Department of Commerce filed with the Secretary of the Senate and therein set opposite the name and address of said person, firm, corporation, or grain dealer making said affidavit or in whose behalf said affidavit is made; and in this connection and upon the filing of said affidavit it shall be taken as the fact that all conditions and acts necessary to authorize payment of said amounts set opposite the names and addresses of each of said persons, firms, corporations, or grain dealers, named in said reports of said Department of Commerce, have been duly complied with and performed by such persons, firms, corporations, or grain dealers: *Provided*, That the amount to be paid by such persons, firms, corporations, or grain dealers to their attorneys, as fees, exclusive of their expenses, shall not exceed 10 percent of the amount so paid to each such person, firm, corporation, or grain dealer hereunder.

SEC. 2. The resolution entitled "Joint resolution authorizing the President to ascertain, adjust, and pay certain claims of grain elevators and grain firms to cover insurance and interest in wheat during the years 1919 and 1920 as per a certain contract authorized by the President," approved February 4, 1929, as amended, is hereby repealed.

With the following committee amendment:

Page 5, line 19, strike out all of title VI.

The committee amendment was agreed to.

The Clerk read as follows:

Title VII—(S. 1093. For the relief of Mike Chetkovich.)

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 Mike Chetkovich the sum of $10,000. Such sum was the face amount of a certificate of war-risk insurance (No. T-3229247) issued to the said Mike Chetkovich following his induction into the military service on July 2, 1918. Such insurance was in effect when he became totally and permanently disabled as the result of an operation performed on or about August 12, 1918, at the Army base hospital at Camp Lewis, 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 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 11, line 18, strike out "VII" and insert "VI."

The committee amendment was agreed to.

Mr. HANCOCK. Mr. Speaker, I offer an amendment to strike out all of title VI.

The Clerk read as follows:

Amendment offered by Mr. HANCOCK: Beginning on page 11, line 18, strike out all of title VI.

Mr. HANCOCK. Mr. Speaker, by this item we are asked to reverse a decision of a court and jury of the United States District Court of Montana, and also to reverse the Circuit Court of Appeals. Furthermore, we are asked to overrule the Supreme Court of the United States, which refused to hear an appeal on a writ of certiorari.

The claimant was drafted into the service of the Army during the World War in July 1918. He was found to be suffering from a hernia and was ordered to the hospital for an operation. It is true he protested against the operation, but he was forced to submit to it. He was discharged some time early in 1919. He now claims and has claimed for a long period of years that as a result of the operation performed in August 1918 he was permanently disabled during the life of his war-risk insurance, which lapsed in 1919.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

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

Mr. SCHAFER of Wisconsin. On what disability does he claim permanent and total disability and a $10,000 insurance payment?

Mr. HANCOCK. I do not know the proper medical term, but he claims he never fully recovered from the operation.

I want briefly to lay the facts before the membership of the House, then the Members may use their own good judgment. Some years ago he applied to the Veterans' Bureau for compensation and was awarded compensation on the basis of a 40-percent disability. Undoubtedly he is disabled to a certain extent. He has not been able to work steadily since his discharge from the Army, but for a number of years after his operation he was able to engage in a gainful occupation, at least part of the time.

The point I want to stress is that this man brought suit on his war-risk insurance policy before a court and jury and was defeated. The verdict of the jury was against him and the judge refused to order a new trial. He appealed to the circuit court of appeals and the verdict and judgment of the lower court were sustained. He attempted to go to the Supreme Court of the United States and a writ of certiorari was denied.

Mr. Speaker, there must be a point beyond which we are not willing to go in connection with these private bills. If we are going to constitute ourselves a supercourt in this case, we ought to have the entire record before us and we should not take any action without examining it carefully.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

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

Mr. SCHAFER of Wisconsin. Is it not a fact that if we pass this title we pay $10,000 insurance and hold that this man was permanently and totally disabled on account of a disability which if incurred while going over the top would only rate $25 a month?

Mr. HANCOCK. As a matter of fact, the Veterans' Bureau has held repeatedly that 40 percent is the most liberal allowance he can get for his disability and that is what he is receiving now.

Mr. O'CONNOR. Will the gentleman yield?

Mr. HANCOCK. I yield to the gentleman from Montana.

Mr. O'CONNOR. Is it not a fact that the cause of this claimant's ailment was an operation that he was forced to undergo, which had no relation to the hernia for which he was put in the hospital?

Mr. HANCOCK. That is my understanding.

Mr. O'CONNOR. And did they not mutilate the man in the hospital to such an extent that he has never been any good since?

Mr. SCHAFER of Wisconsin. For what?

Mr. O'CONNOR. For anything.

Mr. HANCOCK. I do not so understand the facts.

Mr. O'CONNOR. That is the fact.

Mr. HANCOCK. He was found by the Veterans' Bureau to be 40 percent disabled. He was not totally and permanently disabled, in the judgment of the Veterans' Bureau, a court and jury, and an appellate court. We are being asked, let me say to the gentleman from Montana, to reverse the court, the jury, the appellate court, and the Supreme Court of the United States on self-serving declarations by the claimant himself, plus the eloquence of the gentleman from Montana.

Mr. O'CONNOR. Does not the gentleman know that when these cases were first presented to the Federal courts that they operated in a high-handed and hard-boiled manner?

Mr. HANCOCK. No. My understanding is that the plaintiffs won 9 out of 10 cases when they reached a jury, but in this case the plaintiff was defeated by a jury.

[Here the gavel fell.]

Mr. O'CONNOR and Mr. THORKELSON rose.

Mr. O'CONNOR. Mr. Speaker, I rise in opposition to the amendment.

The SPEAKER pro tempore. Two gentlemen from Montana have risen. The Chair assumes that each gentleman from Montana wishes to oppose the amendment.

Mr. O'CONNOR. I may say that the claimant comes from the district of my colleague and his residence is in Butte. If my colleague insists on addressing the House in opposition to the amendment I yield to him.

The SPEAKER pro tempore. Under those circumstances the Chair believes the gentleman from Montana [Mr. THORKELSON] is entitled to the time.

Mr. THORKELSON. Mr. Speaker, it is unfortunate that decision of three courts may have to be reversed. This case is not one anyone should laugh about. This man enlisted on the 2d of July and after having been in training for 1 month it was found that he had a hernia in the undescended testicle. He was ordered to the hospital and held under observation for 5 days and was operated on the 12th of August. The man weighed 190 pounds and was in good health when he enlisted. He worked in the mines in Butte, and in order to work in the mines one must be in reasonably good health.

When this man reached the hospital he was what we term a clean surgical case, that is, there was no infection. He was operated on by the surgeons in the hospital, and for some reason or other he became infected. He developed blood poisoning after the operation; in other words, he was the victim of circumstances beyond his control. He could not help that he became infected. The point to bear in mind is that when you die from an operation you usually die from infection, and not necessarily from the surgery.

It is said that the man was sent to the infirmary because of laryngitis, or sore throat, but it was found that he had a suppurating post-operative wound. This infection, of course, brought about a breaking down of the tissue in the area of the operation, which was on the left side of his abdomen, so that he now has difficulty in keeping his intestines within his abdomen. A man cannot work when the abdominal wall is so weak that the intestine protrudes, and there is no manner in which an appliance can be used to control such hernia and keep the bowels within the abdominal cavity. That is this man's position. He is alive, that is quite true, but at the same time he is not in a physical condition to do any labor such as he did before he enlisted in the United States Army. He is entitled to exactly the same compensation as any other man who enlisted in the armed forces of the United States.

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

Mr. THORKELSON. I yield to the gentleman from Connecticut.

Mr. MILLER. Does the gentleman believe that the 40-percent rating is unfair? Will the gentleman say as a doctor that the man was permanently and totally disabled?

Mr. THORKELSON. I say he is permanently and totally disabled.

Mr. O'CONNOR. Mr. Speaker, will the gentleman yield?

Mr. THORKELSON. I yield to the gentleman from Montana.

Mr. O'CONNOR. I wish to read into the RECORD a statement made by Senator MURRAY in regard to the trial feature of this case, when this bill was before the Senate and which has passed the Senate.

> Mr. MURRAY. Mr. President, I should like to state that I believe there has been a real miscarriage of justice in this case.
>
> I happen to know the man, and I have seen a great deal of him. I know that he is in a totally disabled condition, and that in the trial of the case at Butte the case was rushed through by the judge, and certain remarks were made which I think prejudiced the case. Since the case was tried it has also been brought out that there was evidence which was not presented to the jury. That is referred to in the record here. It seems to me that the decision in that case should not be conclusive; I do not understand that it is; and that, in view of the real facts in the case, it would be an utter injustice, a miscarriage of justice, to this man to deprive him of the rights he had under his insurance policy.

This is the argument made by Senator MURRAY before the Senate in regard to this bill and ought to be given weight, as Senator MURRAY lives in Butte, knows the man, and also the judge that tried the case.

Mr. THORKELSON. Yes; but I wish to make this additional remark: In ordinary testimony before the courts actual facts as to infection and other unforeseen conditions are not brought out as clearly as they should be. These facts were probably not placed before the jury, and they did not understand that this man had become infected and that his abdominal wall is broken down because of this infection. He is actually 100 percent disabled, because he cannot perform the work he was accustomed to do before he enlisted in the armed forces of the United States.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

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

Mr. SCHAFER of Wisconsin. Is the gentleman in favor of holding every World War veteran permanently and totally disabled for compensation and insurance purposes because he may have a hernia or have lost a portion of his anatomy, which rates a payment of $25 a month if it was incurred while going over the top?

Mr. THORKELSON. No; I do not hold any opinion of that sort.

Mr. SCHAFER of Wisconsin. This man is now getting compensation, and this bill is to give him $10,000 insurance and hold that he is totally and permanently disabled.

Mr. THORKELSON. Let me answer the question in this way: Anyone who has had an infection after an operation is liable to develop a post-operative hernia, and if there is a massive destruction of tissue, such hernia cannot be repaired by surgery. A person suffering from an inoperable hernia is certainly entitled to compensation for total and permanent disability. The question in issue is not a simple operation for a hernia, it is not a question of an orchiectomy; the point is that he had an infection, after an operation for a hernia, which caused mass destruction of tissue of the abdominal wall which cannot be repaired by operative procedure. It cannot be retained by a truss, and he is therefore unable to perform the work he did before he enlisted in the Army. He is, as I have said, a total disability, and therefore entitled to the same consideration given to others suffering from similar service-connected disability.

[Here the gavel fell.]

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from New York to strike out the title.

The question was taken; and on a division (demanded by Mr. O'CONNOR) there were—ayes 54, noes 21.

Mr. O'CONNOR. Mr. Speaker, I object to the vote on the ground that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

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 226, nays 79, not voting 125, as follows:

[Roll No. 50]

YEAS—226

Allen, La.	Eberharter	Kean	Rees, Kans.
Andersen, H. Carl	Edmiston	Kefauver	Rich
Anderson, Calif.	Ellis	Kilburn	Richards
Andrews	Elston	Kilday	Robsion, Ky.
Angell	Engel	Kinzer	Rodgers, Pa.
Arends	Faddis	Kitchens	Rogers, Mass.
Arnold	Fenton	Kleberg	Romjue
Austin	Fish	Kocialkowski	Routzohn
Ball	Ford, Leland M.	Kramer	Rutherford
Barden	Ford, Miss.	Kunkel	Satterfield
Barnes	Ford, Thomas F.	Landis	Schaefer, Ill.
Barry	Fulmer	Lanham	Schafer, Wis.
Bates, Ky.	Gamble	Leavy	Schiffler
Beckworth	Gartner	LeCompte	Schulte
Boland	Gathings	Lemke	Schwert
Bolles	Gearhart	Luce	Secrest
Bolton	Gerlach	McAndrews	Short
Boren	Gibbs	McDowell	Simpson
Bradley, Mich.	Gifford	McGehee	Smith, Conn.
Brooks	Gilchrist	McGregor	Smith, Va.
Brown, Ga.	Gillie	McLaughlin	Smith, W. Va.
Bryson	Goodwin	McLeod	South
Byrns, Tenn.	Gore	McMillan, Clara G.	Sparkman
Caldwell	Gossett	McMillan, John L.	Spence
Cannon, Fla.	Graham	Mahon	Springer
Cannon, Mo.	Grant, Ala.	Maloney	Steagall
Carlson	Grant, Ind.	Marshall	Stearns, N. H.
Carter	Gregory	Martin, Iowa	Stefan
Cartwright	Griffith	Martin, Mass.	Sumner, Ill.
Celler	Guyer, Kans.	Mason	Sumners, Tex.
Chapman	Gwynne	May	Taber
Chiperfield	Hall, Edwin A.	Michener	Talle
Church	Hall, Leonard W.	Miller	Tarver
Clark	Halleck	Mills, La.	Terry
Clason	Hancock	Monkiewicz	Thill
Claypool	Hare	Moser	Thomas, Tex.
Clevenger	Harness	Mott	Thomason
Cochran	Harrington	Mouton	Tibbott
Coffee, Nebr.	Harter, Ohio	Nelson	Tinkham
Cooper	Hartley	Norrell	Treadway
Corbett	Hawks	Norton	Van Zandt
Costello	Hobbs	O'Leary	Vorys, Ohio
Courtney	Holmes	Osmers	Vreeland
Cox	Hook	Pace	Warren
Crawford	Hope	Parsons	West
Creal	Jenkins, Ohio	Patman	Wheat
Crowe	Jennings	Patton	Whittington
Culkin	Johns	Pearson	Williams, Mo.
Curtis	Johnson, Ill.	Pierce	Wolcott
Davis	Johnson, Ind.	Plumley	Wolfenden, Pa.
Dempsey	Johnson, Luther	Poage	Wolverton, N. J.
Dirksen	Johnson, Lyndon	Polk	Woodruff, Mich.
Dondero	Johnson, Okla.	Powers	Woodrum, Va.
Doughton	Johnson, W. Va.	Randolph	Youngdahl
Durham	Jones, Ohio	Rankin	Zimmerman
Dworshak	Jones, Tex.	Reece, Tenn.	
Eaton	Jonkman	Reed, N. Y.	

NAYS—79

Anderson, Mo.	Drewry	Kennedy, Michael	Rabaut
Bell	Dunn	Kirwan	Ramspeck
Bland	Elliott	Lewis, Colo.	Risk
Bloom	Englebright	Ludlow	Robinson, Utah
Boykin	Evans	Lynch	Sasscer
Brewster	Flaherty	McKeough	Schuetz
Buckler, Minn.	Geyer, Calif.	Marcantonio	Shafer, Mich.
Byrne, N. Y.	Green	Massingale	Shanley
Case, S. Dak.	Havenner	Monroney	Smith, Maine
Cole, Md.	Hendricks	Mundt	Smith, Wash.
Colmer	Hennings	Murdock, Ariz.	Snyder
Connery	Hill	Murray	Sweeney
Cravens	Houston	Nichols	Thorkelson
Crosser	Hull	O'Brien	Tolan
Cullen	Hunter	O'Connor	Vincent, Ky.
D'Alesandro	Izac	O'Day	Voorhis, Calif.
Delaney	Jarman	O'Toole	Ward
Dickstein	Jenks, N. H.	Patrick	Welch
Disney	Kelly	Peterson, Ga.	Wood
Doxey	Kennedy, Md.	Pittenger	

NOT VOTING—125

Alexander	Burgin	Douglas	Healey
Allen, Ill.	Byron	Duncan	Hess
Allen, Pa.	Camp	Edelstein	Hinshaw
Andresen, A. H.	Casey, Mass.	Fay	Hoffman
Barton	Cluett	Ferguson	Horton
Bates, Mass.	Coffee, Wash.	Fernandez	Jacobsen
Beam	Cole, N. Y.	Fitzpatrick	Jarrett
Bender	Collins	Flannagan	Jeffries
Blackney	Cooley	Flannery	Jensen
Boehne	Crowther	Folger	Kee
Bradley, Pa.	Cummings	Fries	Keefe
Brown, Ohio	Darden	Garrett	Keller
Buck	Darrow	Gavagan	Kennedy, Martin
Buckley, N. Y.	DeRouen	Gehrmann	Keogh
Bulwinkle	Dies	Gross	Kerr
Burch	Dingell	Hart	Knutson
Burdick	Ditter	Harter, N. Y.	Lambertson
Larrabee	Mitchell	Sandager	Thomas, N. J.
Lea	Murdock, Utah	Scrugham	Vinson, Ga.
Lesinski	Myers	Seccombe	Wadsworth
Lewis, Ohio	Oliver	Seger	Wallgren
McArdle	O'Neal	Shannon	Walter
McCormack	Peterson, Fla.	Sheppard	Weaver
McGranery	Pfeifer	Sheridan	Whelchel
McLean	Rayburn	Smith, Ill.	White, Idaho
Maas	Reed, Ill.	Smith, Ohio	White, Ohio
Maciejewski	Robertson	Somers, N. Y.	Wigglesworth
Magnuson	Rockefeller	Starnes, Ala.	Williams, Del.
Mansfield	Rogers, Okla.	Sullivan	Winter
Martin, Ill.	Ryan	Sutphin	
Merritt	Sabath	Taylor	
Mills, Ark.	Sacks	Tenerowicz	

So the amendment was agreed to.

The Clerk announced the following pairs:

Additional general pairs:

Mr. Burch with Mr. Ditter.
Mr. Robertson with Mr. Keefe.
Mr. Bulwinkle with Mr. Lambertson.
Mr. Kerr with Mr. Barton.
Mr. McCormack with Mr. August H. Andresen.
Mr. Sheppard with Mr. Reed of Illinois.
Mr. Gavagan with Mr. Gross.
Mr. Whelchel with Mr. Harter of New York.
Mr. Fernandez with Mr. Jensen.
Mr. Martin J. Kennedy with Mr. Brown of Ohio.
Mr. Buck with Mr. Seger.
Mr. O'Neal with Mr. Winter.
Mr. Dingell with Mr. Alexander.
Mr. Byron with Mr. Lesinski.
Mr. Sheridan with Mr. Kee.
Mr. Sutphin with Mr. Pfeifer.
Mr. Allen of Pennsylvania with Mr. Sacks.
Mr. Flannery with Mr. Fitzpatrick.

The result of the vote was announced as above recorded.

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 FIRST DEFICIENCY APPROPRIATION BILL

Mr. WOODRUM of Virginia. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tonight to file a conference report on the first deficiency bill.

Mr. TABER. Mr. Speaker, reserving the right to object, is it the intention of the gentleman to bring this up in the morning?

Mr. WOODRUM of Virginia. I hope to be able to do so. I have not spoken to the leadership about it, but I think we can do so, I will say to the gentleman.

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

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. SUMNERS of Texas. Mr. Speaker, I ask unanimous consent that I may have 1 minute within which to make an announcement to the House.

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

There was no objection.

Mr. SUMNERS of Texas. Mr. Speaker, I have the privilege of announcing to the House that Mr. Lothrop Stoddard, one of the foremost lecturers and authors of this country, has recently returned from quite an extended tour in Germany and has agreed to speak "off the record" with the Members of the House tomorrow evening in the caucus room. Seven thirty, I believe, is the hour. The notice is on the bulletin board. In addition to the Members of the House themselves, I think Mr. Stoddard would be pleased if you would bring your wife or—well, I guess somebody else, with you [laughter]; but we will have to hold the number down to one.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein excerpts from the address of President Roosevelt, also an address by Hon. Charles W. Eliot, Director of the National Resources Planning Board.

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

There was no objection.

Mr. CHURCH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a radio address by myself.

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

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. GIFFORD. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

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

There was no objection.

Mr. GIFFORD. Mr. Speaker, I was greatly startled to read yesterday that the chairman of my committee, charged with watching expenditures of the Government, was advocating at once an additional appropriation of $500,000,000 for W. P. A. I was sorry, indeed, to note the source from which the request comes. I had hoped this year there would be recognition of the fact that relief could be cut in half by some formula whereby the wealthier States and communities would look after their own problems of relief and relieve the Federal Government to that extent. Local tax rates are going down. Economy in local government now prevails. Let us abandon the old vote-getting idea and recognize the fact that there are wealthy communities far more capable of bearing this burden than the Federal Government. Let us not have another "bought" election. I bring this thought to you because it is high time that we resorted to some such plan as the one I have indicated. Holders of Government debt are now extremely nervous, even though present surface appearances do not proclaim it.

[Here the gavel fell.]

Mr. SHORT. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

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

There was no objection.

Mr. SHORT. I simply rise at this time to ask, Mr. Speaker, when the membership of the House can look forward to a report from the special committee which is a subcommittee of the Appropriations Committee, with respect to its investigation of W. P. A. activities? If I recall correctly, about a year ago the House voted this committee, composed of very able men both on the majority and the minority side, $100,000 to investigate W. P. A. activities in different States. The press has contained very serious charges as to the administration of this agency, particularly in the States of Louisiana, Ohio, Pennsylvania, New York, and I understand the situation in Indiana is not so good. It has not been too good out in Missouri either, but as a private citizen, as well as a Member of this House, I would like to know when we may expect a report from the committee that is investigating these activities.

[Here the gavel fell.]

INCREASE OF PENSIONS TO SUNDRY WIDOWS

Mr. LESINSKI. Mr. Speaker, I ask that we may resume consideration of the bills on the Private Calendar, beginning with Calendar No. 519, the bill (H. R. 7831) granting increase of pensions to sundry widows.

THE CURRENT REVOLUTION

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. WOODRUFF of Michigan. Mr. Speaker, for 7 years we have been undergoing a revolution in this country. While it has been a more or less bloodless revolution from the standpoint of the use of firearms, cannons, and the accouterments of war, it has nevertheless taken a heavy toll in human suffering, in business casualties, in its effects on industry, on agriculture, and on labor. Revolutions are measured not alone by those who fall before the guns. Revolutions are measured in the human agony which they cause, and the changes which they set in motion. Not all revolutions are bad by any means. As a matter of fact, our Nation had its birth as a result of a revolution. But the revolution about which I desire to talk to you tonight is a revolution reactionary in its nature, radical in its effects, which would hurl this Nation back from the advances it has made along the road of free government and individual liberty into the tyrannies of an autocracy and toward the evils of an ultimate political despotism.

The principal characteristic of this revolution is the centralization of power in the executive department at Washington. Not only is the political bureaucratic propaganda all designed to persuade the people of America that they are no longer competent to conduct their own affairs, but that a paternalistic political bureaucracy in Washington must take over the job.

Grotesque as it is, it has been seriously and continuously suggested by this New Deal bureaucracy at Washington, feeding and fattening on the taxpayers' money, and naturally desirous of remaining in power, that there is in all this broad land only one individual with intelligence enough, capacity enough, integrity enough, ability enough, and character enough, to be President of the United States, to be the Chief Executive of this Nation, and to administer the laws of the country. It will not surprise you to know that the individual, this lone individual out of 130,000,000 Americans, who is accredited with the ability and capacity to be President by this New Deal bureaucratic propaganda, is Franklin Delano Roosevelt.

Now, there is today in the United States Senate a living, breathing refutation of that oft-repeated statement that Mr. Roosevelt must be drafted for a third term because he is the only man capable of being President. The gentleman I have in mind, and whom I believe has every quality fitting him to be a successful President of the United States, particularly during the great emergency now facing the country, is a man who first saw the light of day within the confines of my own State. He is a son of Michigan. He is the Honorable ARTHUR H. VANDENBERG.

There is another point, however, that I wish to mention at this time, and that is the importance of giving Senator VANDENBERG, or any other Republican President, a Republican House of Representatives with which to work. As I develop the theme I have in mind somewhat further, you will more and more clearly see the vital necessity for the Republicans recapturing control of the House of Representatives in November.

Under any circumstances it will not be possible in 1940 for the Republicans to take control of the Senate; therefore, any Republican President goes into office with one strike on him, and it becomes all the more important that he have a Republican majority in the House of Representatives in order that constructive legislation can be put through that body by the traditional American method, and sent to the Senate, a majority of which will be members of the opposition party.

Concerning this point, it cannot be other than encouraging as we look at Senator VANDENBERG's record and find there that he has led, successfully and repeatedly, fights in the Senate which required great ability, vision, courage, leadership, and a broad grasp of the problems which confront this Nation.

The qualities of leadership already displayed on numerous occasions by Senator VANDENBERG constitute a most valuable asset to any Republican President under conditions that will prevail after the next election. It will contribute much to the success of his administration.

At this time I wish to give credit to the United States News in Washington for its clear statement of some of the ideas which I desire to incorporate in my remarks in order that we may see more clearly what has been transpiring in this Nation for the past 7 years, and what probably will transpire in this Nation if we have 4 years more of the same influences that have been operating during that time.

As this unbiased and nonpartisan publication recently put it in an editorial:

> Much has been said and written about the changes the United States has undergone in our system of government in the last 7 years, but it is doubtful whether any considerable number of the American people have really sensed the transformation.

In these 7 years governmental processes have been altered in so many ways that only a broad perspective of the whole can reveal what has happened to us since the New Deal came into power on March 4, 1933. It was well said by the man who is now President of the United States, when he was Governor of the State of New York back in 1930, that the preservation of home rule by the States—

Is not a cry of jealous Commonwealths seeking their own aggrandizement at the expense of sister States. It is a fundamental necessity if we are to remain a truly united country.

A proper understanding of the fundamental powers of the States—

He said—

is very necessary and important. A lack of study and knowledge of the matter of the sovereign power of the people through State government has led us to drift insensibly toward that dangerous disregard of minority needs which marks the beginning of autocracy.

Mr. Roosevelt then made this remarkable observation:

The doctrine of regulation and legislation by master minds, in whose judgment and will all the people may gladly and quietly acquiesce, has been too glaringly apparent at Washington during these last 10 years. Were it possible to find master minds so unselfish, so willing to decide unhesitatingly against their own personal interests or private prejudices, men almost godlike in their ability to hold the scales of justice with an even hand, such a government might be in the interests of the country, but there are none such on our political horizon, and we cannot expect a complete reversal of all the teachings of history.

Now, Mr. Speaker, if there has been any single characteristic that has marked this revolution of the past 7 years, it is the change brought about by the New Deal administration from the doctrine of regulation and legislation by the people through their representatives in Congress to a policy of regulation and legislation by master minds. But it remains the unfortunate fact, as foreseen by Mr. Roosevelt in 1932, that those master minds have not been unselfish; they have not been willing to decide unhesitatingly against their own personal interests or private prejudices; they have not been men almost godlike in their ability to hold the scales of justice with an even hand. Ah, no, my friends; they have been—these master minds—selfish, corrupt, willing to decide unhesitatingly in favor of their own personal interests and private prejudices, as against the interests of the people and the country they were supposed to serve. Instead of being godlike, they have been exactly like the usual political henchmen, the political spoilsmen, the fat and bloated political bureaucrats who are willing to sit in swivel chairs at Washington, or out in the various States, eating up the substance of the people and wasting the taxpayers' money in order to perpetuate themselves in power.

Now let me quote another paragraph from this speech made by Mr. Roosevelt in 1930. Said he:

As a matter of fact and law, the governing rights of the States are all of those which have not been surrendered to the National Government by the Constitution or its amendments. Wisely and unwisely, people know that under the eighteenth amendment Congress has been given the right to legislate on this particular subject, but this is not the case in the matter of a great number of other vital problems of government, such as the conduct of public utilities, of banks, of insurance, of business, of agriculture, of education, of social welfare, and of a dozen other important features. In these Washington must not be encouraged to interfere.

Could you imagine, fellow citizens, that that paragraph was written and uttered by Franklin Delano Roosevelt if I did not tell you? Why, there has not been a single one of the activities he named in that paragraph which has not been invaded by the Federal Government at Washington under the New Deal administration and under his leadership. The Government has gone into competition with every one of the businesses he mentioned in that paragraph, and is taxing the privately owned businesses in order to subsidize, by their money, governmental competition with them.

Now, Mr. Roosevelt said something else in that speech that I want to quote to you:

Now, to bring about government by oligarchy, masquerading as democracy, it is fundamentally essential that practically all authority and control be centralized in our National Government. The individual sovereignty of our States must first be destroyed, except in mere minor matters of legislation. We are safe from the danger of any such departure from the principles on which this country was founded just so long as the individual home rule of the States is scrupulously preserved and fought for whenever it seems in danger.

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

Now, my fellow citizens, there has been no 7-year period in the history of this Nation in which there has been so great an attempt by the administration at Washington to wrest the sovereignty of the States away from them than has been the case in the last 7 years.

As has been pointed out in the editorial I referred to a while ago, the prime characteristic of the New Deal today is its autocracy. It never admits an error. Its policy is that the end justifies the means.

This very concentration of economic power in the hands of the governmental bureaucrats, those "master minds," against whom Mr. Roosevelt warned us in 1930, has been shocking to those who are familiar with the complicated affairs of business and finance, but it has thus far largely escaped the attention of the citizens, who generally are not aware of the dangers that now face them.

You all realize, when you stop to think about it, that one by one, little by little, the New Deal agencies have filched from a careless Congress broad discretionary powers. They have boldly written into the statutes regulations that have no sanction of law.

Now, under ordinary circumstances the courts could be expected to check such abuses. But we might just as well face the fact here and now that even the judiciary has been captured by the New Deal.

Our Federal judiciary is no longer bipartisan in character. Active politicians and New Deal partisans have been put on the benches in the Federal courts. On the Supreme Court Bench all five new appointees, constituting a majority of that body, were appointed by the President from the ranks of the active New Deal. It is not a question now whether the Nation can really expect justice from the very men who helped to develop the New Deal technique, as it is the question of what those who helped to develop the New Deal technique will consider justice. After all, men who for years have held certain beliefs, and who have been devoted to certain doctrines, and who have believed in certain policies, cannot and do not suddenly divest themselves of such conditioned mentalities the moment they don the robes of the Federal bench.

Control of the judiciary, control of the prosecuting departments, control of the so-called independent commissions and boards, complete control of the purse strings, and the control of disbursements to groups through subsidies has accomplished just as great a revolution in the United States as could have been wrought by physical force.

We have learned just recently that even the Reconstruction Finance Corporation has been solicited to use its lending power to force compliance, on the part of private industry and business, with standards that have never been authorized by the Congress but which were set up by autocratic commissions and autocratic commissioners. The placing of governmental contracts, involving millions of dollars of the taxpayers' money, has too often been conditioned on acceptance of so-called reforms imposed by this political bureaucracy.

The use of the W. P. A. for corrupt political purposes is too well known to need reiteration. The same thing is true of appropriations that place State governments at the mercy of the Federal Government. Just within the last few days the Hatch bill, designed to eliminate political corruptions to some extent from these various bureaus and commissions, the W. P. A., and the farm administrations, narrowly missed being undone in the United States Senate.

Mr. Roosevelt was perfectly correct when he said that to bring about government by oligarchy, masquerading as democracy, it is fundamentally essential that practically all authority and control be centralized in our National Government.

The technique of the New Deal revolutionists in our democracy has been to gain control of all branches of the Government and to hold them indefinitely. That is why the bureaucrats of the New Deal are using every dollar and every dime of the taxpayers' money that they can use to keep themselves entrenched in power for another 4 years.

As has been pointed out, Mr. Roosevelt may think his benevolence and good intentions will save the Nation and hold these radicals at bay. He may regard with tranquillity the implications of what may follow if the third-term precedent is broken. However this may be, there is no escaping the attitude which the "revolutionists" in Washington have toward the whole third-term question. If it proves to be the device by which they can keep their own power absolute, and themselves enthroned in places of influence and power, they will disregard the third-term tradition with as little compunction as they have sought to disregard the plain terms of the Constitution itself.

No one can examine the way in which the whole economic system has been dominated by the New Deal agencies without being shocked by the degree of control which the Government has taken, over all of those activities which Mr. Roosevelt warned in 1930 "must not be interfered with by Washington."

Under the guise of protecting investors, the Securities and Exchange Commission was created. Today this Commission goes further than the protection of investors. It interferes in management. It attempts to dictate financial operations of private companies. The result is that millions of dollars that normally would have been spent, and which ought to be spent in construction, and in the creation of employment, are not being spent because capital is afraid.

Then there is the National Labor Relations Board, which brazenly confesses before an investigating committee its policy that the end justifies the means. Here we see members of a quasi-judicial body in intimate collusion with one faction of labor unionism, conspiring to bring charges against employers and making an empty farce of the whole theory of judicial procedure and fair hearings.

When arbitrary power has no check, of course, it runs wild. The so-called liberals of the New Deal are trying to condemn the moderates because they resist what the liberals are pleased to call reform. But it is apparent, and it is a good thing that it is, that those of us who believe in moderate and progressive government will never agree to reforms that are to be obtained by coercion or by governmental disregard of the due process of law as guaranteed by the Constitution. The Bill of Rights must be sustained if private initiative, as we have known it, is to continue in this country.

Everybody in the New Deal administration, from the President down, has pleaded good intentions for these high-handed and autocratic proceedings. No one has better stated the case of the benevolent autocrat than did Daniel Webster nearly a century ago when he declared, and I quote:

> It is hardly too strong to say the Constitution was made to guard the people against the dangers of good intentions, real or intended. * * * There are men in all ages who mean to exercise power usefully, but who mean to exercise it. They mean to govern well, but they mean to govern; they promise to be kind masters, but they mean to be masters. They think they need but little restraint upon themselves. Their notion of the public interest is apt to be quite closely connected with their own exercise of authority. They may not, indeed, always understand their own motives. The love of power may sink too deep in their own hearts even for their own security and may pass with themselves for mere patriotism and benevolence.

Taxes have grown to an intolerable volume. The deficits of the Federal Government have increased beyond any limits ever conceived of by our people; and still there is not the slightest sign of repentance or economy displayed by the New Deal administration.

The reason is because the new dealers feel themselves to be revolutionists. They think they know best what the people need, and the people therefore should be happy, presumably because of the benevolent purposes which the Roosevelt revolutionists have proclaimed.

"So many good things have been done" is the reason urged by them for condoning or minimizing the improper use of public power and public money.

You will recall that, in his annual message to the Congress on January 3, 1936, Mr. Roosevelt said, and I quote:

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

Yes, my fellow citizens; and since that eventful message of January 3, 1936, still more instruments of public power have been added to those of which the President then boasted. And all of those instruments of public power in the hands of the puppets of a political autocracy also provide shackles for the liberties of the people. Let us not forget that.

Edward Livingston described our situation of today perfectly when he said, and I quote:

> The gloss of zeal for the public service is always spread over acts of oppression, and the people are sometimes made to consider that zeal as a brilliant exertion of energy in their favor, which, when viewed in its true light, would be found a fatal blow to their rights. In no government is this effect so easily produced as in a free republic; party spirit, inseparable from its existence, aid the illusion, and a popular leader is allowed in many instances impunity—and sometimes is rewarded with applause—for acts which would make a tyrant tremble on his throne.

It is time, ladies and gentlemen, that we understand the spirit and the intent of this New Deal conquest. It is time that we face the clear implications of what a third term for the New Deal administration actually means to this country. It is a fact, of course, that the New Deal came in on a wave of reform through the usual and proper electoral processes, and there was no intimidation at the polls in 1932. It was a different story, however, in the 1936 elections. In that campaign we had a repetition of the methods characteristic of the most autocratic and corrupt administrations that have ever been witnessed in this country. It was reminiscent of the days of the Roman Empire, when direct subsidies from the governing authorities were used to guarantee a perpetuation of political power. Again in 1938 we saw political corruption and the prostitution of relief to improper political purposes rampant throughout this land. We cannot say that this campaign of 1940 will be free from governmental coercion or force, because the mechanisms through which organizations and individuals are linked politically to an administration, which dispenses favors to them as against others, makes it impossible for us to ignore the question of how far this governmental power can be, or will be, a factor in maintaining the existing administration by influencing a substantial number of electoral votes.

These last 7 years have served to reveal the concept of government which the new dealers had in 1932, but which they did not then clarify. These last 7 years have shown their purposes and intentions to use governmental power for their own ends; to exercise that governmental power to curtail civil liberties, to destroy individual initiative, and freedom of enterprise.

During 7 years these vast powers, never before exercised by the Federal Government, have been assumed, and yet not a single amendment to the Constitution has been submitted to the people in that time. We must awaken now to the fact that although the constitutional method of changing the organic law of this Nation is by the submission of a proposed amendment to the will of the people, that is not the New Deal method for amending the Constitution. They do it without the consent of the people. Practically speaking, the Constitution can be amended by judicial interpretation. It may be amended by Federal regulation so long as the courts are acquiescent.

There is one body today in which the American people may place their hope of continued liberty; there is one body which can be the guardian of the Constitution and of the people's rights and privileges, and that body is a Republican House of Representatives.

It has been well said in the editorial to which I referred in the beginning:

> Seven years of this "revolution" have passed and still 8,000,000 persons are idle. The economic system is full of friction and domestic war.
>
> Selfishness and a quest for personal power reign supreme in Washington.

The old idea that maybe self-sacrifice and unselfish public service is a basic necessity among the public servants in a democracy has gone by the boards.

It may be, Mr. Speaker, that the 1940 elections will be a counter "revolution." If the New Deal administration should win another 4 years of power, it is my opinion that the 1940 elections would simply confirm the fear of many that the election of 1932 was really the last free election in America, and that as long as the administration in power can tax and borrow and spend, squander, and elect, the New Deal will remain at the helm.

Now, the fact of the matter is, this tendency of the Government to reach out for more and more power, to perform more and more of the functions formerly performed by the States, the municipalities, and the individual citizens has been growing up for the past 30 years.

The World War vastly accentuated the trend.

Under the New Deal we have gone ahead by leaps and bounds toward that autocracy against which Mr. Roosevelt himself warned the country in 1930.

Now, what is the answer to the problem? How are we to stop this trend?

The answer is this, and it is the only answer possible:

First, we must return the White House and the House of Representatives to the control of a party that believes that a system of government under which the Nation as a whole has enjoyed a larger share of the more abundant life, is entitled to the respect of our people and preservation for future generations.

We must then provide for an independent, nonpartisan, scientific survey of every function, department, bureau, commission, and board of the Government, by experts, for the purpose of determining where these functions can be curtailed; to find where functions belonging to the States, but usurped by the Federal Government, should be returned to the States or municipalities; to determine where every activity of the Government in which efficiency can be increased without an increase in cost; to determine every activity of Government in which efficiency can be maintained and the cost reduced; in short, to do what every sensible American family must do when it finds its outgo greater than its income—to cut out all useless activities, to stop overlapping, weed out waste and extravagance, ruthlessly stamp out corruption, and make every dollar spent for governmental operations count.

Great savings can thus be achieved without causing any citizen to suffer; without depriving any citizen, worthy of help, of the relief he should have; without impairing the Government in the least, and without creating any new discouragement or fears.

Why, the very prospect of such a survey would act as the needed stimulant to business. Private investment would be resumed. Unemployment would be reduced. Prosperity would again be in sight.

Now, a word as to our foreign affairs. Mr. Roosevelt now has two personal emissaries—two "Colonel Houses"—abroad. He has his counterpart of Mr. Wilson's ambassador, Walter Hines Page, at the Court of St. James. He has his counterpart of an internationally minded Secretary of State—his Robert Lansing—in Mr. Secretary Hull.

If this Nation is not so badly involved in foreign quarrels and conflicts as to be unable to withdraw by election day next November, I shall be happily surprised.

But let me say to you, Mr. Speaker, that America's prosperity will not be found in mixing into any wars in Europe. Our salvation and the security of our constitutional government, and the safety of our personal liberties under the Bill of Rights, lie in solving our domestic problems and not in the artificial and destructive activities of war, nor in attempting to solve all the difficulties of the world. Our problem is immediate; it is here at home. It is not "on the Rhine."

It behooves every man and woman who is concerned for the welfare of this Nation and our people to ponder these questions well and then to register their sentiments at the ballot boxes next November.

After all, the country is still free enough that if the people are determined to do it they can express their will as the sovereign people of this Nation. And they can stop this trend toward totalitarianism that has been going on for the past 7 years.

It is up to the people themselves. The fate of this country is in safe hands. [Applause.]

EXTENSION OF REMARKS

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

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. D'ALESANDRO. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an address made by my colleague the gentleman from Maryland [Mr. SASSCER].

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. CELLER. Mr. Speaker, I ask unanimous consent to extend my remarks on the subject of chain stores.

The SPEAKER pro tempore. Is there objection?

There was no objection.

LEAVE OF ABSENCE

Mr. CRAVENS. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Arkansas [Mr. MILLS] may have leave of absence from and including today to and including next Monday.

The SPEAKER pro tempore. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks by inserting a radio address recently delivered by my colleague the gentleman from Pennsylvania [Mr. DITTER].

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to extend my remarks and to include a brief statement by Mr. Alvin E. O. Konsky.

The SPEAKER pro tempore. Is there objection?

There was no objection.

CIVILIAN CONSERVATION CAMPS

Mr. ELLIS. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. ELLIS. Mr. Speaker, this afternoon I introduced a bill, which is a very short one, and which I shall read:

That no Civilian Conservation Corps camp existing on February 1, 1940, shall be abandoned or eliminated on account of reductions, or anticipated reductions, in appropriations for the Civilian Conservation Corps for the fiscal year ending June 30, 1941.

SEC. 2. Any reduction in the administrative personnel of, or in the enrollment of, any Civilian Conservation Corps camp in existence on February 1, 1940, necessitated by any reduction, or anticipated reduction, in appropriations for the Civilian Conservation Corps for the fiscal year ending June 30, 1941, shall be made in such a manner that the percentage of reduction for each such camp shall, insofar as practicable, be the same.

I think we should not cut out the C. C. C. camps. The bill was referred to the Committee on Labor.

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

AMENDMENTS TO WAGNER ACT

Mrs. NORTON. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mrs. NORTON. Mr. Speaker, my attention has been called to an article in this morning's Washington Times-Herald

under the caption "Washington Daily Merry-Go-Round." The article, in part, reads as follows:

For the first time this year, all 21 members of the committee were present when it met behind closed doors. Chairman MARY NORTON promptly put them on the spot by asking each his opinion about the drastic proposals authored by Representative HOWARD SMITH, Virginia antiunionite, who is chairman of the special committee investigating the Labor Board.

That is absolutely incorrect. I continue with the article.

Result of the secret poll was: Ten—nine Democrats and one Republican—were flatly opposed to all the amendments; five favored them; five voiced partial approval; one refused to commit himself. The individual members of these groups were:

Flatly opposed: Democrats—Mrs. NORTON, KENT KELLER, MATT DUNN, REUBEN T. WOOD (president of the Missouri State Federation of Labor), JOHN LESINSKI, ALBERT THOMAS, FRANK FRIES, LAWRENCE CONNERY (brother and successor to the late Bill Connery, coauthor with Senator WAGNER of the Labor Act), and THOMAS D'ALESANDRO; and RICHARD WELCH, liberal California Republican.

Favorable: Republicans—FRED HARTLEY, CHESTER GROSS, and CLARE HOFFMAN; Democrats—GRAHAM BARDEN (author of a bill to emasculate the Wage and Hour Act, and W. F. NORRELL, of Arkansas, elected as a new dealer in 1938.

Partially favorable: Democrats—ROBERT RAMSPECK and JENNINGS RANDOLPH; Republicans—CLYDE SMITH, BRUCE BARTON, and GERALD LANDIS.

No comment: Democrat—DOW HARTER, of Akron, Ohio, elected with C. I. O. support.

The SPEAKER pro tempore. The time of the gentlewoman from New Jersey has expired.

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent that the gentlewoman from New Jersey may be permitted to proceed for 2 minutes more.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mrs. NORTON. It will be interesting to note at this time that the gentleman from Ohio, Mr. DOW HARTER, of Akron, Ohio, is not a member of the Labor Committee. Therefore, that portion of the article speaks for itself, and may I say that it is about as true as all of the rest of the article. The entire article is absolutely and entirely untrue. First of all, the Smith amendments were not before the committee. When the committee met, the chairman asked the committee to consider all amendments before the committee, and the committee agreed to do so, and all amendments are being considered. That is the procedure we agreed upon.

We had nine bills before the committee in which are included the Smith amendments. There was never at any time any vote taken on whether or not we should consider the Smith amendments. The entire article, consequently, is just as untrue as is the statement that the gentleman from Ohio, DOW HARTER, of Akron, Ohio, is a member of the committee. The gentleman from Ohio, Mr. HUNTER, is a member of the committee, and apparently the gentlemen from Ohio, Mr. HARTER or Mr. HUNTER, made little difference to the Merry-Go-Round.

Mr. Speaker, this article is entirely incorrect. It does a great injustice to the members of the Committee on Labor, and it certainly should be corrected by the authors of the Merry-Go-Round if they want to play fair with the Labor Committee of the House of Representatives and also with the public interested in their articles.

Mr. RICH. Mr. Speaker, will the gentlewoman from New Jersey yield?

Mrs. NORTON. I shall be very glad to.

Mr. RICH. We have had so many investigations in the last year or so that it might be well to have a congressional investigation of this article.

Mrs. NORTON. If the gentleman would like to conduct a one-man investigation, I can assure him that the Labor Committee will heartily endorse it.

Mr. RICH. I think the Labor Committee ought to do the investigating.

[Here the gavel fell.]

THE W. P. A. INVESTIGATION

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

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. LAMBERTSON. Mr. Speaker, I am reluctant to answer the gentleman from Missouri [Mr. SHORT] on the point he raised a few minutes ago, but I think he and the other Members of the House should be reminded that the special subcommittee of the Committee on Appropriations who investigated W. P. A. did make a report. I cannot speak for the committee, I am about the least on it, but I think somebody should answer and point out that not only was a report made last spring but as a result of that investigation and on the report the House passed a bill that adopted the 18-months' provision, took out the prevailing wage, eliminated the theater projects, and a few other things. We did a good job, and we have been doing some good work, indirectly and incidentally in Louisiana and other places. The committee undoubtedly will make a further report, but for the time being I do not want the House to forget that we passed a bill on top of making a report last spring. [Applause.]

[Here the gavel fell.]

PERMISSION TO ADDRESS THE HOUSE

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes.

Mr. LESINSKI. Mr. Speaker, reserving the right to object, we want to continue with omnibus bills on the Private Calendar; but if there are going to be so many 1-minute speeches, we shall not be able to proceed with the next bill, in which many Members are interested.

Mr. JOHNSON of Oklahoma. I assure the gentleman that I have no desire to detain the House.

Mr. LESINSKI. I appreciate that; but so many Members are asking to make 1-minute speeches that it looks to me as though it were an effort to prevent consideration of this next bill.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, how much time did the gentleman ask for?

The SPEAKER pro tempore. The gentleman asked to address the House for 2 minutes.

Mr. MARTIN of Massachusetts. I think we should adhere to the regular rules of the House and not permit speeches exceeding 1 minute, inasmuch as the legislative program for the day has not been concluded.

The SPEAKER pro tempore. Does the gentleman from Oklahoma modify his request?

Mr. JOHNSON of Oklahoma. I ask for 2 minutes, Mr. Speaker.

Mr. MARTIN of Massachusetts. Mr. Speaker, I object to the gentleman's proceeding for 2 minutes.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

THE CIVILIAN CONSERVATION CORPS CAMPS

Mr. JOHNSON of Oklahoma. Mr. Speaker, I am in full sympathy with the objectives of the bill of the gentleman from Arkansas as announced by him a few moments ago. I am delighted to join with him in his desire to keep all of the present C. C. C. camps. I feel that is the sentiment of a majority of the Members of the House. But I am fearful that my good friend's bill to which he referred, if actually passed, would not accomplish the purpose that we all desire. It is going to be humanly impossible to maintain all of the present camps if the appropriation is reduced $56,000,000 below the amount expended for the same camps this fiscal year. As Members know, the committee will make its report this week, at which time Members of the House will have an opportunity to speak by their votes on this important question.

If a reduction of $56,000,000 is actually made, I am advised that it would mean the elimination of 273 camps in the

United States. Certainly Members of Congress and the country expect the Civilian Conservation Corps and other departments and agencies to inaugurate every reasonable economy, but it would be false economy to eliminate 273 camps at this time.

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

Mr. JOHNSON of Oklahoma. I yield.

Mr. ELLIS. Does the gentleman realize that there are 1,500 C. C. C. camps in the Nation now?

Mr. JOHNSON of Oklahoma. Oh, yes; and the point I am trying to make is that if the appropriation for the camps takes the drastic reduction proposed of $56,000,000 that all the legislative bills in the world will not save the day so far as the C. C. C. camps are concerned.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD on two subjects; in one to include an article by Ernest Lindley, and in the other to insert a brief editorial from the Los Angeles Daily News.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. LANDIS asked and was given permission to revise and extend his own remarks.

PERMISSION TO ADDRESS THE HOUSE

Mr. FISH. Mr. Speaker, I ask unanimous consent to address the House for 20 minutes on tomorrow after the disposition of the legislative business for the day.

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

There was no objection.

DISTRICT OF COLUMBIA SUBCOMMITTEE ON POLICE AND FIREMEN

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent that the subcommittee on police and firemen of the Committee on the District of Columbia may sit during the session of the House tomorrow afternoon.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, is this agreeable to the minority Members?

Mr. RANDOLPH. I say that it is; yes.

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

There was no objection.

EXTENSION OF REMARKS

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a quotation from a press release of the First Lady of the Land with reference to the housing census.

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

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 15 minutes tomorrow, at the conclusion of business on the Speaker's table and after the address of the gentleman from New York [Mr. FISH].

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

There was no objection.

INCREASE OF PENSIONS TO SUNDRY WIDOWS

Mr. LESINSKI. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 7831) granting increase of pensions to sundry widows.

The Clerk read the title of the bill.

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

Mr. HANCOCK. Mr. Speaker, reserving the right to object, is this merely to consider the bill?

The SPEAKER pro tempore. For the present consideration of the bill under the Private Calendar rule.

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

There was no objection.

The SPEAKER pro tempore. The Clerk will report the first title.

The Clerk read as follows:

Be it enacted, etc.—

Title I—(H. R. 326. Granting an increase of pension to Mary W. Osterhaus.)

That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to place on the pension roll subject to the provisions and limitations of the pensions laws, the name of Mary W. Osterhaus, widow of Hugo Osterhaus, late rear admiral, United States Navy, and pay her a pension at the rate of $100 per month in lieu of that she is now receiving.

Mr. HANCOCK. Mr. Speaker, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. HANCOCK: Strike out title I.

Mr. HANCOCK. Mr. Speaker, I offer this amendment for the purpose of getting the judgment of the Members of the House on the first of these 13 separate items. All of them are for the purpose of increasing the pensions given to the widows of certain high-ranking officers of the Army and Navy. All of them have a strong appeal. The question involved is, Do we wish to base widows' pensions on the rank of their deceased husbands?

I notice in this bill that 11 of the beneficiaries are the widows of rear admirals or major generals. The bill gives them $100-a-month pensions in lieu of the $30 which most of them are receiving under the general law as widows of Spanish-American War veterans. There are two widows mentioned, one of a colonel and the other of a lieutenant colonel, who would receive $75 per month under the bill. The question, and it will be decided, insofar as I am concerned, by the vote on the first item, is whether we wish to depart from the general law and award pensions to widows on the basis of the rank of their deceased husbands.

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

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

Mr. MICHENER. Shortly after the Spanish-American War there was an attempt made in Congress, as I recall, to do this very thing. Congress has always frowned on it. Down through the years it has been the policy of the Congress that when pensions are granted they should go alike to the widows of all soldiers.

Mr. HANCOCK. That is right.

Mr. VAN ZANDT. Will the gentleman yield?

Mr. HANCOCK. I yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. I take it from the gentleman's amendment that he does not approve of paying a large pension to the widow of an admiral when the widow of a soldier who died going over the top only receives $30 a month?

Mr. HANCOCK. That is what I think, and it is the attitude taken by the Veterans' Bureau. I call attention to the latter part of the report of General Hines, in which he directs our attention to the fact that—

Widows of officers who have not attained high or highest rank are often left with minor children to support and educate—and this is true of widows of enlisted men—who, because of the lower pay income of their husbands, have been unable to build a fund to adequately provide for their economic needs when death terminates the husband's income. The financial crisis with which such group of widows is confronted is ordinarily as great and probably greater than that which the widows of high-ranking officers must meet.

This is an invitation, if the bill passes, to widows of high-ranking officers who are not in affluent circumstances to come in and ask for special consideration. In other words, the widows of high-ranking officers may receive a hundred dollars per month, while the widows of lieutenants, captains, and sergeants in similar circumstances receive $20 or $30. Personally, I am opposed to this policy, but I am only one Member of this jury. I am offering this amendment so the House may go on record on this question. I do not intend

to object to the other 12 cases in the bill if the House approves the first one. It is for the House to decide and not for the handful of men who watch the Private Calendar. This will establish a policy which will be a guide in the future, as far as I am concerned, in connection with widows' pension bills. I merely want you to understand what the question is. I am going to ask for a roll call, so that we may go on record and the country may know what to expect and the widows of high-ranking officers will know what to expect when private bills of this kind are introduced.

Mr. MAY. Will the gentleman yield?

Mr. HANCOCK. I yield to the gentleman from Kentucky.

Mr. MAY. It has always been my understanding that all pensions were based upon the principle of the need of the pensioner. If we adopt the rule of giving a pension to a widow of a high ranking officer in either the Army or the Navy higher than the usual amount, we will be basing it on rank rather than on need?

Mr. HANCOCK. That is what this bill does.

Mr. MAY. Does the gentleman's amendment cure this situation?

Mr. HANCOCK. I have offered an amendment to strike out the first item of the bill and I will regard the vote as a test. There are 12 other items in the bill awarding pensions up to $100. One of the beneficiaries is the widow of a colonel and another of a lieutenant colonel. They are awarded $75 by this bill, which would indicate that the Invalid Pension Committee wishes to base such pensions on the rank of the deceased officer. I agree with the gentleman that a junior officer does not have as much opportunity to accumulate an estate for his family as the senior officer, and his widow and children are usually in greater need than those of the high ranking officer.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

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

Mr. SCHAFER of Wisconsin. I voted for this bill in committee and I may say that it will not establish a precedent. May I call the gentleman's attention to the fact that more than a hundred similar bills have been enacted which grant a pension to the widows of high ranking officers of the Army and Navy. In fact, a Republican administration granted Maj. Gen. Leonard Wood's widow an annual pension of $5,000. Let us not therefore make the statement and convey the impression that this bill would be a precedent.

Mr. HANCOCK. I do not care anything about that; I am raising the question now. I want the House to decide it. Personally, I believe it is the wrong policy.

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

Mr. HANCOCK. I yield to the gentleman from Oklahoma.

Mr. MASSINGALE. May I ask the gentleman, who has evidently given some study to this bill, if there is anything in the hearings to indicate a reason why the widow of a major general should have any more money in the way of a pension than the widow of a buck private?

Mr. HANCOCK. There is a strong sentimental appeal here because the deceased officers have all had fine records. It is alleged that their widows are not in comfortable circumstances and are living on small pensions, plus war-risk-insurance benefits and whatever other estate the husbands were able to build.

Mr. MASSINGALE. As I understand, there is no showing of need.

Mr. HANCOCK. Not of real need. As a matter of fact, I believe the widows of officers can never suffer real privation because there is a mutual fund to prevent it. I do not like the duty of opposing this bill. I do so because I think the principle involved is too important to be established by unanimous consent and that the whole House should pass on it.

[Here the gavel fell.]

Mr. BLAND. Mr. Speaker, I rise in opposition to the amendment.

Mr. Speaker, I very gravely doubt the wisdom of applying the policy which the gentleman proposes to one of the items in a bill of this kind. I shall not take much time in discussing that because if we are invoking a question of policy we should have far more time than 5 minutes in which to discuss it. There may be cases in which the widow of an admiral should not be entitled to any pension at all, and there may be other cases in which she should be granted the pension which is provided in the bill. If any pensions are to be granted, I believe this item comes well within that rule.

Let me call attention to a letter I have received from the son of this widow. May I say that she is not a resident of my district. My only connection with this case is that her son is employed in the Veterans' Administration facility in my district. This is a letter he wrote me under date of July 13, 1939:

> It is desired to express to you my very sincere thanks and appreciation for your efforts in my mother's behalf and also hers. I hope very much that favorable final action on this bill will be taken at this session of Congress as within the last 6 months my mother has entirely lost her sight, and it is necessary for her to have constant supervision.

Information in my possession shows that on May 16, 1940, this lady will be 85 years old. She is the widow of one of the most distinguished admirals in the service, Admiral Osterhaus. I quote from the statement that was made at the time a pension of $50 per month was granted her:

> It is shown by testimony filed with the committee that Admiral Osterhaus left an estate of about $15,000, and that her annual income, including her pension of $30 a month recently granted her, is about $1,200.

This was in 1928.

Other information has come to me that she has an income of $100 a month, made up of an annuity plus the $50 per month pension, The item in this bill will mean an increase of $50 a month for this old lady, who is now nearly 85 years old, who is blind, and needs constant supervision.

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

Mr. BLAND. I cannot yield because, as the gentleman realizes, under the rules of the House I have only 5 minutes. This is the reason the broad policy question ought not to be discussed on these separate bills.

Admiral Osterhaus retired in 1913, yet when the World War came along, after filling some of the most important positions in the Navy, he returned to duty, April 7, 1917, in the office of the supervisor of naval auxiliaries, Norfolk, Va., and on October 16 he undertook the duties of supervisor, naval auxiliaries, Navy Department. On October 19, 1920, he was relieved of duty as director of naval districts, naval operations, Navy Department. He received the Spanish Campaign Medal, the Philippine Campaign Medal, U. S. S. *Kentucky*, the Victory Medal, World War Service, and commendation for service in the World War, although he was entitled to retirement and had retired before the World War.

Under all these circumstances, I submit that in a case such as this and in other cases where widows are in a position of need, the need itself ought to be considered apart from any question of policy. I hope the Members will not be governed here by the question of policy, which has been raised, and I hope that if the question of policy is to come up, a special rule may be provided for the consideration of these bills so that there may be ample time to discuss that question. On that we should not be limited to a 5-minute presentation by only one speaker.

[Here the gavel fell.]

CALL OF THE HOUSE

Mr. SCHAFER of Wisconsin. Mr. Speaker, the point of order that a quorum is not present is going to be made after the question is taken on this amendment anyway, so I make the point of order right now that a quorum is not present.

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

Mr. COSTELLO. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 51]

Alexander	Douglas	Kellar	Sandager
Allen, Ill.	Duncan	Kennedy, Martin	Schiffler
Allen, Pa.	Edelstein	Keogh	Scrugham
Andrews	Edmiston	Knutson	Seccombe
Bates, Mass.	Evans	Lewis, Ohio	Seger
Beam	Fay	McArdle	Shannon
Bell	Ferguson	McCormack	Sheridan
Bender	Fernandez	Maas	Simpson
Blackney	Fitzpatrick	Maciejewski	Smith, Ill.
Boehne	Flannagan	Magnuson	Smith, Maine
Bradley, Pa.	Flannery	Mansfield	Smith, W. Va.
Brown, Ohio	Leland M. Ford	Marshall	Somers, N. Y.
Buckley, N. Y.	Garrett	Martin, Ill.	Starnes, Ala.
Burch	Gathings	Mason	Stearns, N. H.
Burgin	Gavagan	Merritt	Sullivan
Byron	Gehrmann	Mills, Ark.	Sweeney
Cannon, Fla.	Harter, N. Y.	Mouton	Taylor
Casey, Mass.	Hawks	Myers	Tenerowicz
Cluett	Hendricks	Oliver	Thomas, N. J.
Coffee, Nebr.	Hess	O'Neal	Thorkelson
Coffee, Wash.	Hinshaw	Osmers	Tibbott
Cole, N. Y.	Hoffman	Pfeifer	Vinson, Ga.
Cooley	Horton	Plumley	Wadsworth
Crowther	Houston	Rayburn	Whelchel
Cummings	Jacobsen	Reed, Ill.	White, Idaho
Darrow	Jarrett	Rockefeller	White, Ohio
DeRouen	Jeffries	Rogers, Okla.	Wigglesworth
Dies	Johns	Ryan	Williams, Del.
Disney	Johnson, W. Va.	Sabath	Wood
Ditter	Kee	Sacks	

The SPEAKER pro tempore. Three hundred and ten Members have answered to their names. A quorum is present.

Further proceedings under the call were dispensed with.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from New York [Mr. HANCOCK] to strike out title I of the pending bill.

Mr. HANCOCK. Mr. Speaker, since this question establishes the policy of the House, I think we ought to have a roll call, and I therefore demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 224, nays 68, not votng 138, as follows:

[Roll No. 52]

YEAS—224

Andersen, H. Carl	Dondero	Harter, Ohio	McDowell
Anderson, Calif.	Doughton	Hartley	McGehee
Andresen, A. H.	Doxey	Hawks	McGregor
Arends	Drewry	Healey	McKeough
Arnold	Durham	Hennings	McLaughlin
Austin	Dworshak	Hill	McLean
Barden	Eberharter	Holmes	Mahon
Barnes	Edmiston	Hook	Maloney
Barry	Elliott	Hull	Marcantonio
Barton	Ellis	Hunter	Martin, Iowa
Beckworth	Elston	Jenkins, Ohio	Martin, Mass.
Bolton	Engel	Jenks, N. H.	Massingale
Boren	Englebright	Jennings	May
Brewster	Evans	Jensen	Michener
Brown, Ga.	Faddis	Johns	Miller
Bryson	Fenton	Johnson, Ill.	Monkiewicz
Bulwinkle	Fish	Johnson, Ind.	Moser
Byrne, N. Y.	Ford, Miss.	Johnson, Luther A.	Mott
Byrns, Tenn.	Ford, Thomas F.	Johnson, Lyndon	Mundt
Camp	Fulmer	Johnson, Okla.	Murdock, Ariz.
Carlson	Gamble	Johnson, W. Va.	Murray
Carter	Gartner	Jones, Ohio	Nelson
Cartwright	Gathings	Jones, Tex.	Norrell
Case, S. Dak.	Gearhart	Jonkman	Norton
Church	Gerlach	Kean	O'Brien
Claypool	Geyer, Calif.	Keefe	O'Connor
Clevenger	Gibbs	Kelly	O'Day
Cochran	Gilchrist	Kennedy, Md.	Parsons
Collins	Gillie	Kennedy, Michael	Patman
Colmer	Goodwin	Kilburn	Pearson
Cooper	Gore	Kilday	Peterson, Ga.
Corbett	Gossett	Kinzer	Pierce
Courtney	Graham	Kirwan	Pittenger
Cox	Grant, Ala.	Kitchens	Poage
Cravens	Grant, Ind.	Kleberg	Polk
Crawford	Green	Kocialkowski	Rabaut
Crosser	Gross	Kunkel	Rankin
Crowe	Gwynne	Lambertson	Reed, N. Y.
Curtis	Hall, Edwin A.	Landis	Rees, Kans.
D'Alesandro	Hall, Leonard W.	Lanham	Rich
Davis	Halleck	Leavy	Risk
Dempsey	Hancock	LeCompte	Robertson
Dickstein	Hare	Lewis, Colo.	Robinson, Utah
Dingell	Harness	Ludlow	Robsion, Ky.
Dirksen	Hart	Lynch	Rodgers, Pa.
Rogers, Mass.	Simpson	Sumner, Ill.	Vincent, Ky.
Romjue	Smith, Maine	Sumners, Tex.	Vorys, Ohio
Routzohn	Smith, Ohio	Sutphin	Vreeland
Rutherford	Smith, Wash.	Taber	West
Sasscer	Smith, W. Va.	Talle	Wheat
Satterfield	Snyder	Tarver	Whittington
Schaefer, Ill.	South	Terry	Williams, Mo.
Schulte	Spence	Thomas, Tex.	Wolcott
Schwert	Springer	Tinkham	Wolfenden, Pa.
Secrest	Steagall	Treadway	Youngdahl
Shanley	Stefan	Van Zandt	Zimmerman

NAYS—68

Allen, La.	Costello	Lesinski	Richards
Anderson, Mo.	Creal	McAndrews	Rogers, Okla.
Angell	Culkin	McLeod	Schafer, Wis.
Ball	Cullen	McMillan, Clara G.	Schuetz
Bates, Ky.	Delaney	McMillan, John L.	Shafer, Mich.
Bland	Dunn	Mills, La.	Sheppard
Bloom	Eaton	Mitchell	Short
Bolles	Folger	Monroney	Smith, Conn.
Bradley, Mich.	Gregory	O'Leary	Sparkman
Brooks	Griffith	O'Toole	Thill
Burdick	Guyer, Kans.	Patrick	Tolan
Cannon, Fla.	Havenner	Patton	Wallgren
Chapman	Hobbs	Peterson, Fla.	Walter
Chiperfield	Izac	Powers	Ward
Clark	Jarman	Ramspeck	Weaver
Cole, Md.	Lea	Randolph	Welch
Connery	Lemke	Reece, Tenn.	Woodruff, Mich.

NOT VOTING—138

Alexander	Dies	Keogh	Sandager
Allen, Ill.	Disney	Kerr	Schiffler
Allen, Pa.	Ditter	Knutson	Scrugham
Andrews	Douglas	Kramer	Seccombe
Bates, Mass.	Duncan	Larrabee	Seger
Beam	Edelstein	Lewis, Ohio	Shannon
Bell	Fay	Luce	Sheridan
Bender	Ferguson	McArdle	Smith, Ill.
Blackney	Fernandez	McCormack	Smith, Va.
Boehne	Fitzpatrick	McGranery	Somers, N. Y.
Boland	Flaherty	Maas	Starnes, Ala.
Boykin	Flannagan	Maciejewski	Stearns, N. H.
Bradley, Pa.	Flannery	Magnuson	Sullivan
Brown, Ohio	Ford, Leland M.	Mansfield	Sweeney
Buck	Fries	Marshall	Taylor
Buckler, Minn.	Garrett	Martin, Ill.	Tenerowicz
Buckley, N. Y.	Gavagan	Mason	Thomas, N. J.
Burch	Gehrmann	Merritt	Thomason
Burgin	Gifford	Mills, Ark.	Thorkelson
Byron	Harrington	Mouton	Tibbott
Caldwell	Harter, N. Y.	Murdock, Utah	Vinson, Ga.
Cannon, Mo.	Hendricks	Myers	Voorhis, Calif.
Casey, Mass.	Hess	Nichols	Wadsworth
Celler	Hinshaw	Oliver	Warren
Clason	Hoffman	O'Neal	Whelchel
Cluett	Hope	Osmers	White, Idaho
Coffee, Nebr.	Horton	Pace	White, Ohio
Coffee, Wash.	Houston	Pfeifer	Wigglesworth
Cole, N. Y.	Jacobsen	Plumley	Williams, Del.
Cooley	Jarrett	Rayburn	Winter
Crowther	Jeffries	Reed, Ill.	Wolverton, N. J.
Cummings	Kee	Rockefeller	Wood
Darden	Kefauver	Ryan	Woodrum, Va.
Darrow	Keller	Sabath	
DeRouen	Kennedy, Martin	Sacks	

So the amendment was agreed to.

The Clerk announced the following pairs:

General pairs:

Mr. Martin J. Kennedy with Mr. Wolverton of New Jersey.
Mr. Warren with Mr. Wadsworth.
Mr. Woodrum of Virginia with Mr. Ditter.
Mr. Boland with Mr. Gifford.
Mr. Mansfield with Mr. Thomas of New Jersey.
Mr. Vinson of Georgia with Mr. Plumley.
Mr. Thomason with Mr. Knutson.
Mr. Buck with Mr. Cole of New York.
Mr. Gavagan with Mr. Schiffler.
Mr. Burch with Mr. Douglas.
Mr. O'Neal with Mr. Hess.
Mr. Caldwell with Mr. Jarrett.
Mr. Rayburn with Mr. White of Ohio.
Mr. Cannon of Missouri with Mr. Hoffman.
Mr. Coffee of Nebraska with Mr. Jeffries.
Mr. Cooley with Mr. Allen of Illinois.
Mr. Pfeifer with Mr. Luce.
Mr. Darden with Mr. Blackney.
Mr. Kerr with Mr. Mason.
Mr. Starnes of Alabama with Mr. Cluett.
Mr. Keogh with Mr. Reed of Illinois.
Mr. Dies with Mr. Crowther.
Mr. Sullivan with Mr. Seger.
Mr. Whelchel with Mr. Hope.
Mr. Mouton with Mr. Osmers.
Mr. Fernandez with Mr. Maas.
Mr. Smith of Virginia with Mr. Alexander.
Mr. Martin of Illinois with Mr. Lewis of Ohio.
Mr. Ferguson with Mr. Oliver.
Mr. Beam with Mr. Bender.
Mr. Boehne with Mr. Rockefeller.
Mr. Nichols with Mr. Darrow.
Mr. Garrett with Mr. Stearns of New Hampshire.

Mr. Burgin with Mr. Harter of New York.
Mr. Harrington with Mr. Wigglesworth.
Mr. Pace with Mr. Andrews.
Mr. Casey of Massachusetts with Mr. Marshall.
Mr. Scrugham with Mr. Brown of Ohio.
Mr. Cummings with Mr. Leland M. Ford.
Mr. Disney with Mr. Winter.
Mr. McCormack with Mr. Bates of Massachusetts.
Mr. Tenerowicz with Mr. Seccombe.
Mr. Somers of New York with Mr. Buckler of Minnesota.
Mr. Maciejewski with Mr. Tibbott.
Mr. Hendricks with Mr. Horton.
Mr. Flannagan with Mr. Williams of Delaware.
Mr. Boykin with Mr. Clason.
Mr. DeRouen with Mr. Thorkelson.
Mr. Mills of Arkansas with Mr. Gehrmann.
Mr. Sabath with Mr. Hinshaw.
Mr. Flannery with Mr. Wood.
Mr. Allen of Pennsylvania with Mr. Fay.
Mr. Magnuson with Mr. Bell.
Mr. Buckley of New York with Mr. Myers.
Mr. Kee with Mr. Sheridan.
Mr. Larrabee with Mr Duncan.
Mr. McGranery with Mr. Taylor.
Mr. Sweeney with Mr. McArdle.
Mr. Byron with Mr. Murdock of Utah.
Mr. Kramer with Mr. Shannon.
Mr. Kefauver with Mr. Edelstein.
Mr. Sacks with Mr. Coffee of Washington.
Mr. Bradley of Pennsylvania with Mr. Fitzpatrick.
Mr. Jacobsen with Mr. Keller.
Mr. Ryan with Mr. Flaherty.
Mr. Merritt with Mr. Fries.
Mr. Houston with Mr. Celler.

Mr. EBERHARTER changed his vote from "no" to "aye."

Mr. REECE of Tennessee and Mr. ANGELL changed their votes from "aye" to "no."

The result of the vote was announced as above recorded.

Mr. LESINSKI. Mr. Speaker, I ask unanimous consent to suspend further reading of the bill—H. R. 7831—granting increased pensions to sundry widows.

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

There was no objection.

Mr. COSTELLO. Mr. Speaker, I move to dispense with further proceedings under the call of the Private Calendar.

The motion was agreed to.

EXTENSION OF REMARKS

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

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. HART. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to insert certain quotations from letters written by a Federal judge.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. SHAFER of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a list of the contributions of various Ministers and Ambassadors appointed by the New Deal to the last campaign.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. HARTER of Ohio. Mr. Speaker, I ask unanimous consent to extend my remarks and to include a release from the Izaak Walton League of America.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. Under special order of the House, the gentleman from Indiana [Mr. SCHULTE] is recognized for 20 minutes.

THE STRIKE AT THE MID-CONTINENT PETROLEUM CO.

Mr. SCHULTE. Mr. Speaker, some time during the session in 1934 there was passed by this House legislation titled the National Industrial Recovery Act, the N. R. A. Under section 7 of that particular act, for the first time within my knowledge, any party ever undertook to protect the working man in his right to organize. He was given that right because of the fact that there had been so much interference by the companies at that particular time in refusing to allow men working in the mills and plants and in the oil industries to organize. Immediately there came into being a great many new unions, among them local No. 210, International Oil and Refinery Workers of my district, an organization of whom we are all mighty proud of, men who are taking their part in the civic affairs of the city in which they are living, highly respected. The Members of this House at that particular time thought that surely that would help to eliminate strikes, and give everyone an equal opportunity. Apparently it did not. Then to relieve this situation because of the turmoil that had been created—because of the existence of the act, both labor and employers complaining that it did not give them equal rights—this administration saw fit to introduce a new piece of legislation that would meet with everybody's approval and there was brought into being the National Labor Relations Board, to act as a sort of umpire in the event of any dispute between those working in particular industries and the managers of the industries themselves. A great deal of controversy has arisen since that time relative to the action of the Board. I am not here this afternoon to defend or condemn the actions of the Board. Certainly in my opinion the Board has served a purpose. They are not infallible. They are liable to mistakes the same as any of us, but as a whole I think they are to be complimented. An attempt is being made at this particular time to do away with the Board entirely. I do not believe that this Congress will ever consent to that nor will the workingman give up without a fight the ground that he has gained. Suggestion has been made that more members be added to the Board. I am very much in sympathy with the idea of adding two more men to that Board. I want to see men appointed there who will be a little broader in their views. Both sides have the right to be heard, but I do not want to see the National Labor Relations Board destroyed, and I am afraid that attempt is going to be made. Those who are attempting it are not friendly to labor unions because the unions feel that is the only safeguard that they have. Now, in spite of all this protection that we are trying to give the workers, it seems that some industries will still try to take advantage of them.

There is a situation that I desire to present relative to an oil strike in the city of Tulsa, Okla. The reason I am interested is because of the fact that during the days I have just mentioned there was born in my district Local 210 of the International Oil and Refinery Workers of the United States and Canada. They are very much interested, and, in view of the fact that they are an affiliate of the organization that now exists in Tulsa, Okla., I shall address myself to some of the testimony that was presented to us.

BRIEF ON THE MID-CONTINENT STRIKE

The history of the strike of the Oil Workers' International Union against the Mid-Continent Petroleum Corporation is one of the outstanding chapters of labor suppression and of collusion of corporate and political officials in denying the rights of workingmen to bargain collectively in the annals of modern times.

Before going into the history of the strike itself, however, it is well to examine the industrial-relations record of this company in order to understand some of the reasons for the vicious attitude taken by this company.

Prior to 1921 two craft organizations, namely, the Machinists International Union and the International Brotherhood of Boiler Makers and Helpers of North America, having organized, a majority of the Mid-Continent Petroleum Co.'s employees in those crafts attempted to negotiate a wage agreement, and, failing to receive any consideration at all from the company, called their men out on strike in 1921 and 1922, respectively. These strikes remain unsettled to this day. This and the subsequent attitude of the company may be partly attributed to the American plan, one of the first antiunion programs of this country, which was very strong in Tulsa, Okla., at that time, and of which J. C. Denton, vice president and general manager of the company at the present time, was one of the outstanding leaders in the Tulsa, Okla., area.

Another phase of the company's industrial relations was the participation of various company officials in various business enterprises, such as real estate and insurance, making it necessary for employees to purchase these items at high prices in order to hold their jobs.

One of the participators in these projects was the personnel representative of the company. The employees' political viewpoints and activities were also dominated and controlled at election time. These conditions plus a definite substandard of wages and working conditions among the employees of the company resulted in the employees starting a movement to form a union as early as 1933; however, their efforts were not really successful until 1935, when some degree of success began to be achieved, and by the fall of 1936 the Oil Workers' International Union, representing a majority of the company's employees, started negotiating with the company for a contract covering wages, hours, and working conditions.

The outstanding phases of these negotiations were that—

First. Finally in the spring of 1937 the negotiations were consummated after intense pressure by the union.

Second. The contract was not entirely satisfactory in several points, namely, the seniority principle as embodied was very loose, and was later to prove unenforceable because of the fact the contract provided no arbitration clause for the impartial adjustment of grievances arising under the contract. Neither was the union recognized as the exclusive bargaining agency under the contract, the management admitting the union had a majority of the employees in the union.

The union, however, was willing to accept the contract on the theory that they would be able to improve it at a later date as their relationship improved with the company, and also on the belief that some of the shortcomings of the agreement were compensated for by statements of the company of representatives into a verbatim transcript as to the application of various portions of the agreement. The company representative, Mr. J. C. Denton, general manager, promised the union committee a copy of this transcript to be used as a reference guide. This promise was never kept.

EFFORTS TO AMEND 1937 CONTRACT

In the summer of 1938 the union proposed to amend the contract with the company. After many delays conferences were finally arranged and started during the latter part of October 1938.

The following amendments were proposed by the union:

First. The establishment of impartial arbitration machinery for the settlement of unsettled grievances.

Second. A more fair and equitable seniority clause.

Third. Vacations comparable to that of other companies in the competitive area.

Fourth. The voluntary right of employees to assign a portion of their wages as dues, which the company would deduct from the men who might authorize deduction and send to the union.

Fifth. A fifth proposal was for a wage adjustment for some 20 men up to the prevailing level.

The experience of the union with the contract of 1937 was such as to make them feel these changes were imperative.

Union membership had become a cause for discrimination in promotions and demotions, and the union lacking an impartial means of arbitrating disputes such as discriminations and promotions and demotions in violation of seniority was rapidly finding the company was making it impossible for a man to be a member of the union. These conditions along with the other improvements sought, and which from any viewpoint, seemed to be fair and equitable to the union when the conference opened in October 1938.

The representatives of the company were Mr. George Bush, personnel representative, and Mr. J. C. Denton, general manager and vice president. The union had a representative committee from four locals having members employed by the Mid-Continent Petroleum Co. The union also was represented by H. C. Fremming, president, B. J. Schafer, vice president, and R. H. Stickel, representative of the Oil Workers' International Union.

The committee representing the union proceeded to present their demands. Mr. Denton, for the company, informed the committee that he would have to take the proposals of the union up with the president of the company, Mr. Jacob France, who, he said, was presently in Tulsa. The union representatives pointed out that they had asked, at the same time the conference was asked for, for someone to represent the company who had authority to negotiate for the company to a successful conclusion. Mr. Denton stated Mr. France could not meet with the committee, but he, Mr. Denton, would have to obtain Mr. France's approval on any or all points.

Mr. Denton stated he would listen to the union's arguments on each point and then transmit them to Mr. France, and bring back Mr. France's reply.

Two days' negotiations then ensued, at the end of which time Mr. Denton reported the company felt they could not grant any of the union's requests. Negotiations were then broken off.

The local unions requested permission of the international union to take a strike vote. The international executive council granted their request. The vote was taken on November 1, 1938, and carried by the required three-fourths constitutional majority, voting by secret ballot, and the unions were authorized to proceed to strike the Mid-Continent Petroleum Co.

A strike date was set for November 14, 1938. In the meantime, B. J. Schafer, vice president of the Oil Workers' International Union, petitioned the United States Department of Conciliation to send a representative into Tulsa to attempt to use their offices to work out a settlement.

Mr. W. H. Houston was sent in.

Mr. Houston obtained a conference with the Mid-Continent Petroleum Co. representative, Mr. J. C. Denton, on November 14, and asked that the strike be called off. Pending conferences this was done by the union.

Conferences were then arranged between the union and the company by Mr. Houston, of the Conciliation Department. Present at these conferences were representatives of the Governor's office of the State of Oklahoma. The State Department of Labor, and the National Labor Relations Board, sixteenth region, was represented by Mr. Dwight Blackmore. After 2 days of conferences, no progress could be noted, the company's attitude remaining unchanged, and as further evidences of their hostile attitude the employment of about 100 armed guards was noted around November 1, 1938.

Additional conferences were arranged by the Conciliation Department between the union and the company, up to December 22, and they were likewise unproductive.

On December 22, the long-pending strike against the Mid-Continent Petroleum Co. was called.

In summarizing the principal points that were instrumental in bringing about the Mid-Continent strike, we find them about as follows:

First. Failure of company to keep the agreement either in letter or in spirit.

Second. Unsatisfactory settlement of grievances under the agreement.

Third. Departure from seniority in many cases contrary to understanding had in contract.

Fourth. Apparent discrimination against union members.

Fifth. Putting on of armed guards when any labor dispute arose.

Sixth. Attempted intimidation of committee members.

Seventh. Refusal to arbitrate any labor dispute on the grounds that it was no one's business what the company did.

Eighth. Men penalized for filing and prosecuting grievances.

Ninth. Antiunion activities of certain foremen and superintendents condoned, if not openly sponsored and encouraged.

Tenth. Clubroom in which many employees have paid membership dues and spent idle time before and after work, and which has been openly sponsored by the company, has been closed and padlocked by the company without consulting the membership of the club.

Eleventh. Men have been unjustly discharged by company on fictitious grounds.

Twelfth. Company has not granted its employees privileges that are enjoyed by employees of other companies.

Thirteenth. Pay not comparable to that being paid by the Texas Co. in West Tulsa and Sinclair in Sand Springs which are the only ones whose employees have the same living expenses and conditions.

Fourteenth. Refusal of the services of the labor conciliator of the United States Department of Labor and the labor representatives of the State government by the company.

THE ACTUAL STRIKE SHUT-DOWN

On December 22 the strike was called against the Mid-Continent Petroleum Co.

One of the first problems confronting the striking employees was the proper shutting down of a plant and property containing such highly technical and hazardous equipment.

To walk off and leave such equipment operating would be a very hazardous thing to do, so the employees chose to remain on the property long enough to shut their equipment down. This was done under threats from armed guards who had instructions to shoot to kill. The men employed by the company finally completed shutting the hazardous equipment down and leaving the company's premises.

Immediately after the strike started, a picket line was formed and peaceful picketing was started at the company's Tulsa refinery main gate.

Even though the plant was outside the city limits, the Tulsa police department sent their riot squad at the request of the Mid-Continent Petroleum Co. to guard the company's plant and main gate. Affidavits and testimony show this squad of police officers were sent with instructions to break up the picket line on orders from the man in charge of the police to the strikers to break up and disperse. The picket line kept on going. At this time, testimony will show company officials passed tear gas through the fence to the police squad and the police started throwing gas at the strikers to disperse them, although the strikers had done nothing but form picket lines.

The following is a brief résumé of the police department's activities as a strike-breaking agency for the Mid-Continent Petroleum Co.:

June 2, 1938, police demonstration at refinery gate by about 30 officers, under the leadership of Berg Hughes. This demonstration took place immediately after the adjournment of the local union meeting.

The police were armed with sawed-off shotguns, submachine guns, police clubs, and pistols. A part of them were stationed inside the refinery gates, which is outside the city limits, and the others were marching up and down on the outside of plant and also outside city limits.

Tear-gas cans which were used on night of December 22 at refinery gate are reported by Elmer Davis, N. L. R. B. attorney, to have been purchased in June 1938.

On December 26, 1938, there was a large amount of tear gas delivered through the Tulsa city police department, to the Mid-Continent Petroleum Corporation refinery in Diamond 760 Motor Oil cases. The tear-gas salesman reported the amount as $12,000 worth (see affidavits of Harry Dunn). The N. L. R. B. has copies of affidavits.

The tear gassing of people at refinery gates December 22 was done by the chief detective of city police department and Bill Kelly, policeman. The tear gas was handed over the fence from inside the refinery by D. G. Morgan, superintendent, and Dan Lairmore, refinery guard. The tear gas, gas guns, rifles, shotguns, police clubs, and other strike-breaking weapons were delivered to the company agents, Harry Morton, superintendent of stills, and Fred Heffner, investigator for the Mid-Continent Petroleum Corporation.

Tulsa city police patrol cars were used to transport workers to and from their homes to the plant.

During this period, January, February, and March, many arrests were made and charges filed against strikers. High bonds were required. Records of the supposed offenses are on file in the union office.

NATIONAL GUARD

On December 25, 1938, 3 days after the Mid-Continent Petroleum Co. strike was called by the Oil Workers International Union, 125 National Guardsmen were ordered into the Tulsa, Okla., area by the Governor of Oklahoma, supposedly for the purpose of protecting life and property and at the request of the county prosecutor and sheriff. In reality, the reason they were requested was because of the episode that occurred at the time of the shut-down, when the police department of Tulsa threw tear gas into peaceful picket lines in front of the Tulsa plant of the company.

In fact, it would appear that the motive of the police department was to make it appear that the strikers were causing the trouble in Tulsa in order that the National Guard might be brought in to intimidate the strikers in the hopes of breaking it at its very inception. Failing this, the National Guard could serve as a valuable aid to the prosecutors and police department's offices in carrying on their strike-breaking tactics.

A brief summary of one National Guardsman, Frank Munroe's, testimony before the National Labor Relations Board hearing in connection with the strike is as follows:

The charge of wire tapping and dictaphoning against the Mid-Continent Petroleum Corporation was strongly enforced from the witness stand by National Guardsman Frank Munroe.

Guardsman Munroe told of the line tap receiver being in the basement of the administration building at the refinery, at which place the corporation maintained a 24-hour daily set-up. He also told of his instructions to hold telephone employees in guard headquarters until he had phoned the switchboard operators and they had time to disconnect taps on union lines and called back by phone or reported in person that everything was O. K.

Mr. Munroe further testified that he was required to make three copies of his reports of supposed union happenings, such as fights, trucks of food coming in, strikers losing cars, furniture or homes, amount of money, and such matter. One copy of such report was furnished Ed B. Moffett of the Mid-Continent Petroleum Corporation.

Guard Munroe was called into service on orders of Major Taylor to assist Police Commissioner Floyd Rheam and refinery superintendent Glen Morgan to install a dictaphone in the Tulsa Hotel room of John L. Coulter, president of the Oil Workers International Union. In placing the microphone, Munroe was required to completely undress and to crawl up through a ventilator in one room to the opening in the adjoining room which was occupied by President Coulter.

The testimony showed that one dictaphone did not work and that Commissioner Rheam called refinery superintendent Morgan for another, which was a little later brought to the room by Morgan and Rheam.

It has often been charged that the National Guard was used as a strike-breaking agency, but the testimony of Guardsman Munroe definitely clinches the charge in this case and also proves beyond any reasonable doubt that the Governor of the State of Oklahoma had full knowledge of such action while it was being perpetrated.

The testimony by the National Labor Relations Board witnesses to date has woven a web of proof of collusion between police officials, county officials, National Guard, Governor Phillips, and the Mid-Continent Petroleum Corporation that surpasses even the wildest imagination of union men.

The National Guard, although finally reduced in March to 60 men on duty, was not removed from Tulsa until some time in May.

A great deal of money was paid out during this time by the Federal Government and the people of Oklahoma for strike-breaking activities on the part of the National Guard.

No known strikers were called before the grand jury. The union was not given a chance to appear and offer any kind of testimony.

Out of this grand-jury investigation came 104 indictments for unlawful assembly. Nineteen were indicted for conspiracy. These charges were later changed to riot charges when Prosecutor Gilmer found riot charges carried a heavier penalty.

The 104 men were later acquitted of the charges of unlawful assembly by jury trial, and 1 of the 19 charged with riot, Jack Hays, was tried separately and there was a hung jury. The cases of the other 18 men are still pending.

In reality, the incident which occurred on December 22, 1938, when the police broke up the picket line with the company-supplied tear gas, was the basis for the charges against all of these strikers.

That the purpose was to demoralize and deplete the union's finances is indicated by the methods pursued by the grand jury and the acquittals of 104 in jury trial.

At the same time, the prosecutor's office was prosecuting union men. The company had known parolees with criminal records on their pay rolls as guards, who violated every basis of parole and yet nothing was done.

The dynamiting of pipe lines was a frequent occurrence. The union offered to help uncover the perpetrators of these incidents, and when the facts were known, company agents were found to be responsible, and yet the prosecutor's office did nothing.

The following brief facts have been developed on the Tulsa County prosecutor, Mr. Dixie Gilmer:

On or about January 5, 1939, it was agreed by and between the Mid-Continent Petroleum Corporation and Dixie Gilmer, county attorney, that all cases in which strikers were involved would be filed in the county.

There had been a fight between a group of strikers who were not armed and a group of refinery workers who were armed with guns and knives, and in which fight a striker was seriously stabbed. One of the strikers, who was in no way involved in the fight, called the police and all those in the fight were arrested. The nonstrikers were in such an intoxicated condition that the police had to drive their car to the station. They were all charged with disorderly conduct. When the case came up the county attorney appeared in police court and stated he was filing riot charges against the strikers. He filed no charges against the nonstrikers, even though they were armed and had not only precipitated the fight, but had threatened to kill and had used a knife to stab W. H. O'Hara seriously. Upon the insistence of the union men he did file a charge of carrying a gun against three and of assault against the man who did the stabbing. The bonds of the nonstriking men were set at $100 and the union men at $2,000.

While Mr. Gilmer has been very free in issuing warrants against strikers he has at the same time either refused or been very reluctant in allowing any charges to be filed against nonstrikers.

Mr. Gilmer has been very vicious in his prosecution of striker cases, while he has failed to set for trial or prosecute any nonstriker.

He severely and publicly criticized a jury for voting acquittal of a number of strikers charged with unlawful assembly and in the Hays trial for conducting a riot he arrested one juryman who voted for acquittal and placed him in jail, charged with perjury.

The supposed reason for this persecution of jurymen is so to intimidate them that they would be afraid to vote acquittal in any striker case.

The county attorney keeps in close touch with the Governor, who also is very vicious to organized labor.

NATIONAL LABOR RELATIONS BOARD

The National Labor Relations Board received charges from the Oil Workers International Union last spring advising that the men who were discharged by the Mid-Continent Petroleum were unjustly discharged. This refers to the 247 discharged by the company for alleged infractions of rules.

After investigations, a complaint was issued and hearings started in May 1939. These hearings have been going on almost constantly since. It is from these hearings that some of the statements used herein were obtained.

A study of the transcript of these hearings should bring to light a great deal of material that has a bearing on the subject matter of this brief.

GENERAL SUMMARY

It may be seen from each of the subject matters dealt with since the inception of the strike how the various law-enforcement agencies named have worked together for the ultimate defeat of the strikers, to the end the Mid-Continent Petroleum Co. might benefit.

The strikers have been deprived of relief. Union funds have been expended to protect union people from attacks of a prejudiced prosecutor.

There have been numerous conferences held with the company representative, Mr. J. C. Denton, in an effort to find a basis of settlement since the strike was called. The union has offered to accept the services of the State labor board in setting up a board to arbitrate the controversial issues that caused the strike; all of these offers have been refused.

CONCLUSION

In view of the foregoing facts, we feel it is time some responsible agency, preferably the Congress of the United States, should step in and investigate this matter to determine why such a miscarriage of justice prevails, to the end that commerce might again flow freely.

We further feel there is a conspiracy prevailing to defeat the workers' rights under the National Labor Relations Act.

This firm now has a contract with the Federal Government to supply oil to the T. V. A. This matter is now being called to the attention of the proper authorities to try and stop this, in view of the fact that they believe this will come under the Walsh-Healey bill, and the Government should refuse to buy from any firm whose men are striking for a living wage so that they may have the right to continue to exist; and certainly the facts that have been presented here this afternoon should prove conclusively that it is about time that the Federal Government must intervene; and I shall in the very near future introduce a resolution asking for a complete investigation of this strike situation in Tulsa, Okla., where they are trying to starve the men into submission and to force them back into the plants and to work for starvation wages. [Applause.]

COMMITTEE ON LABOR

Mrs. NORTON. Mr. Speaker, I ask unanimous consent that the Committee on Labor may sit during the session of the House tomorrow afternoon to continue its hearings.

The SPEAKER pro tempore. Without objection it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks on two subjects and to include certain excerpts.

The SPEAKER pro tempore. Without objection it is so ordered.

There was no objection.

INDUSTRIAL PATERNALISM

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for one-half minute.

The SPEAKER pro tempore. If there is no objection from the standpoint of the Members who have the special orders the Chair will recognize the gentlewoman from Massachusetts to submit the request.

Mr. ANGELL. I have no objection, Mr. Speaker.

Mr. MILLER. I have no objection, Mr. Speaker.

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

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include therein the last two of the series of articles by Mr. Thomas Stokes, of the Washington News, regarding the Bata plant in Belcamp, Md., and also to include an application for enrollment in the Bata Industrial and Business Institute.

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

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, permit me to point out that in this application for employment, a long questionnaire, the applicant is asked whether he or she wants to engage in leather shoes, rubber shoes, shoe repairing, hosiery, tannery, machine shop, chemistry, electrical engineering, retailing, internal trade, export business, purchasing in the United States or in foreign lands. All of this indicates, apparently, a plan to manufacture things other than boots and shoes.

In the application the children who apply for 3-year training under the absolute control of Mr. Bata are also asked whether any members of their families have held any political or public office and what they were. It looks, therefore, as though Mr. Bata were trying to control the politics of his workers as well as the conditions of their employment and the type of their education. [Applause.]

The application for enrollment follows:

BATA INDUSTRIAL AND BUSINESS INSTITUTE, BELCAMP, MD.

APPLICATION FOR ENROLLMENT

Attach (do not paste on) here two photographs on thin paper. Size: 2 inches by 2 inches. Size of the head on the picture not less than 1 inch. Sign the photos on the rear

[Do not fill.]

Questionnaire arrived on_____. _____. Candidate invited for interview and medical examination on_____. Examination shall take place on_____at_____. Examination took place at_____on _____. On_____candidate invited to arrive at Belcamp, Md., on_____.

Admission refused on_____. He/she is younger than_____older than_____. He/she is employed at_____. Weak physical development. School record below average. Did not pass more than the _____th grade. Is not interested in manufacture of footwear. Has not got higher ambitions; plans to be_____. Did not pass medical examination. Did not pass oral examination. Did not pass written examination.

QUESTIONNAIRE

The answers to the following questions have to be true and legible. The answering of the questions has to be done by the candidate himself without any help of another person. The writing has to be done in ink in the candidate's own handwriting and in a careful manner. If more than one question is asked underline the correct answer or answers. Any intentionally made false statement shall result in the candidate's discharge from the Bata Shoe Co., Inc. The statements made in the questionnaire are subject to proof by documentary evidence.

The receipt of this questionnaire does not obligate the Bata Shoe Co., Inc., in any manner. Do not urge an answer. Do not come to Belcamp, Md., unless you are definitely requested to do so.

Personal data

Last name_____, first name_____, middle name_____.

Date of birth: Day_____, month_____, year_____.

Place of birth: City or town_____, county_____, State_____.

Race_____, nationality_____, religion_____, sex_____.

United States of America citizen, yes/no. If not citizen of United States of America, of what country are you a citizen?_____.

United States of America resident, yes/no. Number of immigration card_____, number of working permit_____.

Present residence: Street and No_____, city_____, post office _____, State_____.

Permanent residence: Street and No_____, city_____, post office _____, State _____.

Education

How many years did you attend the grammar school? _____. Where? _____.

In what grade were you when you finished the grammar school? _____.

How many years did you attend high school? _____. Where? _____.

In what grade were you when you finished the high school? _____.

If still studying in what grade will you finish before coming to Bata Institute? _____.

Did you attend a college? Yes/no. Where? _____.

Did you graduate? Yes/no. What grades did you make in your last years of schooling in the following subjects: Conduct, _____; mathematics, _____; geography, _____; history, _____; English language, _____; physics, _____; algebra, _____; geometry, _____; calculus, _____; general science, _____; chemistry, _____; manual training, _____; commercial training, _____; home economics, _____; art, _____; music, _____; problems of democracy, _____; French language, _____; German language, _____; Latin language, _____; Spanish language, _____.

In scholarship were you in the upper, middle, or lower one-third of the classes? _____.

Did you excel in any subject or subjects? _____.

Did you engage in any extra-curricular work? _____.

Were you pleased with your teachers? _____.

Transportation to the school (schools) was: By bus, by family car, by train, by friend's car, by bicycle, by foot.

The distance of the school (schools) from your home: _____ miles.

What languages other than English do you speak? _____.

What other languages do you understand? _____.

Do you write any foreign language? _____.

PHYSICAL DEVELOPMENT

Height: _____ feet, _____ inches. Weight _____ pounds.

Do you feel healthy? Yes/no. Why not? _____.

What diseases have you had? _____.

Have you any defects as a result of any disease? _____.

Have you any physical defects that you were born with? _____.

Did you have an accident and/or injury? Yes/no. If yes: What kind? _____.

Have you any physical defects received due to accident or injury? _____.

Did you have an operation? Yes/no. If yes: What kind? _____. When? _____.

Have you ever been an inmate of a hospital, sanatorium, or asylum? When? _____. Why? _____. Where? _____.

Do you faint? Yes/no. If yes: How often? _____.

Eye sight: Very good, good, weak. Do you wear glasses? Yes/no. If yes: why? _____. Have you ever had any eye disease? Yes/no. If yes: What kind? _____. When? _____.

Do you hear: Very well, well, poorly? Have you ever had any ear disease? Yes/no. If yes: What kind? _____. When? _____.

Do you suffer from headaches? Yes/no. If yes: How often? _____.

Have you all of your teeth? Yes/no. How many of your teeth are missing? _____. How many of your teeth are filled? _____. How many of your teeth are artificial? _____

Do you have a speech defect? Yes/no. If yes, what kind? _____.

Do you have any pains in your joints? Yes/no. If yes, how often? _____.

Do you drink alcoholic beverages? Average, occasional, none, excess.

Do you smoke? How many cigarettes a day? _____.

How many hours a night do you sleep? _____.

Have you ever been refused insurance on your life because you failed the physical examination? Yes/no. Have you ever been refused employment for the same reasons? Yes/no.

Have any of your parents, brothers, sisters, or any of your household now, or ever before, had tuberculosis, syphilis, diabetes, heart trouble, kidney trouble, cancer, insanity, goiter? If any above are yes, state relationship.

Mental characters

Do you consider yourself calm, hot-tempered, carefree, oversensitive?

Are you nervous? Yes/no. Are you absent-minded? Yes/no.

Do you feel embarrassed when meeting new persons? Yes/no. Do you lack the power of concentration? Yes/no. Are you easily irritated? Yes/no. Are you easily excited? Yes/no. Do you have feelings of anxiety or fright without any reason whatever? Yes/no. Have you a good memory? Yes/no. Do you worry over minor matters? Yes/no. Have you any fears? Yes/no. If yes, what kind? _____.

What do you want most? _____

What are your chief interests? Nature, poetry, mystery, science, electricity, machines, cars, airplanes, radio, music, travel, animals, farming, religion, human beings. _____.

Have you a hobby? Yes/no. If yes, what is it? _____.

Do you like excitement, adventure, danger, home?

Have you ever been before a juvenile judge? Yes/no. If yes, why? _____.

Life

Do you live in the country (on a farm or only a home), town, city?

Who reared you—parents, grandparents, other relatives, friends, other people, orphan home?

Under what circumstances did you live: Very good, good, medium, bad?

Where do you live now: With parents, grandparents, other relatives, friends, other people?

How do you spend your leisure hours? _____.

What kind of books do you prefer? _____.

What magazines do you read? _____.

Do you play any musical instruments? Yes/no. If yes, which one or which ones? _____.

Do you sing? Yes/no. Do you like sports? Yes/no. If yes, which one or which ones? _____.

In what sport (sports) are you, or have you been active? _____.

Did you actively participate in any important sporting event? Yes/no. If yes, in which one or which ones? _____.

Did you excel in any sports? Yes/no. If yes, name it. _____.

Do you like company? Yes/no. If yes, what kind? _____.

Do you like movies, theater, sport events? What kind of manual work do you enjoy most? _____.

Have you ever been employed? Yes/no. If yes, how long? _____ where? _____; by whom? _____; what was your job? _____.

How much did you earn per week? _____. What did you use this money for? _____. Why did you leave this employment? _____.

Did you earn any money without being employed? Yes/no. If yes, in what manner?_____ how much?_____ what did you use this money for? _____

What are your plans for the future?_____

What position would you like to achieve?_____

Did you ever apply for job in a Bata store or plant? Yes/no. If yes, where?_____If refused, why?_____

Did you apply for work during the last 6 months? Yes/no. If yes, where?_____If refused, why?_____

Why do you wish to work in Bata organization—for living, because of promotional chances, because the organization appeals to you, because it will give you the chance to study, because it will give you the chance to learn a trade (which trade?_____). If you have any other reason why you are interested in working with Bata state the reason_____.

In what trade would you prefer to work: Men—leather shoes, rubber shoes, shoe repairing, hosiery, tannery, machine shop, chemistry, electrical engineering. Women—leather shoes, rubber shoes, fancy slippers, hosiery. Both sexes—retailing, internal trade, export business, purchasing, in the United States of America, in foreign lands.

Who called your attention to the Bata Industrial and Business Institute?_____

Family

Father: Name _____ year of birth _____ place of birth _____ nationality _____ occupation _____ residence _____ healthy, sick, died of _____ years old.

Mother: Name _____ year of birth _____ place of birth _____ nationality _____ occupation _____ residence _____ healthy, sick, died of _____ years old.

Stepfather (stepmother): Name _____ year of birth _____ place of birth _____ nationality _____ occupation _____.

Guardian: Name _____ year of birth _____ place of birth _____ nationality _____ occupation _____.

Brothers: Name _____ age _____ profession _____.

Sisters: Name _____ age _____ profession _____.

Do your parents live together? Yes/no. Are they separated? Yes/no. Are they divorced? Yes/no.

Do your parents own any land? Yes/no. If yes _____ acres. Where _____ valued $_____.

Do your parents own a house or houses? If yes, number _____ where _____ total value _____.

Do your parents have any debts? Yes/no. If yes, $_____.

Do your parents live in a rented house, an apartment, with relatives? In how many rooms does your family live?_____

What are the wages of your father (mother) per week? $_____ ($_____).

Do other members of your family earn own living? Yes/no. Which ones?_____.

Do other members of your family earn part of their own living? Yes/no. Which ones?_____.

How many of your family or relatives does your father/mother have to support?_____

Does your father/mother or any of your close relatives hold (or ever held) a public or political position? Yes/no. If yes, who? _____, what are/were these positions?_____.

Have any of your relatives been: Inventors, exceptionally talented, explorers, or persons who have achieved some special or remarkable aims or careers?_____.

What kind of work and where he/she does (they do)?_____.

Are you known to any of our employees? Yes/no. If yes, state the name or names_____.

Are any of your family or relatives already employed by Bata? Yes/no; name or names_____, relation_____.

Autobiography

Describe in brief your past life and your outstanding experiences. You may write here also anything which you consider as important about yourself that will be of value to the Bata Industrial and Business Institute and to the Bata Shoe Co., Inc.

Should you be selected by the institute as a future candidate, are you willing to appear at some designated city in your State for interview and for medical examination? Yes/no. If yes, where _____. If no, why? _____.

This _____ day of _____ 19__

To the BATA SHOE CO., INC.,
Belcamp, Md.

GENTLEMEN: I have carefully read and considered all the above questions and have answered them honestly and to the best of my ability, without aid or prejudice.

I have carefully read your booklet marked BIBI 1939–40. I understand all the information contained therein, and I am willing to serve the full 3 years as an apprentice student in the Bata Industrial and Business Institute, in Belcamp, Md., under the conditions described in the above booklet, which will form a part of our mutual agreement.

Should I not qualify after the 3-month probation period I will pay my return trip home.

Signed: _____

To be signed by parent or guardian

This _____ day of _____ 19__.

I understand the pay, conditions, and opportunities of the Bata Industrial and Business Institute, and I approve the above application of my _____.

If the applicant is accepted and ordered to come to Belcamp, Md., I am willing to pay his transportation to Belcamp, Md.

Signed: _____
(Parent or guardian)
Address: _____

The articles by Mr. Thomas L. Stokes, which appeared in the Washington Daily News of March 14 and 15, last, follow:

[From the Washington Daily News, March 14, 1940]

INDUSTRIAL PATERNALISM GUIDES POLICIES OF BATA

(EDITOR'S NOTE.—This is the fourth of five articles)

(By Thomas L. Stokes)

BALTIMORE, MD., March 14.—The basic concept of the Bata Shoe Co.'s industrial colony now being established at Belcamp, 20 miles from here, derives from the parent enterprise at Zlin, Czechoslovakia.

But it partakes likewise of an industrial paternalism once familiar in many parts of this country and still lingering in some, including the South. As a matter of fact, Jan A. Bata learned much about industrial methods in a study of shoe manufacturing in this country several years ago, and took the information back to Czechoslovakia.

At the time he had a small business. From this he began to expand, building an industrial town of his own, Zlin—the name is said to be derived from Lynn, Mass.—with a great covey of factory buildings surrounded by a wall and, outside this wall, stores, restaurants, two moving-picture theaters, a school, dormitories for young men and women workers, houses for workers with families, a hospital.

PICKED POOR SECTION

For this vast enterprise he selected a rural section of Moravia where the people were poor and backward and not long since emerged from the domination of the great Austrian land-owning families, according to a survey of the Bata system by the International Labor Review, published by the International Labor Office at Geneva.

For his workers, he recruited largely young people from this backward region.

In seeking to transplant his system to the United States and get a foothold for expansion in this country, Mr. Bata chose a rural section in Maryland and is recruiting his workers here from youngsters in farm families and in a region where he is free, at least so far, from labor unions. A cardinal policy wherever he has operated has been a stanch resistance to unions.

BUILDING MODERN TOWN

Here, too, he is building a settlement modern in every respect. The five-story factory building already completed and turning out shoes is light and airy. It is surrounded by a high fence and admission is via a little cagelike room where a young man in uniform inquires your business. Brick duplex houses for workers are modern and attractive. A retail shoe store is doing business in the first floor of the administration building.

The formula is similar to that of American industries which in recent years have migrated to the South to escape labor unions and labor laws and to capitalize on surplus farm labor. They get encouragement from local business interests and chambers of commerce, as the Bata company from the Baltimore Association of Commerce and like organizations.

Very low wages, much below the minimum now required by the Wage and Hour Act, were paid by these runaway factories when they first moved South. This was one of the influences helping passage of the Wage and Hour Act.

IN LOW-WAGE AREA

The section where the Bata company has located, the home county of Senator TYDINGS, chief political sponsor of the project, is a rural low-wage area. The average wage for shoe workers in Maryland last year was 38 cents an hour, compared with a national average of 48 cents, while a much higher rate was paid in many sections where strong union organizations exist.

Most of the young men and women at the Bata plant were recently being paid the minimum under the Wage-Hour Act, 30 cents an hour, an investigation by the Labor Department disclosed. Charges have been filed with the Wage-Hour Division that the company has violated the law.

The hostility aroused among American shoe manufacturers and labor unions over the Bata invasion of the United States is similar to its reception in other parts of the world, as revealed in the Commerce Department's reports published in Leather Footwear. In France the company was compelled to curtail its operations; resentment arose in other countries. England and the Netherlands among them, with charges that wages below the prevailing rate were being paid.

STUDY BARES POLICIES

The general attitude motivating the Bata enterprise, as developed abroad, is told in a study made by Kurt Roth, presented as a doctor's thesis to the University of Wurzburg in 1931.

"It is important to note," he says, "that the Bata system was conceived under the stress of generally depressed economic conditions; that it was put into effect under the pressure of a distressed labor condition; and that it is apparently kept in effect by superlative authority, strict discipline, by an automatic meting out of penalties and rewards, and by a hope for profit and a fear of loss."

Mr. Roth also said that "the danger of an intellectual and cultural enlightenment of his employees is fully recognized by

Bata," who "keeps at a distance every labor-organizing influence, and takes care in the second place that his personnel is held at a definite intellectual level. Only the less worth-while films are run in the movie houses, and in the whole of Zlin no classic or intellectually valuable book can be found."

Next—How Senator TYDINGS helped to establish Bata Co.

[From the Washington Daily News of March 15, 1940]

CHEAP LABOR SHOE PLANT SPONSORED BY TYDINGS

(Editor's note: This is the last of five dispatches)

(By Thomas L. Stokes)

BALTIMORE, March 15.—Senator MILLARD E. TYDINGS, of Maryland, a conservative Democrat, has been most helpful as the political sponsor of the industrial colony which the Bata Shoe Co. is establishing at Belcamp, Md., not far from the Senator's country estate.

Mr. TYDINGS' local political organization has been cooperative.

The company's weekly newspaper recently front-paged the story of a luncheon given 18 women of the Harford County Women's Democratic Club, including Mrs. Tydings, by Jan A. Bata and his family at their home on the reservation.

On an inspection tour of the project the women were escorted by the Senator's law partner, Robert H. Archer, who is counsel for the company.

BEGAN WORK IN 1934

Senator TYDINGS began in 1934 to pave the way for establishment of the company in Maryland. In a letter dated September 5, that year, to Daniel W. MacCormack, then United States Immigration Commissioner, he introduced John B. Gray, Jr., attorney for the Maryland Roads Commission. "Mr. Gray," he wrote, "is very anxious to discuss with you a question of right-of-way through the property of the Bata Shoe Co., a European concern to be located at Belcamp." The Senator asked every possible assistance to Mr. Gray.

The success of the road project was revealed at Washington in a speech to the House by Representative ROGERS (Republican, Massachusetts).

"Actually the Bata Co. had planned to establish its American factory at Belcamp as early as the summer of 1934," she said, "and late that September made arrangements that the new Philadelphia road pass through its property. They later paid the Maryland State highway commission $11,000 for this arrangement."

AIDED ALIENS' ENTRY

Senator TYDINGS also was active in obtaining an order from the Labor Department authorizing admission of 100 Czechoslovakian instructors for the plant. Subsequently the order was revised to permit only 10 such instructors and 15 administrative employees to work at the plant—after 76 Bata employees had come into the country as instructors.

A Labor Department investigation, made after protest by labor unions, showed that no large number of instructors was necessary, since the Bata method differed only slightly from American methods.

The company now has filed suit against the Labor Department to prevent deportation of 45 Czechoslovakians who were admitted, but whom the revised order denied the right to work at the plant. These Czechs, while remaining at Belcamp, are not working, according to company representatives.

GOT EXTENSIONS

Senator Tydings also has interceded successfully in the last 2 or 3 years for admissions and extensions, in the case of individual Bata employees.

Bata employees who were admitted on a temporary basis at the Senator's request became regular employees in Bata retail stores in the Midwest.

Labor Department files contain reports from an inspector in the Midwest charging irregularities to the company in several cases, including the admission of workers as executives.

Immigration Commissioner James L. Houghteling has confessed his dissatisfaction with the company. On last July 10, he wrote Mr. Archer, company counsel that "our past experience with the Bata Shoe Co. is that that organization does not cooperate very well with this service in connection with favors which it has in the past asked of us." On July 21 he wrote that "there has been so much bad faith on the part of this company in bringing employees for specific purposes and then trying to keep them here on various excuses." A vice president, for instance, was admitted as an instructor.

FIVE HUNDRED ADMITTED

Mrs. ROGERS told the House that, with revision of the original order to include families, servants, chauffeurs, and the like, altogether some 200 were admitted in connection with the Belcamp factory alone, instead of 76, and that the total of Bata employees admitted would run up to 500 counting those admitted as visitors to work in retail stores.

Mrs. ROGERS also pointed out an "amazing fact"—the youth of the so-called instructors, of whom one was a 16-year-old girl, while a fourth of the total were 20 or younger, and half under 25. She added that the company, in its petition, had said 5 years was necessary to develop the skill necessary to be a Bata instructor.

Carol King, who filed a brief on behalf of the United Shoe Workers in connection with admission of the Czechoslovakian "instructors," charged that those admitted were in reality contract laborers, in violation of immigration laws.

GET LOW WAGES

"Mr. Frank J. Pelz, the personnel manager," she said, "had to admit that 'the imported instructors are now receiving $18 a week, if single, and $25, if married, but that those having children here are paid a few dollars more per week.' These wages are far below the American standard.

"Thus Bata brings in cheap, nonunion skilled labor, hires untrained youths for most of the work, and by means of low wages, speed-up, and keeping out union organizers from the plant and its dormitories—in which most of the workers reside—keeps costs down at the expense of the American worker."

EXTENSION OF REMARKS

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a statement placed in the RECORD many years ago by the Honorable Champ Clark entitled "The Making of a Representative."

The SPEAKER pro tempore. Without objection it is so ordered.

There was no objection.

The SPEAKER pro tempore. Under the special order of the House heretofore entered the gentleman from Connecticut [Mr. MILLER] is recognized for 20 minutes.

POLITICS IN RELIEF

Mr. MILLER. Mr. Speaker, although the hour is very late I think the subject I wish to bring to your attention is sufficiently important to take at least a few minutes of your time.

Mr. Speaker, yesterday the Senate enacted a new Hatch bill, an extension of legislation the Congress passed last year. After all is said and done, the Congress can do no more than enact legislation laying down desired principles. Other departments of the Government must enforce the laws Congress enacts. I wish to call attention to a situation that exists at the present time in the city of New Britain, in the State of Connecticut.

New Britain is the second largest city in my congressional district and I am sure the conditions I shall describe are such that no Member of the House would want to see them continue. I felt when we passed the original Hatch bill that we had passed legislation strong enough to prevent political activity on the part of those working for the Federal Government and handling the administration of relief. I have in my possession what seems like sufficient proof to make the charge that supervisors and employees of W. P. A. in the State of Connecticut, in the city of New Britain, are going on to W. P. A. projects, taking with them what we know as "to-be-made" cards, which is simply a written application addressed to the registrar of voters indicating the desire of the applicant to be made a voter under the Connecticut law. These cards are filed, and the following week the citizen presents himself to be made a voter. In addition to that they are circulating on W. P. A. jobs cards and enrolling voters in the Democratic Party in the city of New Britain.

I made inquiry as to the kind of political activity that could be conducted and the right to conduct political activity under such conditions and was rather astonished to learn from the Assistant Administrator of W. P. A. that political activity under the Hatch bill was prevented only on the part of those having supervisory or administrative positions.

In the city of New Britain a man by the name of Borselle employed on W. P. A., held membership on the city council. I direct your attention to the fact that the city council appropriates money to make possible the local projects. This man is still working on W. P. A. I cannot find out whether he is classified as a supervisor or administrative official, but I am told he is drawing his money from the administrative pay roll. An election will be held in New Britain in the next few months and he desires to continue as a member of the city council. A letter was written to the administrator and a reply received, signed by one Howard C. Hunter, deputy commissioner, in which he states that if as indicated in Mr. Borselle's letter he is not employed in any administrative or supervisory capacity with this administration, he would be

eligible to run for membership in the common council in his community without prejudice to his W. P. A. employment.

I am not a lawyer, but it seems to me very clear that Congress must have intended at least two prohibitions by section 9 of the Hatch Act passed last year.

Section 9 (a) reads as follows:

It shall be unlawful for any person employed in the executive branch of the Federal Government, or any agency or department thereof, to use his official authority or influence for the purpose of interfering with an election or affecting the result thereof.

The same section goes on to add what seems to me to be a definite prohibition.

No officer or employee in the executive branch of the Federal Government—

And I do not think anybody will charge that the W. P. A. is not an agency of an executive branch of the Government—

or any agency or department thereof, shall take any active part in political management or in political campaigns.

It is impossible for a man to be a candidate for the city council of a city or to go into a contest in his own primary and set up the claim that he is not engaged in a political campaign.

I do not know how we are expected to know what these prohibitions mean. I made inquiry of the Department of Justice in connection with an episode in Connecticut that I thought was a violation of the Hatch Act. In this particular case the W. P. A. supervisor for the State of Connecticut went on the air recently with a definitely political broadcast.

He answered a previous address made by the Governor of the State of Connecticut. Anybody who read or heard it will agree that it was a political address. I have no quarrel with the W. P. A. administrator of Connecticut. I believe he is trying to do an honest job. But I would like to determine what is to be considered political activity under the Hatch Act and if it is going to be necessary for the House to put more teeth in the act when that bill comes over to us, or amend the act which was passed last year.

In an effort to find out what some of these prohibitions were, I wrote a letter directly to the Attorney General and I received this interesting reply, under date of March 13:

MY DEAR MR. CONGRESSMAN: Reference is made to your letter of March 5, 1940, in which you request a ruling by the Department whether a broadcast made by State W. P. A. Administrator Vincent J Sullivan, was made in violation of the Hatch Act.

For a brief period following the enactment of the law, when its provisions and application were little understood, it was the practice of the Department to answer general queries with respect to its meaning and interpretation in particular situations. This practice has been discontinued, however, and no further rulings are being issued except on request of the President and heads of executive departments in accordance with the rule heretofore established and followed for many years.

Respectfully,

For the Attorney General:

O. JOHN ROGGE,
Assistant Attorney General.

If that is going to be the policy of the Department of Justice, there is no alternative for a citizen or even a Member of Congress who feels he wants to stop some political activity on the part of a Federal employee, but to go to the United States district attorney and swear out a complaint. There are many of us who want to see this situation cleared up without the taking of such a drastic step, but as far as the situation that exists in New Britain at the present time and in my congressional district is concerned, if it is necessary to take that action, I, for one, am perfectly willing to take it. I have been assured that investigators will be sent to New Britain today or tomorrow and that the situation will be thoroughly investigated.

Mr. Speaker, I have taken the time to insert this matter in the RECORD so that those of us who will have to consider additions to the Hatch Act may have an example of the way these prohibitions are being interpreted at the present time. [Applause.]

The SPEAKER pro tempore. Under a special order heretofore entered, the gentleman from Oregon [Mr. ANGELL] is recognized for 20 minutes.

UNEMPLOYMENT, OLD-AGE SECURITY, AND NATIONAL RECOVERY

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include therein a short quotation from a decision of the Supreme Court of the United States.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon [Mr. ANGELL]?

There was no objection.

Mr. ANGELL. Mr. Speaker, unemployment is America's problem No. 1. Unemployment as a national problem is intertwined with the youth problem, old-age security, and industrial and farm prosperity. The Congress, after 7 years of wrestling with this paramount issue has failed to find a solution. Notwithstanding the many laws enacted and the huge Federal expenditures made there is still a vast army of ten to twelve million of our American citizens unemployed. In the last 8 years alone, the United States has expended over sixty-five and one-half billion dollars and has increased the Federal indebtedness over twenty-two and one-half billion dollars seeking a solution. In 1909 the gross debt was $12.91 per capita, whereas in 1939 it was $308 per capita, which means an American family of five has a mortgage of $1,540 to pay or to hand down to future generations to pay. Thomas Jefferson said, "The principle of spending money to be paid by posterity under the name of funding is but swindling futurity on a large scale." Regardless of all our efforts, savings and private capital fill our banks and remain idle and private investment is at a standstill.

These stark facts most forcibly remind us that this problem facing America today demands the unselfish nonpartisan devotion of every American. The Supreme Court speaking through Mr. Justice Cardozo recently said (*Helvering* v. *Davis*, 301 U. S. 641):

Spreading from State to State, unemployment is an ill, not particular but general, which may be checked, if Congress so determines, by the resources of the Nation. * * * But the ill is all one, or at least not greatly different, whether men are thrown out of work because there is no longer work to do or because the disabilities of age make them incapable of doing it. Rescue becomes necessary irrespective of the cause. The hope behind this statute is to save men and women from the rigors of the poorhouse as well as from the haunting fear that such a lot awaits them when journey's end is near.

We not only have 10,000,000 or more unemployed, but each year we add to the list 500,000 young men and women pouring out of our schools and universities seeking in vain a niche in the business life of America. Some 10,000,000 of our population are 60 years of age or older, many of whom have been cast off by industry and find themselves stranded without income and without hope. We should not be unmindful of the fact that these senior citizens were the workers of yesterday. They helped build our cities and clear our lands. They were the trail blazers, the pioneers. They built for us. Now that they are old, we cannot pass them by. They do not seek our charity. They only ask simple justice—a modest share in the fruits of American industry, to the production of which their labors in the past have contributed. Discussing the plight of these discarded workers, the Supreme Court, in the decision to which I have referred, said:

Congress did not improvise a judgment when it found that the award of old-age benefits would be conducive to the general welfare. * * * The evidence is impressive that among industrial workers the younger men and women are preferred over the older. In times of retrenchment the older are commonly the first to go, and, even if retained, their wages are likely to be lowered. The plight of men and women at so low an age as 40 is hard, almost hopeless, when they are driven to seek for reemployment. Statistics are in the brief. A few illustrations will be chosen from many there collected. In 1930, out of 224 American factories investigated, 71, or almost one-third, had fixed maximium hiring-age limits; in 4 plants the limit was under 40; in 41 it was under 46. In the other 153 plants there were no fixed limits, but in practice few were hired if they were over 50 years of age. With the loss of savings inevitable in periods of idleness, the fate of workers over 65, when thrown out of work, is little less than desperate. A recent study of the Social Security Board informs us that "one-fifth of the aged in the United States were receiving old-age assistance, emergency relief, institutional care, employment under the works program, or some other form of aid from public or private funds; two-fifths to one-half

were dependent on friends and relatives; one-eighth had some income from earnings; and possibly one-sixth had some savings or property. Approximately 3 out of 4 persons 65 years or over were probably dependent wholly or partially on others for support.

We all agree that a solution of this perplexing problem is possible if we can increase to full strength the consumer purchasing power of the people of America. The answer is not in curtailing production or destruction or sacrifice of surplus commodities, but in making available to the rank and file of our American citizens sufficient income or purchasing power with which to buy the products of industry. We need to put America back to work. More jobs mean more income; more income means more purchasing power; more purchasing power means more markets for agriculture and industry; more markets for agriculture and industry mean prosperity for America, and our problem will be solved. The farmers make up 25 percent of our population, but they receive only 11 percent of our national income. If we can increase the income or purchasing power of the mass of our American citizens, they will provide the markets for our farm products and industrial output.

Mr. Speaker, not only is one-third of our people underfed, underclothed, and ill-housed, but two-thirds of them are unable, with their present income—an average of $69 per month per family—to supply the necessities of life. A study made of the income of the United States during 1935 and 1936 by the Government discloses these startling facts with reference to our national consuming power and the deplorable economic condition of our people; 4,000,000 families, or 14 percent, had an average income of $312 a year; 8,000,000, or 27.5 percent, had an average income of $758; and 7,000,000 families, or 23 percent, has an income of $1,224. Two-thirds of our families had an average income of only $826 a year, or $69 a month for an entire family. These disclosures show not only a lack of purchasing power but underconsumption so critical as to threaten the health and welfare of a large portion of our population. The American family is still the keystone of American democracy. If the American way is to endure, we must preserve at all costs the economic and social security and independence of the American family. If it falls, the whole structure falls. This study further shows that in the lowest income families, 14 percent received only 6 percent of the food, and 42 percent of the families received only 26 percent of the food. The low-income group spent approximately a dollar a week per person for food—about 5 cents a meal—whereas the families receiving $100 a month spent more than twice as much, or $2.18 per person a week for food. As a result of this survey it is found that if these American families getting less than $100 a month for an entire family had their income or purchasing power increased to $100 a month, the expenditures for food would be increased by $2,000,000,000, or an increase of 51 percent. This would not only provide markets for our farmers, but it would also protect the health and preserve the lives of this major portion of our American citizens and give them the opportunity and ambition to carry on with renewed faith in our democracy.

The Congress in an endeavor to give some relief to these citizens who are being deprived of the necessities of life enacted the social-security law. It sought, among other things, to provide unemployment insurance, old-age assistance, and some relief to the blind and handicapped and other underprivileged groups. While the humanitarian purposes of this act are commendable and many of its accomplishments worthy, it has failed to solve the problem of old-age security. First of all, it is too narrow in its application leaving many groups of old people entirely without relief. Its payments are inadequate—an average of $19 a month—and its method of financing is indefensible. It impedes business recovery by imposing a heavy tax upon it which is not returned to the unemployed and aged, but spent for general costs of government. Under the old-age insurance provision of the act on June 30, 1939, $1,180,000,000 remained unexpended for old-age insurance. This huge fund was drained out of industry and was not returned to the annuitants but was spent by the Government for other purposes. Such a program instead of aiding old people or helping recovery retards recovery. It cannot be defended.

A sound deduction from our experience with old-age security is that the only solution of this problem is the enactment of a Nation-wide plan on a pay-as-you-go broad-tax base affording uniform adequate annuities to all citizens 60 years of age or older who are not gainfully employed.

Mr. Speaker, the Townsend plan as embodied in H. R. 8264, pending in the present Congress, proposes such a solution. Funds are provided under it by the imposition of a 2-percent tax upon all gross incomes, except wages and salaries of workers up to $250 a month, which are exempt, with a similar exemption of $3,000 annually from gross business income. The funds raised from this tax are equally divided monthly among all American citizens 60 years of age or over not gainfully employed, which funds would have to be spent under the terms of the law within 30 days from time of receipt. It is estimated that under existing conditions, this plan would provide $50 a month for each annuitant, increasing as national income increases. It is estimated that $3,000,000,000 of taxes now collected for the care of old people would be displaced by the tax under the plan, and that the net burden of the tax would, therefore, approximate $3,000,000,000 under existing conditions. The tax formula set forth in the bill is subject to change or amendment when the bill is up for final passage. The type or kind of tax is a debatable question. It should be a tax laid on a broad base, designed not to impede business but to force idle capital from hiding and into business investment.

While this tax would place an additional burden upon American enterprise, it would likewise provide an added stimulus to it by pumping into the blood stream of business activity each month this large volume of purchasing power coming from monthly annuities which, as I have pointed out, would go immediately into the purchase of food, clothing, and other necessities of life. Industry cannot escape some responsibility for the care of its employees who have been cast off by reason of age. The present social-security tax on pay rolls is a tax on industry and must necessarily be added to the price of goods which the consuming public pays. In effect it amounts to a general tax, as the public has to pay in the end.

Workers 60 years of age or over are unable to find employment in industry. Even younger workers are displaced. The statistics given by the Supreme Court, to which I have referred, show these workers are discarded by industry and are forced into idleness, and that approximately 3 out of 4 persons 65 or over are dependent wholly on the public, charity, or others for support. In the main, the support comes from the public now. The tax under the proposed plan, therefore, would not shift the burden for the support of these old people to the public, but would only make the care of these senior citizens more certain, uniform, and effective. The plan would bring uniformity throughout the United States which does not now exist. We now have as many plans as there are States in the Union, most of them bogged down by red tape and insufficient funds to meet payments for the bare necessities of life. State lines cause many inequalities. As pointed out by the Supreme Court, in the decision to which I have referred:

The problem is plainly national in area and dimensions. Moreover, laws of the separate States cannot deal with it effectively. Congress, at least, had a basis for that belief. States and local governments are often lacking in the resources that are necessary to finance an adequate program of security for the aged. This is brought out with a wealth of illustration in recent studies of the problem. Apart from the failure of resources, States and local governments are at times reluctant to increase so heavily the burden of taxation to be borne by their residents for fear of placing themselves in a position of economic disadvantage as compared with neighbors or competitors. We have seen this in our study of the problem of unemployment compensation. *Steward Machine Co.* v. *Davis*, supra. A system of old-age pensions has special dangers of its own, if put in force in one State and rejected in another. The existence of such a system is a bait to the needy and dependent elsewhere, encouraging them to migrate and seek a haven of repose. Only a power that is national can serve the interests of all.

It is reported that production last year equaled that of 1929 but 1,000,000 less workers were employed in industry. Machines take the places of the laborers released.

As disclosed by the United Mine Workers of America, in the last 5 years 25,000 men and women have been thrown out of the steel industry and the leaders of this industry estimate that within the next 15 months an additional 65,000 steel workers will be dismissed due to the introduction of new labor-saving machinery. It is also shown that 19 men in the automobile industry are making the same number of blocks that were made by 250 men 10 years ago. These reductions in working force are due directly to technological improvements. Its effect upon industry as a whole is at once apparent. The laborers who are forced out by machines are the older men and women and the young are retained. The discharged workers will join the ranks of the 10,000,000 men and women 60 years of age or older who make up that great body of permanently unemployed through no fault of their own.

Mr. Speaker, recently I inspected the Grand Coulee Reclamation and Hydroelectric Power Project in the State of Washington. This is the greatest man-made structure ever conceived and built. When completed it will be three times the size of the Egyptian pyramids which 360,000 slaves took 20 years to build. The immense concrete dam being constructed across the Columbia River, the second largest river in the United States, is nearing completion. It will provide 1,980,000 kilowatt-hours of electrical energy and water for reclaiming 1,200,000 acres of land. The sand and gravel going into the dam is taken from the hills several miles distant by huge electric shovels. The material is removed by mechanical belt conveyors to the sizing and washing plants, and from there to the storage bins. One man in the control tower by means of mechanical devices transfers the sand, four sizes of gravel, cement, and water to the mixing bins which are weighed automatically in correct proportions to form the concrete pursuant to Federal specifications. The concrete mixture is then carried by machines to the dam where huge cranes mechanically dump it into the structure. Through the perfected machines and mechanical devices used in this process, one man is able to do the work which without the machines would require 500 or more laborers. This is a typical example of what is taking place throughout industrial America today.

Mr. Speaker, in the dawn of civilization primitive man first discovered the use of the fulcrum, the wheel, and the pulley as instruments of power to do his bidding. The modern wizards of invention have evolved the steam engine and airplane and discovered electric energy and radio and a thousand other subtle powers and mechanical devices to make the elements of nature and the secrets of science our slaves. The tireless energies of the human mind have wrought unceasingly, by inventions, scientific discoveries, and new processes, to extend the scope of human activity and accomplishment in the field of technology. Through such processes has America developed the American productive system to its present marvelous perfection.

In the United States today through the use of the physical sciences and mechanical arts, the major part of the goods and services consumed are provided by scientific processes and power machinery. Our workers are able to produce a much greater volume and variety of goods than heretofore to provide food, clothing, and shelter, as well as a higher standard of life to our people. Our productive capacity per man has multiplied manyfold. In supplanting handicrafts by scientific process and mechanical devices a maladjustment has taken place in manpower or labor, resulting in unemployment and loss in purchasing power. The loss of purchasing power in the workers displaced has thrown the industrial machine out of balance. To restore this balance, purchasing power must be recovered. Fewer workers being required in productive enterprise to supply our wants, it follows a portion of the body of workers must be retired.

The arguments are well-known that mechanized industry has not caused unemployment, that while production per worker has increased, new sources of employment in new industries is provided by the increased volume of production. It is true that new enterprises are thus created and new jobs provided, but it is also true that in the process the aged workers are displaced by young men and women. The United States census for 1890 shows that at that time 75 percent of all our people over 65 years of age were gainfully employed. At the present time 75 percent of them over 65 are not gainfully employed or self-supported. At the present time 75 percent over 65 are not only dependent upon others for support and are not employed, but practically no persons of that age can secure a new job. The United States census shows that normally less than 40 percent of our population is gainfully employed. Children, housewives, and persons retired by age or otherwise make up the remainder. When workers are retired by mechanized industry, their places are filled by workers in the 60-percent group of unemployed who are under 60 years of age. It is logical therefore that the group to be retired by an annuity plan should be those advanced in years who are less efficient, already largely dependent on the public, and who by reason of their work through the years have earned their retirement as a reward. Their retirement being due entirely to the plan of operation of the modern productive enterprise, considered as one Nation-wide project, it is not economically unsound or unjust to require this enterprise to assume the burden of supplying the retirement annuities. This identical plan is now being used in many large industrial, railway, and commercial enterprises. A national old-age annuity plan is only coordinating and extending such a plan to embrace all old citizens. By so doing, all will contribute to the plan and all will be entitled to share in its benefits on attaining the age requirement if otherwise qualified. Such a project would help to relieve productive enterprise of its excess labor, provide decent and dignified earned retirement annuities for aged workers, and restore purchasing power needed to help save private enterprise and the profit system.

Thus, manpower has given way to machine power through technological improvements in this machine age in which we are living. No longer is our problem that of our pioneer forbears, namely, how to produce enough necessities of life. On the other hand, our problem today is how to distribute the products of our machines and farms to the citizens of America who are in need of them, and how to furnish employment for the workers displaced by the machines and mass production. With the use of machinery a part of our people can produce abundantly for all. Obviously, if our economic and social structure can be revamped so that the millions of workers who are displaced by machines and mass production can share in the output of industry and receive sufficient purchasing power to meet their needs, the problem will be solved. We have shifted the burden of industry from the backs of labor to power-driven machines. We must not permit these instruments science has developed to do our work to become Frankensteins to destroy our social and economic structure.

Mr. Speaker, this is America's problem. It is your problem. It is mine. Seven years of experimentation have come to naught. Seven years of deficit spending without avail. Our unemployed are still here. Five million youths are becoming skeptical and critical of our American way. Ten million unemployed are still living from hand to mouth. America is hungry, and yet our warehouses are bulging with surplus food. The tragedy of it all is America is still the richest nation on earth. She is blessed by Providence with abundance. We have two-thirds of the world's monetary gold and are fast acquiring the balance. We have unmeasured natural resources. We have an abundance of factories, machines, tools, and raw products with 10,000,000 unemployed expert workers clamoring to work. We have 130,000,000 customers in our own broad land needing desperately the products of these idle factories, untilled fields, unworked mines, and decaying forests. We always have consumed approximately 96 percent of our production, only 4 percent going abroad. If America should recover tomor-

row its full purchasing power every surplus commodity would disappear at once. We would have an undersupply. With all our blunders and failures now seeming about to engulf us, America has had a record of achievement for almost 150 years without parallel in the history of mankind. America is sound at heart. Our foundations are still secure. We can and must throw off this blight on our democracy. For one, I am not willing to admit defeat. We can and will, by the combined unselfish efforts of our people, put America back to work, provide useful occupations for our young Americans, and respectable employment for all our unemployed in private industry, and dignified and secure compensation for our senior citizens, who, through the years, have labored that we of today might have this America which we all cherish and defend. Let us again prove to the whole world that every American citizen is entitled to, and shall have vouchsafed to him by his country, life, liberty, and the pursuit of happiness. Let us prove that humanity is still on the march here in America, and enact an old-age annuity plan that will put America to work and provide for our old people, and at the same time restore purchasing power. [Applause.]

EXTENSION OF REMARKS

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include therein two short articles sent to me by constituents.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut [Mr. SHANLEY]?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. VINSON of Georgia, for 10 days, on account of important business.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 3046. An act to extend to certain officers and employees in the several States and the District of Columbia the provisions of the act entitled "An act to prevent pernicious political activities", approved August 2, 1939; to the Committee on the Judiciary.

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. 4868. An act to amend the act authorizing the President of the United States to locate, construct, and operate railroads in the Territory of Alaska, and for other purposes; and

H. R. 8068. An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1941, and for other purposes.

BILLS 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 of the House of the following titles:

H. R. 4868. An act to amend the act authorizing the President of the United States to locate, construct, and operate railroads in the Territory of Alaska, and for other purposes; and

H. R. 8068. An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1941, and for other purposes.

ADJOURNMENT

Mr. BOLAND. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 15 minutes p. m.) the House adjourned until tomorrow, Wednesday, March 20, 1940, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold hearings at 10 a. m. on the following dates on the matters named:

Thursday, March 21, 1940:

The Committee on Merchant Marine and Fisheries will hold public hearings on Thursday, March 21, 1940, at 10 a. m., on the following bills providing for the establishment of marine hospitals: H. R. 2985 (GREEN), at Jacksonville, Fla.; H. R. 3214 (GEYER of California), at Los Angeles, Calif.; H. R. 3578 (CANNON of Florida), at Miami, Fla.; H. R. 3700 (PETERSON of Florida), State of Florida; H. R. 4427 (GREEN), State of Florida; H. R. 5577 (IZAC), at San Diego, Calif.; H. R. 6983 (WELCH), State of California.

Wednesday, March 27, 1940:

The Committee on Merchant Marine and Fisheries will hold public hearings on Wednesday, March 27, 1940, at 10 a. m., on the following bills providing for Government aid in the lumber industry: H. R. 7463 (ANGELL) and H. R. 7505 (BOYKIN).

Tuesday, April 2, 1940:

H. R. 7169, authorizing the Secretary of Commerce to establish additional boards of local inspectors in the Bureau of Marine Inspection and Navigation.

Tuesday, April 9, 1940:

The Committee on Merchant Marine and Fisheries will hold public hearings on Tuesday, April 9, 1940, at 10 a. m., on the following bill: H. R. 7637, relative to liability of vessels in collision.

Tuesday, April 16, 1940:

H. R. 8475, to define "American fishery."

COMMITTEE ON PATENTS

The Committee on Patents will hold hearings Thursday, March 21, 1940, at 10:30 a. m., on S. 2689, to amend section 33 of the Copyright Act of March 4, 1909, relating to unlawful importation of copyrighted works.

The Committee on Patents will hold hearings Wednesday and Thursday, April 10 and 11, 1940, at 10:30 a. m. each day, on H. R. 8441, to afford greater protection to the purchaser of patent rights; H. R. 8442, to prohibit proof of acts done by an inventor in foreign countries; H. R. 8443, to give the Commissioner of Patents power to protect inventors by establishing adequate standards of professional conduct among attorneys; and H. R. 8444, to permit the assignee of an application for letters patent to make certain supplemental applications.

COMMITTEE ON INSULAR AFFAIRS

There will be a meeting of the Committee on Insular Affairs on Wednesday, March 20, 1940, at 10 a. m., for the consideration of H. R. 8239, creating the Puerto Rico Water Resources Authority, and for other purposes.

COMMITTEE ON FOREIGN AFFAIRS

The Committee on Foreign Affairs will hold hearings Wednesday, March 20, 1940, at 10:30 a. m., on House Joint Resolution 470, to authorize the appropriation of an additional sum of $425,000 for Federal participation in the New York World's Fair, 1940.

COMMITTEE ON INDIAN AFFAIRS

There will be a meeting of the Committee on Indian Affairs on Wednesday next, March 20, 1940, at 10:30 a. m., for the consideration of H. R. 5674, H. R. 6796, H. R. 7530, and H. R. 8937.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization on Wednesday, March 20, 1940, at 10:30 a. m., for the consideration of H. R. 7749 (LESINSKI), private bill and reports from subcommittee.

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the Committee on Public Buildings and Grounds at 10 a. m. Wednesday, March 20, 1940, for the consideration of H. R. 4582, to provide for the acquisition of certain property for public use in the District of Columbia.

COMMITTEE ON FLOOD CONTROL

SCHEDULE OF HEARINGS ON FLOOD-CONTROL BILL OF 1940 BEGINNING MARCH 18, 1940, AT 10 A. M., DAILY

The hearings will be on reports submitted by the Chief of Engineers since the Flood Control Act of June 28, 1938, and on amendments to existing law. The committee plans to report an omnibus bill with authorizations of approximately one hundred and fifty to one hundred and seventy-five million dollars covering the principal regions of the country.

1. Monday, March 18: Maj. Gen. Julian L. Schley, Chief of Engineers, has been requested to make a general statement with his recommendations covering a general flood-control bill and the projects that should be included in the bill. He, the president of the Mississippi River Commission, the assistants to the Chief of Engineers, the division engineers, and the district engineers will be requested to submit additional statements as individual projects are considered and as desired by the committee.

2. Tuesday, March 19: Sponsors and representatives of the Corps of Engineers, from New England, New York, and the Atlantic seaboard on all reported projects and pending bills.

3. Wednesday, March 20: Sponsors and representatives of the Corps of Engineers, from the upper Ohio and tributaries, on additional authorizations for levees, flood walls, and reservoirs.

4. Thursday, March 21: Sponsors and representatives of the Corps of Engineers, from the lower Ohio and tributaries, on additional authorizations for levees, flood walls, and reservoirs.

5. Friday, March 22: Sponsors and representatives of the Corps of Engineers, for the upper Mississippi and tributaries, and Missouri River and tributaries.

6. Saturday, March 23: Sponsors and representatives of the Corps of Engineers for projects on the Arkansas River and tributaries.

7. Monday, March 25: Sponsors and representatives of the Corps of Engineers for projects on the White River and tributaries.

8. Tuesday, March 26: Sponsors and representatives of the Corps of Engineers for projects in reports on rivers in Texas and the Southwest.

9. Wednesday, March 27: Sponsors and representatives of the Corps of Engineers for projects in the Los Angeles area and in the Pacific Northwest.

10. Thursday, March 28: Sponsors and representatives of the Corps of Engineers for projects in Colorado and other western areas.

11. Friday, March 29: Sponsors and representatives of the Corps of Engineers for the lower Mississippi River and other tributaries.

12. Saturday, March 30: Sponsors and representatives of the Corps of Engineers for other drainage-basin areas for other projects in other parts of the country.

13. Monday, April 1: Senators and Members of Congress, Department of Agriculture, and other governmental agencies.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1468. A letter from the Secretary of the Interior, transmitting a draft of a proposed bill to provide that assistant or deputy heads of certain bureaus in the Department of the Interior shall be appointed under the civil-service laws; to the Committee on the Civil Service.

1469. A letter from the Acting Secretary of the Interior, transmitting a copy of Resolution No. 37, adopted by the Philippine National Assembly on September 6, 1939, and a copy of a message of the President of the Philippines delivered on September 5 before the assembly; to the Committee on Insular Affairs.

1470. A letter from the Acting Secretary of the Treasury, transmitting a draft of a proposed bill amending the act of June 26, 1930, concerning the acquisition of land at points along the Canadian and Mexican borders and the erection of buildings and other improvements thereon to provide better facilities for the enforcement of the customs and immigration laws; to the Committee on Public Buildings and Grounds.

1471. A letter from the Secretary of War, transmitting the draft of a bill to eliminate requirements of 2 years' practice for appointment in the Dental Corps; to the Committee on Military Affairs.

1472. A letter from the Secretary of the Mount Rushmore National Memorial Commission, transmitting a report of the Mount Rushmore National Memorial Commission (H. Doc. No. 664); to the Committee on the Library and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. JARMAN: Committee on Printing. House Resolution 409. Resolution authorizing the printing of a revised edition of the pamphlet containing information concerning monetary and other benefits available to persons who have served in the armed forces of the United States (Rept. No. 1810). Referred to the Committee of the Whole House on the state of the Union.

Mr. McLAUGHLIN: Committee on the Judiciary. House Joint Resolution 400. Joint resolution authorizing the President of the United States of America to proclaim October 11, 1940, General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; without amendment (Rept. No. 1811). Referred to the House Calendar.

Mr. RANDOLPH: Committee on the District of Columbia. H. R. 8792. A bill to authorize and direct the Commissioners of the District of Columbia to accept and maintain a memorial fountain to the members of the Metropolitan Police Department; without amendment (Rept. No. 1812). Referred to the Committee of the Whole House on the state of the Union.

Mr. RANDOLPH: Committee on the District of Columbia. H. R. 8917. A bill to authorize the construction of a waiting room and comfort station in Commodore Barney Circle, United States Reservation 55–56, and for other purposes; without amendment (Rept. No. 1813). Referred to the Committee of the Whole House on the state of the Union.

Mr. RANKIN: Committee on World War Veterans' Legislation. H. R. 8930. A bill to amend section 202 (3), World War Veterans' Act, 1924, as amended, to provide more adequate and uniform administrative provisions in veterans' laws, and for other purposes; without amendment (Rept. No. 1814). 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,

Mrs. O'DAY: Committee on Immigration and Naturalization. S. 1510. An act for the relief of George Louis Artick; without amendment (Rept. No. 1815). 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. BOYKIN:

H. R. 8975. A bill authorizing Alabama Bridge Commission (an agency of the State of Alabama) to construct, maintain, and operate a toll bridge and causeway between Dauphin Island and the mainland at or near Cedar Point, within the State of Alabama; to the Committee on Interstate and Foreign Commerce.

H. R. 8976. A bill 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.; to the Committee on Interstate and Foreign Commerce.

By Mr. CELLER:

H. R. 8977. A bill to incorporate the Jewish War Veterans of the United States; to the Committee on the Judiciary.

By Mr. ELLIS:

H. R. 8978. A bill to prevent the elimination of Civilian Conservation Corps camps; to the Committee on Labor.

By Mr. HAVENNER:

H. R. 8979. A bill to authorize the use of general road and trail construction purposes of the unexpended balance of funds paid by the city and county of San Francisco to the United States for road- and trail-construction purposes in Yosemite National Park, Calif., and for other purposes; to the Committee on the Public Lands.

By Mr. NICHOLS:

H. R. 8980. A bill to provide revenue for the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. SHAFER of Michigan:

H. R. 8981. A bill to extend pension benefits under the Railroad Retirement Act of 1937 to certain employees for services rendered outside the United States and to increase the amount of pension payable to pensioners under such act; to the Committee on Interstate and Foreign Commerce.

By Mr. RICHARDS:

H. R. 8982. A bill to restore certain benefits to World War veterans suffering with paralysis, paresis, or blindness, or who are helpless or bedridden, and for other purposes; to the Committee on World War Veterans' Legislation.

By Mr. CHURCH:

H. R. 8983. A bill authorizing the Secretary of the Navy to accept on behalf of the United States a gift of the yacht *Freedom* from Sterling Morton; to the Committee on Naval Affairs.

By Mr. HENNINGS:

H. R. 8984 (by request). A bill creating the General Mexican Claims Commission; to the Committee on Foreign Affairs.

By Mr. BYRNE of New York:

H. R. 8985. A bill to grant relief from payment of income tax for back years to certain State employees paid by the United States; to the Committee on Ways and Means.

By Mr. FADDIS:

H. J. Res. 493. Joint resolution providing for the purchase of strategic and critical materials; to the Committee on Coinage, Weights, and Measures.

By Mr. HEALEY:

H. J. Res. 494. Joint resolution authorizing the acceptance of the invitation of the Government of Italy to participate in the Rome Universal Exhibition to be held at Rome, Italy, in 1942; to the Committee on Foreign Affairs.

By Mr. McLEOD:

H. Con. Res. 55. Concurrent resolution recommending that any parties or organizations advocating overthrow of the United States Government be prohibited from entering candidates in any State or National elections; to the Committee on the Judiciary.

By Mr. BARRY:

H. Res. 431. Resolution creating a special committee to investigate any person or corporation acting on or for any nation; to the Committee on Rules.

By Mr. CONNERY:

H. Res. 432. Resolution requesting the un-American conditions to be alleviated from the workings of the Bata Shoe Co.; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. ANDERSON of Missouri:

H. R. 8986. A bill for the relief of James H. Taylor; to the Committee on Military Affairs.

H. R. 8987. A bill for the relief of Mrs. I. Agatstein; to the Committee on Claims.

By Mr. BANKHEAD:

H. R. 8988. A bill for the relief of Paul Sanford, a minor; to the Committee on Claims.

By Mr. BARRY:

H. R. 8989. A bill granting a pension to Ethel M. Wilkinson; to the Committee on Invalid Pensions.

By Mr. BRADLEY of Michigan:

H. R. 8990. A bill for the relief of Louise Thorne; to the Committee on Immigration and Naturalization.

By Mr. COLMER:

H. R. 8991. A bill for the relief of J. M. Swinney; to the Committee on Claims.

By Mr. FITZPATRICK:

H. R. 8992. A bill for the relief of Menachim or Menachen Baszyst, alias Harry Bates; to the Committee on Immigration and Naturalization.

By Mr. HAVENNER:

H. R. 8993. A bill for the relief of the General Exchange Insurance Corporation; to the Committee on Claims.

By Mr. HOOK:

H. R. 8994. A bill for the relief of Emil Lassila, Martha Lassila, Ellen Huhta, and Sylvia Huhta; to the Committee on Claims.

By Mr. KENNEDY of Maryland:

H. R. 8995. A bill granting a pension to John E. F. Treulieb; to the Committee on Invalid Pensions.

By Mr. McKEOUGH:

H. R. 8996. A bill for the relief of Raymond Peschke; to the Committee on Claims.

By Mr. MERRITT:

H. R. 8997. A bill for the relief of Robert H. Leys; to the Committee on Claims.

By Mr. SIMPSON:

H. R. 8998. A bill granting a pension to Sadie E. Goshorn; to the Committee on Invalid Pensions.

By Mr. SNYDER:

H. R. 8999. A bill granting an increase of pension to Susan C. Liston; to the Committee on Invalid Pensions.

PETITIONS, ETC.

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

7027. By Mr. ANDREWS: Resolution adopted by the Town Committee of the Town of Tonawanda, N. Y., and the Kiwanis Club of Tonawanda, protesting against the ratification of a treaty in connection with the St. Lawrence seaway and power project; also from the Newfane (N. Y.) Liberty Club; the Delavan-Grider Business Men's Association; Buffalo Cold Spring Business Men's Association; Buffalo Elmwood Business Association, of Buffalo, N. Y.; to the Committee on Foreign Affairs.

7028. By Mr. Bell: Petition of sundry citizens of Kansas City and Jackson County, Mo., protesting against the imposition of new processing taxes on wheat and wheat products; to the Committee on Ways and Means.

7029. By Mr. CULLEN: Petition of the Illuminati, a cultural woman's club of Brooklyn, N. Y., requesting Congress not to adopt any sugar legislation that will result in any loss of business for the sugar-refining industry of Brooklyn or in any way jeopardize the jobs of the sugar-refinery workers of Brooklyn; to the Committee on Foreign Affairs.

7030. By Mr. HARE: Memorial of the State Legislature of South Carolina, memorializing the Congress of the United States to give thorough consideration to the economic part the United States is playing in the conflict between Japan and China; to the Committee on Foreign Affairs.

7031. By Mr. JOHNS: Petition of Frank Smedler and 109 others, of Manitowoc, Wis., protesting against the levying of any excise or other processing taxes on bread; to the Committee on Ways and Means.

7032. Also, petition of Walter P. Atlmann and Alden A. Spofford, of Green Bay, Wis., and 18 others, asking support of chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

7033. By Mr. MARTIN J. KENNEDY: Petition of Rev. William R. Kelly, of New York City, urging continuation of the National Youth Administration program; to the Committee on Appropriations.

7034. Also, petition of the Council of American Master Mariners, urging that no legislation be enacted by the Congress of the United States which will tend to abolish or compromise the traditional rights of our American merchant marine to enjoy the freedom of the seas and subject to international law; to the Committee on Merchant Marine and Fisheries.

7035. Also, petition of the New York State Retail Hardware Association, Syracuse, N. Y., concerning the Norris bill (S. 2605); to the Committee on Agriculture.

7036. Also, petition of the Merchants Association of New York, New York City, concerning the Walter-Logan bill (H. R. 6324, S. 915); to the Committee on the Judiciary.

7037. Also, petition of the United Neighborhood Houses of New York, Inc., New York City, urging the continuation and expansion of the National Youth Administration program; to the Committee on Appropriations.

7038. Also, petition of the Wood, Wire, and Metal Lathers' International Union, Local No. 46, New York City, favoring passage of the Wagner-Steagall housing bill (S. 591); to the Committee on Banking and Currency.

7039. Also, petition of the International Association of Bridge, Structural, and Ornamental Iron Workers, Local Union No. 361, Brooklyn, N. Y., urging support of the Wagner-Steagall housing bill (S. 591); to the Committee on Banking and Currency.

7040. By Mr. MICHAEL J. KENNEDY: Petition of the Merchants Association of New York, supporting the Walter-Logan bill (H. R. 6324), which provides for the more expeditious settlement of disputes with the United States, and for other purposes; to the Committee on the Judiciary.

7041. Also, petition of the Chelsea Association for Planning and Action, New York City, endorsing the Wagner-Steagall housing bill, providing additional funds for the Federal Housing Administration; to the Committee on Banking and Currency.

7042. Also, petition of the Chelsea Association for Planning and Action, New York City, endorsing the Wagner-Steagall housing bill, providing additional funds for the Federal Housing Administration; to the Committee on Banking and Currency.

7043. Also, petition of the Congress of Industrial Organizations Maritime Committee, urging that the Maritime Commission be requested to hold hearings to obtain data to fix minimum wage and manning scales on its own and subsidized vessels; to the Committee on Merchant Marine and Fisheries.

7044. By Mr. LECOMPTE: Petition of Branch No. 447 of the National Association of Letter Carriers, Ottumwa, Iowa, in the interest of the Rogers court of appeals bill (H. R. 2569); to the Committee on the Civil Service.

7045. Also, petition of sundry citizens of Corydon, Iowa, in the interest of the chain-store tax bill (H. R. 1); to the Committee on Ways and Means.

7046. Also petition of sundry citizens of Ottumwa, Iowa, in the interest of House bill 5237, which provides that Government employees after having served 30 years may apply for voluntary retirement; to the Committee on the Civil Service.

7047. By Mr. LUDLOW: Petitions of sundry citizens of Indianapolis, Ind., protesting against the levying of excise or any other form of processing taxes on bread and other everyday indispensable necessities of life; to the Committee on Ways and Means.

7048. Also, petition of sundry citizens of Indianapolis, Ind., requesting the enactment of the General Welfare Act (H. R. 5620); to the Committee on Ways and Means.

7049. By Mr. PFEIFER: Petition of the Chiropean Club of Brooklyn, N. Y., protesting against any increase in the quota of sugar imported from the Tropics; to the Committee on Foreign Affairs.

7050. Also, petition of the Merchants Association of New York, supporting the Walter-Logan bills (H. R. 6324 and S. 915); to the Committee on the Judiciary.

7051. Also, petition of the Community Councils of the City of New York, Inc., opposing any sugar legislation not fair and equitable to New York City workers in sugar refineries; to the Committee on Foreign Affairs.

7052. Also, petition of the National Association of Women Lawyers, Adele I. Springer, chairman, committee on administrative law, New York City, urging support of the Logan-Walter administrative law bill (H. R. 6324 and S. 915); to the Committee on the Judiciary.

7053. Also, petition of the Illuminati, of Brooklyn, N. Y., opposing the Cummings bill (H. R. 8746) and favoring legislation that would protect the workers in the New York City sugar refineries; to the Committee on Foreign Affairs.

7054. By Mr. REES of Kansas: Resolutions adopted by the Geary County Farm Boosters Club, March 8, 1940; to the Committee on Agriculture.

7055. By Mr. SANDAGER: Memorial of the Town Council of Westerly, R. I., favoring the improvement of Watch Hill Cove, Westerly, R. I.; to the Commitee on Rivers and Harbors.

7056. By Mr. WALTER: Petition of the State Camp of Pennsylvania Patriotic Order of Sons of America, petitioning consideration of their resolution with reference to diplomatic relations with Soviet Russia; to the Committee on Foreign Affairs.

7057. By the SPEAKER: Petition of the California State Board of Agriculture, Sacramento, Calif., petitioning consideration of their resolution with reference to migratory labor in agriculture; to the Committee on Agriculture.

7058. Also, petition of North Dakota Woman's Christian Temperance Union, Fargo, N. Dak., petitioning consideration of their resolution with reference to international trade; to the Committee on Foreign Affairs.

7059. Also, petition of Tacoma Local, No. 71, Operative Plasterers and Cement Finishers International Association of the United States and Canada, petitioning consideration of their resolution with reference to United States Housing Authority; to the Committee on Banking and Currency.

7060. Also, petition of the Tacoma Building Trades Council, Tacoma, Wash., petitioning consideration of their resolution with reference to United States Housing Authority; to the Committee on Banking and Currency.

7061. Also, petition of the International Brotherhood of Electrical Workers, Tacoma, Wash., petitioning consideration of their resolution with reference to United States Housing Authority; to the Committee on Banking and Currency.

7062. Also, petition of Local Union No. 82, United Association of Journeymen Plumbers and Steam Fitters of the United States and Canada, petitioning consideration of their resolution with reference to United States Housing Authority; to the Committee on Banking and Currency.

7063. Also, petition of the Maryland State Society, Daughters of the American Revolution, Annapolis, Md., petitioning consideration of their resolution with reference to the Committee on Un-American Activities; to the Committee on Rules.

7064. Also, petition of the League of Polish Organizations, and Polish Relief Committee, of Paterson, N. J., petitioning consideration of their resolution with reference to relief of Poland; to the Committee on Foreign Affairs.

SENATE

WEDNESDAY, MARCH 20, 1940

(Legislative day of Monday, March 4, 1940)

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

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

O God, the Father of our Lord Jesus Christ, the Great Shepherd of the sheep, who came to seek and to save the lost: We beseech Thee that Thy spirit may strive with those who, having strayed from Thy fold, are wandering in the wilderness of worldliness and sin. Let Thy love constrain them