

By Mr. PARKER of Georgia: A bill (H. R. 9633) granting an increase of pension to Marion O. Fulcher; to the Committee on Pensions.

By Mr. PERSON: A bill (H. R. 9634) granting an increase of pension to Julia A. Montgomery; to the Committee on Invalid Pensions.

By Mr. SHREVE: A bill (H. R. 9635) granting an increase of pension to Antionette E. Lupher; 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:

2573. By Mr. BRUNNER: Resolution of the Sons and Daughters of Liberty, Ozone Park, urging Congress to pass immediately bill 1967, to provide for exclusion and expulsion of alien communists; to the Committee on Immigration and Naturalization.

2574. Also, resolution of the Polish National Alliance, memorializing Congress of the United States to enact House Joint Resolution 144, directing the President of the United States of America to proclaim October 11 of each year as General Pulaski's Memorial Day, for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

2575. By Mr. EATON of Colorado: Resolution of 37 members of the Jubilee Union, Woman's Christian Temperance Union, Denver, Colo., opposing the resubmission of the eighteenth amendment; to the Committee on the Judiciary.

2576. By Mr. ENGLEBRIGHT: Petition of citizens of Standish, Calif., protesting against Sunday closing law; to the Committee on the District of Columbia.

2577. By Mr. EVANS of Montana: Petition of Montana Branch of National Woman's Party, urging the Congress to submit immediately to the States for ratification the equal-rights amendment; to the Committee on the Judiciary.

2578. By Mr. FITZPATRICK: Petition of the Fleet Reserve Association, Branch 26, New York City, urging the prompt passage of the Vinson bill providing for the prompt authorization for the construction of all vessels necessary to provide the United States Navy with full strength permitted under existing treaties; to the Committee on Naval Affairs.

2579. By Mr. JOHNSON of Texas: Petition of Hearne Chamber of Commerce, Hearne, Tex., favoring House bill 6305; to the Committee on the Post Office and Post Roads.

2580. By Mr. LANKFORD of Virginia: Petition of Corinth (Va.) Woman's Christian Temperance Union, opposing resubmission of the eighteenth amendment; to the Committee on the Judiciary.

2581. Also, petition of Fannie M. Pretlow and 16 other citizens of Franklin, Va., opposing resubmission of the eighteenth amendment; to the Committee on the Judiciary.

2582. By Mr. LINDSAY: Petition of the District of Columbia Congress of Parents and Teachers, favoring the passage of House bill 9142; to the Committee on the District of Columbia.

2583. Also, petition of the American Legion national legislative committee, Washington, D. C., recommending an increased appropriation of \$50,000 for the promotion of rifle practice; to the Committee on Appropriations.

2584. Also, petition of the Merchants Association of New York opposing the passage of the Linthicum bill, H. R. 9393, to increase the passport fee and renewal fee; to the Committee on Foreign Affairs.

2585. By Mr. LONERGAN: Petition urging Congress to enact House Joint Resolution 144; to the Committee on the Judiciary.

2586. By Mr. PARKER of Georgia: Petition of Eugene George and 47 other citizens of the first congressional district of Georgia, urging the enactment of Senate bill 2793, providing for the regulation by the Interstate Commerce Commission of busses and trucks carrying passengers and freight; to the Committee on Interstate and Foreign Commerce.

2587. Also, petition of the Theodore Roosevelt Auxiliary, No. 2, United Spanish War Veterans, urging the use of

Georgia marble or granite in the post-office building at Atlanta, Ga., which is now in the process of construction; to the Committee on Public Buildings and Grounds.

2588. By Mr. PERSON: Petition of 1,277 citizens of Detroit, Mich., and vicinity, favoring the enactment of legislation to curb the activities of the chain-store system; to the Committee on the Judiciary.

2589. By Mr. PRATT: Petition of Josephine Unverzagt, Elsie Misner, John Unverzagt, and 36 other residents of Ellenville, Ulster County, N. Y., protesting against the repeal, resubmission, or modification of the eighteenth amendment to the Constitution; to the Committee on the Judiciary.

2590. By Mr. RUDD: Petition of the American Legion National Legislative Committee, Washington, D. C., favoring an increased appropriation of \$50,000 for the promotion of rifle practice; to the Committee on Appropriations.

2591. Also, petition of the District of Columbia Congress of Parents and Teachers, favoring the passage of House bill 9142; to the Committee on the District of Columbia.

2592. By Mr. SABATH: Joint resolution of the State of Wisconsin, requesting the Congress of the United States to enact legislation to eliminate the present abuses in the Federal land bank system; to the Committee on Banking and Currency.

2593. Also, Senate Joint Resolution No. 3 of the State of Illinois providing for the immediate cash payment to veterans of the World War of the cash surrender value of their adjusted-compensation certificates; to the Committee on Ways and Means.

2594. Also, resolution of the State of Rhode Island, recommending to the Congress of the United States an amendment to the eighteenth amendment; to the Committee on the Judiciary.

2595. Also, Senate Joint Resolution No. 23 of the State of Illinois, requesting the enactment of necessary laws to establish a national military park at Laclede, Mo., in honor of General Pershing; to the Committee on the Public Lands.

2596. By Mr. SCHNEIDER: Petition of residents of Ephraim and Sister Bay, Wis., protesting against any measure looking toward the modification or repeal of the prohibition laws; to the Committee on the Judiciary.

2597. By Mr. STRONG of Pennsylvania: Petition of World War veterans of Armstrong County, Pa., favoring the immediate full payment of adjusted-service certificates; to the Committee on Ways and Means.

2598. Also, petition of Nanty Glo Post, No. 619, American Legion, Nanty Glo, Pa., favoring the immediate passage of House bill No. 1; to the Committee on Ways and Means.

2599. By Mr. SWANSON: Petition of L. Bungor and others, of Guthrie and Adair Counties, Iowa, protesting against compulsory Sunday observance in the District of Columbia; to the Committee on the District of Columbia.

2600. By Mr. TIMBERLAKE: Petition of Dishow Woman's Christian Temperance Union, Englewood, Colo., protesting against submission of eighteenth amendment to the States for a referendum vote; to the Committee on the Judiciary.

2601. By the SPEAKER: Petition of Western Governors' Conference, recommending that Congress continue the appropriation of funds as authorized by the Clarke-McNary law; to the Committee on Agriculture.

SENATE

TUESDAY, FEBRUARY 23, 1932

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

O Thou in whose presence there is fullness of joy and life forevermore; grant to us Thy children that we may breathe the immortal air of this our world, and through the supreme influence of honest thought acquire our souls in confidence and peace, knowing that thoughts are a substantial world in which, with tendrils strong as flesh and blood, our pastime and our happiness will grow.

Make us ever mindful of the needs of others overborne by the stressing strain of life, baffled by its uncertainty,

depressed by the deepening complexity of problems yet unsolved, too weak to bear the unsupportable fatigue of mental strain, that as we contemplate these avenues of time where ages have wrought and generations grown we may scatter seeds of kindness that will blossom and bring forth immortal fruit. Grant this for the sake of Him who is our joy and peace and comfort, Jesus Christ, Thy Son, our Lord. Amen.

THE JOURNAL

The Chief Clerk proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. Fess and by unanimous consent, the further reading was dispensed with and the Journal was approved.

CALL OF THE ROLL

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

The VICE PRESIDENT. The clerk will call the roll.

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

Ashurst	Couzens	Hull	Reed
Austin	Cutting	Johnson	Robinson, Ark.
Bailey	Dale	Jones	Robinson, Ind.
Bankhead	Davis	Kean	Schall
Barbour	Dickinson	Kendrick	Sheppard
Bingham	Dill	Keyes	Shipstead
Black	Fess	King	Smith
Blaine	Fletcher	La Follette	Smoot
Borah	Frazier	Logan	Schall
Bratton	George	McGill	Stephens
Brookhart	Glass	McKellar	Thomas, Idaho
Broussard	Glenn	McNary	Thomas, Okla.
Bulkley	Goldsborough	Metcalf	Townsend
Bulow	Gore	Morrison	Trammell
Byrnes	Hale	Moses	Vandenberg
Capper	Harrison	Neely	Wagner
Caraway	Hastings	Norbeck	Walcott
Carey	Hatfield	Norris	Walsh, Mont.
Connally	Hawes	Nye	Watson
Coolidge	Hayden	Oddie	Wheeler
Copeland	Hebert	Patterson	White
Costigan	Howell	Pittman	

Mr. JOHNSON. I announce that my colleague the junior Senator from California [Mr. SHORTRIDGE] is still detained from the Senate by illness. This announcement may stand for the day.

Mr. LOGAN. I desire to announce the absence of my colleague the senior Senator from Kentucky [Mr. BARKLEY] on public business. I ask that this announcement stand for the day.

Mr. GEORGE. I wish to announce the absence of my colleague the senior Senator from Georgia [Mr. HARRIS] because of continued illness. I request that this announcement may stand for the day.

Mr. SHEPPARD. I was requested to announce that the junior Senator from Illinois [Mr. LEWIS] is necessarily detained in his home State on public matters.

Mr. COOLIDGE. I wish to announce that my colleague the senior Senator from Massachusetts [Mr. WALSH] is necessarily detained in his home State on public business. This announcement may stand for the day.

The VICE PRESIDENT. Eighty-seven Senators have answered to their names. A quorum is present. Under the order of the Senate, Washington's Farewell Address will now be read by the senior Senator from Montana [Mr. WALSH].

READING OF WASHINGTON'S FAREWELL ADDRESS

Mr. WALSH of Montana read the address, as follows:

To the people of the United States.

FRIENDS AND FELLOW CITIZENS: The period for a new election of a citizen to administer the executive government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed, to decline being considered among the number of those, out of whom a choice is to be made.

I beg you, at the same time, to do me the justice to be assured, that this resolution has not been taken, without a strict regard to all the considerations appertaining to the

relation which binds a dutiful citizen to his country; and that, in withdrawing the tender of service which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest; no deficiency of grateful respect for your past kindness; but am supported by a full conviction that the step is compatible with both.

The acceptance of, and continuance hitherto in the office to which your suffrages have twice called me, have been a uniform sacrifice of inclination to the opinion of duty, and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this, previous to the last election, had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations, and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea.

I rejoice that the state of your concerns external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety; and am persuaded, whatever partiality may be retained for my services, that in the present circumstances of our country, you will not disapprove my determination to retire.

The impressions with which I first undertook the arduous trust, were explained on the proper occasion. In the discharge of this trust, I will only say that I have, with good intentions, contributed towards the organization and administration of the government, the best exertions of which a very fallible judgment was capable. Not unconscious in the outset, of the inferiority of my qualifications, experience, in my own eyes, perhaps still more in the eyes of others, has strengthened the motives of diffidence of myself; and, every day, the increasing weight of years admonishes me more and more, that the shade of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services they were temporary, I have the consolation to believe that, while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment which is to terminate the career of my political life, my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country, for the many honors it has conferred upon me; still more for the steadfast confidence with which it has supported me; and for the opportunities I have thence enjoyed of manifesting my inviolable attachment, by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise, and as an instructive example in our annals, that under circumstances in which the passions, agitated in every direction, were liable to mislead amidst appearances sometimes dubious, vicissitudes of fortune often discouraging—in situations in which not unfrequently, want of success has countenanced the spirit of criticism,—the constancy of your support was the essential prop of the efforts, and a guarantee of the plans, by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave, as a strong incitement to unceasing vows that heaven may continue to you the choicest tokens of its beneficence—that your union and brotherly affection may be perpetual—that the free constitution, which is the work of your hands, may be sacredly maintained—that its administration in every department may be stamped with wisdom and virtue—that, in fine, the happiness of the people of these states, under the auspices of liberty, may be made complete by so careful a preservation, and so prudent a use of this blessing, as will acquire to them the glory of recommending it to the applause, the affection and adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop. But a solicitude for your welfare, which cannot end but with my life, and the apprehension of danger, natural to that solicitude, urge me, on

an occasion like the present, to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments which are the result of much reflection, of no inconsiderable observation, and which appear to me all important to the permanency of your felicity as a people. These will be offered to you with the more freedom, as you can only see in them the disinterested warnings of a parting friend, who can possibly have no personal motive to bias his counsel. Nor can I forget, as an encouragement to it, your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The unity of government which constitutes you one people, is also now dear to you. It is justly so; for it is a main pillar in the edifice of your real independence; the support of your tranquility at home; your peace abroad; of your safety; of your prosperity; of that very liberty which you so highly prize. But, as it is easy to foresee that, from different causes and from different quarters much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth; as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed; it is of infinite moment, that you should properly estimate the immense value of your national union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and speak of it as of the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can, in any event, be abandoned; and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens by birth, or choice, of a common country, that country has a right to concentrate your affections. The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism, more than any appellation derived from local discriminations. With slight shades of difference, you have the same religion, manners, habits, and political principles. You have, in a common cause, fought and triumphed together; the independence and liberty you possess, are the work of joint counsels, and joint efforts, of common dangers, sufferings and successes.

But these considerations, however powerfully they address themselves to your sensibility, are greatly outweighed by those which apply more immediately to your interest.—Here, every portion of our country finds the most commanding motives for carefully guarding and preserving the union of the whole.

The *north*, in an unrestrained intercourse with the *south*, protected by the equal laws of a common government, finds in the productions of the latter, great additional resources of maritime and commercial enterprise, and precious materials of manufacturing industry.—The *south*, in the same intercourse, benefiting by the same agency of the *north*, sees its agriculture grow and its commerce expand. Turning partly into its own channels the seamen of the *north*, it finds its particular navigation invigorated; and while it contributes, in different ways, to nourish and increase the general mass of the national navigation, it looks forward to the protection of a maritime strength, to which itself is unequally adapted. The *east*, in a like intercourse with the *west*, already finds, and in the progressive improvement of interior communications by land and water, will more and more find a valuable vent for the commodities which it brings from abroad, or manufactures at home. The *west* derives from the *east* supplies requisite to its growth and comfort—and what is perhaps of still greater consequence, it must of necessity owe the *secure* enjoyment of indis-

pensable *outlets* for its own productions, to the weight, influence, and the future maritime strength of the Atlantic side of the Union, directed by an indissoluble community of interest as *one nation*. Any other tenure by which the *west* can hold this essential advantage, whether derived from its own separate strength; or from an apostate and unnatural connection with any foreign power, must be intrinsically precarious.

While then every part of our country thus feels an immediate and particular interest in union, all the parts combined cannot fail to find in the united mass of means and efforts, greater strength, greater resource, proportionably greater security from external danger, a less frequent interruption of their peace by foreign nations; and, what is of inestimable value, they must derive from union, an exemption from those broils and wars between themselves, which so frequently afflict neighboring countries not tied together by the same government; which their own rivalry alone would be sufficient to produce, but which opposite foreign alliances, attachments, and intrigues, would stimulate and embitter.—Hence likewise, they will avoid the necessity of those overgrown military establishments, which under any form of government are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty. In this sense it is, that your union ought to be considered as a main prop of your liberty, and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind, and exhibit the continuance of the union as a primary object of patriotic desire. Is there a doubt whether a common government can embrace so large a sphere? let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope that a proper organization of the whole, with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue to the experiment. It is well worth a fair and full experiment. With such powerful and obvious motives to union, affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who, in any quarter, may endeavor to weaken its hands.

In contemplating the causes which may disturb our Union, it occurs as matter of serious concern, that any ground should have been furnished for characterizing parties by *geographical* discriminations,—*northern* and *southern*—*Atlantic* and *western*; whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts, is to misrepresent the opinions and aims of other districts. You cannot shield yourselves too much against the jealousies and heart burnings which spring from these misrepresentations: they tend to render alien to each other those who ought to be bound together by fraternal affection. The inhabitants of our western country have lately had a useful lesson on this head: they have seen, in the negotiation by the executive, and in the unanimous ratification by the senate of the treaty with Spain, and in the universal satisfaction at the event throughout the United States, a decisive proof how unfounded were the suspicions propagated among them of a policy in the general government and in the Atlantic states, unfriendly to their interests in regard to the Mississippi. They have been witnesses to the formation of two treaties, that with Great Britain and that with Spain, which secure to them everything they could desire, in respect to our foreign relations, towards confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the union by which they were procured? will they not henceforth be deaf to those advisers, if such they are, who would sever them from their brethren and connect them with aliens?

To the efficacy and permanency of your Union, a government for the whole is indispensable. No alliances, however strict, between the parts can be an adequate substitute;

they must inevitably experience the infractions and interruptions which all alliances, in all times, have experienced. Sensible of this momentous truth, you have improved upon your first essay, by the adoption of a constitution of government, better calculated than your former, for an intimate union, and for the efficacious management of your common concerns. This government, the offspring of our own choice, uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers, uniting security with energy, and containing within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political systems is the right of the people to make and to alter their constitutions of government.—But the constitution which at any time exists, until changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power, and the right of the people to establish government, presuppose the duty of every individual to obey the established government.

All obstructions to the execution of the laws, all combinations and associations under whatever plausible character, with the real design to direct, control, counteract, or awe the regular deliberations and action of the constituted authorities, are destructive of this fundamental principle, and of fatal tendency.—They serve to organize faction, to give it an artificial and extraordinary force, to put in the place of the delegated will of the nation the will of party, often a small but artful and enterprising minority of the community; and, according to the alternate triumphs of different parties, to make the public administration the mirror of the ill concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans digested by common councils, and modified by mutual interests.

However combinations or associations of the above description may now and then answer popular ends, they are likely, in the course of time and things, to become potent engines, by which cunning, ambitious, and unprincipled men, will be enabled to subvert the power of the people, and to usurp for themselves the reins of government; destroying afterwards the very engines which have lifted them to unjust dominion.

Towards the preservation of your government and the permanency of your present happy state, it is requisite, not only that you steadily discountenance irregular opposition to its acknowledged authority, but also that you resist with care the spirit of innovation upon its principles, however specious the pretext. One method of assault may be to effect, in the forms of the constitution, alterations which will impair the energy of the system; and thus to undermine what cannot be directly overthrown. In all the changes to which you may be invited, remember that time and habit are at least as necessary to fix the true character of governments, as of other human institutions:—that experience is the surest standard by which to test the real tendency of the existing constitution of a country:—that facility in changes, upon the credit of mere hypothesis and opinion, exposes to perpetual change from the endless variety of hypothesis and opinion: and remember, especially, that for the efficient management of your common interests in a country so extensive as ours, a government of as much vigor as is consistent with the perfect security of liberty is indispensable. Liberty itself will find in such a government, with powers properly distributed and adjusted, its surest guardian. It is, indeed, little else than a name, where the government is too feeble to withstand the enterprises of faction, to confine each member of the society within the limits prescribed by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the danger of parties in the state, with particular references to the founding them on geographical discrimination. Let me now take a more comprehensive view, and warn you in the most solemn

manner against the baneful effects of the spirit of party generally.

This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind.—It exists under different shapes in all governments, more or less stifled, controlled, or repressed; but in those of the popular form it is seen in its greatest rankness, and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism.—But this leads at length to a more formal and permanent despotism. The disorders and miseries which result, gradually incline the minds of men to seek security and repose in the absolute power of an individual; and, sooner or later, the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purpose of his own elevation on the ruins of public liberty.

Without looking forward to an extremity of this kind, (which nevertheless ought not to be entirely out of sight) the common and continual mischiefs of the spirit of party are sufficient to make it the interest and duty of a wise people to discourage and restrain it.

It serves always to distract the public councils, and enfeeble the public administration. It agitates the community with ill founded jealousies and false alarms; kindles the animosity of one part against another; foment occasional riot and insurrection. It opens the door to foreign influence and corruption, which finds a facilitated access to the government itself through the channels of party passions. Thus the policy and the will of one country are subjected to the policy and will of another.

There is an opinion that parties in free countries are useful checks upon the administration of the government, and serve to keep alive the spirit of liberty. This within certain limits is probably true; and in governments of a monarchical cast, patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency, it is certain there will always be enough of that spirit for every salutary purpose. And there being constant danger of excess, the effort ought to be, by force of public opinion, to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent it bursting into a flame, lest instead of warming, it should consume.

It is important likewise, that the habits of thinking in a free country should inspire caution in those intrusted with its administration, to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department, to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power and proneness to abuse it which predominate in the human heart, is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the guardian of the public weal against invasions of the others, has been evinced by experiments ancient and modern: some of them in our country and under our own eyes.—To preserve them must be as necessary as to institute them. If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the constitution designates.—But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil, any partial or transient benefit which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism, who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked, where is the security for property, for reputation, for life, if the sense of religious obligation *desert* the oaths which are the instruments of investigation in courts of justice? and let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect, that national morality can prevail in exclusion of religious principle.

It is substantially true, that virtue or morality is a necessary spring of popular government. The rule, indeed, extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shake the foundation of the fabric?

Promote, then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering, also, that timely disbursements, to prepare for danger, frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions, in time of peace, to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear. The execution of these maxims belongs to your representatives, but it is necessary that public opinion should co-operate. To facilitate to them the performance of their duty, it is essential that you should practically bear in mind, that towards the payment of debts there must be revenue; that to have revenue there must be taxes; that no taxes can be devised which are not more or less inconvenient and unpleasant; that the intrinsic embarrassment inseparable from the selection of the proper object (which is always a choice of difficulties) ought to be a decisive motive for a candid construction of the conduct of the government in making it, and for a spirit of acquiescence in the measures for obtaining revenue, which the public exigencies may at any time dictate.

Observe good faith and justice towards all nations; cultivate peace and harmony with all. Religion and morality enjoin this conduct, and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt but, in the course of time and things, the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it; can it be that Providence has not connected the permanent felicity of a nation with its virtue? The experiment, at least, is recommended by every sentiment which ennobles human nature. Alas! is it rendered impossible by its vices?

In the execution of such a plan, nothing is more essential than that permanent, inveterate antipathies against particular nations and passionate attachments for others, should be excluded; and that, in place of them, just and amicable feelings towards all should be cultivated. The nation which indulges towards another an habitual hatred, or an habitual fondness, is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another, disposes each more readily to offer

insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable when accidental or trifling occasions of dispute occur. Hence, frequent collisions, obstinate, envenomed, and bloody contests. The nation, prompted by ill will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity, and adopts through passion what reason would reject; at other times, it makes the animosity of the nation subservient to projects of hostility, instigated by pride, ambition, and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty of nations, has been the victim.

So likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest, in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter, without adequate inducements or justifications. It leads also to concessions, to the favorite nation, of privileges denied to others, which is apt doubly to injure the nation making the concessions, by unnecessarily parting with what ought to have been retained, and by exciting jealousy, ill will, and a disposition to retaliate in the parties from whom equal privileges are withheld; and it gives to ambitious, corrupted or deluded citizens who devote themselves to the favorite nation, facility to betray or sacrifice the interests of their own country, without odium, sometimes even with popularity; gilding with the appearances of a virtuous sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with domestic factions, to practice the arts of seduction, to mislead public opinion, to influence or awe the public councils!—Such an attachment of a small or weak, towards a great and powerful nation, dooms the former to be the satellite of the latter.

Against the insidious wiles of foreign influence, (I conjure you to believe me fellow citizens,) the jealousy of a free people ought to be *constantly* awake; since history and experience prove, that foreign influence is one of the most baneful foes of republican government. But that jealousy, to be useful, must be impartial, else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike for another, cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious; while its tools and dupes usurp the applause and confidence of the people, to surrender their interests.

The great rule of conduct for us, in regard to foreign nations, is, in extending our commercial relations, to have with them as little *political* connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith:—Here let us stop.

Europe has a set of primary interests, which to us have none, or a very remote relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations and collisions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon, to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly

hazard the giving us provocation, when we may choose peace or war, as our interest, guided by justice, shall counsel.

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalry, interest, humor, or caprice?

It is our true policy to steer clear of permanent alliance with any portion of the foreign world; so far, I mean, as we are now at liberty to do it; for let me not be understood as capable of patronizing infidelity to existing engagements. I hold the maxim no less applicable to public than private affairs, that honesty is always the best policy. I repeat it, therefore, let those engagements be observed in their genuine sense. But in my opinion, it is unnecessary, and would be unwise to extend them.

Taking care always to keep ourselves by suitable establishments, on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony, and a liberal intercourse with all nations, are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand; neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the streams of commerce, but forcing nothing; establishing with powers so disposed, in order to give trade a stable course, to define the rights of our merchants, and to enable the government to support them, conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary, and liable to be from time to time abandoned or varied as experience and circumstances shall dictate; constantly keeping in view, that it is folly in one nation to look for disinterested favors from another; that it must pay with a portion of its independence for whatever it may accept under that character; that by such acceptance, it may place itself in the condition of having given equivalents for nominal favors, and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect, or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish; that they will control the usual current of the passions, or prevent our nation from running the course which has hitherto marked the destiny of nations, but if I may even flatter myself that they may be productive of some partial benefit, some occasional good; that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism; this hope will be a full recompense for the solicitude for your welfare by which they have been dictated.

How far, in the discharge of my official duties, I have been guided by the principles which have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is, that I have, at least, believed myself to be guided by them.

In relation to the still subsisting war in Europe, my proclamation of the 22d of April, 1793, is the index to my plan. Sanctioned by your approving voice, and by that of your representatives in both houses of congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination, with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound, in duty and interest, to take a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it with moderation, perseverance and firmness.

The considerations which respect the right to hold this conduct, it is not necessary on this occasion to detail. I

will only observe that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without any thing more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity towards other nations.

The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me, a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions, and to progress, without interruption, to that degree of strength, and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though in reviewing the incidents of my administration, I am unconscious of intentional error, I am nevertheless too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence; and that, after forty-five years of my life dedicated to its service, with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love towards it, which is so natural to a man who views in it the native soil of himself and his progenitors for several generations; I anticipate with pleasing expectation that retreat in which I promise myself to realize, without alloy, the sweet enjoyment of partaking, in the midst of my fellow citizens, the benign influence of good laws under a free government—the ever favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors and dangers.

GEO. WASHINGTON.

UNITED STATES,
17th September, 1796.

LORD BROUGHAM'S TRIBUTE TO GEORGE WASHINGTON

MR. BORAH. Mr. President, I should like to read into the RECORD an estimate of Washington from a source outside of our own country. It was written some 60 years ago. It was not written in contemplation of a public address, but is the cool, calm, estimate of the study. It is from the pen of Lord Brougham. I shall read only the closing paragraphs:

If profound sagacity, unshaken steadiness of purpose, the entire subjugation of all the passions which carry havoc through ordinary minds, and oftentimes lay waste the fairest prospects of greatness—nay, the discipline of those feelings which are wont to lull or to seduce genius, and to mar and to cloud over the aspect of virtue herself—joined with, or rather leading to the most absolute self-denial, the most habitual and exclusive devotion to principle—if these things can constitute a great character, without either quickness of apprehension, or resources of information, or inventive powers, or any brilliant quality that might dazzle the vulgar—then surely Washington was the greatest man that ever lived in this world uninspired by Divine wisdom, and unsustained by supernatural virtue.

His courage, whether in battle or in council, was as perfect as might be expected from this pure and steady temper of soul. A perfect, just man, with a thoroughly firm resolution never to be misled by others, any more than to be by others overawed; never to be seduced or betrayed, or hurried away by his own weaknesses or self-delusions, any more than by other men's arts; nor ever to be disheartened by the most complicated difficulties, any more than to be spoilt on the giddy heights of fortune—such was this great man—great, preeminently great, whether we regard him sustaining alone the whole weight of campaigns all but desperate, or gloriously terminating a just warfare by his resources and his courage—presiding over the jarring elements of his political council, alike deaf to the storms of all extremes—or directing the formation of a new government for a great people, the first time that so vast an experiment had ever been tried by man—or finally retiring from the supreme power to which his virtue had raised him over the nation he had created, and whose destinies he had guided as long as his aid was required—retiring with the veneration of all parties, of all nations, of all mankind,

in order that the rights of men might be conserved, and that his example never might be appealed to by vulgar tyrants. This is the consummate glory of Washington; a triumphant warrior where the most sanguine had a right to despair; a successful ruler in all the difficulties of a course wholly untried; but a warrior, whose sword only left its sheath when the first law of our nature commanded it to be drawn; and a ruler who, having tasted of supreme power, gently and unostentatiously desired that the cup might pass from him, nor would suffer more to wet his lips than the most solemn and sacred duty to his country and his God required!

To his latest breath did this great patriot maintain the noble character of a captain—the patron of peace, and a statesman—the friend of justice. Dying, he bequeathed to his heirs the sword which he had worn in the war for liberty, and charged them, "Never to take it from the scabbard but in self-defense, or in defense of their country and her freedom; and commanding them that when it should thus be drawn they should never sheath it nor ever give it up, but prefer falling with it in their hands to the relinquishment thereof"—words, the majesty and simple eloquence of which are not surpassed in the oratory of Athens and Rome.

It will be the duty of the historian and the sage in all ages to let no occasion pass commemorating this illustrious man; and until time shall be no more will a test of the progress which our race has made in wisdom and in virtue be derived from the veneration paid to the immortal name of Washington.

DANIEL WEBSTER'S SPEECH ON GEORGE WASHINGTON

Mr. FESS. Mr. President, I hold in my hand a reprint of the speech made by Daniel Webster 100 years ago yesterday in honor of the one hundredth birthday of George Washington to a group of men who were gathered at a dinner in this city. That speech is so often referred to in the press that I think it ought to have a wider reading, and I ask unanimous consent that it be printed in the RECORD.

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

I rise, gentlemen, to propose to you the name of that great man, in commemoration of whose birth and in honor of whose character and services we are assembled.

I am sure that I express a sentiment common to everyone present when I say that there is something more than ordinarily solemn and affecting in this occasion.

We are met to testify our regard for him whose name is intimately blended with whatever belongs most essentially to the prosperity, the liberty, the free institutions, and the renown of our country. That name was of power to rally a nation in the hour of thick-thronging public disasters and calamities; that name shone amid the storm of war a beacon light to cheer and guide the country's friends; it flamed, too, like a meteor to repel her foes. That name in the days of peace was a loadstone, attracting to itself a whole people's confidence, a whole people's love, and the whole world's respect. That name, descending with all time, spreading over the whole earth, and uttered in all the languages belonging to the tribes and races of men, will forever be pronounced with affectionate gratitude by everyone in whose breast there shall arise an aspiration for human rights and human liberty.

We perform this grateful duty, gentlemen, at the expiration of a hundred years from his birth, near the place, so cherished and beloved by him, where his dust now reposes, and in the Capital which bears his own immortal name.

All experience evinces that human sentiments are strongly influenced by associations. The recurrence of anniversaries, or of longer periods of time naturally freshens the recollection and deepens the impression of events with which they are historically connected. Renowned places, also, have a power to awaken feeling, which all acknowledge. No American can pass by the fields of Bunker Hill, Monmouth, and Camden as if they were ordinary spots on the earth's surface. Whoever visits them feels the sentiment of love of country kindling anew, as if the spirit that belonged to the transactions which have rendered these places distinguished still hovered round, with power to move and excite all who in future time may approach them.

But neither of these sources of emotion equals the power with which great moral examples affect the mind. When sublime virtues cease to be abstractions, when they become embodied in human character, and exemplified in human conduct, we should be false to our own nature if we did not indulge in the spontaneous effusions of our gratitude and our admiration. A true lover of the virtue of patriotism delights to contemplate its purest models; and that love of country may be well suspected which affects to soar so high into the regions of sentiment as to be lost and absorbed in the abstract feeling, and becomes too elevated or too refined to glow with fervor in the commendation or the love of individual benefactors. All this is unnatural. It is as if one should be so enthusiastic a lover of poetry as to care nothing for Homer or Milton; so passionately attached to eloquence as to be indifferent to Tully and Chatham; or such a devotee to the arts, in such an ecstasy with the elements of beauty, proportion, and expression, as to regard the masterpieces of Raphael and Michelangelo with coldness or contempt. We may be assured, gentlemen, that he who really loves the thing itself, loves its finest exhibitions. A true friend of his country loves her friends and benefactors, and thinks it no degradation to commend and commemorate them. The voluntary outpouring of the public

feeling made to-day from the North to the South and from the East to the West proves this sentiment to be both just and natural. In the cities and in the villages, in the public temples, and in the family circles, among all ages and sexes, gladdened voices to-day bespeak grateful hearts and a freshened recollection of the virtues of the Father of his Country. And it will be so in all time to come so long as public virtue is itself an object of regard. The ingenuous youth of America will hold up to themselves the bright model of Washington's example, and study to be what they behold; they will contemplate his character till all its virtues spread out and display themselves to their delightful vision, as the earliest astronomers, the shepherds on the plains of Babylon, gazed at the stars till they saw them form into clusters and constellations, overpowering at length the eyes of the beholders with the united blaze of a thousand lights.

Gentlemen, we are at the point of a century from the birth of Washington; and what a century it has been! During its course the human mind has seemed to proceed with a sort of geometric velocity, accomplishing for human intelligence and human freedom more than had been done in fives or tens of centuries preceding. Washington stands at the commencement of a new era as well as at the head of the New World. A century from the birth of Washington has changed the world. The country of Washington has been the theater on which a great part of that change has been wrought, and Washington himself a principal agent by which it has been accomplished. His age and his country are equally full of wonders; and of both he is the chief.

If the poetical prediction uttered a few years before his birth be true; if, indeed, it be designed by Providence that the grandest exhibition of human character and human affairs shall be made on this theater of the western world; if it be true that—

"The first four acts already past,
A fifth shall close the drama of the day;
Time's noblest offspring is the last,"

how could this imposing, swelling, final scene be appropriately opened; how could its intense interest be adequately sustained but by the introduction of just such a character as our Washington?

Washington had attained his manhood when that spark of liberty was struck out in his own country, which has since kindled into a flame, and shot its beams over the earth. In the flow of a century from his birth the world has changed in science, in arts, in the extent of commerce, in the improvement of navigation, and in all that relates to the civilization of man. But it is the spirit of human freedom, the new elevation of individual man, in his moral, social, and political character, leading the whole long train of other improvements, which has most remarkably distinguished the era. Society in this century has not made its progress, like Chinese skill, by a greater acuteness of ingenuity in trifles; it has not merely lashed itself to an increased speed round the old circles of thought and action but it has assumed a new character; it has raised itself from beneath governments to a participation in governments; it has mixed moral and political objects with the daily pursuits of individual men; and, with a freedom and strength before altogether unknown, it has applied to these objects the whole power of the human understanding. It has been the era, in short, when the social principle has triumphed over the feudal principle, when society has maintained its rights against military power and established on foundations never hereafter to be shaken its competency to govern itself.

It was the extraordinary fortune of Washington that, having been intrusted, in Revolutionary times, with the supreme military command and having fulfilled that trust with equal renown for wisdom and for valor, he should be placed at the head of the first government in which an attempt was to be made on a large scale to rear the fabric of social order on the basis of a written constitution and of a pure representative principle. A government was to be established without a throne, without an aristocracy, without castes, orders, or privileges; and this government, instead of being a democracy, existing and acting within the walls of a single city, was to be extended over a vast country, of different climates, interest, and habits, and of various communions of our common Christian faith. The experiment certainly was entirely new. A popular government of this extent, it was evident, could be framed only by carrying into full effect the principle of representation or of delegated power; and the world was to see whether society could, by the strength of this principle, maintain its own peace and good government, carry forward its own great interests, and conduct itself to political renown and glory. By the benignity of Providence, this experiment, so full of interest to us and to our posterity forever, so full of interest, indeed, to the world in its present generation and in all its generations to come, was suffered to commence under the guidance of Washington. Destined for this high career, he was fitted for it by wisdom, by virtue, by patriotism, by discretion, by whatever can inspire confidence in man toward man. In entering on the untried scenes, early disappointment and the premature extinction of all hope of success would have been certain, had it not been that there did exist throughout the country, in a most extraordinary degree, an unwavering trust in him who stood at the helm.

I remarked, gentlemen, that the whole world was and is interested in the result of this experiment. And is it not so? Do we deceive ourselves, or is it true that at this moment the career which this Government is running is among the most attractive objects to the civilized world? Do we deceive ourselves, or is it true that at this moment that love of liberty and that under-

standing of its true principles which are flying over the whole earth, as on the wings of all the winds, are really and truly of American origin?

At the period of the birth of Washington, there existed in Europe no political liberty in large communities, except in the Provinces of Holland, and except that England herself had set a great example, so far as it went, by her glorious Revolution of 1688. Everywhere else despotic power was predominant, and the feudal or military principle held the mass of mankind in hopeless bondage. One-half of Europe was crushed beneath the Bourbon scepter, and no conception of political liberty, no hope even of religious toleration existed among that nation which was America's first ally. The king was the state, the king was the country, the king was all. There was one king, with power not derived from his people, and too high to be questioned; and the rest were all subjects, with no political right but obedience. All above was intangible power, all below quiet subjection. A recent occurrence in the French chambers shows us how public opinion on these subjects is changed. A minister had spoken of the "king's subjects." "There are no subjects," exclaimed hundreds of voices at once, "in a country where the people make the king."

Gentlemen, the spirit of human liberty and of free government, nurtured and grown into strength and beauty in America, has stretched its course into the midst of the nations. Like an emanation from heaven it has gone forth, and it will not return void. It must change, it is fast changing, the face of the earth. Our great, our high duty is to show, in our own example, that this spirit is a spirit of health as well as a spirit of power; that its benignity is as great as its strength; that its efficiency to secure individual rights, social relations, and moral order is equal to the irresistible force with which it prostrates principalities and powers. The world at this moment is regarding us with a willing but something of a fearful admiration. Its deep and awful anxiety is to learn whether free states may be stable, as well as free; whether popular power may be trusted, as well as feared; in short, whether wise, regular, and virtuous self-government is a vision for the contemplation of theorists, or a truth established, illustrated, and brought into practice in the country of Washington.

Gentlemen, for the earth which we inhabit, and the whole circle of the sun, for all the unborn races of mankind, we seem to hold in our hands, for their weal or woe, the fate of this experiment. If we fail, who shall venture the repetition? If our example shall prove to be one, not of encouragement but of terror, not fit to be imitated but fit only to be shunned, where else shall the world look for free models? If this great western sun be struck out of the firmament, at what other fountain shall the lamp of liberty hereafter be lighted? What other orb shall emit a ray to glimmer, even on the darkness of the world?

There is no danger of our overrating or overstating the important part which we are now acting in human affairs. It should not flatter our personal self-respect, but it should reanimate our patriotic virtues, and inspire us with a deeper and more solemn sense, both of our privileges and of our duties. We can not wish better for our country, nor for the world, than that the same spirit which influenced Washington may influence all who succeed him; and that the same blessing from above, which attended his efforts, may also attend theirs.

The principles of Washington's administration are not left doubtful. They are to be found in the Constitution itself, in the great measures recommended and approved by him, in his speeches to Congress, and in that most interesting paper, his Farewell Address to the People of the United States. The success of the Government under his administration is the highest proof of the soundness of these principles. And, after an experience of 35 years, what is there which an enemy could condemn? What is there which either his friends, or the friends of the country, could wish to have been otherwise? I speak, of course, of great measures and leading principles.

In the first place, all his measures were right in their intent. He stated the whole basis of his own great character when he told the country, in the homely phrase of the proverb, that honesty is the best policy. One of the most striking things ever said of him is that "he changed mankind's ideas of political greatness." To commanding talents, and to success, the common elements of such greatness, he added a disregard of self, a spotlessness of motive, a steady submission to every public and private duty, which threw far into the shade the whole crowd of vulgar great. The object of his regard was the whole country. No part of it was enough to fill his enlarged patriotism. His love of glory, so far as that may be supposed to have influenced him at all, spurned everything short of general approbation. It would have been nothing to him, that his partisans or his favorites outnumbered, or outvoted, or outmanaged, or outclimored, those of other leaders. He had no favorites; he rejected all partisanship; and acting honestly for the universal good, he deserved, what he has so richly enjoyed, the universal love.

His principle it was to act right, and to trust the people for support; his principle it was not to follow the lead of sinister and selfish ends, nor to rely on the little arts of party delusion to obtain public sanction for such a course. Born for his country and for the world, he did not "give up to party what was meant for mankind." The consequence is, that this fame is as durable as his principles, as lasting as truth and virtue themselves. While the hundreds whom party excitement, and temporary circumstances, and casual combinations, have raised into transient notoriety, sink again, like thin bubbles, bursting and dissolving

into the great ocean, Washington's fame is like the rock which breaks that ocean, and at whose feet its billows are destined to break harmlessly forever.

The maxims upon which Washington conducted our foreign relations were few and simple. The first was an entire and indisputable impartiality toward foreign states. He adhered to this rule of public conduct, against very strong inducements to depart from it, and when the popularity of the moment seemed to favor such a departure. In the next place, he maintained true dignity and unsullied honor in all communications with foreign states. It was among the high duties devolved upon him, to introduce our new government into the circle of civilized states and powerful nations. Not arrogant or assuming, with no unbecoming or supercilious bearing, he yet exacted for it from all others entire and punctilious respect. He demanded, and he obtained at once, a standing of perfect equality for his country in the society of nations; nor was there a prince or potentate of his day, whose personal character carried with it, into the intercourse of other states, a greater degree of respect and veneration.

He regarded other nations only as they stood in political relations to us. With their internal affairs, their political parties, and dissensions, he scrupulously abstained from all interference; and, on the other hand, he repelled with spirit all such interference by others with us or our concerns. His sternest rebuke, the most indignant measure of his whole administration, was aimed against such an attempted interference. He felt it as an attempt to wound the national honor, and resented it accordingly.

The reiterated admonitions in his Farewell Address show his deep fears that foreign influence would insinuate itself into our counsels through the channels of domestic dissension and obtain a sympathy with our own temporary parties. Against all such dangers he most earnestly entreats the country to guard itself. He appeals to its patriotism, to its self-respect, to its own honor, to every consideration connected with its welfare and happiness to resist, at the very beginning, all tendencies toward such connection of foreign interests with our own affairs. With a tone of earnestness nowhere else found, even in his last affectionate farewell advice to his countrymen, he says, "Against the insidious wiles of foreign influence (I conjure you to believe me, fellow citizens) the jealousy of a free people ought to be constantly awake; since history and experience prove, that foreign influence is one of the most baneful foes of republican government."

Lastly, on the subject of foreign relations, Washington never forgot that we had interests peculiar to ourselves. The primary political concerns of Europe, he saw, did not affect us. We had nothing to do with her balance of power, her family compacts, or her successions to thrones. We were placed in a condition favorable to neutrality during European wars, and to the enjoyment of all the great advantages of that relation. "Why then," he asks us, "why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why be interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalry, interest, humor, or caprice?"

Indeed, gentlemen, Washington's Farewell Address is full of truths important at all times, and particularly deserving consideration at the present. With a sagacity which brought the future before him and made it like the present, he saw and pointed out the dangers that even at this moment most imminently threaten us. I hardly know how a greater service of that kind could now be done to the community than by a renewed and wide diffusion of that admirable paper and an earnest invitation to every man in the country to reperuse and consider it. Its political maxims are invaluable; its exhortations to love of country and to brotherly affection among citizens touching; and the solemnity with which it urges the observance of moral duties and impresses the power of religious obligation gives to it the highest character of truly disinterested, sincere, parental advice.

The domestic policy of Washington found its polestar in the avowed objects of the Constitution itself. He sought so to administer that Constitution as to form a more perfect Union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty. Those were objects interesting in the highest degree to the whole country, and his policy embraced the whole country.

Among his earliest and most important duties was the organization of the Government itself, the choice of his confidential advisers, and the various appointments to office. This duty, so important and delicate when a whole Government was to be organized and all its offices for the first time filled, was yet not difficult to him, for he had no sinister ends to accomplish, no clamorous partisans to gratify, no pledges to redeem, no object to be regarded but simply the public good. It was a plain, straightforward matter, a mere honest choice of good men for the public service.

His own singleness of purpose, his disinterested patriotism were evinced by the selection of his first Cabinet, and by the manner in which he filled the seats of justice and other places of high trust. He sought for men fit for offices, not for offices which might suit men. Above personal considerations, above local considerations, above party considerations, he felt that he could only discharge the sacred trust which the country had placed in his hands by a diligent inquiry after real merit and a conscientious preference of virtue and talent. The whole country was the field of his selection. He explored that whole field, looking only for whatever it contained most worthy and distinguished. He was

indeed most successful, and he deserved success for the purity of his motives, the liberality of his sentiments, and his enlarged and manly policy.

Washington's administration established the national credit, made provision for the public debt, and for that patriotic Army whose interests and welfare were always so dear to him; and, by laws wisely framed and of admirable effect, raised the commerce and navigation of the country, almost at once, from depression and ruin to a state of prosperity. Nor were his eyes open to these interests alone. He viewed with equal concern its agriculture and manufactures, and, so far as they came within the regular exercise of the powers of this Government, they experienced regard and favor.

It should not be omitted, even in this slight reference to the general measures and general principles of the first President, that he saw and felt the full value and importance of the judicial department of the Government. An upright and able administration of the laws he held to be alike indispensable to private happiness and public liberty. The temple of justice, in his opinion, was a sacred place, and he would profane and pollute it who should call any to minister in it not spotless in character, not incorruptible in integrity, not competent by talent and learning, not a fit object of unhesitating trust.

Among other admonitions, Washington has left us, in his last communication to his country, an exhortation against the excesses of party spirit. A fire not to be quenched, he yet conjures us not to fan and feed the flame. Undoubtedly, gentlemen, it is the greatest danger of our system and of our time. Undoubtedly, if that system should be overthrown, it will be the work of excessive party spirit, acting on the Government, which is dangerous enough, or acting in the Government, which is a thousand times more dangerous; for government then becomes nothing but organized party, and, in the strange vicissitudes of human affairs, it may come at last, perhaps, to exhibit the singular paradox of government itself being in opposition to its own powers, at war with the very elements of its own existence. Such cases are hopeless. As men may be protected against murder, but can not be guarded against suicide, so government may be shielded from the assaults of external foes, but nothing can save it when it chooses to lay violent hands on itself.

Finally, gentlemen, there was in the breast of Washington one sentiment so deeply felt, so constantly uppermost, that no proper occasion escaped without its utterance. From the letter which he signed in behalf of the convention when the Constitution was sent out to the people, to the moment when he put his hand to that last paper in which he addressed his countrymen, the Union—the Union was the great object of his thoughts. In that first letter he tells them that, to him and his brethren of the convention, union appears to be the greatest interest of every true American; and in that last paper he conjures them to regard that unity of government which constitutes them one people as the very palladium of their prosperity and safety, and the security of liberty itself. He regarded the union of these States less as one of our blessings, than as the great treasure house which contained them all. Here, in his judgment, was the great magazine of all our means of prosperity; here, as he thought, and as every true American still thinks, are deposited all our animating prospects, all our solid hopes for future greatness. He has taught us to maintain this union, not by seeking to enlarge the powers of the Government, on the one hand, nor by surrendering them, on the other, but by an administration of them at once firm and moderate, pursuing objects truly national, and carried on in a spirit of justice and equity.

The extreme solicitude for the preservation of the Union, at all times manifested by him, shows not only the opinion he entertained of its importance but his clear perception of those causes which were likely to spring up to endanger it, and which, if once they should overthrow the present system, would leave little hope of any future beneficial reunion. Of all the presumptions indulged by presumptuous man, that is one of the rashest which looks for repeated and favorable opportunities for the deliberate establishment of a united government over distinct and widely extended communities. Such a thing has happened once in human affairs, and but once; the event stands out as a prominent exception to all ordinary history; and unless we suppose ourselves running into an age of miracles, we may not expect its repetition.

Washington, therefore, could regard, and did regard, nothing as of paramount political interest but the integrity of the Union itself. With a united government, well administered, he saw that we had nothing to fear, and without it nothing to hope. The sentiment is just, and its momentous truth should solemnly impress the whole country. If we might regard our country as personated in the spirit of Washington, if we might consider him as representing her, in her past renown, her present prosperity, and her future career, and as in that character demanding of us all to account for our conduct as political men or as private citizens, how should he answer him who has ventured to talk of disunion and dismemberment? Or how should he answer him who dwells perpetually on local interests and fans every kindling flame of local prejudice? How should he answer him who would array State against State, interest against interest, and party against party, careless of the continuance of that unity of government which constitutes us one people?

The political prosperity which this country has attained, and which it now enjoys, has been acquired mainly through the instrumentality of the present Government. While this agent continues, the capacity of attaining to still higher degrees of prosperity exists also. We have, while this lasts, a political life capable of beneficial exertion, with power to resist or overcome misfor-

tunes, to sustain us against the ordinary accidents of human affairs, and to promote, by active efforts, every public interest. But dismemberment strikes at the very being which preserves these faculties. It would lay its rude and ruthless hand on this great agent itself. It would sweep away not only what we possess but all power of regaining lost or acquiring new possessions. It would leave the country not only bereft of its prosperity and happiness but without limbs, or organs, or faculties by which to exert itself hereafter in the pursuit of that prosperity and happiness.

Other misfortunes may be borne or their effects overcome. If disastrous war should sweep our commerce from the ocean, another generation may renew it; if it exhaust our Treasury, future industry may replenish it; if it desolate and lay waste our fields, still under a new cultivation they will grow green again and ripen to future harvests. It were but a trifle even if the walls of yonder Capitol were to crumble, if its lofty pillars should fall and its gorgeous decorations be all covered by the dust of the valley. All these might be rebuilt. But who shall reconstruct the fabric of demolished government? Who shall rear again the well-proportioned columns of constitutional liberty? Who shall frame together the skillful architecture which unites national sovereignty with State rights, individual security, and public prosperity? No; if these columns fall, they will be raised not again. Like the coliseum and the parthenon, they will be destined to a mournful, a melancholy immortality. Bitterer tears, however, will flow over them than were ever shed over the monuments of Roman or Grecian art, for they will be the remnants of a more glorious edifice than Greece or Rome ever saw, the edifice of constitutional American liberty.

But let us hope for better things. Let us trust in that gracious Being who has hitherto held our country as in the hollow of His hand. Let us trust to the virtue and the intelligence of the people and to the efficacy of religious obligation. Let us trust to the influence of Washington's example. Let us hope that that fear of Heaven which expels all other fear and that regard to duty which transcends all other regard may influence public men and private citizens and lead our country still onward in her happy career. Full of these gratifying anticipations and hopes, let us look forward to the end of that century which is now commenced. A hundred years hence other disciples of Washington will celebrate his birth with no less of sincere admiration than we now commemorate it. When they shall meet, as we now meet, to do themselves and him that honor, so surely as they shall see the blue summits of his native mountains rise in the horizon, so surely as they shall behold the river on whose banks he lived, and on whose banks he rests, still flowing on toward the sea, so surely may they see, as we now see, the flag of the Union floating on the top of the Capitol, and then, as now, may the sun in his course visit no land more free, more happy, more lovely, than this our own country!

Gentlemen, I propose the memory of George Washington.

ADDRESSES OF PRESIDENT HOOVER AND REPRESENTATIVE BECK

Mr. FESS. Mr. President, I ask unanimous consent that the address delivered at the joint meeting of the two Houses of Congress yesterday by President Herbert Hoover, as well as the address of the Hon. JAMES M. BECK, Representative from Pennsylvania, at the exercises at the east front of the Capitol, be printed as a public document.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

USELESS PAPERS IN THE CIVIL SERVICE COMMISSION

The VICE PRESIDENT laid before the Senate a letter from the secretary of the Civil Service Commission, transmitting, pursuant to law, a report of papers in the files of the commission which are not needed in the transaction of the current business of the commission and have no permanent value or historical interest and asking for action looking toward their disposition, which, with the accompanying papers, was referred to a Joint Select Committee on the Disposition of Useless Papers in the Executive Departments; and

The VICE PRESIDENT appointed Mr. DALE and Mr. MCKELLAR as the members of the committee on the part of the Senate.

PROPOSED UPPER MISSISSIPPI NATIONAL PARK

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Interior, transmitting, pursuant to law, a report on the desirability and practicability of establishing the proposed Upper Mississippi National Park, which, with the accompanying report, was referred to the Committee on Public Lands and Surveys.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate copies of the following resolutions adopted by the delegates at the Western Governors' Conference, held at Portland, Oreg., on October 29, 1931, which were referred as indicated:

A resolution urging protection from fire on private and State lands; and

A resolution favoring Federal aid in a back-to-the-land movement; to the Committee on Agriculture and Forestry.

A resolution relative to stability of land titles;

A resolution relative to withdrawal of public lands; and

A resolution favoring additional recreational facilities on national forests; to the Committee on Public Lands and Surveys.

Resolutions favoring, respectively, tariff duties on copper and oil; to the Committee on Finance.

A resolution favoring leniency toward farmers unable to meet their obligations; to the Committee on Banking and Currency.

A resolution favoring the continuation of the appropriation for protection from fire on forest lands on the public domain; and

A resolution favoring the continuation of the appropriation for highway construction and special appropriations for unemployment relief and other purposes; to the Committee on Appropriations.

A resolution favoring a comprehensive study of necessary data relating to a complete system of dams on headwater streams of western rivers; and

A resolution favoring continuance of Federal reclamation; to the Committee on Irrigation and Reclamation.

The VICE PRESIDENT also laid before the Senate a resolution adopted at the same conference favoring consideration of unemployment relief measures over other matters, which was ordered to lie on the table.

The VICE PRESIDENT also laid before the Senate a petition of Barbara F. Mayer, of Fresno, Calif., praying the prompt ratification of the World Court protocols, which was referred to the Committee on Foreign Relations.

Mr. HOWELL presented a petition of sundry citizens of Peru, Nebr., praying for the maintenance of the prohibition law and its enforcement, which was referred to the Committee on the Judiciary.

Mr. HALE presented memorials of sundry citizens of Portland and Bangor and vicinity, in the State of Maine, remonstrating against the passage of legislation providing for the closing of barber shops on Sunday in the District of Columbia, or any other restrictive religious measures, which were referred to the Committee on the District of Columbia.

Mr. SHEPPARD presented the petition of F. Blumentritt and 170 other citizens of the State of Texas, praying for an amendment to the income tax law to the end that no income tax shall reach proceeds from rural land or improvements thereon, which was referred to the Committee on Finance.

Mr. MCGILL presented petitions and papers in the nature of petitions of Addie Garland, the Kiowa Study Club, the Epworth League of the Methodist Episcopal Church, the Congregational Bible Study, the Ladies' Aid Society, and the Men's Brotherhood Class, all of Kiowa; the First Methodist Episcopal Church of Winfield; the Woman's Christian Temperance Union of Bird City; the Woman's Foreign Mission Society of Northbranch; the Woman's Home Mission Society of Wichita; C. H. Hjorthohn and others, of Eureka; Mrs. S. C. Webb and others, of Augusta; Women's Society of First Methodist Episcopal Church of Hutchinson; Mary Dobbs, Woman's Christian Temperance Union of Wichita; Women's Council of Fairview Christian Church, of Wichita; Mrs. S. G. Clark and others, of Fredonia; and the Community Young Women's Christian Association, of Nickerson, all in the State of Kansas, praying for the maintenance of the prohibition law and its enforcement and protesting against any measure looking toward its modification, resubmission to the States, or repeal, which were referred to the Committee on the Judiciary.

Mr. NORBECK presented the petitions of Mrs. H. C. Cole and 13 other citizens of Aberdeen and of members of the American Association of University Women, of Redfield, in the State of South Dakota, praying for the prompt ratification of the World Court protocols, which were referred to the Committee on Foreign Relations.

He also presented the petition of Mrs. Mary High Hawk and 57 other citizens of the Cheyenne River Reservation, S. Dak., praying for the reduction of armaments and for the success of the International Disarmament Conference being held at Geneva, Switzerland, which was referred to the Committee on Foreign Relations.

Mr. JONES presented a petition of sundry citizens of Seattle, Wash., praying for the imposition of a tariff duty on oil imported into the United States, which was referred to the Committee on Finance.

He also presented a petition of sundry citizens of Tacoma, Wash., praying for the passage of legislation providing for the prompt payment in full of adjusted-service certificates (bonus), which was referred to the Committee on Finance.

He also presented a resolution adopted by Painters' Local Union, No. 1200, of Wenatchee, Wash., favoring the establishment of a censorship of advertising, gift enterprises, and schemes of chance broadcasted over the radio, which was referred to the Committee on Interstate Commerce.

He also presented memorials of sundry citizens of Cusick, Ione, Pullman, Spokane, Sunnyside, and Okanogan and Pierce Counties, all in the State of Washington, remonstrating against the passage of legislation providing for the closing of barber shops on Sunday in the District of Columbia or any other restrictive religious measures, which were referred to the Committee on the District of Columbia.

He also presented memorials of sundry citizens of Chelan and Seattle, in the State of Washington, remonstrating against the proposed modification, resubmission to the States, or repeal of the eighteenth amendment of the Constitution, which were referred to the Committee on the Judiciary.

He also presented resolutions adopted by St. Paul's Methodist Episcopal Church, of Spokane; and the Woman's Christian Temperance Unions of Centralia, Dryden, Elma, Everett, Fremont, La Conner, Oakville, Manson, Pinehurst, Pomeroy, Seattle, Shelton, and Snohomish, in the State of Washington, protesting against the proposed resubmission of the eighteenth amendment of the Constitution to be ratified by State conventions or legislatures, and favoring the making of adequate appropriations for law enforcement and education in law observance, which were referred to the Committee on the Judiciary.

Mr. KEAN presented a petition of sundry citizens of Linden, Rahway, and Elizabeth, all in the State of New Jersey, praying for the passage of House bill 1, providing for the payment of the adjusted-compensation certificates of ex-service men (bonus), which was referred to the Committee on Finance.

He also presented petitions of sundry citizens of Auburn, Maplewood, Carneys Point, Medford, Orange, Pedricktown, Penns Grove, Salem, and Woodstown, all in the State of New Jersey, praying for the maintenance of the prohibition law and its enforcement, and protesting against any measures looking toward its modification, resubmission to the States, or repeal, which were referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Trenton, N. J., remonstrating against the passage of legislation providing for the closing of barber shops on Sunday in the District of Columbia, or any other restrictive religious measures, which was referred to the Committee on the District of Columbia.

He also presented a petition of sundry citizens of Perth Amboy, N. J., praying for the prompt ratification of the World Court protocols, which was referred to the Committee on Foreign Relations.

Mr. VANDENBERG presented memorials numerously signed by sundry citizens of the State of Michigan, remonstrating against the passage of legislation providing for the closing of barber shops on Sunday in the District of Columbia, or any other restrictive religious measures, which were referred to the Committee on the District of Columbia.

He also presented a telegram in the nature of a memorial from R. B. Corbus, of Grand Rapids, Mich., remonstrating

against the passage of Senate bill 572, to provide that the United States shall cooperate with the States in promoting the general health of the rural population of the United States and the welfare and hygiene of mothers and children, which was referred to the Committee on Commerce.

He also presented a resolution adopted by the Common Council of the City of Detroit, Mich., favoring the passage of House bill 1, for the immediate payment of adjusted-compensation certificates (bonus), which was referred to the Committee on Finance.

Mr. BLAINE presented a petition of 44 citizens of Sister Bay and vicinity, in the State of Wisconsin, praying for the maintenance of the prohibition law and its enforcement, and opposing any measures looking toward its modification or repeal, which was referred to the Committee on the Judiciary.

He also presented a resolution adopted by the Woman's Christian Temperance Union of La Farge, Wis., protesting against the proposed resubmission of the eighteenth amendment of the Constitution to State conventions or legislatures, and favoring the making of adequate appropriations for law enforcement and for education in law observance, which was referred to the Committee on the Judiciary.

He also presented resolutions adopted by Group No. 534, of Cudahy, and Group No. 1725, of Almond, both of the Polish National Alliance, in the State of Wisconsin, favoring the passage of legislation requesting the President to proclaim October 11 in each year as General Pulaski's memorial day, which were referred to the Committee on the Judiciary.

Mr. COSTIGAN presented resolutions adopted by Group No. 134, of Denver, and Group No. 776, of Walsenburg, both of the Polish National Alliance, in the State of Colorado, favoring the passage of legislation requesting the President to proclaim October 11 in each year as General Pulaski's memorial day, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Fort Lupton and Golden and vicinity, in the State of Colorado, remonstrating against the passage of legislation providing for the closing of barber shops on Sunday in the District of Columbia, or any other restrictive religious measures, which were referred to the Committee on the District of Columbia.

He also presented resolutions from Rev. Harry G. Parsons, First Christian Church board of Fort Collins; Rev. Joseph G. Howe, First Church of the United Brethren in Christ of Longmont; the Woman's Christian Temperance Union of Longmont; Rev. Maurice T. Habgood, pastor Lyons, Hygiene, and Grace Churches, of Boulder County; Mrs. Walter L. Roberts, Full Gospel Church of Longmont; Rev. J. M. Messer, Free Methodist Church of Longmont; Rev. George F. Klein, First Methodist Episcopal Church at Pueblo; the Littleton Methodist Episcopal Church, Littleton; May Caseday, president, and Frances H. Douglass, corresponding secretary, of Valverde Union, eighth district, of Denver; First Baptist Church of Pueblo; women of Ku-Klux Klan of Pueblo; Grace M. Painter, president, and Jeannette Hege-man, secretary, Woman's Christian Temperance Union of Roggen; the Jahlee Union, Woman's Christian Temperance Union of Denver; and the Mesa Baptist Church, of Pueblo, all in the State of Colorado, protesting against the proposed resubmission of the eighteenth amendment of the Constitution to be ratified by State conventions or legislatures, and favoring the making of adequate appropriations for law enforcement and for education in law observance, which were referred to the Committee on the Judiciary.

Mr. CAPPER presented petitions of sundry citizens of Denison, Gem, Kismet, Waterville, and Jackson County, and of members of the Frances Willard Woman's Christian Temperance Union of the Michigan Avenue Methodist Church, of Leavenworth, all in the State of Kansas, praying for the maintenance of the prohibition law and its enforcement, and protesting against its proposed modification or repeal, which were referred to the Committee on the Judiciary.

He also presented resolutions adopted by the Ladies' Aid Society of the Michigan Avenue Methodist Church, of Leavenworth; pupils and teachers of the public schools of Tonga-

nozie; the Ladies' Aid Society of the Methodist Church of Lebo; the Young Women's Christian Association of Hanston, and local chapters of the Woman's Christian Temperance Unions of Kismet and Parsons, all in the State of Kansas, favoring the maintenance of the prohibition law and its enforcement, and protesting against any measures looking toward its modification, resubmission to the States, or repeal, which were referred to the Committee on the Judiciary.

He also presented a resolution adopted by the Topeka League of Savings, Building, and Loan Associations, of Topeka, Kans., favoring the passage of legislation creating a system of home-loan banks, which was referred to the Committee on Banking and Currency.

Mr. WAGNER presented papers in the nature of a memorial from Frances Perkins, New York State industrial commissioner, remonstrating against the proposed opening of a branch of the United States Employment Office in Rochester, N. Y., which was referred to the Committee on Education and Labor.

He also presented a resolution adopted by the directors of the Mohawk Valley Towns Association, at a meeting in Canajoharie, N. Y., favoring the passage of legislation providing for the taxation of trucks and passenger coaches using the highways for profit that would place such carriers on a parity with the railroads, etc., which was referred to the Committee on Interstate Commerce.

He also presented a resolution adopted by Branch No. 26 of the Fleet Reserve Association, of New York City, N. Y., protesting against the passage of the so-called French bill, being House bill 409, relative to the strength of the Navy and Marine Corps, which was referred to the Committee on Expenditures in the Executive Departments.

He also presented a resolution adopted by Branch No. 26 of the Fleet Reserve Association, of New York City, N. Y., protesting against any attempt to reduce the wages or salaries of Government employees and military retainers, which was referred to the Committee on Expenditures in the Executive Departments.

He also presented resolutions adopted by the Presbyterian Missionary Society, the Ladies' Aid, and Woman's Missionary Society, Addison Grange, No. 854, the Woman's Christian Temperance Union, and the Ladies' Aid Society of the Baptist Church, all of Addison, N. Y., protesting against the proposed resubmission of the eighteenth amendment of the Constitution to be ratified by State conventions or legislatures, and favoring the making of adequate appropriations for law enforcement and for education in law observance, which were referred to the Committee on the Judiciary.

He also presented a resolution adopted by the Rockland County Peace Association, of Nyack, N. Y., urging the United States Government to go as far in disarmament proposals as any other government at the Geneva conference and to press steadfastly for drastic reductions and not mere limitations of armaments at existing levels, which was referred to the Committee on Foreign Relations.

He also presented a resolution adopted by the Rockland County Peace Association, of Nyack, N. Y., urging the Government of the United States promptly to take measures for the preservation of peace in the Far East, which was referred to the Committee on Foreign Relations.

Mr. COPELAND presented resolutions adopted by the Fleet Reserve Association, Branch No. 26, of New York City, remonstrating against the enactment of legislation to reduce the enlisted personnel of the Navy and Marine Corps and salaries and wages of Government employees, which were referred to the Committee on Expenditures in the Executive Departments.

He also presented a resolution adopted by the Stars and Stripes Council, No. 32, Sons and Daughters of Liberty, of Islip, N. Y., praying for the enactment of legislation to provide for the exclusion and expulsion of alien communists, which was referred to the Committee on Immigration.

He also presented resolutions adopted by Groups 347 and 2624, of Niagara Falls, and Group 254, of Oswego, of the Polish National Alliance, in the State of New York, praying the enactment of legislation providing that October 11 in

each year be proclaimed General Pulaski's memorial day, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of the State of New York praying for the enactment of legislation to exclude aliens in the count of population for the apportionment of representatives in Congress, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of New York City, N. Y., remonstrating against the passage of legislation providing for the closing of barber shops on Sunday in the District of Columbia, or other restrictive religious measures, which were referred to the Committee on the District of Columbia.

He also presented a resolution adopted by the Rotary Club of Pleasantville, N. Y., favoring the prompt ratification of the World Court protocols, which was referred to the Committee on Foreign Relations.

He also presented a letter in the nature of a petition from Frank F. Williams, Esq., of Buffalo, N. Y., and also petitions of sundry citizens of Buffalo, N. Y., praying for the prompt ratification of the World Court protocols, which were referred to the Committee on Foreign Relations.

He also presented memorials and papers in the nature of memorials of sundry citizens and organizations in the State of New York remonstrating against the proposed resubmission of the eighteenth amendment of the Constitution to be ratified by State conventions or legislatures and favoring the making of adequate appropriations for law enforcement and for education in law observance, which were referred to the Committee on the Judiciary.

Mr. SMITH presented the following concurrent resolution of the Legislature of South Carolina, which was referred to the Committee on Finance:

A concurrent resolution relating to a preferential excise tax on tobacco products manufactured from tobacco purchased from the farmers of South Carolina

Whereas the Secretary of the Treasury has recommended a material increase in the excise taxes on manufactured tobacco products and hearings on these recommendations are now being conducted by the Ways and Means Committee of the House of Representatives; and

Whereas even the present excise taxes on tobacco products are considerably higher than the price paid for tobacco as it leaves the farm, as illustrated by the facts that the present tax on manufactured tobacco (in which form 70 per cent of the entire South Carolina tobacco crop is consumed) is 18 cents per pound, equivalent to 10.8 cents on the unmanufactured tobacco as it leaves the farm, while the average price realized by the farmers of South Carolina in the last 10 years has been 9 cents per pound; and

Whereas an increase in the excise taxes will render this disparity even greater and will very probably operate to further reduce the return to the grower, it being proposed to increase the excise tax on manufactured tobacco to 21 cents, which is equivalent to 12.6 cents on the raw material as it leaves the farm, while the price realized by the tobacco growers of this State on their 1931 crop is less than 7 cents per pound, making the proposed tax 180 per cent of the return received by the grower; and

Whereas both the Federal and State Governments are committed to the policy of aiding the farmers to the end that farmers may secure a better price for their products; and

Whereas this policy can best be given practical application as far as to the tobacco growers are concerned through a provision in the Federal excise tax laws allowing a reduction equivalent to 4 cents per pound on the unmanufactured tobacco in the tax payable on tobacco products manufactured from tobacco purchased from the farmers; and

Whereas this is a practical measure of farm relief for a large group of farmers in this country who are in a very serious situation: Therefore be it

Resolved by the house of representatives (the senate concurring), That the Legislature of South Carolina hereby respectfully memorializes the Congress of the United States not to increase the excise tax on manufactured tobacco unless this is absolutely necessary in balancing the Federal Budget, and in any event to allow a reduction equivalent to 4 cents per pound on the unmanufactured tobacco in the excise taxes payable on all tobacco products manufactured from tobacco purchased from or through the farmers of America; be it further

Resolved, That properly attested copies of this resolution be transmitted to both Houses of Congress of the United States, to the Ways and Means Committee of the House of Representatives, the Finance Committee of the United States Senate, the Committee on Agriculture of the House of Representatives, the Federal Farm Board, and to each of the United States Senators from South Carolina and each South Carolina Member of the House of Representatives.

IN THE HOUSE OF REPRESENTATIVES,
Columbia, S. C., February 17, 1932.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the house of representatives and concurred in by the senate.

[SEAL.]

J. WILSON GIBBES,
Clerk of the House.

THE PHILIPPINE QUESTION

Mr. HAWES. Mr. President, an attempt is being made to create an impression among American citizens that Mohammedan Filipinos and pagan Filipinos, who represent only about 9 per cent of the population, are opposed to independence.

This is not correct. I personally received petitions, delegations, and memorials from both pagans and Mohammedans asking for independence. It is my opinion that they would rather be ruled by Malays than by Americans.

I ask to have inserted in the RECORD and referred to the Committee on Territories and Insular Affairs a letter from an Igorrote, a college student of the United States, and now a successful practitioner of medicine. He lives at Baguio, in the heart of the Igorrote Province. The letter is so intelligently expressed that I believe it will be a valuable contribution in answering the specialized propaganda that all Mohammedan and pagan Malays prefer American to Christian Filipino rule.

There being no objection, the letter was referred to the Committee on Territories and Insular Affairs and ordered to be printed in the RECORD, as follows:

BAGUIO, P. I., July 20, 1931.

The Hon. Senator HARRY B. HAWES,
Manila, P. I.

MY DEAR SENATOR: I have no doubt you will be glad to hear from a pagan. I am one of those 500,000 non-Christians who are misrepresented by selfish interests as indifferent or against Philippine independence. I am doubly glad to see a United States Senator intensely interested to find out the truth on our demand for immediate independence. I was among the crowd who gave you a rousing welcome at the city hall, Baguio, a few days ago. You spoke to us of the minority pagans and Moros, numbering about 500,000, as compared with the 13,000,000 Christian Filipinos who are undoubtedly solid for immediate freedom. But the American people should not be misled by selfish propaganda of some Americans that these 500,000 Moros and pagans are all against the freedom of their country. Nothing is so far from the truth than such representation by imperialists. There are many thousands of these pagans like myself who are just as zealous for freedom as any of their brother Christian Filipinos. Their desire for freedom is pure, instinctive, and unpolluted. Way back in 1907, when I was just a boy of 15 years and attending the public schools, my desire for freedom was just as strong as it is to-day, in spite of the fact that all of my teachers were Americans, all against independence, and preaching that to be under the American flag is a blessing for the Filipinos.

My parents, relatives, and family are all pure Igorotes, numbering about 100, and among those called head-hunters. They are not highly educated, but they are all strong for independence, and nothing will satisfy them short of independence.

I went to your country way back in 1913 and stayed there six solid years at my own expense and worked to get my education. During that time I obtained two degrees, one in science and another in medicine. I obtained these degrees from your famous great university, the University of Chicago, and from your famous college of medicine, the Rush Medical College, in Chicago, respectively. There are many others who are as highly educated as myself, and you can see from their records that the pagans and Moros are not as far behind as they are painted to the American public by selfish interests.

True enough, there are a few of these 500,000 Moros and pagans who are very ignorant and primitive and indifferent to what broad independence means, but still in their own communities and towns they love to be left alone, free and undisturbed by foreign civilization and government. They want to govern themselves and be let alone without interference from outside. Furthermore, Mr. Senator, can we point out any country to-day which is 100 per cent perfect, without a single ignorant citizen? If the United States were still under England, could we not find American ignorant citizens indifferent to freedom? My point is this: That in any country in the world to-day we will find a good many ignorant citizens, who are in the minority. This minority is well taken care of by the majority, who runs the government. In the same way, there is no reason why an independent Filipino government can not take care of the 500,000 Moros and pagans who are misrepresented in the States as against freedom and as neglected. There is no doubt in my mind that a Filipino government will give more attention and a better government to her own people than a foreign government. That Filipino government may be poor and accompanied by bad times in the beginning, but in the final the people will be very happy. That is very natural to me and, I think, is a safe conclusion.

Ever since the beginning of American administration in the Philippines the so-called non-Christians have always been con-

trolled and administered directly by American officials, who, as you know, preach retention to the Moros and pagans. In spite of that there are thousands of them with their Christian brothers in our demand for immediate independence.

In conclusion I must say here that I admire your country and your good Government, and we non-Christians are very thankful for what your country has done for us in particular, and for the Filipino people in general, and for all these the Filipinos no doubt are grateful. We will always regard the United States of America as our father and benefactor. But it is very natural and an instinct for any people with self-respect and national pride to ask for their own government, for which they are ready. We Filipinos are ready and united to embark in complete self-government. We have faith in the American people that the promise of Philippine independence embodied in the Jones law will be fulfilled, the sooner the better. We may find difficulties and hard times in the beginning, but we know they are the price of liberty and we know that we will finally be happy with our own country and government.

I will be glad to answer any questions not clear to you about the 500,000 Moros and pagans, who, as you know, are made much an argument against Philippine independence by enemies of Philippine freedom.

Yours very truly,

Dr. J. M. CARIÑO.

BIMETALLIC SYSTEM OF CURRENCY—GOVERNOR MURRAY'S VIEWS

Mr. WHEELER. Mr. President, I ask permission to have inserted in the RECORD, and appropriately referred, a letter written by Governor Murray, of Oklahoma, indorsing my bill (S. 2487) providing for the establishment of a bimetallic system of currency. I ask that the letter may be referred to the Committee on Finance and printed in the RECORD.

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

STATE OF OKLAHOMA, EXECUTIVE CHAMBER,
Oklahoma City, February 11, 1932.

HON. BURTON K. WHEELER,
United States Senator, Senate Office Building,
Washington, D. C.

DEAR SIR: I have your letter of February 2, with inclosures. Your speech in the CONGRESSIONAL RECORD and Senate bill No. 2487, by WHEELER, "A bill to establish a bimetallic system of currency," etc., and requesting my comment upon the said bill. In reply, I find no need of material change in the bill, and should like to see it become a law.

Complying with your request, notwithstanding I am completely engrossed in the affairs of the State just now, I shall nevertheless undertake to discuss the question of bimetallicism and currency, without duplicating your rather complete discussion of the question in the speech you sent me.

"Money" is defined as the "medium of exchange"—the exchange of values. It should represent something of value that becomes at once the exchange value between it and other values. By the same token all bank notes or bills of credit, which may be termed currency, should likewise represent value; but, since 1875, such notes have represented debt. In the case of the banking law, repealed by the regional reserve system, they were based on public debt; under the regional reserve on private debt limited to commercial paper, and therefore does not represent value at all.

Now, there can be no dispute about both gold and silver representing values—both are precious metals of great demand in all the world in different industries, even without reference to value as money. Since under a sound, safe system of currency, or bills of credit, or bank notes, or by whatever name you wish to call it, they should represent a limited proportion of the value of some product, plus a reserve of actual money, and since there is not a sufficient amount of gold in the world to do this, without a diminution of the amount of money in circulation, it would seem essential that silver should be added, as was intended by the Constitution of the United States.

According to my thinking, the Government should coin a sufficient amount of money, gold and silver, to take care of the normal business of the country, and, in addition, a sufficient per cent to become the basis for "token" money through bank currency or notes. The world will suffer until that is done, and it seems that England realizes it, but we do not. This position is the position of all who believe in sound currency and a sufficient circulating medium.

I will admit, however, that at this time additional coinage of money is not so important as breaking the chains that bind credits, for whatever be the amount of money coined, if it be controlled by one group it would be immaterial whether there were much or little, the effect upon commerce and production in particular would be the same; however, my viewpoint, both the breaking of the chains that bind credit and the increase of "coinage" should go hand in hand and together as necessary to the rehabilitation of the producers of the country. At this time, also, there is a greater demand for "coinage" of silver or bimetallic than when it was the great issue in 1896, for if England adopts bimetallicism or accepts silver to a large extent, beyond doubt the other countries of Europe, except perhaps France, will follow, as will Latin America, and then England would get the

lion's share of trade, and America, as you have pointed out in your speech, would suffer in the markets of the world.

Sooner or later, whether we will or not, we shall be obliged to adopt bimetallicism, or to coin much more silver than we are now doing, or lose that foreign trade so necessary just now to keep American labor employed. It is unnecessary for me to say to you that when labor is employed labor is satisfied, but when not employed they, like other people, may arrive at erroneous conclusions and seek vain and foolish things in the hope of finding a cure for the economic difficulties to the future safety of society and government as we now know it.

For lack of time, I beg you to pardon this communication, and to accept my sincere wishes that you may succeed in passing your bill, although I fear the forces who stand opposed will defeat you.

With salutations and best regards, believe me,

Ever yours sincerely,

WM. H. MURRAY, Governor.

PROPOSED TARIFF ON OIL

Mr. ROBINSON of Arkansas presented a petition relative to a proposed tariff on oil, which was referred to the Committee on Finance and ordered to be printed in the RECORD without the signatures after the first one, as follows:

A fair portion of the selling price of every barrel of oil that is produced in the United States by American oil producers is paid out by us in the form of county taxes, State production taxes, and Federal income taxes. Every piece of machinery we use and every truck we use in producing American oil is taxed—even the pipe lines and railroads that we use for transporting oil. We very gladly pay this tax in order to do our share toward supporting our Government—and we are mighty thankful for the privilege.

Foreign oils that are being shipped in from South America do not pay any of these taxes. American oil producers should not be penalized just because of the fact that we are Americans, employing American capital and American labor.

In all fairness, as long as foreign oil is not taxed, American producers should have an even chance, which would mean that to be fair we would be exempt from all county taxes, State production taxes, and Federal income taxes.

That, of course, is quite impossible, because our Government must function, and in order to do so it must have the necessary money to pay the costs, which means taxes.

We, the undersigned, favor the tariff on foreign oil and oil products.

H. E. McDONALD
(And others).

GUARANTY FOR BANK DEPOSITS

Mr. ROBINSON of Arkansas also presented a letter from West Hughes, relating to a national bank deposit guaranty, which was referred to the Committee on Banking and Currency and ordered to be printed in the RECORD, as follows:

LOS ANGELES, CALIF., February 5, 1932.

HON. JOE T. ROBINSON,
United States Senate, Washington, D. C.

DEAR SENATOR: In your favor of January 22, replying to my letter of the 11th advocating a guaranty for bank deposits, you state that you were once very favorably disposed to such a guaranty. It is rather odd that with me the case is reversed, for once I opposed such legislation, considering it Populistic and too much governmental interference with business.

By this morning's paper I see Hoover is urging people to stop hoarding, making the statement that \$1 brought out of hoarding will put 5 to 10 in circulation. Of course, the Reconstruction Finance Corporation will help; but it will not put an end to hoarding, and urging people to stop the practice will avail little; it may even have the opposite effect.

When you see banks all around you failing you can not blame people for withdrawing their money and putting it in a safe-deposit box. The only thing that will stop hoarding is some legislation that will make people feel sure that when they deposit money in a bank it can not possibly be lost.

Insurance companies will insure against loss from bank failures, and during the past two years they have lost quite a lot from that insurance. Now, I am not advocating the Government going into the insurance business, though I firmly believe that if there had been governmental insurance of bank deposits during the past two years the Government would now be the gainer. In the first place, there would not have been so many bank failures, for no bank would have failed on account of frightened depositors withdrawing their funds. In the second place, on account of improved business conditions, Government receipts would have been much larger. Of course, the Government should not stand the expense. It should be borne by the depositors or by the banks, or by both.

A guaranty fund, once established, would require very little subsequent additions, for in the great majority of cases the entire amount paid depositors would ultimately be returned to the fund.

The manner of establishing this guaranty fund is immaterial. Personally I think a small tax should be levied against the total bank deposits.

Objection urged against this is that it would not be right for a conservatively managed bank to be taxed to pay the losses of

banks not properly conducted. There is something to that objection; but, in the long run, the conservative banks would gain a great deal more than the amount of the tax. On account of the confidence of the public, absence of hoarding, and business stability, the business of the banks would be much more profitable.

The claim is also made that if depositors were guaranteed against loss, bank managers would be much more careless and the banks would lose largely through speculative undertakings. That certainly could be prevented by proper legislation and by frequent and thorough examinations.

With a proper guaranty fund handled by the Federal reserve, after any bank failure from any cause whatsoever, all depositors could be paid in full within 30 days. Now this would certainly remove fear, restore confidence, and stop hoarding.

It would also be of great benefit in that it would force all banks to be nationalized and thus unify our banking system.

Of course any legislation of this character must have the indorsement of Senator GLASS. There is a man for whom I have the greatest admiration. You will no doubt discuss financial legislation with him. Please give him my kindest regards. Tell him that I am not a Populist, not a wild advocate of Government ownership, but an individualist. I feel somewhat closer to all Virginians, from the fact that I received the degree of M. A. from the University of Virginia.

I was once very much opposed to any kind of a guaranty on bank deposits, but under present conditions I believe it is absolutely the only remedy that will stop hoarding, and that any drawbacks to such legislation would be very much outweighed by the benefits it would confer.

The Federal reserve act was largely the work of Senator GLASS and it is the most constructive piece of financial legislation ever adopted by Congress. Of equal importance would be some sort of legislation which would call from hiding more than a billion dollars now removed from circulation. In my opinion, nothing can do this short of an absolute guaranty that when a man puts his money in a national bank he can not possibly lose it.

If I am intruding too much on your time, please forgive me.

Yours very truly,

WEST HUGHES.

PETITION OF CITIZENS OF CALHOUN COUNTY, FLA.

Mr. FLETCHER presented a petition of a committee of citizens of Calhoun County, Fla., which, with the accompanying editorial, was ordered to lie on the table and to be printed in the RECORD without the signatures after the first one, as follows:

HON. DUNCAN U. FLETCHER,

Washington, D. C.

DEAR SIR: We, a committee of citizens of Calhoun County, Fla., composed of farmers, business men, and laborers, petition your honor that you read the editorial inclosed hereto, as this speaks our full sentiment.

We need relief; we must have it, as we have come to the forks of the road.

E. L. BRANCH, Chairman.

THE WORLD'S NEWS—A MONTHLY REVIEW—WILL CONGRESS STABILIZE POVERTY OR STABILIZE PROSPERITY?

By Clarence Poe, president the Progressive Farmer-Ruralist Co.

We have come to the forks of the road in America. The Seventy-second Congress will decide which way we are to go.

We shall stabilize poverty.

Or else we shall stabilize prosperity.

It is for Congress to decide.

As a writer in the Atlantic Monthly puts it:

"The more economic theory I read, the more confused I get. Why are so many millions in want? Because we have produced so much. Why must they wear shabby clothes? Because we have too much cotton, too much wool, too many mills, and too many mill hands who want to make cloth. Why must millions live in slums—foul breeding places of disease and crime? Because we have too much lumber, too much steel, too many carpenters, too many plumbers. Why can't we transport surplus products to the places where they are needed? Because we have too many freight cars, too many railroad workers, too many trucks, too many—

"But this doesn't make sense * * *. There are only two cures for general overproduction, one is to reduce production and stabilize poverty; the other is to increase consumption and stabilize prosperity."

That is the issue before Congress—to decide whether we shall throw away a whole century's proud gains of science and invention and discovery and education, scrap half our factories and mills, scrap half our freight cars and trucks and engines, throw half our workers into unemployment—all because society hasn't enough intelligence to utilize the wealth-producing factors already discovered, already set up, all ready to work. It is an amazing situation—an amazing suggestion.

STABILIZING POVERTY OR PROSPERITY

About the most absurd figure in America to-day is some alleged statistician presenting charts of the deflation that followed the Napoleonic wars—in days before a locomotive was ever invented, a telegraph ever dreamed of, hydroelectric power even conceived, a modern factory ever built, or a modern technician ever trained—and arguing that because a long period of near starvation fol-

lowed Napoleon's wars, we must suffer similar privation now in post-World War days, when science has remade the world, studded the continent with factories, harnessed the rivers, bound all sections together with railroad and telegraph, automobile and airplane, and given the keys of science and education to high and low alike. On this point read Dr. Glenn Frank in our "Thought for To-day."

Unquestionably Doctor Frank has correctly defined the issue that confronts those who sit in the seats of the mighty at Washington. They may grasp a historic opportunity and say with Rupert Brooke—

"Now God be thanked who has matched us with this hour!"

Or they may turn back the hands on the clock of human progress and take "the coward's policy of social retreat" which may engulf the whole world in Bolshevism—or worse. As President Daniel Willard, of the Baltimore & Ohio Railway, said March 27:

"A system—call it what you will—under which it is possible for five or six millions of willing and able-bodied men to be out of work and unable to secure work for months at a time, and with no other source of income, can not be said to be perfect or even satisfactory. * * * A second problem is bound up closely with the first: The United States is perhaps the richest country in the world in natural and humanistic resources. * * * We have a productive capacity in our mills and factories far beyond our own domestic requirements. At the same time, with all this surplus of wealth and resources, we have millions, so it is said, in dire need of food and clothing. In short, more of everything to eat and wear than we can possibly use—and millions of human beings hungry and cold! These two problems together—unemployment and the distribution of resources—bring into question the very foundations of our political and economic system."

THE ACID TEST FOR EVERY CANDIDATE

That a man should be thrifty, should save something, should never live beyond his income—this is, of course, obvious. But the suggested lowering of general living standards, the proposal for an "international starvation race," the suggestion that with the factories and inventions of 1932 we must live as men lived in 1832 or 1732, such proposals are both unthinkable and unjustifiable. As long ago as 1889 Dr. Richard T. Ely presented the claim that "in the civilized nations of the earth the recent inventions and discoveries—especially the application of steam to industry—can do twelve times as much physical work as all the men living in these nations * * * as if 12 slaves were working for every man, or 60 for every family." Would it be too much to say that in the 40 years since Doctor Ely wrote this the potential wealth-producing power of the world's mills and factories and farms has again been doubled; that it is as if 120 slaves were waiting to serve every family if our productive potentialities were only utilized?

Men laugh bitterly to-day at those deflation economists who proclaimed a "new economic era" of plenty, but they were right so far as economic possibilities were concerned. What we have not developed is a new era in statesmanship to make these new economic possibilities a reality. We can create wealth in plenty. It only remains for society, through government, to provide for an equitable distribution which will provide customers for a busy industry. And the people of America in 1932 should support no political party and no candidate for President of the Nation or governor of any State, for Senator or Representative in Congress, or for senator or representative in any State legislature unless the man or party does two things:

1. Unless he or it admits that there is at present a grossly unfair distribution of wealth in America; and
2. Unless he or it proposes an intelligent program for remedying this fundamentally unfair situation.

At one point we can begin now—must begin now if America is not to be plunged into profounder depths of poverty and danger. When a debt is contracted and the dollars loaned represent 10 bales of cotton or 100 bushels of wheat, and the governments and financial systems of the earth make it so that the creditor collects dollars that represent 30 bales of cotton or 3,000 bushels of wheat (and in similar proportions as regards all other commodities)—when this happens the debtor is bound to feel that a crime has been committed against him. He has been robbed not only in the name of the law but with the help of law, which is supposed to protect him from robbery. His respect for government is shocked. And at the same time prosperity is checked.

Nothing Congress can do to promote prosperity is more important than stabilizing the value of the dollar at average levels of the decade 1920-1930, so that the farmers of America (and all other citizens) can pay their debts with money of the same value as that prevailing when the debts were created. It is not merely the burden of debt but the excess and extra burden of debt which has been added through the unjust increase in the value of money—it is this which is making any economic recovery impossible. If the people could only pay debts on the basis of commodity values prevailing when the debts were made, they would not only pull through but the mere prospect of this result would give a new confidence that would itself go far toward restoring prosperity. The American Farm Bureau, the Grange, and the National Farmers' Union are all united in this demand for stabilizing the value of the dollar on the 1926 level, which is practically the average level of 1920-1930. There are several ways whereby this may be accomplished. As Samuel Crowther wrote in the Saturday Evening Post of December 5:

"Prices can be kept at a reasonably steady level—a level of sound prosperity. The Macmillan commission, made up of the

foremost British financial experts, agrees that this can be done. The foremost economists likewise agree. More than that, it was actually done in 1921 and ended that depression. * * * The Federal reserve banks have the inherent power to control the price level. They have hesitated to assume the great responsibility."

It would seem obvious that Congress should at once compel the Federal reserve system to abandon its hesitation and assume a task it was created to perform. International action to deal with the silver problem also seems a necessity. And in the long run, as Dr. Irving Fisher so ably advocates, the value of the dollar itself must be based on the standard purchasing power of a dollar throughout the decade 1920-1930, or on some other basis which will prevent "the changes in the level of prices which is the main secret of social trouble," as the Macmillan commission itself declared.

REPORTS OF COMMITTEES

Mr. HOWELL, from the Committee on Claims, to which was referred the bill (S. 3538) for the relief of Nellie McMullen, reported it without amendment and submitted a report (No. 273) thereon.

Mr. REED, from the Committee on Military Affairs, to which was referred the bill (S. 2426) to authorize the Secretary of War to permit the use of a portion of a National Guard target range near Phoenix, Ariz., as a burial lot, reported it with amendments and submitted a report (No. 274) thereon.

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

H. R. 8163. An act granting the consent of Congress to the State of Illinois to construct, maintain, and operate a free highway bridge across the Pecatonica River at Harrison, in Winnebago County, State of Illinois (Rept. No. 275);

H. R. 8171. An act granting the consent of Congress to the State of Illinois to construct, maintain, and operate a free highway bridge across the Kankakee River at Momence, in Kankakee County, State of Illinois (Rept. No. 276);

H. R. 8238. An act to extend the times for commencing and completing the construction of a free highway bridge across the Fox River at Algonquin, in McHenry County, State of Illinois (Rept. No. 277);

H. R. 8324. An act granting the consent of Congress to the State of Illinois to construct, maintain, and operate a free highway bridge across Rock River at Byron, in Ogle County, State of Illinois (Rept. No. 278); and

H. R. 8327. An act granting the consent of Congress to the State of Illinois to construct, maintain, and operate a free highway bridge across Rock River at Oregon, in Ogle County, State of Illinois (Rept. No. 279).

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

Mr. BLACK, from the Committee on the Judiciary, reported favorably the nomination of Douglas Smith, of Alabama, to be United States marshal, middle district of Alabama, which was placed on the Executive Calendar.

Mr. ROBINSON of Indiana, from the Committee on the Judiciary, reported favorably the nomination of Benjamin Nathan Cardozo, of New York, to be an Associate Justice of the Supreme Court of the United States.

Mr. STEPHENS, from the Committee on the Judiciary, reported favorably the nomination of John R. McCrary, of North Carolina, to be United States attorney, middle district of North Carolina, which was placed on the Executive Calendar.

Mr. ODDIE, from the Committee on Post Offices and Post Roads, reported favorably sundry nominations of postmasters, which were placed on the Executive Calendar.

BILLS AND JOINT RESOLUTION INTRODUCED

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

By Mr. JONES:

A bill (S. 3752) granting a pension to Frederick E. Ruffner (with accompanying papers); to the Committee on Pensions.

(By request.) A bill (S. 3753) to create and establish a national United States educational peace commission to promote peace by means of education; to the Committee on Education and Labor.

By Mr. HALE:

A bill (S. 3754) granting an increase of pension to Frances V. Morrill (with accompanying papers); to the Committee on Pensions.

By Mr. REED:

A bill (S. 3755) granting an increase of pension to Carrie E. Stanwood (with accompanying papers); to the Committee on Pensions.

By Mr. HOWELL:

A bill (S. 3756) for the relief of John C. P. de Kraft; to the Committee on Civil Service.

A bill (S. 3757) for the relief of the First National Bank of Walthill, Thurston County, State of Nebraska; to the Committee on Claims.

A bill (S. 3758) granting a pension to Edward P. Dorner; to the Committee on Pensions.

By Mr. NORBECK:

A bill (S. 3759) providing for the construction and equipment of a hospital at Wagner, S. Dak.; to the Committee on Indian Affairs.

By Mr. McKELLAR:

A bill (S. 3760) granting a pension to Lydia R. Holt (with accompanying papers); to the Committee on Pensions.

By Mr. McGILL:

A bill (S. 3761) granting a pension to Beulah Ruth Stewart; to the Committee on Pensions.

By Mr. COPELAND:

A bill (S. 3762) granting a pension to George Goelz; and A bill (S. 3763) granting an increase of pension to Sarah J. Hamblin; to the Committee on Pensions.

By Mr. STEIWER:

A bill (S. 3764) for the relief of John Fisher; and A bill (S. 3765) to authorize the Secretary of War to lend War Department equipment for use at the Fourteenth National Convention of the American Legion at Portland, Oreg., during the month of September, 1932; to the Committee on Military Affairs.

By Mr. THOMAS of Oklahoma:

A bill (S. 3766) to amend subdivision (7) of section 202 of the World War veterans' act, 1924, as amended, in respect to persons suffering from tuberculosis; to the Committee on Finance.

A bill (S. 3767) granting an increase of pension to John E. Fitzgerald (with accompanying papers); to the Committee on Pensions.

By Mr. KING:

A bill (S. 3769) to amend the act entitled "An act making eligible for retirement, under certain conditions, officers and former officers of the Army, Navy, and Marine Corps of the United States, other than officers of the Regular Army, Navy, or Marine Corps, who incurred physical disability in line of duty while in the service of the United States during the World War"; to the Committee on Military Affairs.

By Mr. BLACK:

A bill (S. 3771) for the relief of St. Paul's Episcopal Church, Selma, Ala.; to the Committee on Claims.

A bill (S. 3772) to authorize an appropriation for levee construction and other flood-control works at Elba, Ala., on the Choctawhatchee River; and

A bill (S. 3773) to authorize an appropriation for levee construction and other flood-control works at Geneva, Ala., on the Choctawhatchee River; to the Committee on Commerce.

By Mr. PATTERSON:

A bill (S. 3774) for the relief of Julius Wurzburger; to the Committee on Military Affairs.

By Mr. FRAZIER:

A bill (S. 3775) granting a pension to Nellie Gates; to the Committee on Pensions.

By Mr. SHEPPARD:

A bill (S. 3776) for the relief of Margaret A. Douglas; to the Committee on Finance.

By Mr. GLENN:

A bill (S. 3777) for the relief of John Brown; and

A bill (S. 3778) for the relief of Harold J. Fishbein; to the Committee on Claims.

A bill (S. 3779) granting a pension to Margaret Albritton (with accompanying papers); and

A bill (S. 3780) granting a pension to Mary E. Ghormley (with accompanying papers); to the Committee on Pensions.

By Mr. NORBECK and Mr. BULOW:

A joint resolution (S. J. Res. 110) authorizing the distribution of Government-owned wheat to the American National Red Cross and other organizations for relief of distress; to the Committee on Agriculture and Forestry.

THE POSTAL SAVINGS SYSTEM

Mr. DILL introduced a bill (S. 3768) to amend the act approved June 25, 1910, authorizing the Postal Savings System, and for other purposes, which was read twice by its title, referred to the Committee on Post Offices and Post Roads, and ordered to be printed in the RECORD, as follows:

An act (S. 3768) to amend the act approved June 25, 1910, authorizing the Postal Savings System, and for other purposes

Be it enacted, etc., That that part of the act approved June 25, 1910, authorizing a system of postal savings depositories as is hereby affected, shall be amended by adding the following new sections:

"SECTION 1. That for a period of three years after the passage of this act all postal savings banks, in addition to deposits provided for by the act of June 25, 1910, shall carry also a deposit and checking-fund account not to exceed \$5,000, and any person authorized to make deposits in postal savings banks shall be authorized to make deposits in the deposit and checking-fund account. The Postmaster General shall supply all necessary forms of blank checks, deposit slips, and other business forms for use of depositors, and shall furnish monthly statements of accounts to depositors.

"SEC. 2. The Postmaster General shall appoint such additional clerks as may be necessary to handle said deposit and checking accounts under bonds, the amount of said bonds to be fixed by the Postmaster General for each particular postal savings bank where said deposit and checking-fund accounts are kept.

"SEC. 3. Any depositor with a deposit and checking account shall be entitled to draw funds on demand, but the Postmaster General is hereby authorized to declare an emergency for any postal savings bank at any time he may decide, and during the period of said emergency the depositor may be required by the cashier of said postal savings bank to give 10 days' notice for payment of any part of his existing deposit in excess of 50 per cent of the same.

"SEC. 4. The Postmaster General shall invest the funds of the deposit and checking division of the postal savings bank in direct Government obligations of the United States as he may decide is most advantageous to the system, and shall keep on hand a cash reserve of at least 20 per cent of the total deposits of any postal savings bank.

"SEC. 5. The Postmaster General is authorized to create a special deposit and checking fund and keep such parts of said fund as he may deem advisable on deposit in each of the Federal reserve banks located in the respective Federal reserve districts. Said district deposits shall be credited to the postal deposit and checking fund by said Federal reserve banks and the Postmaster General shall credit each postal savings bank with the amount of deposits in said fund to which each bank is entitled.

"The Postmaster General is hereby authorized to make application to any local agent of the Federal Reserve Board for such amount of Federal reserve notes as he may require to maintain in said fund necessary cash reserves or funds to meet withdrawal demands from the deposit and checking account of any postal savings bank. Such application shall be accompanied by the tender of direct obligations of the United States as collateral in amount equal to the sum of the Federal reserve notes thus applied for.

"The Federal Reserve Board is hereby authorized to issue Federal reserve notes to the Postmaster General based on direct obligations of the United States as collateral on the same terms as provided for local member banks of the Federal Reserve Board."

CHANGE OF REFERENCE

On motion of Mr. REED, the Committee on Military Affairs was discharged from the further consideration of the bill (S. 3318) for the relief of James E. Smith, and it was referred to the Committee on Naval Affairs.

APPROPRIATIONS FOR THE DEPARTMENTS OF STATE AND JUSTICE—AMENDMENTS

Mr. JONES submitted an amendment intended to be proposed by him to the bill (H. R. 9349) making appropriations for the Departments of State and Justice and for the Judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1933, and for other purposes, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 61, line 10, in the paragraph relating to air-navigation facilities, strike out "\$7,553,500" and insert in lieu thereof "\$8,053,000."

Mr. McNARY submitted an amendment intended to be proposed by him to the bill (H. R. 9349) making appropriations for the Departments of State and Justice and for the Judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1933, and for other purposes, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 95, line 8, insert the following: (Under the heading "Bureau of Fisheries" insert at the end of the paragraph on "Propagation of food fishes" the following—) "\$1,000 for opening of outlets to the Pacific Ocean of the Siltcoos and Takenitch Lakes in Douglas and Lane Counties, Oreg., by dredging, diking, or otherwise, with a view to the improvement of such lakes for fishing purposes."

On page 95, line 8, change the amount of \$986,730 at the end of the paragraph on "Propagation of food fishes" to read "\$987,730."

CERTIFICATES OF CONVENIENCE AND NECESSITY FOR AIRCRAFT CARRIERS

Mr. BRATTON. Mr. President, I ask permission to have inserted in the RECORD an article written by Howard C. Knotts, aviation supervisor for the Illinois Commerce Commission, entitled "Certificates of Convenience and Necessity for Aircraft Carriers," which was published in the January issue of the Journal of Air Law.

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

CERTIFICATES OF CONVENIENCE AND NECESSITY FOR AIRCRAFT CARRIERS¹

By Howard C. Knotts, aviation supervisor Illinois Commerce Commission

The regulation by State public-utilities commissions of aircraft engaged in the business of transporting persons and property is yet so novel that any deductions I may draw must necessarily be broad, and the facts must be largely taken from my own experience in Illinois. Indeed, it may be that many of you have never heard of certificates of convenience and necessity for aircraft carriers. They are no different from such certificates for other common carriers; that is, they are grants to operate between two or more points and must be supported by adequate service, operating ability, and financial responsibility. They are not monopolistic, but in Illinois the old carrier in the field, if responsible, is given first chance to supply any new or increased service required by public convenience and necessity.

In the whole United States but nine States have issued certificates of convenience and necessity to aircraft carriers. These are but 69 in number, and two-thirds of them have been issued in one State, namely, Pennsylvania. The others—Arizona, Colorado, Illinois, Maryland, Nevada, New Mexico, North Dakota, and Wyoming—have issued the remainder. Few of such applications have been refused, and Arizona occupies the unique position of having refused more than she has granted. North Dakota issued one without a hearing. At least one certificate has been granted (by Colorado) where there were no intrastate terminals, and the operation appears to have been entirely interstate. The application was voluntarily made by the aircraft carrier, and the Colorado Public Utilities Commission took the position that it was compelled to grant the certificate. No reason is assigned why it did not simply refuse to take jurisdiction and dismiss the application. (P. U. R. 1928E, 518.)

For part of the foregoing compilation I am greatly indebted to the Air Law Institute of Northwestern University, which has sent a searching questionnaire on this subject to each of the State public-utilities commissions. All of us can look forward with interest to the result of this comprehensive investigation, which is now scheduled to appear in the April, 1932, issue of the Journal of Air Law.

The amazing thing is that not more than a dozen orders concerning aircraft-carrier regulation have found their way into print. This includes not only the published Public Utility Reports but also such special aeronautical-law services as are furnished by United States Aviation Reports and the Aviation Law Service of the Commerce Clearing House. It is little wonder that each commission is groping around for the benefit of the other fellow's experience. Those of us who are engaged in this work are in no small measure to blame for this situation.

Even the articles in legal publications are not many on the subject under discussion. Furthermore they are in most instances too meager to be very helpful. However, I can refer you to three I have found useful: The prophetic one in the January, 1930, issue of the Journal of Air Law entitled "The Certificate of Convenience and Necessity Applied to Air Transportation," "Aircraft as Common Carriers," in the April, 1930, issue of the same publi-

¹ Paper presented at the first annual convention of the National Association of State Aviation Officials, at East St. Louis Dec. 3, 1931.

cation, and Part II of State Regulation of Aircraft in the January, 1930, issue of the Air Law Review.

The lack of activity in this branch of regulatory law appears to be due to three things: First and foremost, the lack of proper State legislation to give jurisdiction; secondly, the desire of commissions to proceed with proper caution in this new form of regulation; and, third, the mass of operation problems taking the time and efforts of air-transportation companies to the exclusion of other things, or else the reluctance of such companies to be involved in regulation before they are compelled to act.

Failure to have jurisdiction due to the lack of a proper law can only be remedied by the legislative branch in each State. Where such a condition exists the legislature should use great care in amending its public utility act, but each legislature should so act at its next session if air commerce is developing in that particular State or shows any possibility of so doing.

That each commission now having authority to take jurisdiction should proceed with caution is commendable, but in some instances the complete assurance of being absolutely right before acting in the field of air commerce will have to be sacrificed to insure the public safety and good transportation facilities in this pioneering project. It is also the duty of each commission not only to protect the public but also to protect the property and investments of regular aircraft carriers from unfair and destructive competition by irregular operators. In the motor-carrier field this has been held to be a duty imposed by law, and no doubt the same holding will prevail for the aircraft carrier.

Air-transportation companies have had many problems to solve, first as to operation, and second as to finances, especially with the falling off in aeronautical investments. However, such companies have for the most part appeared not to give adequate attention to the legal side of their problems and some have had legal advice that has steered them away from being common carriers as long as possible. This latter attitude has been carried so far that some of these companies have made themselves ridiculous in the numerous provisions recited in their long and formidable looking tickets and also in their advertising in which they have insisted upon the fiction that they are private carriers, and at the same time have held themselves forth in every other way so as to be in law common carriers. This, of course, can not last much longer, because these companies either will obtain different legal advice or else have the knowledge jammed down their throats by unfavorable court decisions resulting in the payment of large sums of money for damages to persons and property where the courts have swept aside the verbose ticket provisions as against public policy and have held these air-transportation companies to the responsibility of common carriers. Such a decision might have a serious effect upon the insurance carried by the aircraft company.

If an air-transportation company is in fact a common carrier it should be willing to accept such responsibility; and in so doing it will obtain the advantages of such a legal status if a certificate of convenience and necessity is obtained. And it is no small advantage to have a well-established business protected from the inroads of competition by irregular operators, to say nothing of the increased marketability of the stock of a corporation so protected.

The last General Assembly in Illinois passed an act creating the Illinois Aeronautics Commission, delegating to it the duties of seeing that all aircraft and all airmen have appropriate Federal licenses, that air beacons, air schools, airports, and air-navigation facilities have State licenses, and the promulgation of rules and regulations. This supervision of aeronautics is specifically said "not to be in conflict with the authority of the Illinois Commerce Commission to supervise and regulate public utilities." In other words, the regulation of aircraft common carriers was left in the hands of the body that regulates all other public utilities, and such provision was necessary in order to avoid any controversy about the constitutionality of each act. Also, it is obvious that in order to properly protect aircraft carriers and their terminal the utilities body must do all the regulating in order to protect the safety of airports from high-tension lines, telephone wires, and the obstructions of other utilities already under the control of the utility commissions.

The Illinois Commerce Commission law, originally passed in 1913 and amended in 1921, contains no specific mention of aircraft or the transportation of persons and property via the air, but the following are excerpts from sections 8 and 10 of this act:

"8. The commission shall have general supervision of all public utilities, * * * shall inquire into the management of the business thereof, and shall keep itself informed as to the manner and method in which the business is conducted. It shall examine such public utilities and keep informed as to their general condition, their franchises, capitalization, rates, and other charges, and the manner in which their plants, equipment, and other property owned, leased, controlled, or operated are managed, conducted, and operated, not only with respect to the adequacy, security, and accommodation afforded by their service but also with respect to their compliance with the provisions of this act and any other law, with the orders of the commission and with the charter and franchise requirements."

"10. The term 'public utility,' when used in this act, means and includes every corporation, company, association, joint-stock company or association, firm, partnership or individual, their lessees, trustees, or receivers appointed by any court whatsoever * * * that now or hereafter:

"(a) May own, control, operate, or manage, within the State, directly or indirectly, for public use, any plant, equipment, or

property used or to be used for or in connection with the transportation of persons or property * * *

"(b) May own or control any franchise, license, permit, or right to engage in any such business.

"The term 'common carrier,' when used in this act, includes * * * every corporation, company, association, joint-stock company or association, firm, partnership, or individual, their lessees, trustees, or receivers appointed by any court whatsoever, owning, operating, or managing any such agency for public use, in the transportation of persons or property within the State."

It was and is the view of the Illinois Commerce Commission that the foregoing provisions gave jurisdiction over aircraft carriers. There is good authority for this in Illinois and elsewhere where other utilities not named in the act have been concerned. So far the carriers themselves have taken the same view. In addition, the Illinois act is very similar and sometimes identical with that of a number of other States. As the air-commerce business in Illinois began to expand beyond mere carriage of the mails and took on intrastate features the Illinois Commerce Commission began to study the problem. Seeking to use the deliberateness necessary in a new field and seeking to inform itself fully, it participated in most of the legal conferences concerning aircraft regulation and, in addition, it studied the methods of operation of companies flying in Illinois and in other States. Shortly after the first of this year it decided to take jurisdiction of these carriers under its act, and by a coincidence a new company about to start business in Illinois applied at that time for a certificate of convenience and necessity.

The situation was unusual, because the new company, Century Air Lines (Inc.), proposed to operate an entirely intrastate air line on a large business basis between Chicago and East St. Louis, two cities on the opposite borders of Illinois. Prior to this time it was rather loosely said that the only purely intrastate lines existed in California; and, of course, Century maintains its Illinois operation as part of an interstate system running from Chicago to terminals at Detroit, Cleveland, and Toledo. In any event Century proposed to start a new operation entirely within the borders of Illinois. It frankly said it wanted to be a common carrier, and offered a ticket about the size of the ordinary railroad ticket and with as little printed matter thereon; and it applied for a certificate of convenience and necessity to operate between the cities of Chicago and East St. Louis, heretofore mentioned, with stops at the intervening cities of Springfield, Bloomington, and Peoria.

This territory was at the time being served by a number of railroads and bus lines and by the Universal Division of what is now American Airways (Inc.). This existing air service carried the mail between Chicago, Ill., and St. Louis, Mo., and offered such intermediate passenger and express service at Springfield and Peoria as the two daily mail runs afforded. However, before any hearing was held Peoria dropped out of the picture due to lack of adequate airport facilities.

In a few weeks after Century Air Lines (Inc.) had filed its application, American Airways (Inc.) filed an application for a certificate of convenience and necessity to operate between Chicago, Peoria, Springfield, and to cross the Illinois-Missouri State line at a point just north of St. Louis, Mo. Upon the motion of the two air-transportation companies, the two cases were heard together, and each company stipulated that they would agree, in so far as such was permissible, that certificates should issue to each of them in accordance with their respective applications. At the hearings three railroads appeared, two having filed written protests, but as the cases progressed the railroads dropped out, one at a time, and finally all had formally withdrawn.

It is doubtful if the last railroad would have ceased to object, but it was sold before the cases were concluded, the new owner took immediate possession, and then formally withdrew the protest of its predecessor. This is most interesting, because the companies involved included two of our most important air-transportation corporations and four of our largest and best railroad systems. The receiver and former president of the last railroad to withdraw, a man with 50 years' railroad experience, testified in substance that there was no public convenience and necessity to be served, that his railroad had an investigation of 10 years' standing of the air-transportation business, and that the time was not yet ripe for it; but, on the other hand, he said freely that his investigation showed him that the air-commerce business was here to stay. Then he concluded with this significant thing, namely, that if a certificate was to be granted his road wanted the opportunity to establish the service and obtain the certificate for itself. It was rather contradictory, but the very earnest expression of a railroad man old in experience and trying to save what had once been one of the country's first and finest railroad lines.

On August 26, 1931, certificates of convenience and necessity were granted to Century Air Lines (Inc.) and American Airways (Inc.), respectively, and the public has, ever since the hearings were well under way, enjoyed the best of air service in Illinois. The only common-terminal points of these two lines are Chicago and Springfield. On June 25, 1931, National Air Transport (Inc.) filed its application for a certificate of convenience and necessity to operate an air line between Chicago and Moline, Ill., again involving an intrastate business between two cities on the opposite borders of Illinois. The applicant was and is furnishing the only common-carrier air service between the points mentioned, and at the hearings only one railroad appeared from among the number of other carriers serving the same territory. There were no objections to the application, and the certificate was granted

on October 7, 1931. Now approximately 5,000 miles are flown daily on 650 miles of airways by aircraft common carriers in Illinois with an average passenger load of 2,500 persons per month. The pilots are competent and old in experience, and the equipment used includes a variety of the safest and most luxurious known. The Illinois lines connect by air or by air-rail or air-bus with 47 States and with Canada and Mexico. The business of each carrier has shown a gradual increase, and each carrier, I believe, is pleased that it has come under public-utility regulation.

The position of the Illinois Commerce Commission is that air transportation is an art which renders an entirely different class of service from that rendered by other common carriers, and this was one of the bases upon which each of the three certificates heretofore mentioned was granted. Its position also is that the art will develop better under understanding and sympathetic regulation, and, too, the convenience and the safety of the public must be served by some regulation. It is the law in Illinois, as heretofore said, that certificates of convenience and necessity are not grants of monopoly, although the oldest operator in the field is given first chance to establish the new and additional service provided it can show the proper operating ability and adequate financial responsibility. And so certificates were granted to Century Airways (Inc.) and American Airways (Inc.) using routes partially the same, not only because the respective applicants agreed to this but also because the competition appeared to be healthy rather than ruinous.

Each of these various phases, sometimes one and sometimes another, other commissions have recited in their respective orders from time to time. In Colorado (P. U. R. 1930E, 308) to Pikes Peak Aircraft (Inc.) a certificate was granted and one denied to United States Airways (Inc.) between the same terminals, because the former company chose the safer route even though a bit slower. However, this very significant paragraph appears in the order:

"It is regrettable that at this early stage of development of airplane service in our State a certificate may not be issued to each of the applicants herein. But they both agreed at the hearing that there is not enough business between Grand Junction and Denver to warrant the operation of two lines between those cities."

The Nevada Public Service Commission (P. U. R. 1928D, 854) granted certificates to three applicant companies between the same points in that State, and at the same time protected a certificate previously granted to a fourth company, Boeing Air Transport (Inc.), by establishing "home ports" for all four and announcing the following priority rule with reference to each:

"Any operator shall have a priority or preference of two hours at his 'home port' over any operator away from his 'home port'. This means no certificate holder in this State may proceed with passengers or property from any point other than his 'home port' and which is the 'home port' of another certificate holder until after a period of two hours has elapsed from the time the request for transportation is received unless he shall in the meantime secure from the operator or operators at whose 'home port' he is located a waiver of the provisions of this rule."

There has been some question as to the soundness of this arrangement, but it certainly can not be denied that it was an artful way of developing as much air transportation as possible. Furthermore, the companies involved agreed to the order.

Nevada, in a case not strictly involving aircraft, has also asserted in strong language the theory that "airplane transportation is an entirely different class of service in point of time and convenience" (Re Pickwick Stages P. U. R. 1930A, 404 at 406). And in the same case at page 405 there is found the following language:

"The controversy has seemed to revolve around the possible injury to the railroads on the one hand or the possible benefit to the stage lines on the other, neither of which is our chief concern. We do not consider what will injure the railroads or benefit the stage lines, but rather what will be the ultimate maximum benefit to our State."

In Pennsylvania, where the greatest experience in these matters has been had, a certificate was denied to Battlefields Airways (Inc.) (P. U. R. 1929A, 476), where the application was strongly contested by Gettysburg Flying Service (Inc.), which already had a certificate to serve the same territory (P. U. R. 1928B, 287), because the Pennsylvania commission felt that the granting of the second certificate would be "the creation of unnecessary and destructive competition," which "could not and would not be a contributing factor in the development of commercial flying service in Pennsylvania. * * * Common-carrier transportation by aircraft must be developed for some time at least by and through private enterprise, which should not be required to struggle for an existence in the competitive field under conditions as existing in this case." However, it must be noted that the Pennsylvania commission rather backed up on itself in the last paragraph of its order, which reads as follows:

"If, however, in any similar proceeding it appears that the application of the noncompetitive principle is not in the interest of and would not foster and encourage aviation the principle will not control. This commission desires in every way possible under its regulatory powers and duties to encourage the growth and development of commercial air service."

California, while it has not yet taken jurisdiction in this field, granted in the face of great opposition a certificate of convenience and necessity to a motor carrier to operate a passenger stage between a city and a certain airport because "such service was a necessary incident to the development of air transportation, which

should be especially encouraged." (P. U. R. 1931A, 398.) Aircraft common carriers should embrace the opportunity of obtaining the advantages of regulation when such an attitude prevails.

Michigan in re Kohler Aviation Corporation (P. U. R. 1930B, 242) apparently without opposition and certainly without much discussion of the subject took jurisdiction over a securities issue of the Kohler Corporation because it was an aircraft common carrier. Otherwise the secretary of state's office would have handled the qualification of the issue. The Michigan Public Utilities Commission has also done this in at least two other cases.

Nebraska and New Hampshire have likewise partially entered the field by adopting rules and regulations covering the licensing and operation of commercial aircraft. Possibly other States have, too, but lack of available data has not permitted me to find out about them.

All commissions have been extremely cautious in the matter of rates for aircraft common carriers. In fact, the rate schedules filed by the companies have been generally accepted by the commissions upon the theory that the business is not yet old enough to permit any intelligent conclusions about a rate base. As to time and service schedules some action has been taken, but with such consideration that no operating company has had cause to complain.

What other States have done about inspection I do not know, but in Illinois we have so far felt that our inspections were as necessary to teach ourselves as to protect the public. The Illinois Commerce Commission has not cited any aircraft carrier for any failure in its operation, and does not intend to do so if it can be avoided—and it can be if the present cooperation continues. So far every suggestion made to one of our regulated companies by the aviation supervisor of the Illinois Commerce Commission has been carried out promptly and efficiently.

So also Illinois has contended herself thus far with the following provision in each order:

"It is further ordered that the certificate of convenience and necessity hereinabove ordered to be issued is granted subject to the regulations and air-traffic rules now existing or which may be promulgated either by this commission or any other duly authorized governmental agency."

Of course, a set of rules and regulations for aircraft carriers is necessary, and so we have found already; but the companies flying in Illinois can be assured that they will not be adopted without first an open hearing in which all concerned will have full opportunity to be heard and make suggestions. And even then the first set, with but a few special exceptions, will only concern procedure before the commission in the matter of applications, hearings, change of schedules, reports, etc.

My conclusions on this subject are that the regulation so far has been exceedingly sound and that it should continue in the same careful manner; that all aircraft carriers should cultivate this attitude on the part of the commissions; and that each commission should make a special effort to see that its orders reach the regular channels of publication so that every other commission may have the benefit of this knowledge. To further this cooperation the Illinois Commerce Commission will supply each of your requests in so far as its experience extends.

THE TARIFF POLICY AND CANADIAN INDUSTRIES

Mr. DILL. Mr. President, I ask unanimous consent to have printed in the RECORD two articles by Grattan O'Leary, one appearing in this morning's Washington Herald, entitled "Hawley-Smoot Tariff Last Straw to Canada," and the other appearing in this morning's New York American, entitled "Why American Industries Move Their Plants to Canada."

The VICE PRESIDENT. Without objection, it is so ordered.

The articles are as follows:

[From the Washington Herald, Tuesday, February 23, 1932]

HAWLEY-SMOOT TARIFF LAST STRAW TO CANADA

By Grattan O'Leary

(Herewith is the first of a series of special articles prepared by Grattan O'Leary, noted Canadian journalist, showing the baneful effects of the Hawley-Smoot Tariff Act and the need for reciprocal trade agreements between Canada and this Nation.)

OTTAWA, February 19.—Premier R. B. Bennett told the Dominion House of Commons this week that during 1931 more than 100 United States industries had established branch factories in Canada. The Dominion Bureau of Statistics shows that American industries are now coming to Canada at a rate of more than two a week.

The Canadian Government is negotiating preferential trade treaties with New Zealand and Australia, waging a campaign to have Canadians buy more of Canadian and Empire goods, preparing for the great Empire Economic Conference which is to be held in Ottawa this summer, and which aims at a self-sustaining economic Empire. As a part of the new imperial economics, Canadians are being exhorted to substitute Empire fruits and vegetables—the products of Australia, South Africa, and the British West Indies—for fruit from California and Florida, for vegetables from other States.

This is the culmination, the direct consequence of more than two decades of futile Canadian effort to secure better trade arrangements with the United States—the result of fruitless protests against the Fordney-McCumber and Hawley-Smoot tariffs.

Between 1911 and 1921 Canadian trade with the United States mounted steadily; Canada's exports grew from \$139,000,000 to \$542,000,000. At the same time United States sales to Canadians increased to \$856,000,000 annually. Canada, in fact, was buying practically one-fourth of the total of American exports.

Then suddenly came the Fordney-McCumber tariff. Its effect, so far as Canada was concerned, was that in one year exports to the United States dropped from \$542,000,000 to \$292,000,000. So severe was the shock the commercial structure of the Dominion was shaken to its foundations; costs of production in Canada had to be reduced; there was deflation of capital values; farm lands decreased in value by \$1,400,000,000.

Canada did not retaliate. Instead, she adjusted her trade and economics to the new conditions, refused to alter her own fiscal policy against the United States, gradually won back her markets. By 1929 she was again selling farm products and raw material to the United States at the rate of \$500,000,000 a year.

But Canada bought more goods from the United States than she sold in return. In the 10 years between 1921 and 1931 her 10,000,000 people imported \$7,535,000,000 of America's products, this while 110,000,000 Americans were buying about \$5,000,000,000 worth of Canadian goods.

The record shows, indeed, that in the years 1923, 1924, and 1925 Canada, disregarding the Fordney-McCumber schedules, actually lowered duties on American products; lowered them on motor cars, on machinery, on farm implements. At any time during this period the Canadian people would have welcomed an offer of reciprocal tariff preferences from the United States.

Then came the Hawley-Smoot Act. This law, which cut off \$150,000,000 of Canadian exports to the United States at one fell swoop—this in a year when Canada's American imports had reached a new high record—was the last straw. Disheartened in their long-sustained efforts to trade with their neighbors and upon this continent, and convinced that nothing could be hoped for from the administration at Washington, Canadians began looking toward London.

Messrs. HAWLEY and SMOOT are, in a sense, the real authors of the Empire Economic Conference. They laid its foundations.

Canada has begun to copy American fiscal methods. While refusing to admit it, she is, as a matter of fact, retaliating against Washington. She is heightening her general tariff all along the line; she is barring out American goods; compelling American industries to come to Canada to secure the Canadian market; making her own purchases at home and from the empire.

These things are being done without bitterness. They are being done with a realization that, in a large measure, they may not be to the advantage of Canada. For the average Canadian does not visualize a walled-in empire fiscally aloof from the world. What he does feel, however, is that if there is to be a lowering of the tariff wall between the Dominion and the Republic, the first move must come from Washington.

INDUSTRIES DRIVEN OUT

Following is a partial official list of United States branch factories established in Canada in 1931, as given to the Canadian House of Commons by Premier R. B. Bennett:

Campbell Soup Co. (Ltd.), New Toronto, Ontario; Fine Foods of Canada (Ltd.), Windsor, Ontario; Hill Nut Co. (Ltd.), Toronto, Ontario; Liberty Cherry Co. of Canada (Ltd.), Toronto, Ontario; Newton Products, Toronto, Ontario; Siren Mills Corporation (Ltd.), Montreal, Quebec; Stedfast Rubber Co., Granby, Quebec; Cantilever Shoe Co. of Canada (Ltd.), Toronto, Ontario; Lackawanna Leather Co. of Canada (Ltd.), Toronto, Ontario; Schweger's Hatchery, Bridgeburg, Ontario; Griffith Laboratories (Ltd.), Toronto, Ontario; B. Edmund David Silk Mills of Canada (Ltd.), Hawkesbury, Ontario; Dominion Webbing Co. (Ltd.), Kingston, Ontario; Donahue Corporation of Canada (Ltd.), St. Hyacinthe, Quebec; Edmond Mills (Ltd.) of Canada, Granby, Quebec; Herbert Hosiery Mills (Ltd.), Toronto, Ontario; Schlegel Co. of Canada (Ltd.), Toronto, Ontario; Westminster Hosiery (Ltd.), Mount Dennis, Ontario; Belleville-Sargent & Co. (Ltd.), Belleville, Ontario; Brown & Bigelow (Ltd.), Toronto, Ontario; E. L. Bruce Co. of Canada (Ltd.), Toronto, Ontario; Dixon Pencil Co., Newmarket, Ontario; Eagle Pencil Co. of Canada (Ltd.), Drummondville, Quebec; Hardware, Woodenware & Toys (Ltd.), Coaticook, Quebec; Rochester Paper Co. (Ltd.), Toronto, Ontario; Schaeffer Ross Co. of Canada (Ltd.), Toronto, Ontario; Venus Pencil Co. of Canada (Ltd.), Toronto, Ontario; International Lithographing Co. (Ltd.), Toronto, Ontario; A. B. C. Washer Co., Granby, Quebec; Burr, Paterson & Auld Co., Walkerville, Ontario; Castings of Canada (Ltd.), Smith Falls, Ontario; Cross Coal-O-Matic Co. of Canada (Ltd.), Montreal, Quebec; Diamond Iron Works of Canada (Ltd.), Port Arthur, Ontario; Dominion Hoist & Shovel Co., Longueuil, Quebec; Dominion Motors (Ltd.) (operating agreement), Toronto, Ontario; MacMiller Candle Co., Niagara Falls, Ontario; Wilcox Canadian (Ltd.), Toronto, Ontario; Northwest Stellarene Co., Coutts, Alberta; Parco Oil Co. (Ltd.), Calgary, Alberta; Radium Corporation of Canada (Ltd.), Toronto, Ontario; American Wringer Co. of Canada (Ltd.), Farnham, Quebec; Teabury Chewing Gum Co., Sherbrooke, Quebec.

[From the New York American, Tuesday, February 23, 1932]

WHY AMERICAN INDUSTRIES MOVE THEIR PLANTS TO CANADA

By Grattan O'Leary

(This is the second in a series of special articles prepared for the New York American and other Hearst newspapers by Mr. O'Leary.)

OTTAWA, February 22.—Between 1880 and 1930, 1,071 United States branch factories established themselves in Canada. They represented an investment of \$1,541,000,000.

These factories crossed the line to secure freer access to Canadian markets, to obtain benefits from empire preferences. To-day, with the Canadian tariff against American products the highest in the Dominion's history, this export of United States factories gains in momentum, has increased its speed by about 500 per cent.

Every week sees at least two new American industries set up somewhere in Canada, bringing in millions of capital, work and wages for Canadian workers, purchasing power for the Canadian people, home markets for Canadian farmers, traffic for Canadian railways, business for Canadian ports. Taken altogether, this development has been one of the main factors in tiding the Dominion over the existing depression.

No exact figures are available as to the number of Canadians employed in these branch factories. It is estimated, however, that, taking into account the purchases made from other and allied industries, with the extra employment thus afforded, the addition to the Canadian wage bill runs into hundreds of millions of dollars a year.

This development, good for Canada, not so good for the United States, is, curiously enough, a direct outgrowth of United States policy. It can be traced, and unmistakably, to the Fordney-McCumber and Hawley-Smoot tariffs.

If Americans desire proof of this they can find it in the public speeches of the Canadian Prime Minister, Mr. R. B. Bennett. One quotation from Mr. Bennett will suffice. In his keynote election speech of 1930, he said:

"The United States learned a long time ago that to become a great nation it must look to itself. It developed its industries and its natural resources, encouraged and protected its agriculture, so that out of a slow beginning it has grown to those gigantic proportions where, if the countries affected do not take action, its strength will overflow its border and battle with the under countries it is its avowed purpose, industrially, to subdue. That is the story of the United States. To-day it is more powerful than we, but unless you are content to become its economic vassal, you must do as it did, you must fight for your own."

Mr. Bennett undoubtedly voiced the conclusion of a majority of Canadians. Rightly or wrongly, they became convinced that the United States did not want to purchase Canadian products, that it had gone in for economic imperialism, that it aimed to make Canadians its hewers of wood and drawers of water.

There was the record of what looked like deliberate fiscal aggression against the Dominion. On at least three occasions between 1921 and 1930 Canada lowered duties on American products. Time and again, too, Mr. Mackenzie King, the then Prime Minister of Canada, made reciprocal trade gestures to Washington.

Finally, in 1929, Canada, as an act of friendship to the United States and probably hoping for better tariff terms, prohibited the export of liquor to the Republic, losing millions of revenue in the process. But the only answer of Washington was the Hawley-Smoot tariff, completing what had been begun 10 years before by the Fordney-McCumber schedules.

This was the beginning of the rise of Mr. R. B. Bennett, with his gospel of empire trade. The beginning of increased Canadian duties against the United States with a campaign for Empire preferences; an influx of American industries to Canada.

It is not that Canadians do not wish to trade with their American neighbors. All that the existing Canadian tariff policy means is that Canadian products barred from American markets and repeated pilgrimages to Washington rebuffed, there is a natural seeking for alternative markets.

One friendly gesture from Washington now would bring resumption of the wholesome and mutually profitable trade of 15 years ago.

INDUSTRIES THAT MOVED

Following is a supplementary list, compiled from official sources, of American industries which have opened branch plants in Canada because of the injustices of the Hawley-Smoot Tariff Act toward American trade:

Packard Motor Car Co. of Canada (Ltd.), Windsor, Ontario; Pfaunder Co. of Canada (Ltd.); Radiator Specialty Co. of Canada, Toronto, Ontario; Reo Motor Co. of Canada, Toronto, Ontario; Stewart Truck Corporation of Canada (assembling), Port Erie, Ontario; Taco Heater (Ltd.) of Canada, Toronto, Ontario, D. D. Terrill Saw Co., Pembroke, Ontario; Tower Oil Burner Co. (Ltd.), Montreal, Quebec; Baldor Electric Co. (Ltd.), Toronto, Ontario; L. C. Brach of Canada (Ltd.), Toronto, Ontario; Canadian Controllers (Ltd.), Toronto, Ontario; Continental Carbon Co., Toronto, Ontario; Curtis Lighting Co. of Canada (Ltd.), Toronto, Ontario; Dennison Electric Co., Toronto, Ontario; Dictograph Co. of Canada (Ltd.), Toronto, Ontario; Eastern Power Devices (Ltd.), Toronto, Ontario; General Railway Signal Co. of Canada (Ltd.), Toronto, Ontario; Hammond Co. of Canada (Ltd.), Toronto, Ontario; Erie Resistor of Canada (Ltd.), Toronto, Ontario; International Resistance Co. (Ltd.), Toronto, Ontario; Leland Electric of Canada (Ltd.), Toronto, Ontario; Noma Electric Co. of Canada, Toronto,

Ontario; Packard Cable Co. of Canada (Ltd.), Toronto, Ontario; Polymet Manufacturing Corporation, Hamilton, Ontario; J. P. Seeburg Corporation, Toronto, Ontario; Silver Marshall of Canada (Ltd.), Toronto, Ontario; Wheeler Reflector Co., Toronto, Ontario; White Co., Montreal, Quebec; Messrs. Bundy Incubators Co., Toronto, Ontario; Masters Builders (Ltd.), Toronto, Ontario; Tremco Manufacturing Co. (Canada) (Ltd.), Leaside, Ontario; Everett & Barron of Canada (Ltd.), Toronto, Ontario; F. W. Fitch Co. (Ltd.) Toronto, Ontario; Fyr-Fyter Co. of Canada (Ltd.), Hamilton, Ontario; The A. W. Higgins Co., St. John, New Brunswick; Mallinckrodt (Ltd.), Toronto, Ontario; Mum Manufacturing Co. (Inc.), Windsor, Ontario; Ober Fertilizer Co., Welland, Ontario; Sheffield Bronze Powder Co. (Ltd.), Toronto, Ontario; Summers Fertilizer Co. (Inc.), St. Stephen, New Brunswick; Talcum Puff Co. (Ltd.) Toronto, Ontario; Huntington Laboratories of Canada (Ltd.), Toronto, Ontario; Aero Corporation of Canada, Kitchener, Ontario; L. G. Balfour Co., Sherbrooke, Quebec; Film Laboratories of Canada (Ltd.), Toronto, Ontario; Fedders Manufacturing Co., Toronto, Ontario; Heaters of Canada, Oakville, Ontario; Hump Hairpin Co. of Canada (Ltd.), St. Hyacinthe, Quebec; Hupp Motor Car Corporation, Windsor, Ontario; Iron Fireman Manufacturing Co., Toronto, Ontario; Johnson (S. T.) Oil Burners of Canada (Ltd.), Montreal, Quebec; Dodge Motor Co. (Ltd.), Walkerville, Ontario; Lynn Canadian Products (Ltd.), Brockville, Ontario; Maytag Co. (Ltd.), Toronto, Ontario; Metal Textile Corporation, Hamilton, Ontario; Otis Steel Co. of Canada (Ltd.).

THE MOTION-PICTURE INDUSTRY

Mr. BROOKHART. Mr. President, in a little while I shall introduce a resolution for an investigation of the motion-picture industry in the firm belief that the inquisitorial powers of the Senate could not be put to more productive use at the present time. Of all businesses not classified as public utilities the movies most directly and intimately affect the public. Affording a ready, albeit brief, refuge from the dullness and care of everyday life, the movies are daily thronged with millions of people. Second only to the homes and schools and churches, they exercise greater influence for good or evil than any other agency. Their influence on the culture, habits, and morals of the public in general is tremendous. Their influence on children and adolescents is incalculable. Being in a very real sense impressed with a public use, this business is nevertheless comparatively unregulated. Not only is it unregulated but it has been permitted by a supine Government to be successfully monopolized. As a result, this tremendous influence is yielded by a small group of men who would never have been chosen by the people, especially the fathers and mothers, as the receptacles for such authority.

In an address on this floor on May 7, 1929, I described conditions in the motion-picture industry in these words:

Ostensibly to "purify" the industry which was falling into disrepute due to scandalous conduct of certain actors and the production of off-color pictures, Will H. Hays, Postmaster General in the Harding Cabinet and former chairman of the Republican National Committee, was called on to spread the formaldehyde. Hays having successfully rescued the party from its burden of debt by measures since revealed, and being regarded as specially qualified as a reformer, undertook the assignment for a miserly stipend, said to be upward of \$100,000 a year.

The recent hearings before the Committee on Ways and Means of the House of Representatives on the proposed tax on admissions reveal that Hays's salary now is \$250,000 a year.

The declared purpose of Hays's appointment soon faded from view. It may be asserted without fear of contradiction that Mr. Hays has done nothing toward improving the moral tone of the movies. He has from time to time forbid the picturization of certain stories, such as *Rain* and *the Green Hat*, but the stories promptly appeared as *Sadie Thompson* and *a Woman of Affairs*. Hays may have been hired to give orders to his employers, but there is no obligation on the part of those who pay him to obey such orders.

The truth is that Hays was employed primarily as a "fixer" to protect the industry against any sort of reform or regulation through public action.

The accuracy of this statement has been amply borne out by events occurring subsequent to my address. In December, 1929, the *New York World* published a series of articles revealing that the Hays organization had subsidized—a polite word for "bribed"—certain ministers and employees of welfare and reform organizations which were supposed to be engaged, or at least interested, in protecting the public against filthy screen presentations. Thereupon the Churchman, a publication of the Protestant Episcopal Church, and

other secular, trade, and lay organs took up the cry, and the industry was threatened with a scandal of the first magnitude. To quiet the hue and cry, and to divert public attention from the corruption that had been revealed, Hays promulgated a new production code, sometimes called the "Hays morality code," which specified with some particularity the scenes and subjects which might not be included in photoplays produced by members of his association.

VICE AND FILTH ON THE SCREEN

Bearing in mind that this code was the third of its kind, its predecessors having been forgotten as soon as made, it was not taken seriously within the industry, although the elaborate publicity given it by the Hays organization served to allay criticism for the time being. That the code has been openly flaunted by Hays's own members, who produce 98 per cent of the pictures shown in this country, is admitted in the industry itself. Mr. Martin Quigley, publisher of a chain of papers relating to the movies, and whose revenue is derived from producer advertising, writing under the caption "The Code Neglected and Scorned," recently charged the producers with flagrant disregard of this code. I have cited Mr. Quigley because he had been identified with the industry for years, is a competent observer, and in no sense a reformer or professional critic. Therefore, I repeat that the so-called Hays code, the industry's only effort at self-regulation, is admittedly a failure, and that this fact is well understood in the industry itself.

Mr. Hays, however, accomplished his main and, perhaps, only object. The indignation following the revelations of the *New York World* was smothered in the pæans of praise that followed the promulgation of the code. In the meantime no improvement was discernible in the quality or moral tone of the pictures released. On the contrary, due to the anxiety of the producers to make pictures that would be pleasing to the audiences patronizing their own big-town theaters, the product became even more degrading. Last year it was the fashion to exploit—I might say exalt—the gangster on the screen, and the studios gave forth an uninterrupted stream of pictures featuring lawlessness, hoodlumism, and vice for the entertainment, not to say edification, of the impressionable young minds of the country.

While some gangster films are still being made, the trend this season is definitely toward prostitution. Let me read a brief excerpt from the December 7, 1931, issue of *Time*, a well-known weekly publication, the piece in question being a review of a current picture called "Possessed." I ask that this excerpt may be printed in the *RECORD*, without reading.

The PRESIDING OFFICER (Mr. KEAN in the chair). Without objection, it is so ordered.

The excerpt is as follows:

POSSESSED (METRO-GOLDWYN-MAYER)

If, as is generally supposed, the cinema has an important influence upon the behavior of cinemaddicts, there will presently be a large increase in the total number of United States strumpets. Norma Shearer, Constance Bennett, Elissa Landi, Helen Hayes, Claudette Colbert, Tallulah Bankhead, Evelyn Brent, Greta Garbo, Ruth Chatterton, Marlene Dietrich, and Genevieve Tobin have all in recent pictures attractively performed functions ranging from noble prostitution to carefree concupiscence. *A Free Soul*, *Strangers May Kiss*, *Susan Lennox: Her Fall and Rise*, *Once a Lady*, *Morocco*, *Body and Soul*, *An American Tragedy*, *The Sin of Madelon Claudet*, *My Sin*, *The Smiling Lieutenant*, *Born to Love* prove that the typical 1931 cinema heroine is a bad example.

Possessed is calculated to have a more disastrous effect than most upon morally malleable persons who witness it. Joan Crawford, again a brunette, impersonates the mistress of a thriving politician (Clark Gable). Rich, willful, and ingratiating, he gives her the trite benefits of illicit love—an apartment with glass doors, a maid of all work, fine clothes, European travel, and an education in social politeness. These make an unsophisticated admirer, when they meet again, mistake her for a lady. After three years of pleasurable intimacy, Gable is threatened by a scandal. His mistress has been ennobled by experience and she defends his conduct in an impromptu speech to a political gathering. The speech is so dextrous, so sincere, that it prompts cheers and a conclusion in which matrimony is implied.

Clark Gable has now been leading man to each of *Metro-Goldwyn-Mayer's* three leading stars. In *A Free Soul* he delivered a punch to the chin of Cinemactress Shearer; in *Susan Lennox* he

managed to control an impulse to do likewise to Greta Garbo. In this picture, his second with Miss Crawford, either the restraining influence of the Hays organization or the enervation of Hollywood success affected Clark Gable. In the best scene of the picture he hits his leading lady with an open hand. Thirty years old, he has had three wives, all older than himself. The present Mrs. Gable, whom he married twice, is 40. Everyone knows that he receives more fan letters than any other male actor in Hollywood, smokes a pipe, likes horses, hopes to retire in 10 years. He looks a little young for his rôle in *Possessed*, but he gives a sharp, competent performance.

Mr. BROOKHART. The actors and actresses who have portrayed these degrading rôles are the headliners of the screen. Their doings, their habits, their whims are chronicled in countless publications. The average boy or girl knows as much about these actors—sometimes more—than they know about those who run the Government. They are the idols of the young people of the land. I leave you to judge, therefore, of the effect on their plastic minds of the playing of such glamorous rôles as those described in *Time* by their favorites of the screen.

Dr. Fred Eastman, professor of religious literature and drama, Chicago Theological Seminary, has articles in the October and November issues of the *Parents' Magazine* entitled "Are Movies Fit for Children?" I wish that every Member of the Senate and every mother and father in the land would read these articles. The articles contain the results of a careful study of the effects of movies on children—how they are affected by the scenes of violence and lurid love-making portrayed on the screen. Doctor Eastman also reviews the many promises of reform made by Mr. Hays, and contrasts those promises with the performances of the industry. Under the heading "Performances," Doctor Eastman quotes from recent movie advertisements clipped from metropolitan newspapers. You will bear in mind that these metropolitan theaters are owned by the producers themselves and that therefore these ads are the industry's own description of the pictures put before the children.

I ask that these advertisements be inserted in the *RECORD* at this point without reading.

The PRESIDING OFFICER. Without objection, it is so ordered.

The advertisements are as follows:

Sex appeal? These three babies have everything—roguish eyes, come-hither smiles, shapely legs, and curves that would make Ziegfeld green with envy. And do they give the boys a red-hot lesson in Parisian whoopee making? Children, always 25 cents.

Sweetie becomes the Bernhardt of the screen! Dimpled dynamite, professional good-time girl. She "took" suckers, sinners, and saints until one made her beg for love.

Surprising adventure of a beautiful sales girl who preferred sin in silks to love without luxury.

All the fun of X plus warmer mamas! The roughnecks of X are kissing the French cuties, but clouting hard in all languages! More loving sweeties! Fifi D'Orsay, the Parisienne temptress de luxe.

Spain is the locale of this romance, and the action, to be more specific, takes place in a dance hall and in the arms of two women. X is cast as the impassioned dancer, who is holding her man with animal magnetism.

To-day. The modern woman scorns the fidelity of yesterday, the love that endured for better for worse. To-day married women take all they can, trifle now and then, and give hubbie the air when things go bad; that is the woman of to-day, a blazing exposé of new moralities, new conventions.

The electrifying truth about gangland's sex-appeal stool pigeons!

Let's go native. Imagine this merry gang of young moderns cut loose on a South Sea isle. A glowing hula moon their only chaperon—women and whoopee. Children, all day 20 cents.

Broadway jolted by this racy, risqué, daring, sophisticated cyclone. You'll yell to see this bachelor as he becomes a father on his wedding eve.

She begged him: Let's keep from marriage as long as we can. I'm afraid of it—afraid of its intimacies, its pettiness; its quarrels will kill our love! If I, the woman, do not ask for marriage, why should you, the man? Story of a modern girl in love.

A revealing peek through the keyholes of married ladies' boudoirs.

Never before has the screen dared to tell so shocking, so startling a story! A woman of the streets married to a brilliant man of wealth during a wild midnight orgy.

Mr. BROOKHART. The department of research and education of the Federal Council of the Churches of Christ in America has made a report on the public relations of the motion-picture industry, the wording of which was so tem-

perate in view of its startling disclosures that it has been severely criticized by the more active advocates of reform. I desire to read to the Senate certain excerpts from this report, published June 29, 1931, and ask that the Senate note the resemblance between the methods used by the Motion-Picture Trust and the Power Trust to influence and control public opinion through the activities of hired agents masquerading as disinterested public-spirited citizens. The report in this particular is somewhat stronger than on other phases, because the council in the course of its investigation found that some of its own staff were in an equivocal situation, a situation that was properly dealt with, as revealed in the report. I read from page 148 of the printed report.

I ask that the report be inserted in the *RECORD* at this point without reading.

The PRESIDING OFFICER. Without objection, it is so ordered.

The article is as follows:

But some of the methods employed by the Hays organization, discussed in the text of this report, in winning approval for the industry and support for its program raise serious questions. They have contributed much to the attitude of questioning and suspicion to which we have referred. It is not sufficient that plausible reasons may be assigned for the relationships assumed and maintained. The fact that persons responsibly placed who received honoraria from the industry for varied services may be presumed in every case to have rendered only services which the recipient thought warranted does not avail as a justification.

To be sure, these methods are not uncommon. They were made familiar to the American public through the investigation of the public-utilities propaganda three years ago. It may even be argued that the chief significance of the facts here disclosed is in calling attention to the vague and indefinite ethics of the business community. But an organization that is avowedly attempting to improve the moral standards of its members and is inviting the public to render whole-hearted cooperation in this effort must use methods that are above suspicion. The payment of an honorarium to an administrative official of a religious organization by a trade association at a time when policies are being formulated in which that association has an obvious interest invites a damaging interpretation when the facts are disclosed. And the payment of honoraria, in whatever form it may appear on the books, to a field representative of a religious organization in recognition of services rendered on the platform, when all the while the public knows nothing of such a financial arrangement, is bound, when disclosed, to undermine public confidence on both sides, and to give rise to sinister inferences. As has been stated in the report, we have found no evidence that the services rendered to the industry in the cases involving the Federal council were not conscientiously rendered. But the fact that sincere people can become involved so easily in this kind of arrangement only to find themselves presently in an impossible position, makes the practices in question all the more serious.

Mr. BROOKHART. The charge that I made in this body in 1929 that Hays was not employed to clean up the movies, and that he was retained merely as a smoke screen to protect the industry against molestation by public authority while it carried out its reckless program of capitalizing filth, is amply borne out by the report. This feature of the report is so important that I shall read an excerpt from the summary dealing with it, in the hope that it may be brought to the attention of the millions of interested parents, theatergoers, ministers, and leaders of public opinion who still regard Will Hays, the great promulgator of morality codes, as the spiritual director and czar of the movies. It is with sorrow that I lift the crown and snatch away the royal robes and reveal this poor politician in his true insignificance, but it is in the public interest that this be done:

The prime requisite for an adequate test of cooperative measures is a clearer understanding on the part of socially minded people of the function of the Hays organization as the producers and distributors themselves understand it. The frequent reference to Mr. Hays as a "czar" of the industry is misleading. We find no ground for such a claim to power on his behalf, yet the circumstances of the creation of Mr. Hays's office were such as to encourage it, and Mr. Hays's assurances that the industry "stands at attention" to do the will of disinterested public groups, suggest some extraordinary power on his part. Thus it has come about that critics of the industry have tended to draw one of two inferences—either the organization is impotent to do what Mr. Hays and his associates would like to accomplish or it is a "smoke screen" to deceive the public and to cover purposes of a narrowly selfish character.

The fact seems to be that the producers and distributors never intended to delegate to Mr. Hays arbitrary power but that they

have looked to him and to his organization to negotiate, so to speak, with an insistent public opinion in a way to accommodate the industry to inevitable changes in standards with the least possible loss to a group of profit-making enterprises.

Mr. KING. Mr. President, would it interrupt the thread of the Senator's speech if I should ask him a question at this point?

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Utah?

Mr. BROOKHART. The only objection I have is that it may interfere with my getting through in time so that the Senator from Nebraska [Mr. NORRIS] can proceed to the consideration of his bill at 2 o'clock. However, I yield for a question.

Mr. KING. I want to ask the Senator whether he is suggesting any remedy to deal with this evil, whether he is suggesting strengthening the antitrust laws or constraining, if we can, by public opinion the Department of Justice to institute the necessary actions to dissolve the trust monopoly or to cause it to be resolved into proper constituent elements? The Motion-Picture Trust, in my opinion, has exerted its power in an oppressive manner, to the injury of the industry and to the crushing of legitimate competition in all branches of such industry.

Mr. BROOKHART. In answer to the Senator's question, I will say "yes" to each branch of it. I shall at the conclusion of my address introduce a bill proposing to strengthen the antitrust laws. I shall call the attention of the Department of Justice to violations of that law, and I shall ask an investigation by the Senate into the facts, which will disclose what I am relating here, and, of course, far more than I am able to relate.

Mr. KING. If the Senator from Iowa will pardon me further, the Judiciary Committee has before it several measures asking for investigations in regard to the antitrust laws and violations thereof, and also as to whether the antitrust statutes should be strengthened or modified. I am sure that the committee, when it shall take up for consideration these bills, will be glad to hear the Senator present his views.

Mr. BROOKHART. I shall be delighted to do so.

THE EVILS OF BLOCK BOOKING

Mr. President, the only point of contact between the motion-picture industry and the public is the theater, and it is to the theater owner that the public should look for protection in the matter of indecent pictures. However, the larger theaters in the large cities have virtually all come under the ownership or control of the producers themselves and are operated by hired managers, who have no choice as to the pictures they must play. The producer-owned houses must first play the pictures released by the parent company and in addition must play the pictures of the theater-owning producers who play pictures of such parent company in their theaters. There is no incentive for the manager to study the likes and dislikes of his patrons, since his program is arranged by the home office in New York and is the product of the mutual back scratching of the big producers. And since the producer-owned theaters are for the most part located in the down-town sections of the large cities, the producers are primarily interested in making pictures that will appeal to the audiences attending such theaters, which audiences differ greatly from the less sophisticated audiences which attend the neighborhood and small-town theaters.

These neighborhood and small-town houses serve the bulk of the family trade, including the children, but the owners of these independent houses have little or no choice as to the pictures they play because of a most obnoxious industry practice known as block booking. Under this practice an independent theater owner may not select such of the pictures of a producer as are best suited to his patrons but must buy the entire block of pictures offered by such producer, such block containing the producer's entire output for one year. These blocks range in size from 26 feature pictures to 80. In addition to forcing its entire output of feature pictures, a producer will insist that a theater owner buy also its short subjects, comedies, and the like, and its weekly news

reel. Not only must the independent theater owner buy a producer's entire output but he must buy the pictures sight-unseen and usually before they are made and almost always before they have been released.

The producers try to justify the practice as mere wholesale selling, but this and every other suggested analogy fails, because in no other line of business is the retailer required to accept and force on his customers a large amount of unsuitable, even rotten, goods in order to get a small amount that is good.

Mr. DAVIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Pennsylvania?

Mr. BROOKHART. I yield.

Mr. DAVIS. Does the Senator's proposed bill cover the distribution of the pictures?

Mr. BROOKHART. It covers the block-booking practice.

The producers also have attempted to convey the impression that the practice has grown or is growing into disuse, but independent theater owners testifying before the Ways and Means Committee of the House a few weeks ago denied this claim and asserted that the practice is being enforced more rigidly than ever. Moreover, the Allied States Association of Motion Picture Exhibitors, representing only the independent theater owners, at its convention in Chicago in February, 1931, adopted a resolution reciting that the practice is enforced by all producers and condemning it in the strongest terms.

That this practice prevents the independent theater owner from selecting pictures adapted to the taste and needs of his patrons and deprives the public of the right of holding such exhibitor responsible for showing indecent and vicious pictures is too clear to require argument. However, the Federal Council of Churches, in the report heretofore referred to, makes this finding, as shown by the following excerpt from the conclusions, which I ask may be inserted in the RECORD without reading.

The PRESIDING OFFICER. Without objection, leave is granted.

The matter referred to is as follows:

With reference to block booking and blind booking, it is beyond question that this "wholesale merchandising," as the industry calls it, puts the exhibitor of exceptional taste and conscientiousness at a great disadvantage. If he does not know precisely what he is contracting for, and if he receives undesirable pictures beyond the limit of his canceling privilege, he is powerless to maintain standards. The system is undoubtedly an obstacle to the efforts of patrons of the theaters to place responsibility for the choice of films directly upon the exhibitor.

Mr. BROOKHART. Mr. President, the Department of Labor of the Dominion of Canada recently completed an investigation of alleged violation of the combines act by the motion-picture industry in Canada. The report by Commissioner Peter White, which resulted in wholesale indictments against the industry in Ontario, shows that selling methods in Canada are the same as in the United States. On the subject of block booking and the effect of that practice on the independent exhibitors the report says—and I ask, Mr. President, that the quotation may be inserted in the RECORD without reading.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

Practically every exhibitor who gave evidence stated that he could not select the pictures which he wished to show, but was forced by reason of this system of block booking to buy the whole of the group of pictures which is offered to him, or a substantial part thereof, and that this has four principal effects:

(1) The independent has to buy from one exchange more pictures than he desires to buy from that exchange, and his requirements for the season thus being filled with three or four exchanges, he is unable to purchase pictures from the other exchanges at all.

(2) He is forced to buy more pictures than he can possibly show in his theater.

(3) He is forced to buy undesirable pictures and ones which he would not purchase or exhibit were he not forced to contract in this way.

(4) He is in difficulties with the exchanges with whom he has contracted at the end of the year and has to make some arrangement, either by payment for the pictures, or by partial payment,

or by taking again from that exchange more pictures for the following season than he wants. In many instances exhibitors find themselves with awards of arbitration boards against them, which, if not complied with, involve the theater holders in further difficulties, as will appear later in dealing with the arbitration clause of the standard exhibition contract.

It may be argued that the independent exhibitor does not need to overbuy, and that if he does it is his own fault. It is quite apparent to me, however, from the attitude of the independent exhibitors who appeared as witnesses, that there is on their part a real anxiety as to whether they will be able to obtain a supply of suitable pictures at reasonable prices to enable them to operate their theaters. True, there are enough pictures to go around, and if an exhibitor is content to exhibit to his patrons the poorer and cheaper class of pictures he can probably obtain sufficient of these and is, in fact, in the position of having to exhibit many of them. This anxiety is accentuated by reason of the undoubted fact that Famous Players has the first opportunity in the matter of selection. The system of block booking and blind booking and the fact that Famous Players has first choice of selection are responsible for this condition of affairs.

Mr. BROOKHART. Professor Eastman in the articles heretofore adverted to has this to say on the subject, and I also ask that his statement may be inserted in the RECORD without reading.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

Who is responsible for this situation in the movies? The Motion-Picture Trust is responsible, for it has a virtual monopoly on American movies. The United States Supreme Court, in a decision handed down a few months ago, declared that the leading motion-picture concerns were in a combination in restraint of trade and in violation of the antitrust laws. Since these corporations have a monopoly of the industry they must accept responsibility for the products of that industry.

How did a few great movie corporations gain control of an industry so vitally important to the social and spiritual welfare of our children and our Nation? By three simple steps: First, by buying up strings of local theaters so that they control not only the means of production and distribution but of exhibition as well. Second, by installing a system of block booking and blind booking by which exhibitors are compelled to buy their pictures in blocks of 26 or 52, even as many as 80 pictures in a single block, the bad along with the good, without the right of choosing the ones best suited to their own clientele. To be accurate and fair, it should be said that the exhibitors have the privilege of rejecting 5 per cent of the pictures sent them under certain difficult conditions, but what is 5 per cent among so many poor pictures? Blind booking is the system by which exhibitors must order their pictures without having the right to see them, often before the pictures are even made. * * *

Mr. BROOKHART. Mr. President, I will again advert to this subject in dealing with the failure of the governmental agencies to enforce the law against the Motion-Picture Trust.

Representatives of the Hays office doubtless will release a flood of propaganda to the effect that block booking is the only way in which motion pictures can be sold. The quick answer is that the Haysites themselves abandon block booking and sell pictures singly or in small groups whenever it is to their interest to do so. Thus Metro-Goldwyn-Mayer, having sold its pictures for the current season in a block and on the most onerous terms, has canceled out of the block one particularly good picture, called "Emma," and is endeavoring to resell it to the theater owners at exorbitant prices. All or nearly all producers reserve the right to cancel a few pictures out of their blocks and to resell them at higher prices after the box-office value of those pictures has been demonstrated. That they can and do sell singly under such circumstances is a conclusive answer to the contention that to do so is impracticable, as well as an indictment of the fairness and business ethics of the motion-picture producers.

UNREASONABLE PROTECTION

As soon as the producers began acquiring and operating theaters a marked change occurred in their attitude toward the independent theater owners. The producers ceased to regard the latter as customers and treated them as competitors. This change in policy has been disastrous to all parties concerned. It has been disastrous for the independent exhibitors because the producers have exerted all power inherent in their control of both the film and the theaters to drive the independents out of business. It has

been disastrous to the producers because by driving out thousands of independent theaters they restricted the market for films and placed themselves at the mercy of their competitors. It was disastrous to the public because they lost valuable points of contact with the industry.

The competitive methods employed to drive out the independent theaters constitute one of the most shocking chapters in the annals of American business. Two of the less oppressive methods employed, the foundation of each of which was a boycott, were found by the Supreme Court to be violative of the Sherman law. The first of these was the practice of compelling exhibitors to arbitrate differences under unfair and one-sided contracts before alleged arbitration boards—which I have heretofore characterized as "kangaroo courts"—and whose awards were enforced by a boycott. This practice was condemned in Paramount-Famous Players-Lasky Corporation against United States, decided on November 24, 1930. The other was the practice of requiring independent exhibitors to file with the film boards of trade, set up by the Hays office, elaborate information concerning the intimate details of their business, and to assume the contracts of preceding operators of their theaters, all on pain of being boycotted for neglect or refusal to do so. This practice was happily ended by the Supreme Court in United States against First National Pictures Corporation, also decided on November 24, 1930.

Another intolerable practice was to threaten an independent theater owner that unless he bought the pictures of certain theater-operating producers the latter would build in opposition to him. These theater-owning producers also made agreements, one with another, to sell each other their entire product, thus cutting off independent theaters competitive with the chain houses from adequate supplies. These mutual back-scratching arrangements even go so far as to give the chains exclusive rights to pictures, not only in every town in which they now operate but in all other towns in which the chain may acquire or build theaters during the life of the franchise.

But the most flagrant, the most oppressive, and, in my judgment, most clearly illegal of all is the practice known as protection. "Protection" is the time that elapses between the playing of a picture by a first-run house and the playing of the same picture by a subsequent run house. As is indicated by its name, it was first devised to protect the theater paying a high film rental for the privilege of first showing the picture against the unfair competition of a house paying a lower rental and showing the same picture at the same time or so soon thereafter as to detract unfairly from the first run. Originally, it was a competitive advantage, kept within reasonable bounds, and available to all who were willing to pay for the privilege. Now it is the instrument whereby the producers acting in concert through the local exchanges withhold the pictures for so long a time after the same have been shown by their own chain houses that independent exhibitors are unable to attract patrons to their houses because of the staleness of their product.

This practice has been and is the most effective weapon for driving out competition that has ever been devised, and the manner in which it has been used by the Motion-Picture Trust is a blot on American business and fair play.

Not only is it enforced for periods of from 30 days to 6 months as between chain and independent theaters in the same competitive zone in a single city, but protection for like periods is given city chain houses over independent houses in towns from 30 to 40 miles distant. The absurdity of this is apparent when we reflect that while a city theater may under certain conditions draw patronage from the small towns, it almost never happens that a small town draws patronage from a large city. The utter insincerity of it is manifest when we consider that an independent house, rated to-day as a B or C house and held back in playing time, if acquired by the trust at once becomes an A house, and moves forward in playing time.

I have here, and will send to the Committee on Interstate Commerce, a schedule of protection given the Paramount-

Publix theaters in New England over the independent houses. To appreciate the illegality of this schedule you must bear in mind that it is observed by the supposedly competing producers, members of the Hays organization, and is imposed on the independent theaters without consultation with them and without their consent. The element of combination and conspiracy could not be clearer. It is as illegal as a price agreement or a division of territory among interstate competitors would be. I invite the attention of the Senate to the thoroughness with which it has been worked out. It lists the towns that may run 2 weeks after Boston; those that may run 3, 4, 5, 6, 7, 8, and 9 weeks after Boston.

I also have, and will send to the committee, the Paramount-Publix protection schedule covering the cities of Minneapolis and St. Paul and surrounding territory. This schedule was formulated and is enforced in the same way as the New England schedules. Similar schedules are enforced in favor of the producer-owner chains throughout the United States. Attacks are being made on their legality by independent theater owners in Nebraska, Ohio, and Massachusetts. The State of Wisconsin, through the department of agriculture and markets, has just issued a complaint against the trust involving this practice. The Department of Justice on April 19, 1929, obtained an indictment against the Fox west coast theaters and the producers in California. But a deal was made with the defendants, and as a result the indictment was dismissed and was replaced by a civil suit, which was terminated on the same day by the entry of a consent decree.

Before I leave this subject I should like to call the attention of the Senate to another important phase of this subject, which has a social as well as an economic bearing. Independent theaters, due to the depression and the reduced spending power of their patrons, have in many instances sought to reduce admission prices so that the victims of the depression might continue to patronize their theaters. This class of persons needs diversion and entertainment more than any other. The efforts of the independent theaters to meet their needs was laudable and should have been encouraged. However, the producers were concerned lest these price reductions affect their water-logged, high-overhead, inefficiently managed houses. They therefore resorted to the zoning and protection schedules as a means of holding up prices. Thus the playing time of independent theaters has been coupled to admission prices, and the lower the admission charged the longer an independent house must wait for a picture.

For example, in the Minnesota schedule, on page 8, we find the protection afforded the Paramount Theater in Bismarck, N. Dak. This example is chosen at random, and happens to refer to the neighboring State of North Dakota. I invite the attention of the Senate to the manner in which admission prices are controlled. The basic protection given over Mandan and New Salem is 21 days; that is, when admission prices in those towns are over 35 cents. As admission prices descend, the protection increases. Thus when admissions are 35 cents, protection is 45 days; 30 cents and 60 days; 25 cents and 90 days; 20 cents and 120 days. Then comes the following general provision, common to all of these schedules:

Six months on houses charging 15 cents and under.

Similar provisions will be found throughout the New England schedule. In addition to these provisions in the schedules, the standard exhibition contract on which pictures are sold to the theaters on a flat rental basis limits admissions to a minimum of 10 cents. But, most effective of all, the contracts which provide that the rental shall be a certain percentage of the receipts—which contracts are growing in use, due to the added privileges conferred on the producers—provide absolutely the admission prices that must be charged. In addition, these contracts permit the producer to specify the days on which the pictures shall be played. Thus under the grasping policies of the producers both the admission prices of the independent houses and their playing policy are dictated from the offices of the trust in New York.

In order that the Senate may appreciate the effect of these policies on the public, let me cite the case of a theater

owner in New England who had booked a certain picture for a split week which included Ash Wednesday. His reason for booking this picture for that day was that he deemed it the most suitable of the pictures available for that solemn season. Later, the exchange manager for the producer canceled the booking, and compelled the exhibitor to run a less suitable picture that had been bought on a flat rental basis. It is well known that the producers will not permit percentage pictures, which are of the better kind, to be played during the week before Christmas or in Holy Week, when attendance is slim, and insist that exhibitors play straight rental pictures, on which they absorb all the loss.

POLLUTING THE WELLS

In proposing this broad investigation of the industry I am particularly concerned about the charges that the Hays organization has been active in getting control of organizations to which the public and the independent theater owners have a right to look for protection against the excesses and depredations of the motion-picture producers.

I have heard many expressions of disappointment from persons interested in preserving decent standards on the screen upon their learning that speakers and lecturers to whom they had listened with confidence and respect were on the Hays pay roll.

I am told that thousands have listened to Mrs. Thomas G. Winter, who was designated by the Federation of Women's Clubs to be a connecting link with Hollywood, without knowing that she is in reality an employee of the Hays office.

The January, 1930, issue of the Motion Picture, a so-called fan magazine read by thousands of theatergoers, contains an article by Mrs. Winter in which she, ostensibly on behalf of the public, propounds questions to former Governor Milliken, of the Hays office, who answers them on behalf of the industry. The questions and answers are artfully contrived to dispose of such matters as block booking in such a manner as to lead the public to believe that there is no basis for the numerous and persistent complaints on these subjects.

Harrison's Reports, a trade paper published in the interest of the independent theater owners, in its issue for January 18, 1930, reveals the facts, as well as the false and misleading nature of the statements regarding block booking.

The report of the Federal Council of Churches goes into this subject—somewhat gingerly I am sorry to say—but enough is shown to indicate that the Hays organization maintains, or at least utilizes, a vast corps of under-cover agents engaged in propaganda favorable to the Motion-Picture Trust, and whom the public regard as public-spirited citizens with no ulterior motive or sinister attachment.

Let me read a few paragraphs from the report dealing with this subject.

Mr. President, I desire to insert in the RECORD that portion of the report.

The PRESIDING OFFICER. Without objection, leave is granted.

The matter referred to is as follows:

A list of 759 persons was submitted to the Hays organization including all those whose connection with its work was such as to suggest the possibility of a financial relationship. A sworn statement from the treasurer of the Hays organization covering the years 1928, 1929, and 1930 shows the payments made, both honoraria and expenses, to any of these persons. The statement shows that in the cases of 52 of them expenses incurred in connection with attendance at various conferences or the giving of addresses have been met by the Hays organization. In the majority of these, however, the payment covered only one conference. Some very liberal payments of expense accounts have been made. In a few cases honoraria were paid for addresses given. In no such case except the one noted below was the recipient in a position of responsibility in an organization cooperating with the industry or the Hays organization. Those receiving expenses for travel and entertainment, however, included influential persons connected with social and religious organizations. Some of them were cooperating actively with the Hays organization in winning support for its cooperation program and opposing censorship. What seems significant from the point of view of public policy is the fact that the resources of the Hays organization have apparently always been available to insure the presence of individuals useful to its program at important meetings of their own organizations or gatherings where they could

obtain a hearing. Important meetings have been "watched" by trained eyes and the methods of skilled diplomacy have been used to promote the interests of the industry among the membership of great national organizations. Much of the time and strength of the Hays organization seems to have been given to cultivating persons of influence, gaining the favor of organizations and organization committees, and seeking to clear the road of legislative or other obstacles to its program.

Beginning in January, 1928, and continuing through August, 1929, the senior general secretary of the Federal Council, whose active relationship to the council terminated at the end of 1930, received an honorarium of \$150 a month from the Hays organization for services which were defined as the giving of advice concerning religious motion pictures and questions arising in the industry which related to religion. This fact was not known to the officers of the Federal council at the time. It was reported to them by the secretary concerned in January, 1930, shortly before the present inquiry got under way.

Mr. BROOKHART. Like operations have been carried on by the Motion Picture Distributors and Exhibitors of Canada, the Canadian branch of the Hays organization, as shown by the report of Commissioner White heretofore mentioned. On page 211 the commissioner quotes from a report by a representative of the Local Council of Women for Saskatchewan, in which the writer swallows, hook, line, and sinker, the idea, propagated by the Haysites in Canada, that one Colonel Cooper, an employee of the Hays organization, is censoring pictures in the public interest. Commissioner White remarks:

It is almost amusing, if it were not pathetic, to learn that Colonel Cooper has succeeded in convincing this good lady that he, employed and paid as he is by the United States producers, is standing between them and the public in the matter of censorship, when, as a matter of fact, his activities in regard to censorship and those of his organization have been directed toward a relaxation and criticism of the standard set up by the various censor boards in Canada. * * *

The report deals with instances where Colonel Cooper offered honoraria to various members of censor boards in Canada for speeches or other service, and how those offers were declined by the patriotic women thus approached. I should like to know, as I am sure the public would like to know, how many similar offers have been made to corresponding officials in the United States, and how many have been declined.

Not only has the Hays organization sought to influence and control welfare agencies, public speakers, and the like, but it has reached into and attempted to control the trade organizations of theater owners. The national association known as the Motion Picture Theater Owners of America, once an independent, aggressive group, has largely been absorbed by the Hays organization. At the Toronto convention of this association in 1928, through the manipulation of the Haysites, 7 producer-controlled chain directors out of a total of 10 were placed on the board of directors. Thereafter the producer-owned chain theaters paid dues in this organization in accordance with a budget worked out in the Hays office. The yearly payment by the chains under this arrangement is said to be \$75,000 annually.

The taking over of the Motion Picture Theater Owners of America by Hays led to the formation by certain independent theater owners of the Allied States Association of Motion Picture Exhibitors. The leaders of this organization have refused to render homage to Mr. Hays or to obey his will. As a result, Hays and his associates have attempted in every way known to them to block and disrupt the Allied States Association. In an effort to lure away the local officers, Mr. C. C. Pettijohn, Hays's chief lieutenant, openly announced that he would put the chain theaters into local associations as dues-paying members, provided those locals were "constructive," by which he meant "conformed to the Hays policies."

When Allied sought to negotiate with a certain producer, one of Mr. Hays's members, for pictures for its members, the Allied leaders were told that they must first sign a paper agreeing to cease their agitation against compulsory arbitration, which was later held unlawful by the Supreme Court; in other words, that these independent theater owners must acquiesce in violations of the Federal law as the price of entering into a legitimate arrangement with one of the Hays members. Other business arrangements and

attempted deals on behalf of the independent theaters have met with like opposition from Hays. According to my information, the latter now is making a final desperate effort to break down the independent organization, and to establish the subservient Motion Picture Theater Owners of America as the dominant factor in the exhibition field.

The policy of controlling exhibitor organizations and snuffing out any spirit of independence on their part is a settled one with the Hays organization, and is not peculiar to the United States. This policy was carried out in Canada by organizing and financing the exhibitor organization through Colonel Cooper, heretofore referred to. I desire to read into the RECORD at this point the findings in reference to Hays's activities in exhibitor affairs in the Dominion. I refer so frequently to this Canadian report because the policies and practices of the industry are the same on both sides of the boundary line, and the Canadian Government has been alert enough to inquire into these abuses and reveal them for the first time.

I ask that that report be inserted in the RECORD.

The VICE PRESIDENT. Without objection, that will be done.

The report is as follows:

The evidence, without going into particulars, clearly discloses that the Cooper organization is a mere offshoot of a corresponding organization in the United States, presided over by Mr. Will Hays and referred to as the "Hays organization"; the policies being dictated by, the finances controlled by, budgets subject to the approval of, and the activities generally subject to the control and direction of the Hays organization. The minutes are submitted to New York, and also the proceedings of the Film Boards of Trade, and the New York office is consulted, not only on important matters, such as censorship in Canada and amusement tax, but also on matters which might be considered almost routine.

From the constitution of this body, it is quite clear that it is a combination of producers, distributors, and Famous Players, and, it being quite as true to-day as when first uttered that "where your treasure is, there will your heart be also," and, it being the case that, with the exception of \$490 contributed by Famous Players and their affiliations above named, and except relatively small fees paid by Canadian distributing companies, the revenue is directly or indirectly supplied by the producer members and collected in New York, it is obvious that the interest of this association and its officers is entirely that of the distributors, and through them, of the producers. Famous Players, through its financial support, through its membership, and through the activities of its officers, has been a part and parcel of the Cooper organization from the beginning, and completely identified with its activities.

Mr. BROOKHART. I have heard it asserted by theater owners—and I have talked and corresponded with scores of them—that there are exhibitor leaders posing as independents to-day, who are receiving money, directly or indirectly, from the producers; who merely render lip service to the exhibitors they are supposed to protect. It is in the interest of morals and decency that such men be exposed.

Let me now move on to a suggestion that is even more startling. We all know of the important publicity medium known as the news weekly. These news reels, issued by the big producing companies twice a week, are shown in all theaters as an integral part of the program. Control of these reels, if exerted for political purposes or to obtain immunity for the trust, would be a powerful weapon in the hands of a man like Hays. I have no definite proof that it has been used in this way; but there is enough in the article I am about to read to put us on guard, and warrant a searching inquiry. The article is from the issue of Harrison's Reports for November 22, 1930, and is in answer to criticism of an independent exhibitor leader in Chicago, who attempted to support a candidate for judge, who was believed to be fair to the independents.

I ask that that article be inserted in the RECORD at this point.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

WHEN THE INDEPENDENT EXHIBITOR USES THE PRODUCERS' TACTICS

The producers, particularly the Hays organization's executives, tore their clothes and pulled their hair in protest against the action of Mr. Saperstein, the president of the independent exhibitor organization in the Chicago zone, in endorsing a local candidate for judge, urging the members of his organization to

put slides on their screens recommending to the patrons to vote for that candidate. They pointed out how injurious it is for the industry to get into politics and implored them, as well as every exhibitor in the United States, to remain neutral.

In 1920 C. C. Pettijohn, Mr. Will H. Hays's right-hand man, received \$30,000 from the Republican Party for inserting subtle propaganda in the late Selznick news weekly.

You may say that this has been long ago and that his views have now changed. I am going to present evidence to prove to you that his views have not changed. In the governorship campaign in this State two years ago, Pettijohn induced the Democrats of this city to pay him for preparing a propaganda reel for Governor Roosevelt. He charged them for the prints 3½ cents a foot when it could have been done for no more than 2½ cents a foot. I believe he sold them 100 reels.

During the last presidential campaign the Paramount Theater in this city showed five news weekly shots of the one candidate to one of the other candidate. The Capitol Theater cut out from the news reels every shot that showed one of the two candidates.

It is well for the producer-distributors to use their theaters and news weeklies for political propaganda, but when the independent exhibitor uses his screen for his protection it is either a crime or a sin.

Mr. BROOKHART. From the same publication for May 23, 1931, I quote an article that strikes even closer to home, and which I ask to have inserted in the RECORD at this point.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

WHAT INFLUENCES ARE DELAYING ACTION IN THE BLOCK-BOOKING ORDER AGAINST PARAMOUNT?

On August 30, 1921, the Federal Trade Commission screwed up its courage and issued a complaint against Famous Players-Lasky Corporation charging it with various monopolistic practices, including block booking. Counsel of the commission prosecuted the case vigorously and effectively, compiling a large record of damaging evidence.

Before the case could be argued to the commission a number of changes had been made in the personnel of the commission, and the three to two Democratic majority that existed when the complaint was issued was reversed by the appointment on the commission of Van Fleet, Humphrey, and Hunt, all Republicans.

On the first argument the defendant claimed that it had not been permitted to introduce certain evidence in its behalf, and the case was remanded for further testimony.

When the case came before the commission again Commissioner Van Fleet had been replaced by Abram Myers, now president of Allied States Association of Motion Picture Exhibitors, the organization that represents the independent exhibitor theater owners. In the meantime counsel for the commission had been switched and Martin A. Morrison, a lame-duck Congressman, related to Commissioner Humphrey in some way, had succeeded him.

Morrison practically abandoned the entire case, except the charge of block booking, and on July 9, 1927, the commission issued a "cease and desist" order against this practice.

Famous Players-Lasky, now Paramount-Publix, indicated that it would not obey the order, and the commission started proceedings before the United States circuit court of appeals in New York City to test and to enforce the order. But since that time nothing seems to have been done in the matter, even though the commission is aware of the fact that Paramount-Publix has been violating the order. In the regular course the case should have been disposed of long ago.

A representative of the commission, when asked why the commission has not yet proceeded in the case, stated that there are not enough funds available for the printing of the record, an act which is required by the law. Thus it appears that the world's wealthiest country, which has spent hundreds of thousands of dollars on this case, is too poor to spend an amount of money which will perhaps not exceed \$25,000 to protect its citizens from acts that have been declared inimical to the best interests of its people. Another representative of the commission, asked at another time, stated that the commission, in order to reduce the cost of the printing of the record, has asked the defendant to stipulate the waiving of the printing of part of the record. Such a request could, of course, have been made only by children and not by mature persons, for is it possible for any rational person to believe that a defendant who has nothing to gain, but everything to lose, will ever give up any of its rights under the law?

We can only speculate as to the reason for this queer performance. Will H. Hays, president of Motion Picture Producers & Distributors of America, and his chief assistant come from Indiana. Martin Morrison was an Indiana Congressman. Commissioner Humphrey, though appointed from Washington, is a native of Indiana and began his career in that State.

There is enough evidence in this combination of circumstances to justify every one of you writing to your Senator demanding that he use his influence to have this strange case cleared up before Commissioner Humphrey, whose term is about to expire, is reappointed as a member of the Federal Trade Commission.

If you should write to your Senator, send me a copy of the letter. My reason for making such a request of you is to keep informed as to who has failed to write a letter so as to urge him to do so without delay.

Mr. BROOKHART. The publisher of this paper makes no such intimations in reference to the Department of Jus-

tice, nor do I; but it should be recorded that proceedings against the Motion-Picture Trust appear to proceed more slowly than any other class of litigation. The report of the Attorney General shows that a suit was brought in Chicago on December 15, 1928, against Balaban & Katz, a subsidiary of Paramount-Publix, and the several producers, charging a combination to squeeze the independent exhibitors by means of protection schedules and long-term contracts, but that no further action was taken. The same report shows that on November 27, 1929, a suit was filed against the Fox Film Corporation and others under the Clayton Act to segregate the Fox, Loew, and Metro-Goldwyn-Meyer interests; that an interlocutory decree trusteeing some of the securities was entered, but that no further action was taken. Also that on the same date a similar suit was filed to divest Warner Brothers of the stock of First National Pictures Corporation, and that no further steps were taken. As regards this latter case, I learn from the trade press that since the institution of the case, and without any intervention on the part of the court, the companies were allowed to complete the consolidation by a physical merger of the properties.

MORE DARK CORNERS TO EXPLORE

Among the first securities to display weakness and therefore to contribute to the stock-market debacle were those issued by the motion-picture companies in a wild orgy of expansion prior to and during 1929. I called the attention of the Senate to this program of expansion in May, 1929. Theaters were built without regard to the seating requirements of the communities affected and on a scale of reckless extravagance that eclipsed the records of the consolidation era from 1880 to 1904. Securities were issued to and absorbed by the public in bales, and the amount of water represented by these securities would have floated the United States Navy. Not only was there a flood of water, but much of the money actually invested in properties was so recklessly and extravagantly spent as to contribute little or nothing to the earning power of the enterprises.

A curious demonstration of this is found in one of the large eastern cities where the city authorities have licensed theaters to operate on Sunday provided a certain percentage of the net receipts is dedicated to certain designated uses. The theaters of one of the great chains were making such meager returns to this charitable fund that the authorities investigated the matter. It was discovered that the management was charging against receipts amounts for depreciation of flamboyant gold-leaf decorations which virtually deprived the charities in question of any benefit from the Sunday performances.

Little or no thought was given to the earning power of the houses built and acquired in view of the heavy investments represented thereby. As a result great numbers of these houses are now dark. In addition, the producers, in seeking to give their houses a competitive advantage over the independent theaters, drove so many of the latter out of business that the market for film was seriously curtailed. According to a recent writer, the five big chains were seeking to emulate the Chinese in the walled city who sought to get rich by doing each other's laundry.

Now that the bubble has burst the insiders have been planning ways and means to cancel the claims of the trusting investors of the golden era and to retain the properties discharged of these claims. The Senator from Washington [Mr. DILL] has a resolution to investigate the methods by which the Radio-Keith-Orpheum Corporation was recently refinanced. My understanding is that as a result of that transaction the Radio Corporation of America greatly increased its control of the moving-picture subsidiary and that many individual stockholders who were unable to meet the assessments were closed out.

I earnestly hope that the Senator will join me in pressing for the broader inquiry, as I am convinced that, unless steps are taken, we will witness the greatest shaking down of small investors in all history.

Also I would like to see a full disclosure of the relations between the motion-picture producers, on the one hand, and the manufacturers of electrical equipment for reproducing sound in theaters, the principal music-publishing houses (to-

gether with their agent, the American Society of Composers, Authors, and Publishers), and the manufacturers of so-called screen trailers, on the other hand. The relations between the producers and the electrical manufacturers, Radio Corporation of America and the Western Electric Co., are important because under the license agreements between these interests royalties are provided for the recording of sound, which royalties are passed on to the theater owners as a "score charge," i. e., a charge over and above the rental for the film. In addition, the electric companies pay a royalty to the American Society of Composers, Authors, and Publishers for the right to record copyrighted music, which royalty amounts to so much for each seat in every theater in which the recorded music is reproduced.

The producers, who, I am informed, have large interests in the music-publishing houses, require by their contracts that the theater owners take out a license from the agent of those houses, the American Society of Composers, Authors, and Publishers, under which they also pay a royalty to the society, which is fixed at so much per seat. Thus the poor exhibitor must pay three charges—that is, film rental, score charge, and music tax for the right to run the films in his theater, and I strongly suspect these triple charges go to line the pockets of substantially the same interests.

I also desire that light be shed on the operations of an organization claimed to be separate from, but actually operated within, the Hays organization known as the Copyright Protection Bureau. This bureau, headed by Gabriel Hess, who is also general attorney for the Hays organization, is in reality another instrumentality whereby and through which the producers of motion pictures conspire to oppress the independent theater owners. The business of this organization is to maintain a sort of espionage over the independent theater owners to detect possible violations of contracts through the holding over of pictures beyond the time provided in such contracts. When such violations are detected the victim is threatened with prosecution, not for the mere contract violation but for infringement of copyright, and he is compelled to settle on the basis of the liquidated damages provided in the copyright law and not on the basis of actual damage inflicted.

Let us take an example of the extreme hardship inflicted on the theater owners in this way. I have here and will send to the Interstate Commerce Committee copy of a letter from a theater owner in Ohio. He recites that the salesman for one of the producers asked more for some pictures than he thought he could pay. The salesman thereupon suggested that he buy the news reel for one day and play it for three in order to reduce the total rental by that much. The theater owner followed the suggestion in good faith, and with the knowledge of the local exchange, for a considerable period. The withholding of the film inflicted no loss on the producer, since there was no complaint that it conflicted with commitments to any subsequent-run theater. Nevertheless the theater owner was mulcted in damages under the statutory provision.

This is one instance out of a great number that have figured in recent complaints, and I am sure the committee, in conducting an investigation under this resolution, will not lack for volunteer witnesses on this point. It is important, however, that the nature of the arrangement between the several supposedly competing producers and this bureau be brought to light, as well as the disposition of the sums annually extorted from the theater owners in this way. I believe it will be found to be not so much a measure for protecting copyrights as a means for oppressing the independent exhibitors, and that it will be found that the bureau has been more active and exacting in territory where the exhibitors have shown some independence than in more servile territory.

THOROUGH INQUIRY NEEDED

That the inquiry called for by my resolution is needed is attested by the hundreds of letters, petitions, and resolutions that have been received by me. The bill to abolish block booking which I introduced a few years ago, and which I shall reintroduce in modified form, has been indorsed by

parent-teacher associations, women's clubs, church organizations, welfare organizations, and independent-exhibitor organizations everywhere. The only organizations that have failed to indorse the measure are those to whom its meaning had been utterly misstated by representatives of the trust. These representatives, in an effort to embarrass me, got a few theater owners in Iowa to disapprove the bill on the understanding that under its provisions they would be fined if they bought more than one picture at a time. I am glad to say that this has been corrected and that Iowa now has a really independent organization in which no such skull-duggery could be practiced.

I firmly believe that if a searching investigation of the motion-picture industry is made it will equal in importance to the public and in the startling nature of its revelations such great undertakings as the Stanley steel investigation, the Pujo money-trust investigation, and the Teapot Dome investigation.

The successful conduct of this investigation calls for capable assistance to the end that the evidence may be carefully worked up and adequately presented. I know from experience in connection with hearings on my bill that merely calling in the representatives of the trust to answer questions will not result in a triumph of truth.

Such an inquiry in the long run will greatly benefit the motion-picture industry, just as it will benefit the public. Many new interests are coming into the industry who do not know—and if left to Hays will never know—what is going on. I believe that when they get a picture of conditions they will turn their thumbs down on the Hays policy of attempting to "fix" violations of decency instead of preventing them, that they will see that competition in the business is kept decent and is not conducted in violation of the antitrust laws, that they will see the wisdom of dissolving their chains of theaters and leaving the field of exhibition to the independent operators with their knowledge of public tastes and their local good will, and that they will restore prosperity to the great producing organizations by restricting them to their legitimate function of making wholesome pictures for the entertainment of the people.

Mr. President, in connection with this address I desire to introduce a bill and to have it printed in the RECORD following the address.

I also desire to offer a resolution of investigation, and ask that it also be printed in the RECORD following the bill.

The bill (S. 3770) to prevent the obstruction of and burdens upon interstate trade and commerce in copyrighted motion-picture films, and to prevent restraint upon free competition in the production, distribution, and exhibition of copyrighted motion-picture films (a) by prohibiting the compulsory block booking of copyrighted motion-picture films; (b) by making unlawful unreasonable and discriminatory protection in favor of certain theaters over others; (c) to compel the furnishing of accurate synopses of all pictures offered to theater operators before the same have been released and reviewed; and (d) to amend section 2 of the Clayton Act to make it apply to license agreements and leases as well as sales in interstate commerce was read twice by its title, referred to the Committee on Interstate Commerce, and ordered to be printed in the RECORD, as follows:

A bill (S. 3770) to prevent the obstruction of and burdens upon interstate trade and commerce in copyrighted motion-picture films and to prevent restraint upon free competition in the production, distribution, and exhibition of copyrighted motion-picture films (a) by prohibiting the compulsory block booking of copyrighted motion-picture films; (b) by making unlawful unreasonable and discriminatory protection in favor of certain theaters over others; (c) to compel the furnishing of accurate synopses of all pictures offered to theater operators before the same have been released and reviewed; and (d) to amend section 2 of the Clayton Act to make it apply to license agreements and leases as well as sales in interstate commerce

Be it enacted, etc., That six months after the date of the approval of this act it shall be unlawful for any producer or distributor of copyrighted motion-picture films engaged in transporting, leasing, or licensing such films in the current of interstate commerce, and having and offering for lease or license blocks or groups of films containing two or more photoplays or subjects, to insist that a licensee or lessee shall take all or a designated number of such photoplays or subjects out of the total number offered in order to obtain the ones which the lessee or licensee desires or to

refuse to lease or license such lesser number of photoplays or subjects out of the total number offered as the lessee or licensee desires, the purpose and intent of this section being to make unlawful the practice of compulsory block booking as known and practiced in the motion-picture industry and to confer on the operators of motion-picture theaters the right to lease and exhibit only such pictures as in their judgment will be acceptable to their patrons.

SEC. 2. Six months after the date of the approval of this act it shall be unlawful for two or more producers or distributors of copyrighted motion pictures, in the current of interstate commerce, acting jointly or in concert with one another, or with any theater or chain of theaters, to agree upon or observe any plan or schedule of zoning or protection, or to observe any policy, which results in withholding such copyrighted motion-picture films for an unreasonable time from any theater or class of theaters after the same have been exhibited in any other theater or class of theaters, or which gives to any theater or class of theaters an unfair competitive advantage over any other theater or class of theaters not warranted by competitive conditions in the territory where such theaters are located, or which subjects any theater or class of theaters to an unfair disadvantage or unjust discrimination in the matter of obtaining copyrighted motion-picture films.

SEC. 3. Administration of sections 1 and 2 of this act is vested in the Federal Trade Commission, which is hereby authorized and empowered to make suitable rules and regulations and to hold hearings and enter orders for the purpose of giving effect to the provisions of those sections. Disagreements between the producers and distributors of copyrighted motion-picture films, on the one hand, and operators of motion-picture theaters, on the other hand, concerning the proportionate part of the total rental asked for a block or group of pictures which shall be demanded and paid for such lesser number as the theater owner may elect to take, as provided in section 1, shall be settled by the Federal Trade Commission after full hearing. Any order entered by the commission shall be binding on the parties in case a contract or lease is entered into, provided the party in whose favor such order is entered shall give bond in such amount and with such security as the commission shall provide, to protect the rights of the other party in case the decision of the commission is modified or reversed on appeal. Disputes arising between the producers and distributors of copyrighted motion pictures, on the one hand, and any theater or class of theaters on the other, or between different classes of theaters, regarding the reasonableness of the protection given any theater or class of theaters, and all complaints of unreasonable and discriminatory protection made unlawful by section 2 shall also be settled by the commission. The procedure of the commission shall conform as nearly as may be to that prescribed in section 5 of the Federal Trade Commission act, and orders of the commission may be contested and/or enforced as provided therein.

SEC. 4. Six months after the date of the approval of this act it shall be unlawful for any producer or distributor of copyrighted motion-picture films to lease or license, or offer to lease or license, in the course of interstate commerce, any such films containing photoplays or other subjects of 4,000 feet or more in length, to the operator of any theater or theaters for exhibition to the public, unless such producer or distributor shall furnish or make available to such theater operator, at or before the time any such lease or license agreement is entered into, a full and complete synopsis or outline of the story, incidents, and scenes depicted in said films. The synopsis of any such film of 4,000 feet or over shall contain at least 1,000 words and shall afford the theater operator sufficient information concerning the subject matter of the film to determine whether the same is suitable for exhibition to his patrons. Failure to furnish such synopsis or outline, and any knowing or wilful misstatement as to the story or incidents of the picture outlined in any such synopsis, shall be punished by a fine of not more than \$1,000 and not less than \$100 for each offense, in the discretion of the court.

SEC. 5. That section 2 of the Clayton Act be, and it is hereby, amended to read as follows:

"SEC. 2. That it shall be unlawful for any person engaged in commerce, in the course of such commerce, either directly or indirectly, to discriminate in price, rentals, or royalties between different purchasers, lessees, or licensees of commodities, whether patented or unpatented, copyrighted or uncopyrighted, which commodities are sold, leased, or licensed for use, consumption, resale, or exhibition within the United States or any Territory thereof or the District of Columbia or any insular possession or other place under the jurisdiction of the United States where the effect of such discrimination may be to substantially lessen competition or tend to create a monopoly in any line of commerce: *Provided*, That nothing herein contained shall prevent discrimination in price, rentals, or royalties between purchasers, lessees, and licensees of commodities on account of differences in the grade, quality, or quantity of the commodity sold, leased, or licensed or that makes only due allowance for difference in the cost of selling, leasing, or transportation, or discrimination in price, rental, or royalty in the same or different communities made in good faith to meet competition: *And provided further*, That nothing herein contained shall prevent persons engaged in selling, leasing, and licensing goods, wares, or merchandise in commerce from selecting their own customers, lessees, and licensees in bona fide transactions and not in restraint of trade."

The resolution (S. Res. 170) was referred to the Committee on Interstate Commerce, as follows:

Whereas the transportation, distribution, and licensing of motion-picture films and accessories as commonly practiced have been held to constitute interstate trade and commerce; and

Whereas it has been alleged that the business of producing, distributing, and exhibiting motion pictures is carried on by various corporations and individuals in violation of the antitrust laws; and

Whereas it has been alleged that the motion-picture industry has made no bona fide effort to censor screen material and is producing, releasing, and exhibiting many pictures that are indecent and otherwise unfit for public display; and

Whereas it has been alleged that the Motion Picture Producers & Distributors of America (Inc.), of which Mr. Will Hays is president, is primarily a political organization and has exercised undue influence with private, State, and Federal agencies in matters affecting the motion-picture industry; and

Whereas petitions have been received from various persons, organizations, and publications asking that the motion-picture industry be investigated and proposing legislation to remedy alleged abuses in the motion-picture business: Now, therefore, be it

Resolved, That the Committee on Interstate Commerce be, and it is hereby, empowered and directed forthwith to make a sweeping and thorough investigation of the organization, financing, and practices of the motion-picture industry in the United States, and particularly to investigate and report on the following:

1. The organization, functions, and financing of the Motion Picture Producers & Distributors of America (Inc.), the purposes and accomplishments of said organization, and the extent to which the members thereof have cooperated through said agency to suppress competition and restrain trade.

2. The activities of the members of said Motion Picture Producers & Distributors of America to monopolize or control said industry by such devices as uniform sales contracts, compulsory arbitration, withholding of product from independent theaters, allocation of product to controlled theaters, unfair and unreasonable zoning and protection, block booking, and other unfair practices.

3. The efforts of the theater-owning producers to regulate the admission prices of independent theaters by limitations in so-called percentage contracts and by withholding film for unreasonable periods from low-admission houses.

4. The degree of diligence shown by the Department of Justice and the Federal Trade Commission in prosecuting alleged violations of the antitrust laws by motion-picture companies and the reasons for the delay in pressing pending cases; and, if there has been lack of diligence, whether it is the result of the activities of Mr. Will Hays, or the Motion Picture Producers & Distributors of America.

5. The capitalization of the larger companies in the motion-picture industry and the methods by which they were financed, particularly during the past six years, and the reasons for the great shrinkage in the value of their securities in the hands of the public.

6. The relations—corporate, contractual, and otherwise—between the producers and distributors of motion pictures, on the one hand, and the manufacturers of electrical equipment for reproducing sound in theaters, the principal music-publishing houses, and the manufacturers of so-called screen trailers, on the other hand, and the effect of such relations on the independent theater owners and the public.

7. The organization and operation of the so-called copyright protection bureau and the connection between said bureau and the Motion Picture Producers & Distributors of America, and the truth of the assertion that said bureau under color of the copyright law has extorted penalties from theater owners which bear no relation to actual damages resulting from alleged infringements.

8. The facts in reference to the so-called Hays Morality Code, whether it was promulgated in a bona fide effort to improve conditions on the screen or whether it was intended as a mere blind to silence criticism, the extent to which it has been obeyed or evaded; and, if it has been obeyed, whether it is adequate to protect the public from indecent and obnoxious pictures.

9. The efforts of the Motion Picture Producers & Distributors of America to influence public opinion in favor of the industry and to silence criticism by propaganda, by the employment or subsidizing members or employees of various national organizations, and by efforts to control the action of such organizations.

10. The activities of the Motion Picture Producers & Distributors of America in attempting to control and direct organizations of theater owners to subsidize those that conform to the Hays policies, and to interfere with the financing and operation of those that do not.

11. The effect on the independent theater owners and on the public of percentage playing, as now required by the larger producing companies, and particularly of so-called selective percentage playing under which the producer designates the days on which its pictures must be played: Be it further

Resolved, That the Committee on Interstate Commerce inform the Senate fully as to any changes in the antitrust laws, the copyright laws, the laws against using the mails to defraud, and any new measures which may be necessary or desirable to cure any abuses which may be found to exist in the organization, financing, and practices of the motion-picture industry: And be it further

Resolved, That the Committee on Interstate Commerce, in the discharge of its duty under this resolution, be and it is hereby, authorized to employ such attorneys and investigators as it may deem necessary fully to comply with this resolution.

PROPOSED ANTI-INJUNCTION LEGISLATION

The VICE PRESIDENT. The hour of 2 o'clock having arrived, under the order previously entered, the Chair lays before the Senate the special order, which is Senate bill 935.

The Senate proceeded to consider the bill (S. 935) to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes, which had been reported from the Committee on the Judiciary with amendments.

Mr. NORRIS rose.

Mr. LA FOLLETTE. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

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

Ashurst	Couzens	Hull	Reed
Austin	Cutting	Johnson	Robinson, Ark.
Bailey	Dale	Jones	Robinson, Ind.
Bankhead	Davis	Kean	Schall
Barbour	Dickinson	Kendrick	Sheppard
Bingham	Dill	Keyes	Shipstead
Black	Fess	King	Smith
Blaine	Fletcher	La Follette	Smoot
Borah	Frazier	Logan	Stelwer
Bratton	George	McGill	Stephens
Brookhart	Glass	McKellar	Thomas, Idaho
Broussard	Glenn	McNary	Thomas, Okla.
Bulkley	Goldsborough	Metcalf	Townsend
Bulow	Gore	Morrison	Trammell
Byrnes	Hale	Moses	Vandenbergh
Capper	Harrison	Neely	Wagner
Caraway	Hastings	Norbeck	Walcott
Carey	Hatfield	Norris	Walsh, Mont.
Connally	Hawes	Nye	Watson
Coolidge	Hayden	Oddie	Wheeler
Copeland	Hebert	Patterson	White
Costigan	Howell	Pittman	

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

Mr. NORRIS. Mr. President, it is not my intention to-day to go into an exhaustive consideration of the bill. At a later time, probably several times while the bill is before the Senate and under discussion, I shall go into more detail. At the present time I desire only to review as briefly as I can some of the leading questions that are involved in the proposed legislation. I therefore ask that I be allowed to proceed without interruption. At the conclusion of my analysis and likewise during the remainder of the debate on the measure, I shall be very glad indeed to yield at any time and to answer any questions that I am able to answer.

Mr. President, the writ of injunction is always a harsh remedy. It is one which should never be resorted to except in cases where irreparable injury will result unless a restraining hand is put forth to prevent it. It should never be issued except in cases where the law will afford no relief. It is a remedy having application only to property rights. Whenever it is used to deny the fundamental rights and privileges of free citizens, it becomes tyrannous and oppressive.

The cruelty of the injunction has been especially apparent in disputes between labor and capital, and it has often occurred in such cases that the real object of the injunction is not to protect property but to restrain the constitutional rights of individuals and thus to interfere with human liberty. Its use in labor disputes has been a gradual growth, coincident with the gradual growth of immense combinations of wealth. As monopoly has increased its hold upon great business undertakings and operations, and as combinations of great wealth have been formed for the financial enrichment of those engaged in the monopoly, the power thus attained for its own enrichment has often been used to take away the freedom of laboring men who are compelled to toil for the support of themselves and those dependent upon them.

The ordinary laboring man is powerless to cope with such combinations, and he must accept employment upon the terms which monopoly offers or become a subject of charity

and see his family and those immediately dependent upon him deprived of the ordinary comforts of life.

LABOR UNIONS

To prevent this result laboring men have organized into associations and unions in order that they may present a united front to the demands of combined wealth and great aggregations of capital. His right to do this has become universally recognized, but, by means of harsh, cruel, and misused injunctive process, monopoly, through the assistance of our courts, has interfered by means of injunctions, which, in their effect, have often taken away the real right of labor to have a voice in the wage it shall receive, and the effect has often been involuntary servitude on the part of those who must toil in order that they and their families may live. Such conditions bring about involuntary servitude—a species of economic slavery—which can not permanently exist in a free country; and such economic slavery is as cruel, as merciless, and as effective as slavery based upon the color of the human skin. The man who, by force of economic conditions, is compelled to toil against his wish and under conditions depriving him of his freedom, is a slave even though his skin may be white.

The tyranny of some of these injunctions, as I shall hereafter point out, has taken away the freedom and the liberty of many of our citizens as completely and as tyrannically as ever occurred in days when slavery was recognized by the Constitution.

BOTH OF THE GREAT POLITICAL PARTIES HAVE PROMISED RELIEF

The hardship and the injustice brought about by the issuing of injunctions by Federal judges in labor disputes have been the subject of discussion for a number of years. The evils arising from such injunctions have been universally recognized. A public sentiment for relief through these years has gradually grown until the universal opinion of the patriotic people has crystallized into a demand for legislative relief.

Both of the great political parties in their last national conventions took a definite stand in favor of the passage of legislation by Congress which would give relief to the evils and the wrongs brought about by the issuing of injunctions in labor disputes. The Republican National Convention at Kansas City adopted a plank on the subject as follows:

The party favors freedom in wage contracts, the right of collective bargaining by free and responsible agents of their own choosing, which develops and maintains that purposeful cooperation which gains its chief incentive through voluntary agreement.

We believe that injunctions in labor disputes have in some instances been abused and have given rise to a serious question for legislation

The Democratic National Convention, a short time thereafter, at Houston, Tex., spoke as follows:

(a) We favor the principle of collective bargaining and the democratic principle that organized labor should choose its own representatives without coercion or interference.

(b) Labor is not a commodity. Human rights must be safeguarded. Labor should be exempt from the operation of anti-trust laws.

(c) We recognize that legislative and other investigations have shown the existence of grave abuse in the issuance of injunctions in labor disputes. No injunctions should be granted in labor disputes except upon proof of threatened irreparable injury and after notice and hearing, and the injunction should be confined to those acts which do directly threaten irreparable injury. The expressed purpose of representatives of capital, labor, and the bar to devise a plan for the elimination of the present evils with respect to injunctions must be supported and legislation designed to accomplish these ends formulated and passed.

It therefore becomes a nonpartisan question, or rather a party question agreed to by both of the dominant political parties.

Must we assume that these great political parties are not in earnest? Were they attempting to deceive the people of the United States when they proclaimed these two planks upon this important question? And are they now, on the eve of another great national campaign, admitting that they were not sincere and were only trying to get votes at the general election?

I do not want to indulge in any such assumptions. I would rather go on the theory that both of these great

political parties were honestly laying down propositions in which they believed, and which, if granted the power by the people, they would enact into law.

We ought to remember, also, that this is the only anti-injunction bill which has been proposed. If it is claimed that this bill is not correct and that those in power want to redeem the promise thus publicly made, then why are we not presented with some substitute? Why have we not been presented long before this with legislation on the subject?

I can not close my eyes to the fact that the party which won that election and which, until just a few months ago, was in complete control of both branches of the National Legislature and the executive departments has made no effort so far as I know to redeem this platform pledge.

This proposed legislation has not had the assistance of the present administration; but, on the other hand, it is fair to say that in general the opposition to this legislation has come from those who are recognized as being closely allied with the present administration.

A PUBLIC POLICY

This bill starts out by declaring a public policy of the United States in relation to labor disputes. This is the first time in the history of the United States that any attempt has been made to declare, through an act of Congress, the public policy of the United States in relation to the issuing of injunctions in labor controversies. The object of setting up such a policy is to assist the courts in the proper interpretation of the proposed legislation. Such a legislative procedure, so far as labor disputes are concerned, will be of great assistance whenever the proposed law or any part of it comes up for review and consideration by a court and will relieve the question of many of the difficulties which have heretofore existed when a court has been called upon to interpret the law. It will, I am sure, go far toward brushing aside any question of the constitutionality of the act or any part of it.

Section 1 of the bill under consideration declares:

That no court of the United States, as herein defined, shall have jurisdiction to issue any restraining order or temporary or permanent injunction in a case involving or growing out of a labor dispute, except in strict conformity with the provisions of this act, nor shall any such restraining order or temporary or permanent injunction be issued contrary to the public policy declared in this act.

This section is really a preamble to the public policy declared in section 2, which reads as follows:

In the interpretation of this act and in determining the jurisdiction and authority of the courts of the United States, as such jurisdiction and authority are herein defined and limited, the public policy of the United States is hereby declared as follows:

"Whereas under prevailing economic conditions, developed with the aid of governmental authority for owners of property to organize in the corporate and other forms of ownership association, the individual unorganized worker is commonly helpless to exercise actual liberty of contract and to protect his freedom of labor, and thereby to obtain acceptable terms and conditions of employment, wherefore, though he should be free to decline to associate with his fellows, it is necessary that he have full freedom of association, self-organization, and designation of representatives of his own choosing, to negotiate the terms and conditions of his employment, and that he shall be free from the interference, restraint, or coercion of employers of labor, or their agents in the designation of such representatives or in self-organization or in other concerted activities for the purpose of collective bargaining or other mutual aid or protection; therefore the following definitions of, and limitations upon, the jurisdiction and authority of the courts of the United States are hereby enacted."

If the act or any part of it should be involved in any litigation where an injunction was issued or asked for, the judge before whom such action was pending would be required to give full force and effect to the public policy thus declared by the act; and, having in mind the public policy thus declared, he would be able to so construe the various provisions of the act as to give full effect and validity to the public policy thus declared.

There is no doubt whatever but that the Congress has the constitutional right to declare the public policy of the United States upon any question upon which the Congress has the right to legislate; and when such public policy is declared,

it becomes the duty of all the courts to give effect to such policy and to carry it out in the enforcement of any law where such public policy has application.

Where Congress has not declared a public policy, it is within the province of the court to decide what the public policy is; but when such public policy has been declared by Congress, it is the duty of the court to follow such policy and to decide litigated questions related thereto in accordance with the policy thus declared by Congress. This doctrine has been repeatedly upheld by both State and Federal courts. In the case of *People v. City of Chicago* (321 Ill. 466-475) the Supreme Court of Illinois said:

The public policy of a State is to be found embodied in its constitution, its statutes, and, when these are silent on the subject, in the decisions of its courts. The public policy of the State, when not fixed by the constitution, is not unalterable, but varies upon any given question with changing legislation thereon, and any action which, in the absence of legislation thereon, by the decisions of the courts has been held contrary to the public policy of the State, is no longer contrary to such public policy when such action is expressly authorized by legislative enactment.

Another case decided by the Supreme Court of the State of Illinois directly on the point was the case of *Union Trust & Savings Bank v. Telephone Co.* (258 Ill. 202). In that case the court said:

While no statute has been enacted declaring such exclusive contracts criminal or giving a right of action to persons prejudiced by them, the courts have declared the public policy of the State, in accordance with the common law, to be opposed to such contracts which tend to put the power to render public service in the hands of one corporation and to take it away from all others. The legislature has the power to change this policy. It is a legislative question whether the public interest will be promoted by monopolistic rather than competitive service.

The Supreme Court of the United States has several times upheld this doctrine. In the case of *McCulloch v. Maryland* (4 Wheat. (U. S.) 315, 423), the court, speaking through Chief Justice Marshall, said:

Where the law is * * * calculated to affect any of the objects intrusted to the Government, to undertake here to inquire into the degree of its necessity would be to pass the line which circumscribes the judicial department and to tread on legislative ground.

Again, in the case of *Michaelson v. United States* (266 U. S. 42, 68), the Supreme Court expressly upheld the right of Congress to declare the public policy of the United States, in the following declaration:

The words of the act are plain and in terms inclusive of all classes of employment, and we find nothing in them which requires a resort to judicial construction. The reasoning of the court below really does not present a question of statutory construction but rather an argument justifying the supposititious exemption on the ground of necessity or of policy—

Note the words, "or of policy"—

a matter addressed to the legislative and not the judicial authority.

In the passage of the existing railway labor act Congress has already established a precedent of proclaiming a public policy by legislative enactment. In the third paragraph of section 2 of that act it is provided:

Representatives, for the purposes of this act, shall be designated by the respective parties in such manner as may be provided in their corporate organization or unincorporated association, or by other means of collective action, without interference, influence, or coercion exercised by either party over the self-organization or designation of representatives by the other. (Par. 3, sec. 152, title 45, U. S. C. A., 1929 sup.)

In effect, this declaration of public policy in regard to railway employees is the same as the declaration of public policy in the present bill in regard to all employees. The constitutionality of the railway labor act has been sustained by the Supreme Court in *Texas & New Orleans Railroad Co. v. Brotherhood of Railroad and Steamship Clerks*, decided May 26, 1930 (281 U. S. 548). In that case the Supreme Court, through Chief Justice Hughes, declared:

Evidence in this case supports the conclusion of the courts below that the defendant railroad company and its officers were actually engaged in promoting the organization of an association of its clerical employees in the interest of the company and in

opposition to the plaintiff labor organization, and that these activities constituted an actual interference with the liberty of the clerical employees in the selection of representatives for the purposes set forth in the railway labor act of May 20, 1926.

Further on the Chief Justice said:

The railway labor act of 1926, while elaborating a plan for amicable adjustments and voluntary arbitration of disputes between common carriers and their employees, imposed certain definite obligations enforceable by judicial proceedings, one of which is found in the provision of subdivision 3 of section 2, that "representatives, for the purposes of this act, shall be designated by the respective parties * * * without interference, influence, or coercion exercised by either party over the self-organization or designation of representatives by the other."

Further on in that case, on page 570, the Supreme Court said:

Congress was not required to ignore this right of the employees but could safeguard it and seek to make their appropriate collective action an instrument of peace rather than of strife. Such collective action would be a mockery if representation were made futile by interferences with freedom of choice. Thus the prohibition by Congress of interference with the selection of representatives for the purpose of negotiation and conference between employers and employees, instead of being an invasion of the constitutional right of either, was based on the recognition of the rights of both.

In the case of *Dayton-Goose Creek Railway v. United States* (263 U. S. 456), the opinion of the court shows that the act was interpreted and was sustained upon the grounds of a public policy declared by Congress. The court in that case said:

The new act seeks affirmatively to build up a system of railways prepared to handle promptly all the interstate traffic of the country. * * * To achieve this great purpose it puts the railroad systems of the country more completely than ever under the fostering guardianship and control of the commission.

Title IV of the transportation act, embracing paragraphs 418 and 422, is carefully framed to achieve its expressly declared objects.

As I have before stated, the public policy of the United States in labor disputes, having been thus declared by the Congress, acting under its constitutional right to make such a declaration, it will become the duty of the courts to construe the act and to enforce it with a view of giving effect to the carrying out of the public policy thus declared.

THE "YELLOW-DOG" CONTRACT

In a great many of the injunctions which the courts have issued in labor disputes the basis for the injunction was a written contract of employment, signed by the employee when he accepted employment. This contract has become almost universally known as the "yellow-dog" contract. It requires the employee, as a condition of obtaining employment, to agree that he will not join a union while he is in the employment, or, that if he is then a member of a union, he will disassociate himself from it; that he recognizes the right of the employer to discharge him without notice; that he will not quit his employment without giving sufficient notice to his employer to enable him to hire some one to take his place. The employee in most of these contracts agrees in advance to accept such conditions of labor, hours of labor, and so forth, as may from time to time be decided upon by the employer. Not all of these contracts are the same. Other and similar conditions from those noted are sometimes added, but, in a general way, they all have the same effect. They take away from the laboring man the right to have anything to say about any of the conditions connected with his employment. The hours of labor, conditions under which the labor is to be performed, the right of the laborer to quit employment whenever he becomes dissatisfied, the amount of pay which he shall receive, the right of the employer to reduce the pay at any time without notice, and so forth—all these things are turned over entirely and solely to the corporation or individual owning or operating the business. The employee waives his right absolutely to free association and fair representation in connection with his wages, the hours of labor, and any other conditions of employment. In other words, he surrenders his actual liberty of contract and to a great extent enters into voluntary servitude.

I know it can be said, and always is said, that the man seeking work does not have to sign this contract; that he does not have to work under the conditions named in the contract, because he has the right to refuse to enter into any employment contrary to what he believes to be right.

But all this, as a practical proposition, is no defense whatever. If the man applying for labor refuses to sign this contract, he can go on to some other corporation doing the same kind of business and apply for a job. But when he does, he will be confronted with the same "yellow-dog" contract. As he goes from place to place in his attempt to get work in his chosen field, he will always be presented with the same conditions. For instance, if the man hunting a job is a coal miner, he presents himself at the office of the corporation, asks for a job, and he is at once presented with the "yellow-dog" contract and told to sign on the dotted line. If he declines to sign and goes to the next coal mine, he is presented with the same contract, and so on throughout the entire coal field.

The result is that by the combination of large corporations in a particular line of business, the laboring man must accept unconditionally the terms laid down by the employer. He is absolutely helpless under such contracts. His family can not have food to eat or clothes to wear unless he gets a job. If he gets a job, he must surrender his liberty. He must, for the time being, become a slave. He can not associate with his fellows. In connection with his fellows, he can not present a grievance to the employer. He has agreed to make no such demand. If conditions become unbearable, his only remedy is to go alone and face the big combination of perhaps millions of wealth. He must singly present any grievance he has. He must abide by the decision which is thus given him. He has no appeal. He has no opportunity to join with his fellows and make his demands effective. In effect, if he must live and support his family and clothe his children, he must surrender his liberty.

These conditions have grown up because of the combinations of great aggregations of wealth. The poor man, standing alone, is absolutely helpless. This bill declares that such contracts are—

* * * contrary to the public policy of the United States, shall not be enforceable and shall not afford any basis for the granting of legal or equitable relief by any court of the United States.

Many of the injunctions which have been issued in the past in labor disputes have been based wholly, or in a large part, upon such contracts, and upon the assumption that they are valid.

As I have briefly outlined, this bill sets up a public policy. One of the objects of this proposed legislation is to outlaw this unconscionable and indefensible contract; and some action by Congress in this respect is absolutely necessary, because, as I have said, many labor injunctions have been sustained on the theory that such contracts are legal.

In my own humble judgment, it does not seem to me that any legislation ought to be necessary. It seems clear to me that as a matter of common law, without any statute being necessary, such contracts instead of being enforced ought to have been declared null and void by our courts. Such a contract, in my judgment, should be held void—

First. As being contrary to public policy under the common law. If these contracts are sustained, then no labor organization can exist, and laboring men will be compelled to submit unconditionally to any terms laid down by the employer. If men must agree in advance to surrender any liberty of contract in order to obtain employment, they are under coercion of necessity forced into working under conditions of involuntary servitude.

Second. These contracts should have been held void because they are entered into without consideration. The employer, on the one hand, has his work which he wants done. The laborer, on the other hand, as a consideration for his part of the contract, undertakes to perform the work. The employer gives up none of his freedom and action, and furnishes no consideration for the promise of the employee

that he will surrender his ordinary rights of "liberty of contract," which are inherent in every free citizen.

Third. Such contracts should have been held void because they are signed under duress and coercion. The employee, as I have said, is forced to accept all of the burdensome and unreasonable and sometimes inhuman conditions imposed upon him in order to support himself and family. Nevertheless, since the courts have sometimes enforced those contracts and issued unmerciful injunctions on the theory of the legality of such contracts, it is necessary that Congress take some action; and this bill has for one of its main objects the outlawing of and the doing away with such contracts.

It must be remembered that up to this time we have had no statute declaring any public policy on the subject, and have had no statute which attempts to outlaw such contracts as these. There is no doubt in my mind but that courts ought to and will follow the declaration of Congress and absolutely refuse to enforce any such contract if this bill becomes a law.

In the case of *Bailey v. Alabama* (219 U. S. 219) the Supreme Court said that one of the objects of the thirteenth amendment was—

* * * to make labor free by prohibiting that control by which the personal service of one man is disposed of or coerced for another's benefit, which is the essence of involuntary servitude.

In the same case the court said:

There is no more important concern than to safeguard the freedom of labor upon which alone can enduring prosperity be based.

This case was decided by a divided court, two Justices dissenting. Those opposing this legislation dwell with a great deal of assurance upon the dissenting opinion in that case, written by Justice Holmes. But a careful reading of Justice Holmes's dissenting opinion will convince any fair-minded man that there will be no conflict between the dissenting opinion of Justice Holmes and this bill now before the Senate. The *Bailey* case was based upon an Alabama statute, and Justice Holmes in his dissenting opinion assumed that the contract under this statute was a legal one because it was made in accordance with the statute which he believed to be constitutional, and that, therefore, a man could be legally punished for obtaining money by making such a contract with the fraudulent intention of breaking it. He met the argument that the terms of such contract would result in peonage with the pertinent comment: "If the contract is one that ought not to be made, prohibit it." In other words, a fair conclusion from the dissenting opinion of Justice Holmes will convince anyone that the legislative power had the right to prohibit the very contract in dispute.

That is what we are trying to do in this bill—to declare by statute a public policy of the United States; that the "yellow-dog" contract is in conflict with such public policy and that, therefore, it shall not be enforced in any Federal court in the United States.

No attempt will be made to defend the "yellow-dog" contract. Its inhumanity will be admitted by those who oppose this bill. But, they will say, it is a wrong which can not be remedied under our Constitution, and therefore that such contracts must be upheld by the courts, with all their evil consequences.

The evils which this bill attempts to remedy, especially in respect to the "yellow-dog" contracts, are admitted. They will not be denied in the course of this debate and most of those who oppose the bill will frankly admit not only that the "yellow-dog" contracts which this bill outlaws are in existence but that some method of relief in behalf of suffering humanity ought to be devised. Yet it will be claimed that the bill under consideration is unconstitutional for the very reason that it does outlaw these inhuman and barbarous contracts.

It will be said, also, that during the last three or four years, in which the remedies proposed in this bill have been under consideration and discussion, those who have continually fought the legislation and are still opposing it have so far made no attempt themselves to report any bill or to suggest any remedy for the evil which they admit exists.

By the abolition of these unconscionable contracts this bill sets on the hilltop a beacon of human liberty. It gives to those who toil, to those who are poor, to those who by the sweat of their faces contribute to the happiness of humble homes the enjoyment of that freedom and that liberty which is necessary in every free country for all of its citizens and not by one class of its people. It gives liberty to the downtrodden and the poor, and in this respect puts them on an equality with those who live in luxury and plenty.

Human liberty after all is just as precious to the man who toils in the darkness of the bottomless mine as it is to the man who controls a nation or who owns unlimited wealth. It gives hope to the little children of those who have no hope if liberty is blotted out. It brings joy and peace to the humble fireside in the weather-beaten cottage. It fills the breast with pride and with love of country and of all mankind. Let me quote one of the most beautiful tributes which has ever been paid to human liberty by one of the world's great writers:

We speak of liberty as one thing and of virtue, wealth, knowledge, invention, national strength, and national independence as other things. But of all these liberty is the source, the mother, the necessary condition. She is to virtue what light is to color, to wealth what sunshine is to grain, to knowledge what eyes are to sight. She is a genius of invention, the brawn of national strength, the spirit of national independence. Where liberty rises there virtue grows, wealth increases, knowledge expands, invention multiplies human powers, and in strength and spirit the freer nation rises among her neighbors as Saul amid his brethren—taller and fairer. Where liberty sinks there virtue fades, wealth diminishes, knowledge is forgotten, invention ceases, and empires once mighty in arms and arts become a helpless prey to freer barbarians. * * *

Liberty came to a race of slaves crouching under Egyptian whips and led them forth from the house of bondage. She hardened them in the desert and made of them a race of conquerors. The free spirit of the Mosaic law took their thinkers up to heights where they beheld the unity of God and inspired their poets with strains that yet phrase the highest exaltations of thought. Liberty dawned on the Phœnician coast and ships passed the Pillars of Hercules to plow the unknown sea. She shed a partial light on Greece and marble grew to shapes of ideal beauty, words became the instruments of subtlest thought, and against the scanty militia of free cities the countless hosts of the great king broke like surges against a rock. She cast her beam on the 4-acre farms of Italian husbandmen, and born of her strength a power came forth that conquered the world. * * * Out of the night that followed her eclipse her slanting rays fell again on free cities and a lost learning revived, modern civilization began, a new world was unveiled; and as liberty grew, so grew art, wealth, power, knowledge and refinement. In the history of every nation we may read the same truth. It was the strength born of Magna Charta that won Crecy and Agincourt. It was the revival of liberty from the despotism of the Tudors that glorified the Elizabethan age. It was the spirit that brought a crowned tyrant to the block that planted here the seed of a mighty tree. It was the energy of ancient freedom that the moment it had gained unity made Spain the mightiest power of the world, only to fall to the lowest depth of weakness when tyranny succeeded liberty. * * *

Shall we not trust her?

In our time, as in times before, creep on the insidious forces that producing inequality destroy liberty. On the horizon the clouds begin to lower. Liberty calls to us again. We must follow her further; we must trust her fully. Either we must wholly accept her or she will not stay. It is not enough that men should vote; it is not enough that they should be theoretically equal before the law. They must have liberty to avail themselves of the opportunities and means of life; they must stand on equal terms with reference to the bounty of nature. Either this or liberty withdraws her light; either this or darkness comes on and the very forces that progress has evolved turn to powers that work destruction. This is the universal law. This is the lesson of the centuries. Unless its foundations be laid in justice the social structure can not stand.

THE ABUSE OF THE POWER OF INJUNCTION

One of the indefensible things contained in a great many of the labor injunctions issued by Federal judges is the enjoining of the defendants from exercising their legal right under State law, given them by a State statute.

Labor unions usually provide for a fund out of which benefits are paid to their members when they are out of employment, including the time when they are out of employment on account of a strike. The members of the union who are out of employment are entitled, under the rules of their organization, to these benefits. They have themselves contributed to this fund. They have a direct

interest in it. The fund is accumulated by dues paid by the members and the object of it is to assist the members when they are out of employment in the support of themselves and their families. Some of these injunctions issued by Federal judges enjoin the unions from paying their members who are on strike any of the benefits to which they are entitled from these funds accumulated by their own contributions. In such cases the money in this fund is in the possession of the proper officers. Under the rules and regulations of the organization it is the duty of these officers to pay these benefits to their fellows who are out of work. They are willing and anxious to perform their duty, but the strong arm of a Federal injunction prevents them from doing this act, from complying with their agreement, from performing their duties as officers of the union.

These injunctions often go still farther. Not only do they prohibit the workmen from thus contributing to their fellows but the injunction prohibits anyone, whether he is a member of the union or not, from giving any assistance or contributing any funds or other money to men who are on a strike.

But many of these injunctions go still farther. It is a common thing in the operation of coal mines for laborers to live in houses owned by the corporation owning or operating the mines. These houses—in many cases it would be more proper to term them shacks—are leased to the laboring man under contract by which the laborer agrees to pay a certain amount monthly or otherwise as a rental for the occupation, and providing also for the surrender of the premises under conditions named in the contract of lease. If a dispute arises between the employer and the employee as to whether or not the contract has been violated and as to whether the owner has a right to dispossess the employee, the question at once becomes one of forcible entry and detainer under the laws of the State where the property is located. These laws invariably provide for the trial of forcible entry and detainer cases before a justice of the peace. Upon the trial before the justice either side is given the right to appeal to a higher court. If the judgment of the justice of the peace is against the laboring man, the tenant, if he desires to appeal his case, has to give bond, not only for the costs in the case, as is usual in all cases, but also for the payment of a reasonable rental in case the decision of the higher court is against him. This is a right given him under the State law. It is a right that is general and applies to all cases between landlord and tenant. If the tenant is wrongfully holding possession of the premises, no loss can come to the landlord because, before he can appeal he must put up a bond to pay both costs and rental.

Many of these injunctions issued in Federal courts by Federal judges enjoin the tenant from taking the appeal given to him under a State law. Not only is the defendant enjoined but every and all persons are enjoined from going on the bond or from giving any advice or assistance of any kind to the laboring man who is a defendant in such forcible-entry and detainer cases. All persons, whether they belong to the union or not, or whether they are defendants in the case or not, are enjoined from paying any money in the way of expenses in behalf of the defendant in such a case. The injunction sometimes goes far enough to prevent anyone from acting as attorney or from giving any legal advice to an employee whom the company is trying to eject from one of these houses. And very often all persons are enjoined from furnishing any food or fuel or any other necessity of life to any one of these defendants who happens to be living in one of these houses and who is out on a strike. Such injunctions have often resulted in the greatest kind of hardship and misery suffered by these coal miners. Under these unconscionable orders relief of any kind can not be given. Sickness, hunger, and cold can not be relieved. I know of no other instances in jurisprudence where such hardships have been upheld and where such summary methods of depriving persons of their "day in court" have been held to be "due process of law." By no conceivable stretch of the

imagination can such instances of judicial cruelty be condoned or defended.

The bill under consideration takes away from the Federal courts the power to issue such injunctions and in the same section (sec. 4) the bill prohibits the issuing of injunctions which restrain employees from—

(f) Assembling peaceably to act or to organize to act in promotion of their interests in a labor dispute.

It prohibits the issuing of injunctions restraining anyone from inducing, assisting, counseling, or advising, without fraud or violence, any of these things, regardless of whether or not the employee may have signed a "yellow-dog" contract.

Injunctions have been issued which restrain employees engaged in a strike from giving publicity to the existence of or the facts involved in any labor dispute. In these cases the strikers are prohibited from telling anyone that a strike is in existence or from telling anyone that the company requires its men to sign a "yellow-dog" contract.

One of the most recent injunctions in a labor dispute was issued in the District Court of the United States for the Northern District of Iowa. This injunction was issued on the 29th day of March, 1930. When I was furnished a copy of this injunction I did not believe that it was true. I could not believe that any judge would issue such a cruel document. I thought I was being imposed upon and I wrote a letter to the clerk of the court and asked him to certify to me a correct copy of the injunction which had been issued. I found that I had been correctly informed and that the first copy which had been furnished me was a true copy of the official document. This injunction enjoined the defendants from doing many things. Among others, it enjoined them from—

* * * printing, publishing, issuing, circulating, and distributing, or otherwise communicating, directly or indirectly, in writing or verbally, to any person, association of persons, or corporation, any statement or notice of any kind or character whatsoever, stating or representing:

(1) That there is a strike at the mill or plant of complainant at Fort Dodge, Iowa; or that the strike of 1921 is still in existence; or that there is a controversy over wages or conditions of employment between complainant and its employees; or any false statement with reference to conditions of employment at complainant's plant.

Let me invite your attention to that word "false," because some one will say the injunction is against false statements of this kind. Not at all. The statement may be absolutely true. The only case where the word "false" applies is "any false statement with reference to conditions of employment at complainant's plant."

I continue reading from the injunction:

(2) That complainant is unfair to organized union labor, or that its products are or were unfair to organized labor, or are on an unfair list.

(3) That complainant forces or requires its employees to sign or subscribe to the so-called "yellow-dog" contract.

It will be observed that in this case the defendants were not allowed to tell anyone a strike was in progress. When the laboring man went home at night to his family, if he told his wife that a strike was on, he would be liable for arrest for contempt of court and to be sent to jail as a punishment. These men were not allowed to give any publicity in any way to the fact that a strike existed; and, although they might know of their own personal knowledge that employees were required to sign the "yellow-dog" contract, yet they would not dare tell even members of their own families of this fact. Their mouths were absolutely closed, and free speech was absolutely forbidden. They could not be allowed in such a case to seek advice from an attorney. The son would not be allowed to consult with his father on the subject. When the laboring man did not go to his work in the morning he would not even be allowed to tell his own wife why.

Under the laws of the State it would be perfectly proper and a defendant would have a perfect right to go out on the street and tell everyone he met that a strike was in prog-

ress; or that he, before he could get a job, was compelled to sign the "yellow dog" contract. He would have a perfect right, under the State law, to consult an attorney and to lay all the facts before him, and to ascertain from a legal standpoint what his rights were, but, under this cruel injunction order, all those rights were swept away. State laws were all nullified and the fundamental right of human liberty and freedom was absolutely and completely denied.

And suppose one of these defendants disobeyed this injunction? He would not be violating any State law! He would be doing only what every human being has a right to do! No statute of any State or the Federal Government would preclude him from giving full publicity to all of the facts. But, under this judge-made law, a new statute was put in force—not by the legislature of the State, not by anyone having authority to enact a statute, but by the judge sitting on the Federal bench.

And let us suppose, too, that for a violation of this order, one of the defendants was arrested. Where would he be tried? Would it be in the courts of the State where the offense is alleged to have been committed? No. It would be before the same judge who made the law. The judge who, acting as a legislator, made the law. He would sit as a judge to try an offense for violation of the judge-made law. In such a case the defendant would have committed a crime as defined by this arbitrary law in the shape of an injunction—not a crime under the State law, not a crime under any Federal law, but a crime made so by an arbitrary order of a judge, who is not supposed, under our Constitution and laws, to have any legislative authority. And if, when he was arrested, there was a dispute as to whether he had violated the order of the judge and thus committed a crime, would he have the right to lay his case before a jury of his peers? Would the constitution and the laws of the State where the alleged offense was committed control in such trial? No. No jury could sit in that case. Who would be the jury? The answer is, the judge—the same person who made the law, the same person who fixes the penalty. He would fix the punishment and he would render the judgment, and at his will the defendant would go to jail for a time limited only by the discretion of the same judge.

The vilest criminal, under our legal system, would not be deprived of these fundamental rights and privileges. The common hobo, the escaped convict—all are protected when they are charged with a crime by the right to have the matter settled by a jury, and they can not, under the law, be found guilty unless the evidence shows they are guilty beyond a reasonable doubt. But this judge, who made the law, who issued the order, who fixed the penalty, and who tries the case, would be guided by no rule of evidence known to our system of jurisprudence. There would be no one to tell the defendant that he was entitled to every reasonable doubt and that he must be acquitted unless proven guilty beyond a reasonable doubt.

The result is that the rights of defendants, under our system, are completely taken away. Something is made a crime which is not a crime under the law. The penalty is fixed, not by a legislature but by one man sitting on the bench. So far as I know, such arbitrary action very seldom occurs except in labor disputes. The defendants in such cases are poor. Sometimes many of them are uneducated. They have no money of their own to defend themselves, and these injunctions make it impossible for any of their friends or any sympathizing citizens to come to their assistance, financially or otherwise, or to even give them advice. They are thus singled out. They stand alone, faced on the one side by great combinations of wealth, unable to defend themselves and prevented from being defended by any other persons who might become interested in their welfare. They must take the punishment administered by the man who made the law and who has fixed the penalty.

It has long been recognized by students of the law and acknowledged by experts in government that the power to make a law and the power to enforce the law should be completely separate, and that such separation is absolutely

necessary as a protection against tyranny. Those who wrote our Constitution were careful to keep the judicial power separate from the legislative power and the administrative power. But these injunctions do away with all those fundamental principles of government and put in the hands of one man the right to make the law, the right to enforce the law, the right to fix a penalty, the right to try those who it is alleged have offended the law thus made, and the right to inflict at their own sweet will whatever punishment they believe should be administered. It was many years ago that the great legal writer Blackstone used the following language:

In all tyrannical government the supreme magistracy or the right of making and enforcing laws is vested in one and the same man or one and the same body of men, and wherever these two powers are united together there can be no public liberty. (1 Blackstone, 142.)

Pomeroy, an acknowledged authority, in his *Equity Jurisprudence*, has this to say on the subject:

The courts have thus been required to face such questions as the nature and extent of the capitalist's rights in the management of his business and of the workingman's property in his labor; to decide how far the employer shall be protected in his right to have labor and custom flow to him free from the interference of third parties, and how far the laborer shall be protected from similar interference in his contract of employment or his right to secure employment; to determine what limits shall be placed upon individuals and combinations of individuals in seeking their economic advancement at the expense of their fellows. All these and other problems have come before the courts in rapid succession. (Pomeroy, *Equity Jurisprudence* (4th ed.), vol. 5, p. 4566, sec. 2018.)

Is it any wonder that there has grown up a feeling of resentment against some of the actions of some Federal judges? Is it any wonder that there has gradually grown up in the minds of ordinary people a feeling of prejudice against Federal courts? Is it surprising that there should develop a sentiment against life tenure for Federal trial judges? Can anyone doubt that such action on the part of the Federal judiciary has gradually developed in the minds of ordinary people a fear that where a system of jurisprudence prevails which enables one man, endowed with a life tenure of office, to write a law and then order its enforcement, and then, refusing a jury, to try alleged offenders and punish them at his own sweet will, it will eventually lead us to the common knowledge and belief that where such things exist, as Blackstone says, "There can be no public liberty."

It is difficult to see how any civilized people would indefinitely submit to such tyrannical treatment, and, indeed, it would undoubtedly be true that there would not have been submission if this procedure were general and applied to all classes of people. It is because it applies only to the poor, to laboring men in labor disputes, that the great bulk of our people have not yet realized the great evil to human liberty and to popular government which such procedure brings about.

It is not difficult to see how such injunctions, violating the spirit of a free government, should frighten persons against whom such injunctions are issued and drive them to desperation. What free American citizen, let me ask, is willing to submit to such a violation of his sacred rights, which most of us had supposed were fully protected by our Constitution and our laws?

The bill under discussion makes all such injunctions impossible, and, if enacted into law, this shameful picture of human suffering and human misery brought about by judge-made law will be an impossibility.

Wherever it can be done this bill applies equally to organizations of labor and to organizations of capital. Organizations of employees and organizations of capital are treated exactly the same. The bill does not protect anyone, whether he be an employer or an employee, from punishment for the commission of any unlawful act, either as against property or as against persons.

It sometimes happens that detectives representing large corporations have been employed for the purpose of conveying information concerning the activities of laboring men to the corporation employing them. A notable instance of this kind was in the case of the street-railway strike in Indianapolis, Ind. There, two men were employed by the company

as such detectives. They applied for admission to the union and were admitted. Subsequent evidence disclosed that these men were the most active of any of the men of the union in favor of drastic action on the part of the laboring men. They did all they could to incite the men to the commission of all kinds of illegal and unreasonable acts, and then the strong hand of the injunction was brought forth with its usual effect of frightening and disheartening members of the union. And in that particular case, I think it is fair to say that the members of the subcommittee who held the hearings were dumfounded at the way in which members of the union were tried and convicted for contempt of court, where it seemed on the face of the evidence that the men convicted were not only innocent of a violation of the order of the court, illegal though it probably was, but that they had done their best to prevent the men from taking any action which would in any way violate the injunctive order.

In that case the workers before they were organized asked that some one be sent from an organized union to come to Indianapolis for the purpose of organizing the street-car employees into a union. At their request two organizers were sent to the city. These men, when they reached the city, were arrested on various kinds of charges not in any way connected with the object of their visit. Charges were made against them, and they were arrested. They had to arrange for bail to keep themselves out of jail while waiting for their various trials. Being strangers in the city and most of the other laboring men being financially unable to go on their bonds, arrangements were made through some bonding company to furnish bail. It was necessary, of course, in the cases, for them to pay the bonding companies. Their cases were continued and were never, in fact, brought to trial. When one of the cases reached a stage where it could no longer be continued the case was dismissed and the men were rearrested on some other charge of a similar nature. In this way their finances were used up, and they were worn out.

I may add, speaking from memory of the hearings, though I think I remember them accurately, that these men were arrested fifty-one times in something like 60 days and were never once tried. When the case finally came to trial—perhaps there was a charge in a police court of vagrancy or some other charge for which there was no foundation—it was dismissed, but before the men got out of the courthouse they were arrested again on a similar charge.

Laboring men are not financially able to pay the expenses which are necessary to make proper defenses. They are confronted with corporations having unlimited means, with attorneys of the greatest ability, and in such cases, if they have to try their case before a judge who is unsympathetic, it is necessary for their cases to be appealed. The harsh way in which the men are treated and the severity of these terrible injunctions break them down, even before trial, and the greatest damages are often done in cases which never reach the higher courts. A man who is confronted with an order which deprives him of all legal assistance, from seeking sympathetic advice, especially if he is an uneducated and ignorant person, is broken down before the case reaches the stage of a trial. He realizes that the judge-made law is made for him alone. He realizes that the man who made the law will be the man who tries him for contempt, and he realizes that the same man will administer punishment—a punishment not in accordance with law but in accordance with his individual opinion and judgment.

It is impossible to report with accuracy the number of injunctions issued either in State or Federal courts. As I have said, only a small percentage of them are reported officially. Approximately 300 injunctions were issued in the railway shopmen's strike of 1922, but only 12 were officially reported. Evidence taken by the subcommittee of the Committee on the Judiciary was to the effect that 389 labor injunctions in State and Federal courts were issued during the last decade, and that the most of these are unreported. Out of over 260 cases listed by the Massachusetts Bureau of Statistics in the period of 1898-1916, only 18 were officially

reported. This is because, as I have said, defendants in these cases are financially unable to defend themselves in court. Most of the injunction proceedings never go beyond a restraining order or at best beyond a temporary injunction.

Prior to 1890, injunctions in labor disputes were practically unknown, but the issuing of restraining orders and injunctions has rapidly increased since that time, until now it is seldom that any controversy of importance between capital and labor takes place without the issuing of one or more injunctions.

PROCEDURE

Mr. President, this bill, in section 7, provides for the procedure which shall be followed in case application is made for a restraining order or a temporary or permanent injunction. It provides that before a temporary or permanent injunction shall be issued there must be an opportunity for the defendants to be heard, and that at such hearing they shall have the right to cross-examine witnesses who testify in behalf of the issuing of such an order. The court must also permit the defendants to offer witnesses and to take their oral testimony in open court; and the court is not authorized to issue a temporary injunction after such hearing unless the court finds that unlawful acts have been committed and will be committed unless restrained; that as to each item of relief granted greater injury will be inflicted upon complainant by the denial of relief than will be inflicted upon defendants by the granting of relief; and that complainant has no adequate remedy at law. The bill also provides that no temporary or permanent injunction shall be issued unless the court finds that the public officers charged with the duty to protect complainant's property are unable or unwilling to furnish adequate protection.

The bill, however, permits a temporary restraining order without notice, but in order to secure this the judge issuing the order must take the testimony, under oath, of witnesses, and the evidence must be sufficient, if sustained, to justify the court in issuing an injunction upon hearing with notice. In other words, a restraining order without notice can not be issued except upon the sworn testimony of witnesses, and that testimony must be sufficient to sustain an injunction in case the same evidence were offered with notice.

This can be no hardship to the complainant in the case. If the plaintiff is not able to produce sufficient evidence without notice, certainly he would not be able to produce sufficient evidence with notice. The greatest danger of damage comes in cases where restraining orders or temporary injunctions are issued without any notice to the defendants. This, in effect, takes away the protection with which the law always tries to surround the defendant by requiring that a summons be served or a notice given before any judgment shall be rendered against him. It must also appear, before a temporary restraining order can be issued without notice, that the giving of the notice would of itself result in irreparable damage to the complainant's property.

A restraining order without notice, under the bill, shall not be in force longer than five days. The usual provision for the giving of bond before the issuing of such temporary order is also provided for.

It is also provided, in section 8, that no restraining order or injunction relief shall be granted to anyone who has failed to comply with any obligation imposed by law which is involved in the labor dispute in question or who has failed to make every reasonable effort to settle such dispute either by negotiation or with the aid of any governmental machinery provided for arbitration.

JURY TRIAL IN CONTEMPT CASES

This bill provides that a person charged with contempt for the violation of a restraining order or injunction shall have the right to a trial by jury. There is one exception to this, however, and that is where alleged contempt is committed in the presence of the court or so near thereto as to directly interfere with the administration of justice. Then the defendant is not entitled to a jury trial.

As I have already stated, the effect of an injunction is to make something illegal which is not illegal under the law

of the land. It makes something a crime which is not a crime under public law. The punishment for such a crime is just the same as the punishment for the violation of any criminal statute of any State or of the Federal Government. Why should a defendant be entitled to a jury trial in one case and not in the other? If a defendant is sent to jail for the violation of a statute made by the judge, his punishment is just as severe, his suffering is just as great as though he were sent to jail for the violation of a criminal statute. Why should the procedure be different in these two cases? If a laboring man meets his neighbor upon the street and strikes him down with his fist, he has committed a crime against the State law; but, when he is arrested, he has a right to a jury trial. If the same laboring man meets the same neighbor on the same street and tells him that a strike at a certain factory is in progress, or that laborers in a certain mill are required to sign a "yellow-dog" contract before they can get employment, or gives him any information of a like kind where a judge has issued an order making it a crime to give such information, then the defendant has no right to demand a jury trial. He is tried by the same judge who made the order. The author of the law sits in judgment in a case involving an alleged violation of a law which he himself has made. How can you distinguish between the two cases?

In each case the defendant is charged with a violation of law. One is a written law passed by the legislature of his State. The other is an order made by a Federal judge, making something a crime which was not a crime before. If there should be any difference, it ought to be just the reverse of what it is. If there is a reason for a man to have a jury trial when it is alleged he has violated some State statute, there is a double reason why he should have a jury trial when he has violated some judge-made law, especially where he is going to be tried before the same judge who made the law. If a defendant is charged with a crime which will take him to jail if he is found guilty, how can we say that under the law of the land he shall have a jury trial in one case and shall be denied a jury trial in the other?

A procedure which violates this fundamental right of a trial by jury in criminal cases, even though it be a case of contempt, violates every sense of common justice, of human freedom, and of personal liberty.

Section 12 of the bill under consideration gives to any defendant who is charged with contempt of court the right to file with the court a demand for the retirement of the judge sitting in the proceeding in all cases where the alleged contempt arose from an attack upon the character or conduct of the judge and where such attack occurred otherwise than in open court. When such a demand is filed under oath, the judge shall proceed no further, but another judge will be designated in the same manner as provided in other cases to hear and try the contempt charge.

It will be noted that this section is general. It has no specific relation to a labor dispute, but is intended more fully to reach the case where newspapers have been charged with contempt because it is alleged they have made improper remarks in their publications in regard to the conduct of a judge in any case pending before him. The conscience of the country was shocked a year or two ago when a newspaper publisher was haled into court by the judge for something he had said in his paper in the way of criticism. The same person against whom the criticism was made sat in judgment. He presided at the trial which took place without a jury, and the charge was improper conduct leveled against the man who was presiding in the case.

The bill does not attempt to relieve any newspaper publisher from anything which, under existing law, would make him liable. But we do believe that such publisher ought to have the right to a fair and impartial trial before a judge not having a direct, personal interest in the outcome of the case. There is no reason why, in such case, some unbiased judge should not sit upon the bench and preside in such a trial. There is every reason in the world why the judge who seemed to have been offended by what the newspaper stated should not sit in judgment upon his own case. This

is nothing but common, ordinary justice. It is not any legal refinement. It is simply good, ordinary, common sense, and no legal ability is required to recognize its justice.

There are several other things in the bill; but, in my judgment, no serious conflict will arise with reference to them. I have discussed, I think, all of the provisions of the bill which are contested, or which, for any reason, are claimed to be unjust or unconstitutional.

What we ought to do is to have the same rule of law apply to the poor as to the rich; to the ignorant as well as to the wise; to the weak as well as to the strong. This bill does nothing more. It provides for no avenue of escape for anyone who is guilty of fraud or violence. It limits the injunction to such cases as common, ordinary justice demands it should be limited. It permits laboring men to organize for the purpose of improving their conditions. It recognizes their right to organize in defense of their rights and their labors. It prevents great aggregations of capital from combining against the weak and the poor in any way which would deprive them of the ordinary rights of free American citizens. It attempts to weigh in the scales of justice all the elements which ought to be considered in passing upon controversies between labor and capital. It asks for the laboring man nothing that it does not concede to the corporation. Its enactment into law will, I believe, do away with much of the criticism which is now made—justly, I think—against the Federal courts. After all, a court, to be effective, must be respected. It is the duty of all citizens to obey all of the orders and judgments of our courts, but the success of our courts and the perpetuity of our Government will be seriously affected and retarded if its orders are unjust and unfair.

I believe, therefore, that the enactment of this bill into law will not only prevent injustices in labor disputes but that its effect will be to place upon a higher plane all of our courts, and eventually bring faith in and respect for all our judiciary tribunals.

JUDGE WILKERSON'S INJUNCTIONS

In conclusion, it seems to me it would be very appropriate to call to the attention of the Senate the record of Judge Wilkerson in the issuing of injunctions in labor disputes. This record is particularly applicable now, when the President of the United States has sent the name of this judge to the Senate in his effort to promote him to the circuit court of appeals. This nomination for such promotion is now pending before the Judiciary Committee of the Senate.

Judge Wilkerson was appointed as district judge by President Harding, under the advice and at the suggestion of Attorney General Harry M. Daugherty. Hardly was the ink on the commission dry before the same Attorney General applied to this judge and secured of him a sweeping injunction applying to many thousands of railroad employees. This injunction was issued at a time when the dispute between the railroads and their employees was in a fair way of settlement, and contained many of the obnoxious provisions which are almost invariably included in labor injunctions.

Incidentally, this case illustrates the close connection between the judge and the appointive power. After all, judges are human beings; and it is perhaps too much to expect that a judge just appointed to the bench, where he has a life tenure, should be able to resist the request of the Attorney General whose recommendation probably brought him the appointment. Congress, therefore, should see to it that the law is so plain and so explicit that even the weaknesses of human nature would not be sufficient to lead the judge astray in such cases where the temptation is admittedly great.

Another illustration of a conscienceless injunction issued by Judge Wilkerson was the injunction issued in the case against the Chicago Federation of Musicians and others. This injunction was issued on the first day of September, 1928, at 10 o'clock in the forenoon. The then existing contracts of the musicians with motion-picture houses expired the very next day, September 3, which was Sunday, and

new contracts had not been agreed upon. Negotiations had been pending for some time between these musicians and the theater houses, but no definite agreement had been made. The musicians were asking that certain conditions be included in the new contracts of employment, which the employers and receivers for some of these houses were resisting. At this time, while these negotiations were pending and the day before these contracts expired by their own terms, these theaters commenced this action against their employees, and without any notice to the defendants the judge issued another one of his famous restraining orders.

In this injunction, among other things, the defendants were restrained from enforcing certain provisions of their own by-laws. It seems that these musicians, in their own organizations, had various stipulations in their by-laws; and this judge, upon the filing of the complaint by the plaintiffs, and without any notice whatever that such an application was pending, issued an order restraining the defendants from in any way, directly or indirectly, enforcing the provisions of the by-laws. In other words, the injunction restrained the defendants from making the demands which they were making in their negotiations with their employees. In some instances, in effect, it required these musicians to amend their by-laws. It restrained them, also—

From ordering, commanding, directing, or causing any strike
* * *

It likewise enjoined the defendants—

From leaving or threatening to leave the employment of said receivers, either by way of strike or otherwise, unless with the consent of said receivers * * *

The injunction also restrained the defendants—

From imposing upon or levying or ordering against any member of said union any fine, penalty, suspension, erasure, expulsion, or assessment of whatsoever character for failure to leave the employment of said receivers, for refusal to refrain from seeking or accepting employment of said receivers, for refusal to obey any command, order, rule, by-law, provision, direction, hint, suggestion, or request of whatsoever character of said union or any officer, committee, or member thereof that he leave or refrain from seeking or accepting such employment, or for refusal to do, perform, aid, assist, counsel, command, direct, or acquiesce in any act forbidden by this order.

In this wonderful injunction there is just one ray of hope. The injunction did contain a provision that the defendants should have a right to appear in court and petition the court for a modification of this drastic order. What a wonderful and merciful thing that was.

The injunction was issued at 10 o'clock on Saturday morning. I presume before it was served it was probably late in the afternoon of Saturday. The court was not in session, of course, on Sunday. The contracts expired on Sunday by their own terms and, by the terms of the decree, these defendants were restrained from quitting the employment of the plaintiffs unless the plaintiffs consented. If they continued to negotiate on new contracts, they were restrained in such negotiations from even asking their employers to put certain things in the contract for which the defendants had been contending. They were compelled to remain in the employment after the expiration of their written contracts and were not even allowed, in trying to get new contracts, to ask that anything should be put in those contracts which the employers did not want put in.

I wonder if anyone will contend that such an order issued by Judge Wilkerson is not, in effect, an order of involuntary servitude? Can anyone claim for a moment that it is not a decree of human slavery? This calls to our attention not only that we should enact proper legislation on this subject but that we should likewise be careful in passing upon any nomination which the President may make in the appointment of a judge to sit in judgment upon the law we shall make. Not only is it necessary that the proper law be passed but it is equally important that no person should be selected to administer the law as judge whose bias and prejudice and whose inclination might lead him to find a loophole of some kind by which such unconscionable injunctions could be issued.

This case and the others which I have enumerated illustrate the necessity of passing a law which can not be nulli-

fied even by judges who have no sympathy with those who toil when their interests conflict with great aggregations of wealth. It brings to our minds the almost superhuman importance of an untarnished judiciary. A perfect law can be nullified by an unfair and biased judge. It is a source of great satisfaction to be able to say that the great majority of our judges are above reproach. But the method of their selection often makes it possible for political bosses, political machines, and wealthy corporations which have made political contributions to name Federal judges who shall sit during their lifetime as arbiters between those who toil and those who sit in high places and from their luxurious quarters of wealth sometimes name the President, who, in turn, will nominate the judges; and one of the ways in which their investment can be returned manyfold is the selection of judges who are either their abject tools or whose viewpoint is such that they honestly and conscientiously believe that monopoly is always right and that the toiling masses are always wrong.

This, very logically, leads us to the selection of a Chief Magistrate—a President of the United States. Under our antiquated Electoral College system, which has no more place in a free government than a fifth wheel on a wagon, a system has grown up by which the people have but little to say in the selection of a President. Under this illogical system, in order to be elected the President must first be nominated by one of the dominant political parties. We all know that, as a general rule, the people themselves have but little influence in a national party convention. Too often Presidents are nominated in the wee, small hours of the night, in a dingy, smoky atmosphere, where the musical tinkle of clinking glasses is heard amid the booming of flying corks. Too often the people at the general election have only a choice between two evils; but when the election is over and the preelection promises are redeemed, it sometimes occurs that the demands of those who have contributed the money to carry on the fake contest are sufficiently influential to place upon the Federal bench persons who, after all, are only the tools of the corporations which made them.

It is because we have now on the bench some judges—and undoubtedly we will have others—who lack that judicial poise necessary in passing upon the disputes between labor and capital that such a law as is proposed in this bill is necessary.

Mr. CUTTING. Mr. President, I want to ask the Senator a question specifically concerning the provisions in regard to contempt of court, section 11 and section 12.

I understood from the Senator's remarks that section 11 was confined to cases of restraining orders or injunctions in labor disputes, and that section 12, on the other hand, included all cases of contempt of court. The Senator specifically mentioned cases of newspaper criticism of judges.

Mr. NORRIS. Section 11 applies to labor disputes; section 12 is general and applies to any kind of a general proceeding.

Mr. CUTTING. Section 12 merely allows a defendant to ask that another judge shall sit in the case, one other than the judge who has been criticized?

Mr. NORRIS. Yes.

Mr. CUTTING. Whereas section 11 provides for a jury trial. I have been wondering whether a jury trial should not be granted to all defendants in contempt of court cases.

I personally have had exactly the experience which the Senator describes, of having been haled into court to justify criticism of a particular judge by the judge himself. My defense, of course, was the truth of the charges, which the judge rather naturally found were untrue.

I quite admit that it would have been a relief to some extent to have had some other judge sitting in the case; but I am sure the Senator will recognize that there is a certain feeling of solidarity between various judges which makes it rather difficult for any one of them to decide that his brother judge had been justly criticized.

To my mind, trial by jury is the only effective defense in these cases, and I should like at some time during the consideration of the bill to offer an amendment, which I hope the Senator will accept, to provide jury trial in all cases of

indirect contempt; that is, of contempt not committed in the actual presence of the court.

Mr. NORRIS. Does not the Senator think section 11 gives it?

Mr. CUTTING. It provides:

In all cases in which a person shall be charged with contempt for violation of a restraining order or injunction issued by a court of the United States (as herein defined).

Mr. NORRIS. I see the Senator's point. As far as I can see, I would like to say that I see nothing in section 11 so that it would apply to cases of indirect contempt.

Mr. CUTTING. I shall draw an amendment and offer it at the proper time.

Mr. BLAINE. Mr. President, while this subject is before us, I would like to say that I see nothing in section 11 which does not make it applicable to all cases, whether labor cases or otherwise.

Mr. NORRIS. It does apply to all cases, but the Senator from New Mexico calls our attention to the fact that it applies only in cases where the contempt is charged because of violation of an injunctive order. The contempt mentioned in section 12 is a different kind of contempt. It refers to cases where no order has issued to begin with. A newspaper, for instance, might make an attack on a judge, but would not be violating any order of injunction, and it would not come under section 11, because under that section one must violate an order a judge has made. The case for which the Senator from New Mexico wants to get a jury trial is one where there has been no order issued, but a court has cited some one for contempt without any order having been issued.

Mr. BLAINE. I merely want to call the Senator's attention to the fact that the committee did consider that question in connection with a bill introduced by the junior Senator from Michigan [Mr. VANDENBERG], but it was intended to cover all cases of indirect criminal contempt. I would assume that there would be no objection to making section 11 expressly applicable to all cases, whether there was a violation of a restraining order or injunction or not.

Mr. CUTTING. That was my purpose.

Mr. BORAH. But the Senator from New Mexico is interested in a proposition where no injunction order may have been issued at all. If a newspaper criticizes a court, whether the court has issued an injunction order or not, the court may cite the newspaper for contempt. The Senator from New Mexico is interested in having such a case as that tried by jury.

Mr. NORRIS. I am in entire sympathy with what the Senator wants to accomplish.

RELIEF OF IRRIGATION PROJECT WATER USERS

Mr. CAREY. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Senate bill 3706, for the temporary relief of water users on irrigation projects constructed and operated under the reclamation law.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That any irrigation district, water-users' association, or other water-users' organization under contract with the United States for payment of construction charges under the act of June 17, 1902 (32 Stat. 388), or acts amendatory thereof or supplementary thereto, including the act of February 21, 1911 (36 Stat. 923) (upon acceptance of this act by resolution of its board of directors or corresponding body), shall be required to make no payment on the regular construction charge for the calendar year 1931, and in lieu of the regular installment of construction charge provided for under existing contracts may pay for the calendar year 1932 on the basis of 50 per cent of the amount which, but for this act, would be payable under said contracts, such amount to be computed and determined for that year in the manner provided in said contracts and the law applicable thereto. Interest and penalty as now provided by law and contracts for nonpayments when due shall apply on all charges for 1932 adjusted as herein authorized. No interest or penalty shall be payable on that portion of the charges herein authorized to be deferred: *Provided*, That in determining the rate for the sale of power during the irrigation season of 1931 to irrigation districts from any power plant operated by the Bureau of Reclamation

interest on the cost of the power system shall not be included as an element, but interest at the rate of 2½ per cent per annum shall be included as an element of such rate for the sale of power to such districts during the irrigation season of 1932.

Sec. 2. On projects or divisions of projects where no irrigation district, water-users' association, or other water-users' organization has assumed joint obligation for payment of construction charges individual water-right applicants or entrymen, upon acceptance of this act in a manner satisfactory to the Secretary of the Interior, shall be required to make no payment on the regular construction charge for the calendar year 1931, and in lieu of the installments payable under existing contracts may pay their regular installments of construction charges for the calendar year 1932 on the same basis as that authorized in section 1 hereof for districts, associations, and other water-users' organizations.

Sec. 3. The act of Congress approved January 31, 1931, entitled "An act for the relief of the Uncompahgre reclamation project, Colorado" (Private, No. 300, 71st Cong.), is hereby amended to extend for one year from and after January 1, 1932, the time for beginning construction of drainage system upon the Uncompahgre project, and any and all construction charges accruing upon or for said project for or during the year 1932, shall be deferred and included in and made payable as a part of the project supplemental construction charge provided for in said act of January 31, 1931; and in order to afford opportunity to complete the construction authorized by the act of Congress approved February 21, 1931 (Public, No. 708), relating to the Grand Valley reclamation project, Colorado, any and all construction charges accruing upon or for said project for or during the year 1932 shall be deferred without interest and penalties and shall be included in and made payable as project supplemental construction charges.

Sec. 4. At the expiration of the period for which deferment of charges is made under this act, all districts, water-users' associations, or other water-users' organizations, and all individuals accepting the provisions hereof shall resume payment of charges on the basis of and in accordance with existing contracts and shall continue payments thereafter until the entire indebtedness of said districts, water-users' associations, or other water-users' organizations, and individuals to the United States shall have been fully paid. In the case of a district, water-users' association or other water-users' organization, or individual having contracts executed pursuant to the act of February 21, 1911 (36 Stat. 925), the act of August 13, 1914 (38 Stat. 686), or the act of May 25, 1926 (44 Stat. 636), or any special act the deferred construction installment or installments for the calendar year 1931, and that portion of the 1932 installment or installments deferred, together with the installment or installments of deferred construction and/or operation and maintenance for 1931 and 50 per cent of the installment and/or installments of such deferred charges for 1932, shall be paid as an additional installment to be due and payable one year after the date the last installment under existing contracts shall become due, except in those cases in which the Secretary of the Interior, whose decision shall be final, shall find necessary additional installments, which he is hereby authorized to fix. In the case of any district, water-users' association, or other water-users' organization, or individual under contract for payment of construction charge pursuant to subsection F, section 4, act of December 5, 1924 (43 Stat. 702), construction payments shall be continued on the basis of existing contracts until the entire indebtedness to the United States, including all charges deferred pursuant to this act, shall have been fully paid. Installments so carried over shall be subjected to the reductions provided in section 7 hereof.

Sec. 5. The Secretary of the Interior, in his discretion, and upon acceptance of the provisions of this section by the water users affected, in the manner provided in sections 1 and 2 hereof, may permit adjustment of construction and/or operation and maintenance charges heretofore deferred by contracts made pursuant to existing law to be made for the years 1931 and 1932 on the basis authorized in sections 1 and 2 hereof or on such other basis as the Secretary may find to be required in each case.

Sec. 6. The Secretary of the Interior, in his discretion, is further authorized to defer the payment to the United States from any water users' organization, as defined in section 1 hereof and from any individual water-right applicant or entryman of construction charges and installments of deferred construction and/or deferred operation and maintenance charges for the calendar year 1930 and prior thereto. Such deferred charges, together with penalty or interest to December 31, 1931, under existing laws and contracts shall be paid in such annual installments as the Secretary of the Interior may fix.

Sec. 7. Any irrigation district, water users' association, or other water users' organization which has contracted to pay construction charges and which is not in arrears for more than one calendar year in the payment of any construction, operation, and maintenance, or other charge due by it to the United States may, at its option, deliver or authorize the delivery of water during the years 1932 and 1933 to water users who may be more than one year in arrears in the payment of charges or assessments due from such landowner or water user to the district or association.

Sec. 8. In the case of any irrigation district, water users' organization, or individual, receiving credits on account of power profits or other revenues under the provisions of subsections I and/or J, section 4, act of December 5, 1924 (43 Stat. 703), or any other act of Congress, when any extension is granted as provided in section 1, 2, or 4 the amount of such credits shall be deducted from the amount of any payment so extended: *Provided*, That the provisions of this section shall not apply to power profits or other

revenues derived from works not constructed at the expense of the United States. The credits, if any, in excess of the payment so extended shall be applied as now provided by law and contract. Acceptance of the provisions of this act shall operate as a waiver of any law and/or contract providing for application of credits differing from that in this section prescribed.

SEC. 9. Collections of construction charges for the calendar year 1931 (which charges are subject to adjustment and are adjusted under sections 1, 2, and 4 of this act) and penalties and interest, if any, from water-users' organizations and individual water-right applications or landowners, heretofore made under existing contracts, plus interests on all amounts so collected at the rate of 6 per cent per annum, shall be credited upon the succeeding payments as they become due, including operation and maintenance charges.

SEC. 10. That the act of June 25, 1910, entitled "An act to authorize advances to the reclamation fund, and for the issue and disposal of certificates of indebtedness in reimbursement therefor, and for other purposes," as amended, and the act of March 3, 1931 (46 Stat. 1507), are hereby amended so as to provide that payments in reimbursement of moneys so advanced under these acts and not heretofore repaid shall be made by transfer annually from the reclamation fund to the general funds of the Treasury beginning July 1, 1935.

Mr. ROBINSON of Arkansas. Mr. President, I should like to ask the Senator from Wyoming whether the bill makes other changes in existing law as applicable to irrigation projects than merely to postpone the payment of the amounts due under projects?

Mr. CAREY. Mr. President, the only other change is that the bill postpones the time of repayment for two years of moneys borrowed from the Treasury for reclamation projects. Last year there was a loan of \$500,000 which was to be repaid, and that was put over for two years, in the form of a moratorium granted by the Congress.

Mr. NORRIS. Mr. President, this bill would afford relief to a large number of settlers under irrigation projects. I understand it is not objected to by the department. In effect, it grants a moratorium to many people, many of whom, I happen to know of my own knowledge, are absolutely unable to pay and who will lose their farms unless something of this kind is done. I hope there will be no objection to it.

Mr. TRAMMELL. Mr. President, I have not had time to go carefully into the provisions of the bill. It appeals to me as a rather wise provision to make, but I do wish to make one observation in connection with it.

As I understand, this bill is for the purpose of relieving farmers on irrigated lands from the payment of certain rental charges. We have pending also a bill, which I do not believe has been reported yet from the committee, providing that in the case of farm loans which were made last year and are due at a given time, some of them probably past due now, the borrowers shall be granted an extension. I desire to have that bill considered.

Mr. ROBINSON of Arkansas. Mr. President—

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

Mr. TRAMMELL. Certainly.

Mr. ROBINSON of Arkansas. My recollection is that such a provision was contained in a bill introduced by the Senator from Kentucky [Mr. BARKLEY] which passed the Senate some days ago.

Mr. TRAMMELL. When we had a call of the calendar?

Mr. ROBINSON of Arkansas. Yes.

Mr. TRAMMELL. I was specially interested in that measure and am glad to know that action had been taken on it.

Mr. CAREY. The bill now before the Senate relates only to construction.

Mr. COUZENS. Mr. President, may I inquire of the Senator from Wyoming how many people are involved?

Mr. CAREY. There are some 165,000 people who live on the projects. There are about 45,000 farms under the projects.

Mr. GORE. Mr. President, I wish to ask the Senator from Wyoming a question. I understand that the bill simply grants an extension, but it does not cancel the obligation?

Mr. CAREY. It defers the payments to the end of the time of the contract when they are payable.

Mr. ROBINSON of Arkansas. But it does not tend to relieve anyone of the obligation.

Mr. CAREY. It does not cancel any debt.

Mr. GORE. I wanted to be sure of that.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

REGULATIONS FOR LIGHTER SERVICE

Mr. JOHNSON. Mr. President, because of the necessity for early action upon a particular bill, Order of Business No. 235, the bill (S. 2883) prescribing regulations for carrying on the business of lighter service, and so forth, concerning which I am certain there is not the slightest objection, I ask unanimous consent that the Senate proceed to its consideration at this time.

The VICE PRESIDENT. Let the bill be read for the information of the Senate.

The Chief Clerk read the bill (S. 2883) prescribing regulations for carrying on the business of lighter service from many of the ports of the United States to stationary ships or barges located offshore, and for the purpose of promoting the safety of navigation.

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

Mr. GORE. Mr. President, I ask that the bill may remain on the calendar for the present.

The VICE PRESIDENT. Objection is made.

Mr. McNARY. Mr. President, I wish to reassure the Senator from California [Mr. JOHNSON] and others that there will be a call of the calendar to-morrow.

Mr. JOHNSON. Very well. I thank the Senator from Oregon.

ADJOURNMENT

Mr. McNARY. I move that the Senate adjourn, the adjournment being until 12 o'clock noon to-morrow.

The motion was agreed to; and the Senate (at 4 o'clock and 5 minutes p. m.) adjourned until to-morrow, Wednesday, February 24, 1932, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

TUESDAY, FEBRUARY 23, 1932

The House met at 12 o'clock noon.

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

Heavenly Father, we pray in the name of Him who is chief among ten thousand and the One altogether lovely. His fidelity and true simplicity, the harmony of the elements of His character, His voice and life, these are the reasons that His holy name floats through all periods of time. May we trust Him; may we accept Him. We thank Thee for the constancy of His example; namely, He went about doing good. There was not the tear of a child, the appeal of a woman, or the curse of a culprit that did not awaken the greatness of His soul and called forth His compassion. Father of mercies, may we harken unto His teaching: "Cast thy bread upon the waters and thou shalt find it after many days." Amen.

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed the following resolution:

Resolved, That the Secretary be directed to return to the House of Representatives, in compliance with its request, the bill (H. R. 8824) entitled "An act to restore certain lands to the San Carlos (White Mountain) Indian Reservation, Ariz."

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. CURRY (at the request of Mr. BARBOUR), for three days, on account of a death in his family.

MOTIONS TO DISCHARGE COMMITTEE

Mr. HALL of Mississippi. Mr. Speaker, I desire to call to the attention of the Members of the House that I, as chair-

man of the Committee on Irrigation and Reclamation, which unanimously reported out H. R. 4650, known as the drainage relief act, am now filing with the Clerk of the House motion to discharge the Committee on Rules from the consideration of House Resolution 117.

The entitled resolution provides for consideration of said H. R. 4650. The said bill was reported to the House by said committee on January 11, 1932, and said resolution filed before the Rules Committee January 20, 1932. Those Members desiring to sign this discharge request as now filed will do so at the Clerk's desk, as provided by the rules of the House.

Mr. CONNERY. Will the gentleman yield?

Mr. HALL of Mississippi. Yes.

Mr. CONNERY. What does the bill call for?

Mr. HALL of Mississippi. It is a drainage bill.

The SPEAKER. The Chair desires to make a statement to the House concerning petitions of this type. It is not necessary to present such petitions from the floor of the House of Representatives. Petitions of this character should be placed in the hands of the Clerk, and any Member desiring to sign such a petition must come to the Clerk's desk for the purpose of putting his signature to the petition.

Any Member desiring to file such a petition may file it with the Clerk and notify the Members as he may see proper, either from the floor or by written communications. These signatures can not be made public until the required number of Members have signed the petition.

GEORGE WASHINGTON, THE STATESMAN

Mr. ROGERS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting an address which I delivered last night before the New England Society on George Washington the Statesman.

The SPEAKER. Is there objection?

There was no objection.

Mr. ROGERS. Mr. Speaker, under the leave to extend my remarks in the RECORD I include the following address which I delivered on Monday, February 22, before the New England Society of Washington, on the subject "George Washington, the Statesman":

We meet to-night to celebrate the two hundredth anniversary of the birth of the greatest of all American statesmen, the Father of Our Country and the inspired builder of the American Republic. George Canning, Prime Minister of England, who died in 1827, said of George Washington: "He was a man in whom the elements seemed so blended that nature might have stood up to all the world and owned him as her work. His fame, bound to no country, will be confined to no age."

In 1842, when a Member of Congress, Abraham Lincoln was asked to deliver an address at Springfield, Ill., on the one hundred and tenth anniversary of the birth of Washington. On that occasion our martyred President used these words: "Washington is the mightiest name of earth—long since mightiest in the cause of civil liberty; still mightiest in moral reformation. On that name a eulogy is expected. It can not be. To add brightness to the sun or glory to the name of Washington is alike impossible. Let none attempt it. In solemn awe pronounce the name and in its naked, deathless splendor leave it shining on."

With these words of Lincoln in my mind it is with much apprehension that I now attempt to address you briefly on the subject of George Washington, the statesman. We all know, however, that a statesman is one skilled in the science of government, a leader of distinguished ability. Such a man was Washington. After the War of the Revolution, he welded together the thirteen States as one united people. He was president of the Federal Convention in 1787, and through his splendid efforts the Constitution was ratified. The fundamental principles which he advocated are found in the Constitution itself and in the legislation proposed to Congress by him during his two terms as President. He worked incessantly to promote the objects of the Constitution, to establish a united nation, promote the welfare of all the people, and secure the real blessings of liberty.

He realized fully the importance of a fair and impartial judiciary, and to him the temples of justice were always sacred. In the appointment of the members of his first Cabinet and of the judiciary, he showed the true qualities of a great statesman. It has been well said that "he sought for men fit for offices; not for offices which might suit men."

During both of Washington's terms as President he acted as a true statesman in all matters relating to the public debt, national credit, agriculture, industry, commerce, navigation, and national defense. He always showed great solicitude for the preservation of the Union, and was a real statesman in all his actions designed to protect the integrity of the Union.

The Father of Our Country always advised us to concentrate our affections on our own Nation and to maintain an attitude of absolute impartiality toward foreign nations. He saw the ever-present dangers of alliances with foreign governments, and repeatedly warned against partiality for or hatred toward other nations.

In conclusion let me call your attention to the outstanding trait in the character of this great man whose memory we honor to-night, namely, his strong belief that religion and morality are the indispensable supports of all true government. In his famous Farewell Address, which will live for all time as a masterpiece of logic, patriotism, and statesmanship, he said: "Of all the dispositions and habits, which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism, who would labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked, Where is the security for property, for reputation, for life, if the sense of religious obligation desert the oaths, which are the instruments of investigation in courts of justice? And let us with caution indulge the supposition, that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle."

One hundred years ago to-day another great American, distinguished lawyer, orator, and statesman from my own State of New Hampshire, Daniel Webster, delivered a speech in this city on the character of George Washington. He concluded his address as follows: "A hundred years hence other disciples of Washington will celebrate his birth with no less of sincere admiration than we now commemorate it. When they shall meet as we now meet to do themselves and him that honor, so surely as they shall see the blue summits of his native mountains rise in the horizon, so surely as they shall behold the river on whose banks he lived and on whose bank he rests still flowing on toward the sea, so surely may they see as we now see the flag of the Union floating on the top of the Capitol; and then, as now, may the sun in his course visit no land more free, more happy, more lovely than this our own country!"

Again, this same Webster spoke words which best express the thoughts that were undoubtedly ever present in the mind of Washington: "When my eyes shall be turned for the last time to behold the sun in heaven, may I not see him shining upon the broken and disordered fragments of a once glorious Union, on States dissevered, discordant, and belligerent; on a land rent with civil feuds, or drenched, it may be, in fraternal blood. Let my last feeble and lingering glance rather behold the gorgeous ensign of this glorious Republic, now known and honored throughout all the world, still full high advanced, its arms and trophies streaming in their original luster, not a single star erased or obscured or a single stripe polluted; bearing for its motto no such miserable interrogatory as, What is all this worth? or those other words of delusion and folly, Liberty first and Union afterwards; but everywhere spread all over in characters of living light, blazing on all its ample folds as they float over the sea and over the land that other sentiment dear to every true American heart, Liberty and Union now and forever, one and inseparable."

These words of Webster most adequately express our sentiments to-day in doing fitting honor to the memory of George Washington, Father of our Country, and the greatest statesman of them all.

IF WASHINGTON WERE HERE

Mr. LINTHICUM. Mr. Speaker, I ask unanimous consent to extend in the RECORD a speech made by the Commissioner from the Philippines, Hon. CAMILO OSIAS, before the Maryland branch of the Sons of the American Revolution in Baltimore last evening.

The SPEAKER. Is there objection?

There was no objection.

Mr. LINTHICUM. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following address delivered by Hon. CAMILO OSIAS, Resident Commissioner from the Philippines, at the dinner given in commemoration of the two hundredth anniversary of Washington's birthday, February 22, 1932, by the Maryland Society Sons of the American Revolution, Baltimore, Md.:

While listening to the all too generous remarks of the genial toastmaster I recalled the story I heard some years ago while traveling in the Far East. It is about an Englishman who was visiting China for the first time. In the course of a sight-seeing trip he chanced to enter a Chinese cemetery, where he saw what to him was a unique sight. It was the sight of a number of Chinese engaged in the time-honored custom of spreading expensive foods and elaborately prepared dishes over the graves of their forefathers. The Englishman approached one Chinese and said, "You must be foolish. Why do you waste all this food over the graves of your dead? You know they can't eat." The Chinaman replied, "You, too, are foolish. Why do you waste flowers and roses over the graves of your dead? You know they can't smell."

I rather like this gathering. I think the people here are wiser and more practical than the Englishman or the Chinese referred to in the story. You offer a man food and bouquet in the form of a good introduction before he is too far gone to appreciate those things.

You have honored me beyond my just deserts by choosing me as the guest of an organization so patriotic and as your speaker on an occasion so historic. I think I owe my presence here to the president of this Society of the Sons of the American Revolution, Mr. Sappington, and to my colleague Congressman LINTHICUM, the distinguished chairman of the Committee on Foreign Affairs, whom we all hold in high esteem in the House of Representatives.

Perhaps these gentlemen need some justification for their invitation in the name of the society. I am wondering if the words of commendation of me were not uttered in part for their protection. In further extenuation of their act I might cite one credential, my appointment by the Governor General, with the consent of the Philippine Senate, as "special commissioner to represent the government of the Philippine Islands on the United States Commission for the Celebration of the Two Hundredth Anniversary of the Birth of George Washington, created by joint resolution of Congress approved December 2, 1924."

In fulfillment of my duties as a representative of my country in the commission, I recommended that Philippine organizations and institutions, especially the schools, colleges, and universities, take part in the bicentennial celebration, holding appropriate exercises and studying the life and character of the great American liberator. February 22 is observed in every city and town of the Philippines. The enthusiastic participation of Filipinos in its observance proves that as a people we are identified with the fundamental ideals and the enduring principles of the Father of this Republic, whom Americans rightly look upon as "first in war, first in peace, and first in the hearts of his countrymen."

Lovers of liberty everywhere this day commemorate the birth of a man who is truly great and immortal.

José Rizal, the greatest not only of the Filipinos but of the whole Malayan race, the hero and martyr who was made to pay the supreme price of freedom in 1896, recognized Washington's greatness and referred to him as "that great man who has not his equal in this century." In the words of General Hamilton, "The voice of praise would in vain endeavor to exalt a name unrivaled in the lists of true glory."

Among Americans it would be inexcusable presumption on my part to relate biographical incidents or dwell upon the thrilling episodes of Washington's eventful life. This has been adequately done by speakers and writers far better qualified to do justice to a figure which shall ever tower in any age. It is permissible, however, for me to say that to all, irrespective of race or nationality, Washington has a mighty appeal because as a boy he was bright and industrious, as a man he was brave and true, as a leader he was courageous and persistent, as a functionary he was efficient and farseeing, as a citizen he was upright and loving. Washington was in every respect exemplary. His love of country, of humanity, and of God influenced his every conduct. His was a unified life piloted by high ideals and steeped in noble principles.

"Statesman, soldier, patriot, sage, reformer of creeds, teacher of truth and justice, achiever and preserver of liberty—the first of men, founder and savior of his country, father of his people—this is he, solitary and unapproachable in his grandeur." Happy and glorious America that gave Washington to the world!

I have assiduously sought to inform myself of the life and deeds of this great statesman and study his character and conduct, knowing that they would be a safe guide in my labors for the liberation of my own Philippines beloved. I have pondered over the thoughts which he bequeathed as a precious legacy to succeeding generations succinctly summarized in his immortal Farewell Address. I think Washington's political philosophy is epitomized in that document. I have long looked upon it as his last political will and testament.

The American Republic which he brought into being formed his chief theme and main concern. With what fervor and earnestness Washington must have penned these words:

"I shall carry it with me to my grave as a strong incitement to unceasing vows that heaven may continue to you the choicest tokens of its beneficence; that your union and brotherly affection may be perpetual; that the free Constitution, which is the work of your hands, may be sacredly maintained; that its administration in every department may be stamped with wisdom and virtue; that, in fine, the happiness of the people of these States, under the auspices of liberty, may be made complete by so careful a preservation and so prudent a use of this blessing as will acquire to them the glory of recommending it to the applause, the affection, and adoption of every nation which is yet a stranger to it."

I hope you will indulge me as I address myself briefly to what I think Washington would do if he were here. I shall select a few of his outstanding principles and point out their application to contemporary problems affecting particularly the relations between the people of the United States and the people of the Philippine Islands.

One outstanding virtue which dominated Washington's life was patriotism. English in his ancestry he was not content that the land of his nativity should be a perpetual dependency of the mother country. He sought and labored that he and his fellow citizens may have a country of their own distinct and self-governing, free and independent. The crowning joy of his life must have been the consciousness that he risked all that he had and all that he was that that dream might come true.

He realized that a free country was essential to the development of the highest faculties and attributes of its citizens; that there must be a common country for which individuals feel a mutual loyalty. This patriotic ideal he sought to convey to his fellow countrymen of his generation and posterity. "Citizens, by birth or choice, of a common country," he said, "that country has a right to concentrate your affections. The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism more than any appellation derived from local discriminations."

From this we see that Washington desired that the America he loved should be the object of supreme affections on the part of Americans. It occurs to me that if Washington were here, he would be deeply sympathetic with the aspirations of the 13,000,000 souls across the sea who have fought, labored, and sacrificed that they, too, may have a country of their own, independent and free.

Under the dependent status of the Philippines, the Filipinos are neither citizens nor subjects. They are neither foreigners nor aliens. No wonder they covet their independence so that the name of "Filipino" may belong to them in their national capacity; so that they may derive a just pride of patriotism from the consciousness of a common country; so that they may be citizens of a republic with a right to concentrate the people's affections. Once we have a country of our own, self-governing and self-directing, we shall the better be able to foster sane and humanized patriotism.

George Washington was a great believer in the principle of union. He enjoined his fellow citizens to preserve union. These were his words of advice, the fruit of long and mature reflection: "While, then, every part of our country thus feels an immediate and particular interest in union, all the parts combined can not fail to find in the united mass of means and efforts greater strength, greater resource, proportionably greater security from external danger, a less frequent interruption of their peace by foreign nations; and, what is of inestimable value, they must derive from union an exemption from those broils and wars between themselves which so frequently afflict neighboring countries not tied together by the same governments, which their own rival ships alone would be sufficient to produce, but which opposite foreign alliances, attachments, and intrigues would stimulate and embitter."

If Washington were here how he would delight in witnessing the wonderful spectacle of the American people compact and united! But I believe he would not only rejoice in the union of his fellow citizens but would find satisfaction in seeing that the Filipino people are likewise united, conscious of a common past and a common destiny.

The Filipinos are racially homogeneous. They are essentially of Malayan stock.

The Filipinos possess a wonderful religious solidarity. Ninety-one per cent are Christians.

In their desire for independence there is substantial unanimity. They are exempt from those broils and wars between themselves afflicting neighboring countries. There are no alliances, entanglements, and intrigues that embitter their relationships.

In the revolution of 1896 the Filipino people were united in their desire to throw off the Spanish yoke. They were united in establishing the Philippine Republic. They were united in approving a constitution for that republic vesting the power and authority in the people.

The Filipinos have been united in laboring for independence in the domain of peace for the last 30 years. Impartial observers recognize the unity of my people in their passionate desire to be freed from outside tutelage. Conscious of my responsibility, I say without fear of contradiction to the American people that my people are united in their demand for the early grant of their independence which America promised.

George Washington was not only an apostle of union; he was against sectionalism. This principle is cherished by the Filipinos. They heed the injunction of America's first President.

In the Philippines to-day there are no local interests or sectional views that divide the people; they are vigilant ever for "whatever estranges, whatever divides." Manila, the capital of the islands, in their national life, is a common center of gravity. Their central government has the support and loyalty of all the inhabitants. They are strong and solid against all efforts tending toward the dismemberment of their territorial integrity. Under a common government and a common flag there will be a new incentive for them to preserve the union and to guard against all sectionalism.

George Washington believed in the Constitution. None among the living will ever know the full extent of his powerful influence in the shaping of that document which an English statesman pronounced as "the most wonderful work ever struck off at a given time by the brain and purpose of man." In his celebrated address, Washington urged respect for the Constitution, deeming it essential to "the efficacy and permanency of the Union." "Obedience to it" he said, "is sacredly obligatory upon all."

Holding these views as he did, if Washington were here, I believe he would be happy in the knowledge that the Filipinos, following peaceful means and constitutional methods, are earnestly petitioning the Government and people of the United States to grant them the authority to hold a constitutional convention and fashion a constitution of their own which shall be the expression of their combined talent, genius, and wisdom. He would rejoice that there are measures pending in both Houses of the present

Congress awaiting early action designed to effect our national emancipation.

George Washington was an apostle of peace. Achieving liberty by means of the sword as a measure of last resort, the major purpose of his life was to see that liberty may endure through the cultivation of the arts of peace. The whole spirit of his life and conduct, the very core of the principles he most valued, breathes his love of peace.

He warned his people against "overgrown military establishments" deeming them "inauspicious to liberty" under any form of government. Here is a principle which the whole world would do well to heed. If he were here, I am certain he would give sanction to disarmament conferences and effective movements for world peace. I believe he would give his blessing to the efforts of my people to achieve their independence absolutely through the medium of peace.

Washington favored the development of "institutions for the general diffusion of knowledge" and looked upon religion and morality as indispensable supports in the life of men and nations. If he were living, I am confident he would be pleased with the Filipino people because of their passionate devotion to education, to morality, to religion, a passion so strong equaled only by their devotion to freedom.

He advised extending the commercial relations of the United States, but with as "little political connection as possible." Couple with this his historic warning against entangling alliances, and I believe you will agree with me when I say that if Washington were here he would gladly accord the Filipino people the right to self-determination, severing our political ties and thereby strengthening your commercial relations not alone with the Philippines but with the whole Orient based upon the solid and lasting foundations of good will, understanding, and friendship.

Then, of course, the whole world knows that George Washington was an apostle of human liberty. Thirteen million Filipinos rejoice with the Americans this day not only because of the different rôles that he played so magnificently and the contributions he made so profusely but chiefly because of the majestic and imposing figure of Washington as a liberator. As such he is admired and respected throughout the world. As such he will live throughout the ages.

As a student, as a schoolman, as a university administrator, as a public servant, I have followed the career of Washington. I recognize him as great in ever so many fields of human endeavor, but I admire and respect him most because of what he risked, of what he did, of what he sacrificed for the sacred cause of liberty. He has been my constant inspiration in my own modest labors here and in my own country for our freedom and independence. I seek ever to be guided by his spirit and by his example.

My people have faith in the American people because they believe Washington is the incarnation of human freedom and that the American people are imbued with the same spirit that animated him in life. They are confident that if Washington were here he would not delay unnecessarily the grant of the boon of that ideal which he exalted above property and life, above everything worth while on earth—the ideal of liberty and independence.

Washington in person is not here, but a grateful people pause on this the two hundredth anniversary of his birth to reconsecrate themselves anew to the principles which have guided the triumphant course of this liberty-loving Republic. Washington is not here, I repeat, but his spirit is here. The Congress of the United States ordained the observance of the bicentennial celebration of the birth of Washington "that future generations of American citizens may live according to the example and precepts of his exalted life and character, and thus perpetuate the American Republic"; that this generation of American citizens may the better fulfill their obligations not only to themselves but to the benighted millions across the vast Pacific.

The present year is a mighty challenge to the 120,000,000 fellow citizens of Washington in continental United States. They owe a duty to themselves and to the 13,000,000 Filipinos who came under the stewardship of that starry banner which carried Washington from victory to victory even during the dark and dreary days of the American War of Independence. Conscious of the magnitude and multiplicity of your tasks, aware of the many problems confronting this Nation, I dare say that no single event during the bicentennial celebration would bring greater honor and glory to the Republic "conceived in liberty and dedicated to the proposition that all men are created equal" than the enactment of a law redeeming America's promise granting the Philippine Islands their independence. This act of justice would be highly pleasing to George Washington if he were here, knowing, as all of us do know, that his love of liberty was intertwined with every ligament of his all-encompassing heart, with every fiber of his whole being.

THE RULES

Mr. GREENWOOD, from the Committee on Rules, presented a privileged report on the following resolution (H. Res. 150), which was referred to the House Calendar and ordered printed:

House Resolution 150

Resolved, That clause 3 of Rule XIII be amended to read as follows:

"After a bill has been favorably reported and shall be upon either the House or Union Calendar any Member may file with the Clerk a notice that he desires such bill placed upon a special cal-

endar to be known as the 'Consent Calendar.' On the first and third Mondays of each month, immediately after the reading of the Journal, the Speaker shall direct the Clerk to call the bills in numerical order which have been for three legislative days upon the 'Consent Calendar.' Should objection be made to the consideration of any bill so called it shall be carried over on the calendar without prejudice to the next day when the 'Consent Calendar' is again called, and if again objected to by three or more Members it shall immediately be stricken from the calendar, and shall not thereafter during the same session of that Congress be placed again thereon: *Provided*, That no bill shall be called twice on the same legislative day."

That clause 6 of Rule XXIV be amended to read as follows:

"On Saturday of each week after the disposal of such business on the Speaker's table as requires reference only, it shall be in order to move that the House resolve itself into the Committee of the Whole House to consider business on the Private Calendar. In the Committee of the Whole House the Chairman shall direct the Clerk to call the bills in numerical order that have been upon the Private Calendar for three legislative days. When the Clerk shall have read the bill the same shall be considered unless objection or reservation of objection is made to immediate consideration. Should objection or reservation of objection be made there shall be 10 minutes' general debate to be divided, 5 minutes controlled by the Member offering the objection or reservation and 5 minutes controlled by the chairman of the committee reporting the bill, or in his absence by any Member supporting the bill. If, after such debate, three objections are not forthcoming the bill shall be considered under the 5-minute rule: *Provided, however*, That the total debate under the 5-minute rule shall not exceed 20 minutes. After the debate hereinbefore referred to, or when the bill is first called, if objection is made by three Members to the consideration of the bill, then the same shall be passed over and carried to a list designated as 'deferred.' It shall be in order for the bills on the 'Deferred List' to have the first call in their numerical order when the Private Calendar is called on the last Saturday of each month. At this time the bills on the 'Deferred List' shall be considered under the general rules of the Committee of the Whole House with 10 minutes' general debate to be divided equally, with 5 minutes controlled by the chairman of the committee reporting the bill or other Member supporting the bill and 5 minutes controlled by any Member objecting or opposing the bill. After the debate the bill shall be read for amendment under the 5-minute rule: *Provided, however*, That the total debate under the 5-minute rule shall not exceed 20 minutes. If, however, after such consideration the Committee of the Whole House acts on the bill adversely, it shall be laid aside until the committee arises, whereupon it shall be reported back to the House with the adverse recommendation. Any bill under this rule reported back to the House with an adverse recommendation shall automatically be recommitted to the committee reporting it, and said bill shall not again be reported during the same Congress."

CONSOLIDATION OF WAR AND NAVY DEPARTMENTS

Mr. BYRNS. Mr. Speaker, I ask unanimous consent to proceed for not exceeding seven minutes on a matter that is more or less personal.

The SPEAKER. Is there objection?

There was no objection.

Mr. BYRNS. Mr. Speaker, on January 5 I introduced a bill in the House providing for the consolidation of the Army and the Navy under a department to be known as the Department of National Defense. Since January 5 the Committee on Expenditures, to which that bill was referred, has been conducting extensive hearings. I have not, of course, the slightest criticism to offer of anyone. It has been my very earnest hope, as it has been the hope of many in the House who are interested in the passage of some such legislation, that the committee would conclude its hearings and make a report to the House of that bill so that it could be discussed upon the floor of the House.

There have been efforts, as I have said heretofore, to defeat that bill in committee and to prevent its being brought into the sunlight so that we could have what might be termed a public discussion of it, and not only you and I who are not members of that committee but the public at large have an opportunity to judge as to its merits.

Last Saturday it was expected by some of us that the committee would vote upon that measure, and I may say I confidently expected it would be favorably reported for consideration by the House. However, it was referred to a subcommittee, and the press services carried a statement, which was published over the country, assigning the reasons as to why it went to this subcommittee. I have no criticism of the press services for what they stated with reference to those reasons, but I noticed in one of those statements it was said that the chairman of the committee, my very warm personal friend, Mr. COCHRAN of Missouri, had said it was

referred to a subcommittee because the bill conflicted with present law and the subcommittee was expected to see what could be done toward making it conform with existing law and make a report. I am very sure the gentleman from Missouri was unintentionally, of course, misquoted, because the whole object of the bill was to change existing law and, of course, it conflicted with existing law.

Another statement made was that the bill was poorly drawn. I took that somewhat as a reflection upon me as its introducer. However, that bill has the O. K. of the legislative reference bureau of this House, for which we appropriate money every year to assist Members in preparing bills of a difficult nature, and I do not mind telling you that it was drawn by the legislative reference service at my request. [Applause.]

But I submit that the legislative reference bureau, which has in it, as you gentlemen who have had experience know, men who are competent and who have made a study of the preparation of legislation, certainly are better prepared to draft a bill of this sort than any of the Members of the House. It was for this reason, and because of the importance of the legislation, that I asked the legislative reference bureau to prepare the bill, and I introduced it as they handed it to me.

Now, so much for the fact it is "poorly drawn." I think the mere statement I have made will serve to contradict any such statement that may have been made to the contrary. I have said on the floor of this House several times—and I say it with all the earnestness of my nature—there has not been a bill introduced in this House which, if it is passed, will do more to conserve the public money and save millions of dollars than this particular bill or some bill of this particular kind, and all I ask the committee to do—

Mr. COCHRAN of Missouri. Will the gentleman yield?

Mr. BYRNS. In a moment. I am not speaking of the gentleman from Missouri, because he is heartily in favor of the bill and has done everything he could to bring it out.

All I ask this committee to do is to report the bill out and give the Members of the House an opportunity to pass one way or the other upon it. I am willing to let it take its chances, of course, but I do not want Army officers and I do not want Navy officers and I do not want Secretaries of War and of Navy, who are not elected by the people and who owe no responsibility to the people for the condition of our Treasury, by their influence to smother it in committee and prevent its discussion and its consideration in the light of day. [Applause.]

I have been taught from my youth up that the truth never hurts a righteous cause, and all I want, I repeat, is an opportunity to get the bill up on the floor of the House and have it given fair consideration by the House.

[Here the gavel fell.]

Mr. BYRNS. Mr. Speaker, I ask unanimous consent to proceed for two minutes more.

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

There was no objection.

Mr. BYRNS. Why are these interested parties seeking to smother it? Why are they seeking to keep it in the files of the committee? Why are these gentlemen working to bring about this delay? It is in order, of course, to defeat the bill.

I hope that this subcommittee will present the bill back to the full committee and that the full committee will report it.

I may say that it is reported in the papers that a minority member of that committee is heartily in favor of either that bill or a bill of a similar nature, and I have understood there are one or two other members of the minority in favor of it, but the opposition—and I am speaking plainly—comes from a few Democrats over on this side who, notwithstanding the long delay, were not ready to vote for it, and thereby forced it to be referred to a subcommittee last Saturday.

The bill has the earnest support of the great Speaker of this House. [Applause.] It was introduced after consultation with him, and he has declared repeatedly that this bill or a bill of a similar nature ought to be passed. I am not

putting it on partisan grounds, but I do say that the Democrats on that committee ought to be willing with respect to this bill, which has the official sanction of the official leaders of the House, to permit it to come out and be voted upon.

Mr. COCHRAN of Missouri. Will the gentleman now yield?

Mr. BYRNS. I yield.

Mr. COCHRAN of Missouri. I want to say to the gentleman from Tennessee that there were two such bills before the committee; one of them was also introduced in the last Congress. The gentleman's bill was introduced in this Congress. The committee held hearings, and at the conclusion of the hearings we considered the bill in executive session. The claim was made by some gentlemen on the other side of the House who purposed to support the legislation that there was something missing in the gentleman's bill. They wanted it considered to determine if there were certain paragraphs that should be inserted in the gentleman's bill. The committee voted to send the bill to a subcommittee—not for the purpose of tearing it apart, but to give these questions consideration—and then to report it back to the full committee.

Mr. BYRNS. The gentleman was quoted—

Mr. COCHRAN of Missouri. One minute. The subcommittee was appointed yesterday. It will meet at 2 o'clock to-morrow afternoon, and I hope the subcommittee will report the bill back to the full committee by Saturday; and if it does, I hope the committee will report it to the floor. What more can the gentleman ask? Far be it from me to pass on the phraseology of the gentleman's bill. No one who knows him would reflect on his outstanding ability. Suggestions were made at the hearings and should be considered.

[Here the gavel fell.]

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that the gentleman may have three minutes more.

Mr. BANKHEAD. Does the gentleman from Tennessee desire an extension of time?

Mr. BYRNS. I would like to proceed for two minutes more. I do not want to prolong the discussion.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to proceed for two additional minutes. Is there objection?

There was no objection.

Mr. BLANTON. Will the gentleman yield?

Mr. BYRNS. I yield.

Mr. BLANTON. Does the gentleman from Tennessee know of a more arrogant, pernicious lobby anywhere in this Capitol than that of the Army and Navy League?

Mr. BYRNS. I am not going to characterize it in exactly the language the gentleman from Texas has used, but I will say that there is not a more powerful lobby that appears here in the Capitol than has appeared against this particular bill.

Mr. BLANTON. I want to say that in past years they have threatened some Members of Congress with annihilation if they opposed their plans.

Mr. BYRNS. I only rose to correct this impression that had been created about this particular bill and to express the hope that the committee will give the Members of the House an opportunity to discuss the measure on the floor of the House. That is certainly a reasonable request. [Applause.]

Mr. BLANTON. I call the gentleman's attention to the threat they made on Tom Sisson, of Mississippi, because he denounced them on the floor for lobbying, and they threatened him that they would go into his district and beat him for reelection. During a colloquy that ensued here on the floor I asked Mr. Sisson whether the Army and Navy were running this Government, and he replied that he believed they were, however much he hated to admit it.

[Here the gavel fell.]

GEORGE WASHINGTON—OPINIONS OF GREAT MEN ABOUT WASHINGTON AND HIS LIFE AS A MASON

Mr. WOODRUM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a speech

delivered by the gentleman from Massachusetts [Mr. TREADWAY] in Alexandria last night.

The SPEAKER. Is there objection?

There was no objection.

Mr. WOODRUM. Mr. Speaker, I ask permission to extend my remarks in the RECORD by inserting the address of Congressman ALLEN T. TREADWAY, of Massachusetts, at the annual celebration of Alexandria-Washington Lodge, No. 22, A. F. and A. M., on Monday, February 22, 1932, at Alexandria, Va.

The SPEAKER. Is there objection?

There being no objection, the matter was ordered printed, as follows:

Most worshipful grand master of Virginia, worshipful master of Alexandria-Washington Lodge, distinguished guests, ladies, and brethren, to follow those who have already addressed you is an unenviable privilege. You have had words of Masonic wisdom from the grand master of Virginia, you have had a most inspiring address by Bishop Freeman, and in addition you have had a message from overseas. I feel that the remarks of the last speaker, Minister Davila, of Rumania, bring us a message of special interest. He has shown us that the spirit of Washington and the characteristics which made him the greatest man from his day to ours have impressed themselves upon other peoples and nations and have engendered in them an admiration for the Father of Our Country despite the lack of patriotic inspiration which enhances our own love of Washington.

We may also envy Minister Davila for his linguistic accomplishments. Brother Davila apologized for any errors in English he might make, saying he had had no knowledge of our language when he came here to represent his country two years ago. Let me assure him that many of us Yankees, who may know very little of other languages, envy him his power of expression and command of beautiful diction. We are proud to have him with us not only as the representative of his country but as the bearer of a Masonic message.

It seems almost presuming for anyone other than a historian or litterateur to speak about the Father of Our Country. From the beginning of the history of this Nation no one person has been more written about, more highly praised, and more discussed than has George Washington. Therefore, to expect from a busy man like myself anything original or unique upon the subject is entirely out of the question. Particularly at this time it is impossible to present new views or any special information about this great man.

The George Washington Bicentennial Commission, through its historian, Dr. Albert Bushnell Hart, has gathered all available information regarding the outstanding events and achievements of Washington. This material, which has been published in the form of books and pamphlets, is so complete that it is practically impossible to offer anything entirely new in regard to the life of the first President of our country.

I shall, therefore, confine myself largely to quotations from distinguished speakers, historians, and statesmen, realizing that their words are much more appropriate in commemoration of the life of Washington than any composition of mine could be. To these I shall add some references to the life of Washington as a Mason.

In December, 1924, Congress passed a joint resolution providing for the celebration of the two hundredth anniversary of the birth of George Washington. It was not proposed that there should be a world's fair or exposition. Instead of holding a celebration in any one place and asking people to attend it, it was planned that the celebration would be taken to the homes, schools, churches, patriotic and fraternal groups all over the Nation. That plan is now being carried out, and from now until November, particularly on holidays, these celebrations will take place from the Atlantic to the Pacific and from Canada to the Gulf. It is a spiritual celebration, in the hearts of all Americans.

In the joint resolution of Congress it was provided that the plan for a bicentennial celebration should be promulgated to the American people through an address to be delivered at a joint session of the Senate and House of Representatives, held on February 22, 1927.

The proceedings were held in the House Chamber and were opened with prayer by the Chaplain of the House, the Rev. James Spera Montgomery. I quote the following from his invocation:

"May we feel the resistless spirit of him whom we gratefully call 'the Father of His Country.' It was his balanced intellect, understanding, and his greatness of soul that steadied and preserved the infant Government against peril and prejudice. Be Thou the guardian of those principles which he so thoroughly incarnated. May they always be ours to cherish and to defend."

The address of the day was then delivered by the President of the United States, Calvin Coolidge. Just a word or two from his remarks:

"Washington has come to personify the American Republic. * * * When we realize what it meant to take thirteen distracted Colonies, impoverished, envious, and hostile, and weld them into an orderly federation under the authority of a central government, we can form some estimate of the influence of this great man. * * *

"We have seen many soldiers who have left behind them little but the memory of their conflicts; but among all the victors the power to establish among a great people a form of self-govern-

ment which the test of experience has shown will endure was bestowed upon Washington, and Washington alone. Many others have been able to destroy. He was able to construct. That he had around him many great minds does not detract from his glory. His was the directing spirit, without which there would have been no independence, no Union, no Constitution, and no Republic. His ways were the ways of truth. He built for eternity. His influence grows. His stature increases with the increasing years. In wisdom of action, in purity of character, he stands alone. We can not yet estimate him. We can only indicate our reverence for him and thank Divine Providence which sent him to inspire and serve his fellow men."

On the second day of the present month President Hoover issued a proclamation calling attention to the two hundredth anniversary of the birth of Washington and inviting the people throughout the country to organize themselves in their respective communities to do honor to the memory of the first President during the period from February 22 to Thanksgiving Day. In this proclamation President Hoover said:

"The happy opportunity has come to our generation to demonstrate our gratitude and our obligation to George Washington by fitting celebration of the two hundredth anniversary of his birth.

"To contemplate his unselfish devotion to duty, his courage, his patience, his genius, his statesmanship, and his accomplishments for his country and the world refreshes the spirit, the wisdom, and the patriotism of our people.

"Therefore, I, Herbert Hoover, President of the United States of America, acting in accord with the purposes of the Congress, do invite all our people to organize themselves through every community and every association to do honor to the memory of Washington during the period from February 22 to Thanksgiving Day."

A hundred years ago to-day a public dinner, commemorating the one hundredth anniversary of the birth of Washington, was held in the city of Washington and was attended by Members of the Senate and House and others from various parts of the country.

Daniel Webster, then a Senator from Massachusetts, delivered the principal address. Among other things he said:

"We are met to testify our regard for him whose name is intimately blended with whatever belongs most essentially to the prosperity, the liberty, the free institutions, and the renown of our country. That name was of power to rally a nation, in the hour of thick-thronging public disasters and calamities; that name shone amid the storm of war, a beacon light to cheer and guide the country's friends; it flamed, too, like a meteor, to repel her foes. That name, in the days of peace, was a lodestone, attracting to itself a whole people's confidence, a whole people's love, and the whole world's respect. That name, descending with all time, spreading over the whole earth, and uttered in all the languages belonging to the tribes and races of men, will forever be pronounced with affectionate gratitude by everyone in whose breast there shall arise an aspiration for human rights and human liberty. * * *

"In the cities and in the villages, in the public places and in the family circles, among all ages and sexes, gladdened voices to-day bespeak grateful hearts and a freshened recollection of the virtues of the Father of His Country. And it will be so, in all time to come, so long as public virtue is itself an object of regard."

That great American, Abraham Lincoln, speaking on the one hundred and tenth anniversary of the birth of Washington, said:

"On that name a eulogy is expected. It can not be. To add brightness to the sun or glory to the name of Washington is alike impossible. Let none attempt it. In solemn awe pronounce the name and in its naked, deathless splendor leave it shining on."

President William McKinley, in an address at the Washington memorial services held at Mount Vernon on December 14, 1899, said:

"The Nation needs at this moment the help of his wise example. In dealing with our vast responsibilities we turn to him. We invoke the counsel of his life and character and courage. We summon his precepts that we may keep his pledges to maintain justice and law, education and morality, and civil and religious liberty in every part of our country, the new as well as the old."

Let me read you the tribute of the late Senator Henry Cabot Lodge in the last edition of his Life of Washington:

"There are but very few great men in history—and Washington was one of the greatest—whose declaration of principles and whose thoughts upon the policies of government have had such a continuous and unbroken influence as his have had upon a great people and through them upon the world. * * * His fame, his character, his sagacity, and his ardent patriotism will remain and be familiar to all Americans who love their country. * * *

Further on he says:

"So it is with the wisdom of Washington, which comes to us across the century as clear and shining as it was in the days when his love for his country and his passion for America gave forth their last message to generations yet unborn."

Washington's outstanding characteristic was his spirit of humility. He was deeply grateful to his fellow countrymen for the opportunities which were given him to render public service. In his Farewell Address to the people he said:

"If benefits have resulted to our country from these services, let it always be remembered to your praise, and as an instructive example in our annals, that under circumstances in which the passions, agitated in every direction, were liable to mislead amidst appearances sometimes dubious, vicissitudes of fortune often dis-

couraging—in situations in which not infrequently want of success has countenanced the spirit of criticism—the constancy of your support was the essential prop of the effort and a guarantee of the plans by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to the grave as a strong incitement to unceasing vows that heaven may continue to you the choicest tokens of its beneficence—that your union and brotherly affection may be perpetual—that the free Constitution, which is the work of your hands, may be sacredly maintained—that its administration in every department may be stamped with wisdom and virtue—that, in fine, the happiness of the people of these States, under the auspices of Liberty, may be made complete by so careful a preservation and so prudent a use of this blessing as will acquire to them the glory of recommending it to the applause, the affection, and adoption of every nation which is yet a stranger to it."

So from the far-seeing wisdom and foresight of Washington has grown a nation, based upon the principles he advocated, unsurpassed in world history. As it increases in strength and influence his name will likewise be the more enshrined in the hearts of countless thousands yet unborn who will revere him as "The Father of His County."

These brief references I have made prove that the American people have been true to the memory of Washington the man, the patriot, the general, and the President.

So far as I know, there was only one occasion when he acted in a dual capacity as President and as a Mason. This was at the laying of the corner stone of the Capitol on September 18, 1793. For a brief period the President of the United States became the grand master pro tempore of Maryland, laying the corner stone of the Capitol with the dignified rites of the order.

That this event has not been forgotten is evidenced by the exercises held on the one hundredth anniversary of that occasion. A few days ago it was my privilege to see the bronze tablet in the southeast corner—rather than the northeast—which was erected following the one hundredth anniversary exercises under President Grover Cleveland.

The inscription on the tablet reads as follows:

"Beneath this tablet the corner stone of the Capitol of the United States of America was laid by George Washington, first President, September 18, 1793. On the hundredth anniversary, in the year 1893, in presence of the Congress, the Executive, and the judiciary and a vast concourse of the grateful people of the District of Columbia commemorated the event."

President Cleveland, who acted as chairman of ceremonies, said in his address:

"Those who suppose that we are simply engaged in commemorating the beginning of a magnificent structure devoted to important public uses have overlooked the most useful and improving lesson of the hour. We do, indeed, celebrate the laying of a corner stone from which has sprung the splendid edifice whose grand proportions arouse the pride of every American citizen, but our celebration is chiefly valuable and significant because this edifice was designed and planned by great and good men as a place where the principles of a free representative government should be developed in patriotic legislation for the benefit of free people."

It is unfortunate from the sentimental point of view that the original corner stone laid by Washington is buried far below the present grade, so that, according to former Clerk William Tyler Page, it has not been seen for a long period of years.

The city of Washington itself is a perpetual memorial to the man whose name it bears. Located and designed by Major l'Enfant under Washington's guidance, it continues to grow in beauty and attractiveness, and every change that is made but adds to the honor we pay the founder of the city and of the Nation.

Originally the monolithic shaft arising in stately majesty for 555 feet was a silent monument to Washington. In later years, as great improvements have been made in the city, it would seem to me that every stone and every building speaks to his memory.

If Washington can now visualize the city of Washington, his modesty and humility in life might be overcome by a realization of what he did for future generations of American citizens. We are building a beautiful capital city worthy of the name it bears and the country that it typifies.

To-day we are especially proud of the new bridge recently completed, leading as it does to what will be the most beautiful memorial boulevard in the world. Millions of dollars have been expended for this most useful memorial. To-day thousands upon thousands have traversed the highway leading from the Capital City to Washington's former home and his tomb.

Let me pause to say that the congressional appropriation through which this beautiful boulevard was constructed was obtained by the influence and strenuous efforts of one of our former colleagues, the Hon. R. Walton Moore, who ably represented this section of Virginia in the National House of Representatives for several terms.

There is just one discordant note in my mind in this whole picture, and that is the fact that the world's greatest shrine, Mount Vernon, does not belong to the Nation which Washington founded. Last evening I attended the beautiful Wakefield masque, symbolic of the birth of Washington. Wakefield, where he was born, is a marvelous example of Government control and regulation. How much more in keeping would it be if Mount Vernon, too, were United States property.

Last spring a replica of Mount Vernon was made for the Paris Exposition. Strange, is it not, that this Government's exhibit at that exposition was a copy of something which is not its own property?

The patriotic women who have so carefully preserved Mount Vernon through a private organization could, in my opinion, show no greater patriotism than by cooperating with the Federal Government to the end that actual title to the property could be in the name of the United States.

At Shooters Hill, just at the outskirts of Alexandria, is being completed the Masons' own memorial to Brother Washington. Probably nine-tenths of the great body of Masons in this country have contributed to this structure, to which Alexandria-Washington Lodge will soon transfer the priceless relics now in its lodge room having to do with the life of Washington as a Mason and master of the lodge.

As the Washington Monument is a token of the love of citizens of this country for the memory of Washington, so is the memorial on Shooters Hill a token of the brotherly affection and respect of the Masons of this country for him.

So far I have referred to occasions where Washington was honored as a man, a patriot, a soldier, and a public servant.

Now let me recall to your memories a few of the outstanding events of his life as a Mason.

I say recall to your memories, because again there is embarrassment in any effort to offer anew any thoughts of Washington as a Mason to members of Alexandria-Washington Lodge.

In token of his early appreciation of the tenets of Masonry we have seen Washington an applicant for the degrees before his twenty-first birthday. Now and again question has been raised both as to the correctness of his initiation and the authenticity of his birth date. To-day it is well established that a candidate knocking at the door must have reached his twenty-first birthday, but if we look back over 175 years and realize that Masonry was then just taking root in this country it is very easy to understand that the by-laws of lodges were doubtless just in the making.

It is even more gratifying to appreciate that at that early age Washington had already been anxious to see the light. The lodge in Fredericksburg has the honor of having conferred upon Washington the three degrees of Masonry. It was located some 50 miles from his home. In later years scoffers at Masonry brought up the question of his nonattendance at regular communications, but we of to-day can appreciate the inconveniences of travel, which must have been connected with attendance.

I also believe a letter is in existence in which Washington makes reference to not having sat in a lodge for 30 years. This is readily explained when we recall that at one time there was a distinction between the provincial lodges of this country and the mother lodge of England.

However, to us Masons of to-day no defense of Washington or his Masonic career is needed. His entire life speaks louder than our words in conveying the acceptance on his part of the ideals and tenets of the ancient landmarks of the craft.

I delight in thinking of his humility. How well it is illustrated in the brief extract I read to you from his Farewell Address to the American people. Prepared over a period of years, evidently not certain in his own mind that it was a document worthy of publication, he handed it informally to a newspaper friend with the statement that if worth while it could be given out.

In this Farewell Address his effort was to have the people feel that they were responsible for his great victories and successes.

And so it was with his Masonic career. On June 23, 1777, representatives of five lodges of this State assembled at Williamsburg for the purpose of organizing a grand lodge. These delegates offered the office of grand master to Brother Washington, which he promptly declined, principally because he had never been master or warden of a chartered lodge.

With all due respect to Masons to-day, how many brethren would have declined such a great honor as that of being grand master?

It is also an established fact that Washington was twice asked to become general grand master, an office which he declined with modesty and humility. What might have been the outcome of his acceptance of such office on the history of Masonry in the United States is hard to conceive. We now have 49 grand jurisdictions dealing together in harmony and brotherly love. If a central body had been established, it could well have led to rivalry and dissensions, which would have been fatal to the wonderful growth of Masonry in this country.

A native-born Massachusetts citizen and associated with the Grand Lodge of Massachusetts for more than 25 years, I am sure you will pardon my natural pride in the relationship between our grand lodge and some of its distinguished officers and Brother Washington.

It is stated with authority that Thomas Oxnard, provisional grand master of Massachusetts under the jurisdiction of the Grand Lodge of England, issued the warrant under which the lodge at Fredericksburg, Va., was established, in which lodge Washington received his degrees.

In the proceedings of the Grand Lodge of Massachusetts, under date of March 13, 1797, a vote was recorded that the grand master of the State and other brethren should draft an address to Brother Washington on the occasion of his retiring from the Presidency. Other evidences of his relationship with the Grand Lodge of Massachusetts continue to the time of his death.

It is interesting to note that the grand master of Massachusetts at that time was one of our great Revolutionary War heroes, Paul Revere, whose famous ride through Concord and Lexington is one of the outstanding historical events of our country.

In no place has greater reverence been paid to Washington as a Mason than in the Grand Lodge of Massachusetts. Paul Revere was a metal worker and engraver. He made for the grand lodge an urn, in which was deposited a lock of Washington's hair, donated to our grand lodge by Brother Washington's widow.

There is no more impressive ceremony in any organization of which I have knowledge than that of transferring this urn from grand master to grand master. This is a part of the installation ceremonies, wherein the retiring grand master charges his successor with the careful preservation of this precious relic.

So to-night, coming from that jurisdiction, let me in my humble way add my word of thanksgiving as a Mason for the life of George Washington.

RADIO ADDRESSES OF HON. SOL. BLOOM, ASSOCIATE DIRECTOR UNITED STATES GEORGE WASHINGTON BICENTENNIAL COMMISSION

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to insert in the RECORD several speeches made by myself, and to include therein an article on the exact birthday of George Washington.

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

There was no objection.

The addresses are as follows:

MOTHER'S DAY PROGRAM IN CONNECTION WITH GEORGE WASHINGTON BICENTENNIAL CELEBRATION

[Broadcast from Washington, D. C., May 10, 1931]

To-day, throughout our country, we are celebrating Mother's Day.

Upon this beautiful and solemn anniversary our hearts respond to a common impulse of devotion. From many homes, from many varied occupations, from many conditions of life that occupy our daily thoughts, we experience to-day upon this sacred occasion the exaltation of the finest of human sentiments.

While we think of motherhood as universal, yet in each one of us there is treasured a shrine of love for that one being to whom we owe our individual homage—our mother.

The heroism of a mother's love—her distinct and individual influence—differs from anything else God ever thought of, for it fixes in permanent outline the future hope of us all.

The honoring of mothers is as old as the human race. We sometimes think of Mother's Day in our country as being something new, yet festivals and ceremonies of similar kind were common in the dawning period of our civilization. Long before the Christian era something closely corresponding to Mother's Day was introduced through Greece into Rome, where it was known as the Festival of Hilaria, and, appropriately enough, was a spring festival. At any rate, we can not claim monopoly of this fine and noble filial sentiment.

This afternoon there will be a ceremonial in beautiful Arlington Cemetery to honor motherhood, but more particularly to honor the motherhood which has laid its choicest sacrifices upon the altar of our country. The American War Mothers will assemble to commemorate those sacrifices and to rededicate our hearts to that transcendent patriotism which has found most appropriate expression in that organization.

As I contemplate the sacrifices and the sufferings of these and all other war mothers, I can not refrain from dwelling upon that first American war mother who gave her noble son to the service of his country.

Upon a beautiful monument in the city of Fredericksburg, Va., are carved these simple words, "Mary, the Mother of Washington." Beneath that monument lie the ashes of that remarkable woman who gave to us the rich heritage of our greatest American. It is to the mother of George Washington that this Nation owes its existence to-day as a land of liberty and of opportunity.

Not only did Mary, the mother of Washington, bring into the world a son of rare heredity and character but we know from research that from his infancy this boy was trained and taught in those high principles of truth, courage, and honor which equipped him perfectly for the great task to which he was to come.

Perhaps, had there been no George Washington, some other man would have arisen who could have carried forward the gigantic task of liberating our country and establishing our form of government. But the one thing we know is that George Washington did fulfill this destiny and that he could not have done so had it not been for the training given him by his mother.

I speak of Mary Ball Washington, the mother of George Washington, as the first American war mother. My authority for this is the fact that while there were colonial troops in the field before Washington was appointed Commander in Chief, the point is that there was no American Army until George Washington was appointed by Congress to organize it.

Mary Washington lived through those eight years of Revolutionary struggles to witness the final triumph of her son at Yorktown and to meet him again at Fredericksburg on his way from that victorious campaign.

How beautiful and how characteristic was that meeting. George Washington, the hero, the conqueror, the liberator, with his staff of officers stopped at Fredericksburg on their way north from Yorktown especially for the purpose of seeing George Washington's mother. Upon their arrival it was characteristic that Mrs. Washington should have remained at home and sent for George

to come and see her. Of that meeting in her modest home we have scant record. But we do know that upon the special request of the foreign officers, among whom were Lafayette, Rochambeau, De Grasse, Von Steuben, and others, Mrs. Washington consented to visit the inn, where she was received by these distinguished foreigners with all the deference due to her noble womanhood. There has come down to us that impressive toast attributed to Lafayette on this occasion, when after meeting Mrs. Washington he declared:

"If such are the matrons of America, well may she boast of illustrious sons."

These foreign officers were anxious to meet the mother of their chief. Their devotion to George Washington naturally created a desire to meet her, who, above all others, had contributed most to his character. We have this description of that meeting:

"They were prepared to expect in the mother that glitter and show which would have been attached to the parents of the great in the countries of the Old World. How they were surprised when, leaning on the arm of her son, she entered the room dressed in the very plain yet becoming garb worn by the Virginia lady of the time. Her address, always dignified and imposing, was courteous, though reserved. She received the complimentary attentions which were paid to her without evincing the slightest elevation, and, at an early hour wishing the company much enjoyment of their pleasures, observed that it was high time for old folks to be in bed and retired, leaning as before on the arm of her son."

Here we have a glimpse through the veil of time into that simple scene which brings us into touch with the first American war mother.

She did not boast of his achievements; she did not speak of his heroic deeds; she did not refer to any great act of his which drew the admiration and devotion of the world to him. To her he was George, the son, and in all the histories of that time we find but one small reference to any compliment she paid him, and that was when she said:

"George was always a good boy and deserves well of his country."

How modest, how retiring, how beautiful is this renunciation, but we may be sure that love and pride and beautiful attachment warmed the heart of this noble woman when, after her immortal contribution to the world, she rested for a time in the glory of life's setting sun and passed on.

To-day we do well to honor war mothers. To-day we bring to them the Nation's thanks and devotion, and it is well that we do so. Every gold star in that glorious constellation of womanhood represents all that could be given—all that could be sacrificed.

But let us not forget those other mothers who have made sacrifices that the world might be made better.

And among those glorious mothers let us exalt that mother who brought into the world the man whose two hundredth birthday anniversary the Nation celebrates in the greatest event of its kind ever held in this or any other country.

The mothers of men are the link between heaven and earth. When we think of our mothers whose noble, unselfish, tireless devotion to us is never dimmed, never destroyed, no matter how far our footsteps wander from the course which they marked out, we are close to the great Creator of us all.

The constancy of mother love is the divine light which shines upon the world. It is the one trustworthy, unfailing guide that leads us all safely home.

The memory of our mothers is a treasure that grows more beautiful with the years. It is the one thing that we can not forget. It is the one thing that we would not forget if we could.

Whatever the buffetings of fate may be, whatever the sorrows and disappointments we encounter in our life struggle, we can always be sure that somewhere there is one who, although she may be sitting in the shadows, yet waits and watches and prays for our return.

Among all true men and women, every day is mother's day. And if we remember her precepts and are guided by her example, the world will be full of beauty and unselfishness.

To all mothers everywhere let us pay that heart tribute which is due them, but which we more especially owe to ourselves, for no thought of motherhood can come to us without lifting us nearer to God.

THE OBSERVANCE OF FLAG DAY, IN CONNECTION WITH GEORGE WASHINGTON BICENTENNIAL CELEBRATION

[Broadcast from the home of Betsy Ross, Philadelphia, June 14, 1931]

To-day I have the rare pleasure of bringing my great radio audience to a house and to a room forever enshrined in the patriotic hearts of the American people.

I am speaking to you from the house of Betsy Ross, on Arch Street in the city of Philadelphia.

In the room where I am standing there was brought into being just 154 years ago the glorious flag of our beloved country.

Here almost at this hour, on June 14, 1777, George Washington, the Commander in Chief of the Continental forces of America, handed to Betsy Ross, the Quaker seamstress, a design for a flag which was to become immortal.

Within these walls was enacted a scene of which little record is left, but that scene will live forever in the spirit of our country.

It was a practical errand which brought General Washington here. He arrived without ceremony, without military display.

Congress had approved the general plan for an American flag. Up to that time our troops had many flags. But our country had none.

The records of Congress disclose no debate upon the question of a flag. We do know, however, the actual wording of the resolution which brought the flag into being.

That resolution stated:

"Resolved, That the flag of the 13 united States be 13 stripes, alternate red and white, that the union be 13 stars, white in a blue field, representing a new constellation."

In these simple words authority was given to General Washington as commander in chief to design the flag, and upon the same day a visit was made to this house and to this very room. There are many conflicting opinions as to the exact date of the event, but I have taken the one that seems backed by the best authority.

When George Washington entered the portals of this modest house, he found Betsy Ross busy at her needlework, which was her regular occupation. As she worked, she hummed a song softly, so that she could listen for the tiny tinkle of the bell of her shop door in front of this house.

George Washington entered with two companions. One was George Ross, who signed the Declaration of Independence and was an uncle of Betsy's deceased husband. The other was Robert Morris, the great patriot.

As they entered General Washington said:

"Mistress Ross, we have come to-day to ask you to help in making a flag for our country. We do not feel pleased with the grand union flag because of the King's colors in the canton, so we have planned another."

"You can make it, can't you?" asked her husband's uncle.

"To be sure she can," spoke up Robert Morris. "No one could do it any better than she does. Does anyone make finer neckwear?"

"It's different making a flag, but I would like to try. Tell me the idea," said Betsy Ross.

Then George Washington took from his leather pocketbook a small piece of paper on which was a rough drawing of a flag. It had 13 stripes, but a circle of white stars on a blue field took the place of the King's colors.

"What do you think of it?" asked General Washington.

"I think it will be beautiful," exclaimed Betsy Ross. "I shall be honored to make it. But, General, hast thou considered that those 6-pointed stars are not as they are in heraldry? Those are 5-pointed. I will show you."

With one snip of the scissors she cut a paper she had folded and, opening it, showed it to them. It was a star with five perfect points.

For a few minutes they talked over the design of the flag, and when they left Betsy Ross had dropped them another curtsy, and she promised to make them a flag as quickly as she could.

Thus was born that flag which to-day flies above the greatest nation of the earth. That flag means more than an emblem of sovereignty. It means human freedom, equal opportunity, and liberty throughout the world.

To-day we have come to this sacred place. To-day I am speaking within the walls that echoed that brief interview which brought our flag into being.

In the silence of this room come the echoing whispers of a by-gone day. Here in these ancient surroundings I send to the Nation that feeling of devotion and of reverence which falls like a garment upon me.

As we look back behind the veil of history, the whole event of which I speak appears in its true American simplicity.

But what dignity, what grandeur, what momentous influences came from that apparently simple incident in this room so many years ago.

As I think of the great expanse of our national domain, as I think of the 123,000,000 of American citizens who are to-day living under the protection of our flag, as I vision in my mind the folds of that beautiful symbol flying from thousands of standards, I feel what little we of to-day can do to honor the memory of George Washington and his compatriots, or to remember with due appreciation the humble part played by that gentle Quaker seamstress, Betsy Ross.

What could be more appropriate upon this great national anniversary than to recall the making of that flag? What could be more appropriate—yes, more truly important—than for a nation to give a thought to-day not only to those who sustained the flag through the blood and tears of a hundred battlefields, but also to Betsy Ross, who represented the loyal womanhood of her day and of all succeeding days in our national history?

As I speak I seem to hear voices calling from the past, voices that tell me strange and wonderful things. These spirit voices can not be truly interpreted to any mortal ears, but I know that from this historic shrine there goes forth a message to Americans everywhere, calling upon them in the name of our beloved America to defend that flag, to honor that flag, and to preserve that flag as long as time shall be.

It is fitting that upon the eve of the great nation-wide celebration of the two hundredth anniversary of the birth of George Washington next year that we should to-day reconsecrate ourselves to our flag and to all it stands for.

It is fitting that there should be a revival in the hearts of all our people of those patriotic impulses that have always, from the very beginning, actuated noble men and women to sacrifice their fortunes and their lives for liberty.

Wherever our flag flies to-day those who gaze upon its protecting folds must realize that in its creation there was brought into being not only a new constellation of States but a new principle of government. It represented a new thought in a world of strife, in a world of oppression, in a world of selfishness—a thought for the betterment of mankind through political freedom.

When that flag was born, there was not a true republic upon the face of the earth. To-day the principles which actuated George Washington and his fellow patriots have extended to the uttermost parts of the world.

Some flags have been flown only for the vanity of kings.

Some flags have been hated by millions of people because of the spirit of conquest and oppression which they represented. Most of the cruelties, the injustices, the prejudices that men have visited upon each other have been wrought under the sanction of a flag.

But your flag and my flag, fellow countrymen, that flag which George Washington gave to us, is the first bright banner of unstained honor to float over a people destined for a vast new freedom.

Upon all the glorious pages of our national history that flag has never been dishonored, nor has it ever been lowered to the enemies of our country.

That flag is a living symbol of the true spirit of America. That flag must stand as long as liberty prevails throughout our land.

This is my interpretation of those whispering voices, to transmit over the silent spaces of the air, in a message to my countrymen.

What was it that first called those early patriots to Washington's side?

What was it that took them from their comfortable homes, from the love of their families, from the security of their occupations to face physical danger and personal ruin?

What was it but some sacred spark of the spirit, something outside themselves, something larger and finer than they, some vision of a better world which only their children might enjoy?

We need to ask ourselves this question and find the answer in our own hearts. We need to kindle in ourselves that same fire of the spirit. We are the children who enjoy what these patriots fought for. The vision which came to them as a far ideal is realized among us who live at this time.

The flag which George Washington designed for us symbolizes the spirit of sacrifice, the courage, and the devotion of those men and women of long ago who gave us the priceless heritage which our country enjoys to-day.

I am convinced in my heart that in the history of our country Almighty God has been at the helm. I feel certain that in the beauty, the dignity, and the significance of our flag as it flies over you and me to-day there is the guiding hand of that protecting Providence which has willed that all should be well with this homeland.

Gone are the patriots of long ago. Gone is Betsy Ross. But what they did and what they left for us will live as long as the hearts of men beat true.

I can not translate the message of those silent voices that come to me in this place, but I can carry to you the thoughts that come to me as I look about me and feel the spirit of that day when George Washington gave to Betsy Ross the design for Old Glory.

INDEPENDENCE DAY OBSERVANCE IN CONNECTION WITH GEORGE WASHINGTON BICENTENNIAL CELEBRATION

[Broadcast from Independence Hall, Philadelphia, July 4, 1931]

I am standing in Independence Hall, Philadelphia, in what is perhaps the most historic room in America. At the table before me was adopted and signed the Declaration of Independence.

The words I speak on this birthday of the Nation come to you from a microphone standing on the very spot where this Nation of ours was born.

Here, on the anniversary of that day, in this hall where so many remarkable events have taken place, I am permitted to look back from this day of peace and security, of enormous social and political progress, and measure the immense consequences that have arisen from that momentous event that occurred in this room a little more than a century and a half ago.

This extraordinary honor has been accorded me as associate director of the United States George Washington Bicentennial Commission, created by Congress to organize among the American people the celebration of the two hundredth anniversary of the birth of George Washington, the man who did more than any other to translate the Declaration of Independence into terms of living reality, the man who did more than any other to place the 13 struggling Colonies on a firm foundation and build them into one great Nation of 123,000,000 people.

It is impossible to conceive of a more direct and dramatic linkage between the present and the past—between this Fourth of July of vast fulfillment and that Fourth of July of gigantic political adventure.

As I stand here where this greatest and strongest Nation in the history of the world had its birth and these beginnings, I am swept with reverence and awe.

I am lost in wonder as I think of the imperishable pages of history that were written here, and the mighty forces of progress that were released here by the wise and steadfast men who shaped at this table before me a new charter of human liberties, and

brought into being a new era in human affairs that to-day is the hope of humanity throughout the world.

Beneath the flag of our country we Americans must pause and realize in our hearts what that flag stands for. It is the living symbol of the blood and tears of those men and women of a bygone age who went gloriously to their graves that our country might live.

Beneath its sheltering folds the dying eyes of countless heroes grew dim and closed forever, a prayer upon their lips for its preservation.

It is for us to carry forward those sacrifices and those ideals. Who knows but what we say to-day and what we do to-day may not be translated to that far shore where are gathered the heroes of long-gone years? Who knows but that our account is being written as to how well and how worthily we have kept the faith as Americans?

May God help us to act well our part. May God give us some portion of the courage and devotion which created our country, that we may defend its liberties.

In our enjoyment of these liberties let us remember what they cost. The act performed here by these patriots required more than wisdom, great as it was. It called for another quality which they possessed, and which, please Providence, they have handed on. It called for the utmost in moral and physical courage.

In establishing this Nation they had to fling their defiance in the face of a powerful foe. They knew the risk they took, and that risk was real. On the heads of the men who signed the immortal Declaration of Independence, on the heads of every member of their families, the angry Government they defied placed a price.

Benjamin Franklin's jest was far more grim and truthful than humorous when he warned his fellow signers that "We must all hang together, or assuredly we shall all hang separately."

Yet, reckless of what it might cost them, these patriots pledged to the cause all that they had, and all that they were—"their lives, their fortunes, and their sacred honor."

If, in the list of great names they attached to the Declaration of Independence, we miss the greatest of all—the name of George Washington—it is for good and sufficient reason.

While these men wrote at this table George Washington, as Commander in Chief of the Continental Army, was already far away on the field of battle.

Already he was fighting the cause of independence before these others had pondered the terms in which that cause should be proclaimed to the world.

Now, we living Americans are witnesses as to how well those patriots planned. The full and rich life we live to-day attests the greatness of the purpose for which they fought and struggled then.

For the sake of that cause which has made us so great they endured every loss, every danger, and every sacrifice.

And yet, in this vast democracy of Americans to-day, self-ruled as the patriots planned, far richer than they dreamed, and happy and privileged beyond any people that ever lived, I believe the fathers would find their plans justified, their struggles rewarded, their dreams come true.

Here on this table before me were shaped those liberties and privileges which you and I possess to-day as citizens of these United States. As I realize this, never have those rights and privileges seemed to me so sacred, so precious, and so real.

If I can, I want to bring you into this room and give you a sense of the feelings this scene inspires. I want you to see the vision I see, called up in this birthplace of our country, on this, the anniversary of its birth.

I speak to you through a miracle of modern science, an instrument that symbolizes all our marvelous advances since 1776. Yet I speak in profound humility.

These very advances we have achieved make it all the more needful that we ask ourselves, on this July 4, how well we have kept the moral courage of that 4th of July of 1776—how far are we ready to pledge to our country to-day "our lives, our fortunes, and our sacred honor?"

I am one who believes we can answer that question with pride and respect of self.

I believe we can listen to the whispering voices that echo from these ancient walls without self-reproach. I can but dimly repeople this historic room. Yet my heart beats with new devotion, new love for my country and my fellow Americans, as there passes before my inner vision that procession of patriots.

Here, in this very chair, sat John Hancock, President of the Congress. There, in rows, many others upon that everlasting roll of honor. Fifty-six in all! Immortals! Americans!

Before them I bow in humble respect because of the sacrifice they made. But, my fellow Americans, I am one who believes we have guarded well the great trust they placed in our hands. I believe we have fought the good fight; I believe we have kept the faith.

We live in a day when it is common to hear that our country has lapsed in patriotism. It is said by many to have fallen from the lofty ideals of the founders. It is thought that because we have grown rich we must have grown corrupt.

It is said of us that we are lost in material gain; that we are dead to the spirit that first breathed life into the Nation and is vital to its very existence.

I am not one who believes all patriotism perished here in this sacred hall where it was born. I am not one who believes that all self-sacrifice and devotion to country disappeared with the men who here first practiced those virtues 155 years ago.

I believe these United States of America have grown to be the great Nation they are because we have had throughout the years

of our history unfailing generations of patriots. I believe these succeeding generations have always defended American rights and liberties in a way that would earn them the blessings of the patriots of 1776.

We complain that disaffection is abroad in our land. There are those who carp at this Government, which has achieved so much. They would rip it to pieces and set up another. It is taken as one more sign that we have slipped from the standards of our fathers.

If we have indifference toward the public interest to-day, let us remember that in the days of its infancy the cause of liberty had its way to make against a sea of the same troubles.

Valley Forge is the epic story of men who endured every visible hardship for the sake of an invisible cause. Yet now we know that the worst of Valley Forge might have been prevented by men who should have been true to their duties and instead were not.

Even in those heroic days of the Declaration of Independence, when men of lofty character were winning liberties for future generations at every cost to themselves, there were men who were willing to profit by the sacrifices of these others.

In the dark days of that winter of 1777, John Adams, whose name stands high on the list of Signers of the Declaration of Independence, wrote home from Philadelphia to his devoted wife the bitter and despairing words, "I am ashamed of the times in which I live."

Would John Adams be more ashamed of the Americans of 1812, the Americans of 1861, of 1898, of the Americans who lie in the fields and the forests of France to-day?

I can not believe it. The truth of it is that here in this room where I stand the founding of our country was not finished but only begun. Ever since that immortal day we have been busy in founding our Nation. We are still founding our Nation. The great men who shaped the immortal document that once lay on this table before me were not the only ones who have signed it.

The Declaration of Independence is being signed at this very moment by millions of Americans. It is being signed in spirit by every American with a spark of love for his native land. It is being signed in spirit by every American who labors and plans for the larger good of the country. It is being signed in spirit by any American who contributes any humble thing, be it only the digging of a ditch, to the good and comfort of his fellows.

Wherever a devoted American mother toils and denies herself for the preservation and progress of her family she defies an invisible oppressor and writes her own charter of freedom.

I can not believe that the patriots of old would belittle the moral height of that mother and the thousands of Americans she represents. I can not believe we have lapsed so far.

I will not believe that the men who sat here on July 4, 1776, would be deeply ashamed of the record we bring back to them here on July 4 of this year.

These are some of the feelings inspired by the great memories that will lurk in this chamber forever.

If we have done thus well with the Nation that the fathers placed in our hands, it is only because we have gone back, faithfully and often, and refreshed ourselves at the fountains of inspiration they left us in their deeds and their character.

If this Nation is to go on to a future without an end, it will be only as we and our children come back, again and again, to these memories of the fathers, to their teachings, and to their examples.

It should be our only purpose in celebrating the Fourth of July and the signing of the Declaration of Independence. This year, next year, and forever it should be the day when we check our course and set our national compass by that glorious star of patriotic purpose which they set in the eternal heaven of human affairs.

As I speak these words our people are in the midst of material difficulties. We are plagued with personal worries. We are afflicted with discontent and threatened suffering. Because of these discomforts we have turned upon each other in bitter recrimination. It is a time that gives rise to violent differences in politics, in business. Our entire system of life is under fire of criticism.

But even in this we only repeat the experiences of the fathers. They also knew what it was to be vexed with divided counsels and violent clashes of interest.

But in the midst of their perplexities they knew what it was to turn to the calm, serene, steadfast courage and judgment of George Washington. And in 1932, I believe, we are going to turn again and rally about him.

I believe that in 1932 the spirit of George Washington will rise from his tomb in Mount Vernon and bring us together again as the living Washington stilled the storms that swept over the days when he lived in the flesh.

I believe this celebration of the two hundredth anniversary of the birth of George Washington is going to afford the American people the greatest national rallying point they ever have had.

I can see this coming. For more than a year the United States George Washington Bicentennial Commission has been guiding and gathering up the Nation's slumbering interest in its greatest man. I have watched that interest come to life and breathe the fire of enthusiastic vitality.

I see in this a Nation swept with a single emotion. It is an impulse on the part of 123,000,000 Americans to forget their differences and rally as one about the rock of this great American's character.

I predict George Washington will repeat in spirit the great work that a century and a half ago he performed in fact. He will

summon all Americans away from their bickerings and their discontents. He will bid them forget themselves and remember their country. He will bid them rededicate themselves to the giving of self for the good of all.

Out of our deathless love for him he will ask us to reconsecrate ourselves to the great and simple principles upon which he and the framers of the Declaration of Independence built this Nation, to last as long as we keep burning the sacred fires of their example and their leadership.

Out from the moving shadows of this impressive room there comes the spirit of courage and peace. That divine influence which guided the heroes of the past still lives, still exerts its potent guardianship.

The God, our Father, who placed his benediction upon the founders, will not neglect those of succeeding generations if they remain true to American ideals. The shadows whisper this message; this ancient room bears witness to its truth.

To you, my fellow Americans, I appeal over the distances of space to carry this message as I hear it in the mysterious murmurings of this place. Let us live true, let us guard the heritage these signers of the declaration have left to us.

Let us honor and preserve all that they stand for, their memories ever strong in our minds, their spirit ever active in our hearts. Thus, in confidence may we look forward to a united America, strong and enduring among the nations of the earth.

FORT NECESSITY GROUND-BREAKING CEREMONY, COMMEMORATING GEORGE WASHINGTON'S FIRST EXPERIENCE IN BATTLE

[Broadcast from Fort Necessity, Pa., September 29, 1931]

We are here to break ground for a national monument long neglected, to perform a duty long overdue.

It pleases me to think that the motive leading us now to the building of this monument comes from the approaching worldwide celebration of the two hundredth anniversary of the birth of George Washington, an enterprise which I have had the honor to advance as associate director of the United States commission created by Congress for that purpose.

The entire Nation is aroused to a feeling that the coming anniversary will serve not only as a measure of George Washington's greatness but as a measure of our progress as his countrymen. In that feeling we are turning to Washington with a new and burning interest in everything he did, and with a new sense of the great debt we owe him.

So I can say with excellent reason that amid all we do in George Washington's honor the dedication of this monument at Fort Necessity will be one of the most appropriate and outstanding tributes we can pay him.

For here on this sacred soil, once reddened with patriot blood, George Washington began his labors in our behalf. We of the United States to-day who stand here represent the results of what he here began.

In this place George Washington opened the eyes of the world to North America and stirred two great nations to possess it.

Here he first inspired the colonies to possess it for themselves. Where we now stand a boy of 22 changed the map of the world and altered the course of history.

All our own struggles for freedom for the right to go our own way came 20 years later. But to this point we may trace all those threads of influence that culminated in the War of the Revolution.

Here, in reality, began the United States of America. And here, in a forge of fire, was welded the courage and the character of the man who chiefly made us what we are.

If ever a few acres of American soil deserves to be marked out forever, it is this site of young George Washington's "Fort Necessity."

With all my heart I congratulate the people of this community, of this State, and of the Nation, in liberally contributing to this splendid enterprise. You have allowed no discouragement to stand in your way. Next year we shall dedicate the fruits of your patriotic self-sacrifice in your gift of this monument to the Nation.

But we are here for a purpose beyond ourselves. It is our privilege on this occasion to rewrite American history, as George Washington himself wrote it here in deeds of blazing valor.

For years historians have regarded Washington's fight at Fort Necessity as a defeat. Washington himself was unaware at the time of the real significance of what he had done and wrote to his brother that he was "soundly beaten."

Now the events that then confused him have cleared. Not only that—we have found long-buried contemporary records which I am here giving to the country for perhaps the first time.

I am straining no terms of language, I am twisting no facts of history in pronouncing this fight at Fort Necessity not only a great moral victory for George Washington but an actual military success.

To understand what he did let us take ourselves back 177 years. Let us stand here at George Washington's side, facing the tremendous odds that we now know he defied.

It is 1754. Pioneering American settlers have penetrated this region, and so have wakened England and France to what this great wilderness is worth. Now both these nations are reaching for the prize. The French are driving our settlers out and fencing the region off with a line of forts from Quebec to New Orleans.

Virginia's governor intends to stop this, and the year before has sent George Washington, a youth of 21, and almost alone, to warn the French out of this, our territory. It is a miracle for

him to come out of the wilderness alive, but he brings back word that the French are determined to stick.

It alarms the Colonies. Some of them act at once. Virginia sends Captain Trent to build a fort of her own at the forks of the Ohio. Ample forces are to back him up.

George Washington, now a lieutenant colonel and second in command, heads the vanguard of a few hundred men. He is ordered to stick to defense, but fight if he must. Soon his superior officer dies of an accident, and Washington is in sole command of the expedition at 22, the age of a West Point cadet.

Early in April he strikes across the Maryland line and over the mountains, cutting his road as he goes for the supporting artillery that never arrives. Reinforcements of more than 1,000 men are promised him and only a handful ever reach him.

It takes him two months to get a little beyond this place. His food runs short. The only plentiful thing is alarming news.

He learns that the little Virginia fort at the forks of the Ohio has been taken by the French. The meaning of that is war—with George Washington a boy never before in battle, 60 miles from his base of supplies, in a wilderness crowded with enemies, while his provisions vanish, his men tire, and no adequate reinforcements appear. Only the French receive substantial reinforcements.

A hundred of his men are sick. The woods are full of spies who tell the French of his weakness. And he learns that the French are now 900 strong, with 700 Indians and cannon.

Against such odds retreat would not have been a disgrace. Washington chose to fight it out.

It may be that the amazing sense of clear judgment he possessed compelled him to stand. Retreat would have meant the loss of his Indian allies and perhaps the desertion of his men. But I think that what settled the matter was the Washington spirit. Again he was there on a definite errand, and it was the Washington habit to do what he set out to do.

He wrote to his governor, "I doubt not if you hear I am beaten, but you will at the same time hear that we have done our duty in fighting as long as there was a possibility of hope."

Those words alone justify this monument here.

On a previous alarm he had taken the precaution to throw up intrenchments here where we stand in Great Meadows. A little beyond this place he encounters a scouting party of French and wins the skirmish. A lone survivor of the enemy escapes to tell the tale. Soon Washington hears that the entire French force is on the move against him, 900 strong, with 700 Indian allies and cannon—five times Washington's little band of 300 men.

By June 1 he had his fort palisaded. He had a month to await the attack, while his supplies ran low. No wonder he called this "Fort Necessity." Even his Indian allies deserted, seeing how weak he was against such numbers.

Military engineers of to-day have criticized Washington for planting his fort here in the open, surrounded by woods on higher ground.

He knew his business. He knew the French and Indians fought from behind trees. He knew the range of their muskets. He planted himself where his enemies, in order to hit him, must leave their shelter and be hit themselves.

Precisely this happened. But only now do we learn the full facts from accounts at the time, some of them supplied by Washington himself, as published in a remote colonial newspaper and buried from sight until now.

On July 3 at 11 o'clock in the morning one of Washington's sentinels opened fire. It is reported that he killed three Frenchmen before hurrying to the fort. The action was on.

Washington drew up his forces before the trenches, ready to die to the last man, but alert not to be fooled.

At first the enemy kept at long range, hoping to draw Washington's fire. It must have amazed the young colonel not to be charged by an enemy of such strength. Finally he ordered his men behind the trenches to shoot it out, wherever an enemy left his shelter.

For nine hours of a rainy day, until 8 o'clock at night, his men did shoot, and only now do we know that every man in his command accounted for one of the foe. This old newspaper tells us that 300 French and Indians were killed and large numbers were wounded.

That is why Washington was further amazed when the French twice called him to parley. Twice he declined, suspecting a trick. Twice he declined the terms presented him and compelled a change. Finally, at midnight, in a driving rain, he did agree to terms that he largely shaped himself.

Washington lost some 30 men killed and 70 wounded, but, again the old newspaper tells us, all that night and part of the next day his enemies were secretly burying their dead and removing their wounded.

In the morning they marched away to the north with all their remaining numbers, while George Washington and his little band trooped south, their drums beating, their flags flying. He had stood off five times his number and sent them away, glad to be gone.

Can that be called a defeat?

The immediate consequence of the fight that happened where we stand was to make young Colonel Washington a man discussed all over Europe. The ultimate consequences of what he did here were the retirement of the French, our war for independence, and the creation of the United States.

Can that be called a defeat?

Do we not rather see the hand of destiny asserting itself even thus early in the life of the Nation, in the fact that George Washington marched his men proudly away from this fort on the date later to become more memorable still—the Fourth of July?

Did I say the hand of destiny? It was the hand of Almighty God. For never in my heart have I been more convinced of an intervening Providence in the affairs of men than in the conviction which has come to me through a study of the life of George Washington.

From boyhood until he passed beyond this life George Washington was an instrument chosen by the Ruler of us all for a career which shaped the history of the world.

Through all his trials, perils, sufferings, and sacrifices he was upheld by that strong consecration to duty which comes only to those chosen of God. In my heart of hearts I know that the unseen hand of divine Providence guided the career of this most useful of mortals, and in paying tribute to the life and character of George Washington we acknowledge the source of his greatness and of his power.

George Washington never met defeat. His was a triumphant and successful career always. What we may term defeats were mere incidents in a chain of sublime achievements.

It is high time we took this Battle of Great Meadows out of the shadows of defeat and placed it in the glorious light of triumph and military success.

In raising this monument we are commemorating more than the glory of arms. We are for the first time truly interpreting the genius of a man and the genius of a people.

It is twice hallowed soil where we stand. George Washington thought so much of these consecrated acres that 15 years after the battle he bought Great Meadows and kept it until his death.

Next year on this historic ground we shall dedicate a monument of stone. Around it, throughout the land and throughout the year, we shall raise a still greater monument—the monument of a nation's gratitude felt in a nation's heart.

Yet even this is not all we shall have built in George Washington's memory. The greatest of all memorials to George Washington is spoken of by a forgotten biographer in words that I wish to repeat:

"There is a greater Washington monument, still unfinished but appropriate and significant in all its parts. It covers an area bounded by the Lakes and the Gulf, the Atlantic and the Pacific. Its final completion may be delayed for centuries, but the quantity of treasure lavished upon it and the number of workmen employed increases from year to year; for expense is no object while the country is persuaded that it is perfecting a monument to Washington after Washington's own plans—the United States of America."

So we the people are the real memorial to George Washington. Let us see, next year and forever, that we worthily wear his name engraved upon our hearts. Let us truly live according to his precept and example, that the glory of our country may never be dimmed, that our flag may never be dishonored, and that a free, enlightened, and happy people may rightfully claim kinship with the immortal George Washington.

FROM THE HOME OF MARY BALL WASHINGTON, THE MOTHER OF GEORGE WASHINGTON

[Broadcast from the home of George Washington's Mother, Fredericksburg, Va., January 1, 1932]

I am speaking to the people of the United States from a shrine made sacred by its immortal memories.

I am in the home of Mary Ball Washington, mother of George Washington, in historic Fredericksburg, Va. Beside me is an object of special reverence. It is the most precious timepiece in all America. This beautiful grandfather's clock belonged to Mary Washington and solemnly tolled the passing hours when George Washington and his mother met here in that exalted communion of mother and son.

In a few minutes this clock of artistic design and fully 8 feet tall will strike for the mothers and sons of our country the 12 strokes that will mark the first high noon of 1932, the two hundredth anniversary year of George Washington's birth.

You will hear over the infinite spaces of the air the resonant tones of the very clock that voiced the hour when our greatest American opened his eyes to a waiting world. Those first sweet notes of an historic hour will reach through the universe. They will never die away, but will continue on and on until the end of recorded time. The impulses of those vibrations surround us to-day, after 200 years, and will exert their invisible influences upon us as long as America lives.

When this clock strikes again, it will be the voice of history and destiny itself, calling us back to our own.

I know of no more significant expression of this solemn hour. And surely there could be no more appropriate setting where this reverential act could be staged, than in this bedroom, with the hush of the years upon it, yet vibrant with the echoes of the past.

They crowd upon me—those sweet voices of the dead. I am oppressed and confused by the voices so long silent, that strive to speak again. For every article in this low-ceilinged room bears witness to those touching and dramatic scenes that were enacted here.

I face the colonial fireplace where comfort glowed and which symbolizes the beautiful provision the dutiful George Washington made for his aged and ailing mother. By its side is the low chair where she sat those many, and oftentimes lonely hours, thinking of her boy, leading his tattered troops in war. Can we not read in these contemplations the anxiety, the fears, the love, and the prayers of that mother who gave to humanity so great a

son and who sent him forth with noble self-sacrifice to serve his fellow men.

Here by this window I look out upon scenes perhaps little changed from that day when Mary waited for her son's return.

Out through the garden door I see the colonial kitchen with its utensils for domestic concerns much as they were when Mary, with her own hands, prepared her boy's favorite cakes. Beyond, through the serene beds of old Virginia flowers, I see the box-bordered walks that led to beautiful Kenmore, the mansion home of George's sister, Betty, who kept careful watch upon her mother's comfort when he was far away.

And as soon as he was able, he bought for his mother this modest house, among her friends in Fredericksburg, amid the scenes and the people she loved. Here, in this quaint old house in which I speak, he placed her to live out her days in peace.

So our return to this house is sanctified by some of the most beautiful memories of American history. The walls of this house are witness to the most sacred hours in George Washington's life, the hours when he was at his greatest and best—the hours when he came back from war and chambers of state, from stress and turmoil of public life to seek counsel at the knees of his adored mother. This same clock, which you will hear, measured those precious hours.

When the notes come to you, the memory of these scenes in George Washington's life can not fail to inspire in each heart an exalted feeling of gratitude and love for the mother and the son.

Hardly had George Washington grown to manhood before his countrymen realized his qualities of leadership and gave him important duties and responsibilities, greater perhaps than were ever placed upon the shoulders of mortal man.

I know that the women of America, in whose breasts beats the universal heart of motherhood, can realize how Mary Washington longed for her boy. Mothers of America who have lost sons in battle know with what trembling, with what prayerful anxiety, Mary Washington sat here waiting for his home-coming. I know that the mothers of Americans everywhere join with me in the conviction that those prayers which were uttered here in this room to the God of infinite mercy had their answers then as they have now.

Those prayers gave George Washington to the world. They saved him in time of peril and they have preserved his spirit which surrounds us all at this moment. Here in this house where he placed her to live in comfort, he always returned as often as he could.

He came to see her in sickness and in health. He came to ask as to her comfort. Even when mountainous cares of state came to burden George Washington's mind, and crowded his life with labor, he always found time for a visit to his mother. May we not think with truth that this great man returned here for that spiritual guidance that so influenced his eventful career. May we not feel that he came here because at his mother's knee he felt closer to God.

George Washington resembled his mother in many ways. Mary Washington gave more than a great son to the world—she gave herself.

Something of George Washington, the boy, lived on in George Washington, the man. He never went away on an errand of great importance without first visiting his mother to receive her blessing.

And for the unselfish sacrifice of Mary Washington God rewarded her as no other American mother has ever been rewarded. She saw that son grow tall and strong and she saw him raised to greatness that no other man of our country has ever surpassed. She saw him acclaimed by all the world, adored by his fellow men. And yet to her he was always the son, the boy—her George.

At last it was permitted Mary Washington to greet her son at the end of his physical danger. For here he came after Yorktown. He had won the War of the Revolution. He had made America independent. He had made these United States of ours forever free. He stood at the pinnacle of his greatness—a colossal figure in the world.

Many a victorious warrior has tasted the fruits of popular acclaim and has done so as a natural thing. George Washington put all that behind him. His first thought was of his mother, and the final victory of the Revolution had hardly been won when he came to Fredericksburg to see her.

He rode into the city at the head of the staff of the victorious army. He came with a score of generals, most of them distinguished foreigners who had shared with him the dangers of battle.

Yet when he came to Fredericksburg, crowned with the laurels of success, his mind went back to the days when he was a little boy and he and his mother were impoverished and obscure. He came here to this house—not with the pomp and glory of the mighty warrior, not as a hero of a grateful people, but as the son. He came alone on foot.

He had discarded the trappings of command. He was the son. Here at this window through which I am now looking sat the mother, waiting, as she had done so many times before, for those familiar footsteps.

Here in this room where I am now standing, with this clock ticking away their all too brief time together, they met again. Upon that meeting the veil of time has closed as too sacred a thing for other eyes to witness. But we know that upon her son's urgent invitation Mary Washington set forth from this house on her last public appearance, when she consented to appear for a brief time at the historic reception here in Fredericksburg to celebrate the great victory at Yorktown.

We are told of her quiet and modest dignity there. We are told how eager the foreign officers who aided Washington were to meet the mother of their leader. And with the same dignity she retired from the brilliant scene upon the arm of her son with the simple words that it was time for one so old as herself to be in bed.

When George Washington saw his mother for the last time, it was in this room and he was still a greater man, for the people of the United States had demanded with one voice that he be their first President.

Yet he could not assume this office given him with such overwhelming public trust without first coming here to Fredericksburg to this little house to receive the blessing of his now fast-failing mother. It was probably the sweetest reunion of their lives, and it was God's will that this meeting should be their last.

Mary Washington knew it. Bravely she sought to conceal it. A wasting disease was eating her life away. In vain her great son tried to put away her fears, and looked forward to seeing her again and again. Mary Washington stilled him with this immortal blessing: "You will see me no more; my great age and disease warn me that I shall not be long for this world. I trust in God that I may be somewhat prepared for a better. But go, George, fulfill the high destinies which Heaven appears to have intended for you; go my son, and may Heaven's and a mother's blessing be with you always."

The words were only too true. It was not long after this scene that Mary Washington died to the ticking of this old clock.

The whispering voices still crowd upon me. The solemnity of this scene chokes my voice. I can only bow my head in reverence and ask my countrymen everywhere to join in tribute to the memory of the great mother and the immortal son.

SUNDAY REFLECTIONS AT OLD POHICK CHURCH, WHERE GEORGE WASHINGTON AND FAMILY WORSHIPED

[Broadcast from Pohick Church, Virginia, February 21, 1932]

On a lovely, rolling hill characteristic of northern Virginia is one of the most beautiful and historic shrines associated with the life of George Washington. I am privileged to-day to stand within the ancient walls of Pohick Church, which is as intimately connected with the life of George Washington as Mount Vernon itself.

Here in the reverential stillness of this sacred place I come as a humble pilgrim, and from this place I have been permitted to broadcast to the Nation the thoughts and impressions that come to me.

Virginia is unusually rich in its religious history. Dotted over its area are scores of historic churches dating back from the earliest colonial days. Of all of these fine mementos of the time of the established church in the Old Dominion, this building is notable, and one of the outstanding landmarks which the hundreds of thousands of tourists who visit this country during the period of the celebration of the two hundredth anniversary of the birth of George Washington should visit. The celebration begins to-morrow and extends until Thanksgiving Day this year.

We are told that the present Pohick Church is located on land selected and purchased by George Washington in 1767, and is successor to the old Pohick Church, a frame building which stood on King's Highway, leading to Occoquan Ferry, a few miles south, which was built about 1690. It is not only a finely preserved type of colonial brick edifice, but it has a history romantic and fascinating. Truro Parish was established in 1732, the year of George Washington's birth, and continued to use the old church until about 1767, when it was decided to build a new one some distance from the old.

The new Pohick Church was ready for occupancy by the congregation in 1772. George Washington drew the plans for this church, and as in other similar plans, he went into great detail, not only designating the proportions, the character, and the material, but also the decorations and church furniture. We may be sure that he exercised a potent influence in these matters, since he had himself purchased the land upon which Pohick Church is located.

When it was proposed to erect this so-called new church the argument over its location waxed strong, but Washington ended it by making a survey so complete that it indicated the exact distance which each of the parishioners had to travel as between the new and the old sites. In Washington's surveys this location was shown to be nearer and most convenient for the larger number of the church members.

It must be recalled that George Washington was vestryman of this parish at this time. As in all things with which he was concerned, George Washington took a deep and active interest in the building and the conduct of this church from the time it was planned until his death.

It must be recalled also that the position of vestryman of a parish in Virginia during the time of the established church was a position of considerable civic as well as religious importance.

However, it is not with this side of the church history that we are concerned to-day. Our whole attention is centered upon the church itself and the intimate relation which it bore to George Washington, his friends, and neighbors.

Pohick Church occupies a site directly upon the highway between Washington and Richmond. It is located about three miles beyond the point where the old road branches off from the highway to Mount Vernon. Within the churchyard surrounded by a brick wall there is about an acre and a half of ground in which are the tombs of the parishioners of long ago.

There is an atmosphere of serene tranquillity about this edifice which impresses us like a benediction, and the gentle breezes move

through the old oak trees and whisper of the mystery of time. What a colorful, what a romantic, what beautiful setting for the quiet and dignified events that took place here during the youth of our country.

One can not come to this placid old house of God without drawing aside in his imagination the curtains of time to look backward to the days when George Washington, his dear family, his friends, and neighbors gathered here to worship.

As I look out through the open doorway to the burying ground that holds the ashes of some of the noblest personages of Virginia's great history, to my mind comes back again that pageant of beauty, of citizenship, and of neighborly kindness which was witnessed here on those Sunday mornings long ago.

Let us within the limitations of our fancy place ourselves as members of the Mount Vernon family preparing to come to this meeting place nearly 175 years ago.

It was customary for the family at Mount Vernon to attend church regularly, and for the usual guests, of whom there were always from two or three to a dozen, to attend with the family, although none was urged to go. Carriages were, of course, provided, and an early breakfast was the rule, because it consumed practically a day to attend church and return.

Pohick Church is about 6 miles from Mount Vernon over the old road, but this 6 miles, which now can be traversed upon a beautiful roadway in a few minutes by automobile, was a formidable journey 175 years ago.

Only those who are familiar with the primitive Virginia roads can realize what traveling meant in those days. The road led through the wood and partly swamp ground. In winter it was usually deep in clay, rutted, and difficult of passage except by carriages drawn by from four to six horses. In summer it was dusty and rough, as little care was given to roadways in those days, for water transportation among the plantations along the Potomac was in common usage for transporting goods and produce.

So that the coaches going from Mount Vernon to Pohick Church were sturdily built. Sometimes there were three or four coach loads of family and friends. Men, women, and children of the household and guests, in what we would consider somewhat gay attire for such an occasion, went by coach. The servants and retainers of the estate usually traveled horseback following the coaches, ready to lend assistance in case of need.

The great Washington himself with his beloved Martha and the adopted children of Mrs. Washington usually occupied a carriage by themselves. We the house guests, intermingle among the other guests in the two or three carriages of this pilgrimage, and we alight with relief at the gate of this ancient church yard.

Here, as General Washington and his party arrive, are gathered many men, women, and children who are upon terms of familiar intimacy with the Mount Vernon family. Walking around to the southern entrance, which is in reality the original front, we mark the lovely pedimented portals in gray sandstone.

As we pass through the lovely portal of the church we observe the box-pew arrangement drawn by Washington, and note the great pulpit standing at the head of the cross aisle in the middle of the north wall of the church. Proceeding to this point of advantage we inspect the more striking details of the church, and we turn to the altarpiece.

We are told that if we could see this in its original condition—for the interior of the church has suffered from the ravages and devastations of war—we would mark the gold-lettered creed, Lord's Prayer and the Ten Commandments in gold leaf, and the ornaments in the tabernacle and the capitols of the pilasters also covered with gold leaf. The palm leaves and festoon design on the pulpit are also covered with gold leaf furnished by George Washington and his dear friend, George William Fairfax.

Immediately in the center of the cross aisle stands the original font, made by William Copein. This was taken out of the church during the Civil War and was secreted upon a near-by farm. If we follow the Washington family along the west aisle toward the altarpiece, we pause at pews 28 and 29 and know that these pews were owned and occupied by Washington and his family on all occasions of public worship.

The form of that worship then resembled closely the form of worship still familiar to the people of this congregation. The Washington family go sedately to the ancient box pew in which we take our seats. This pew and all others of the church has comfortable cushioned benches partitioned off in rectangular form, so that there were seats on three sides and a small gate leading into the aisle. Upon that gate is still a silver plate bearing the name of George Washington.

We now assume that the beautiful service has closed. The congregation has filed sedately into the outer yard, where for an hour or so there will be pleasant neighborhood gossip and much comment upon the affairs of the vicinity. Soon all are gone and we stand alone in the hush of this sacred place, and the shadows come creeping into the corners and back into the gallery which was reserved for humble worshippers.

I wish it were in my power to convey through the miracle of radio the impression of beauty, of stillness, of solemnity, that enfolds me. Again do I people this beautiful room with the images of those long gone. Again do I hear in imagination the whisperings of those who gathered here to worship an everlasting God, who knows not neither time nor place. Again do I see those kneeling figures and heads bowed in prayer that echoes back through the years as though 'twere yesterday.

Again do I see the mighty form of General Washington, the Father of his Country, kneeling in humble supplication to his Father on high. In simplicity, in childlike faith, the great man bows in prayer. The soft music of forgotten hymns seems to come to me as the echo of an angel's song, and I feel that my humble presence here is as it were a ghost that intrudes upon another era, another state of social order, another age when our history as a Nation was beginning.

Gone are those mighty souls who left their indelible impress upon our history and our culture. Gone is the romance, the color, the drama of their sumptuous lives. Gone is the rich bounty of old Virginia, although the inheritance of its hospitality will never fade.

Here I feel that exaltation and an emotion that I can not express in words. Here lingers within walls hallowed by memory the very scent of the old-fashioned flowers.

To Americans everywhere I would that I had the power of bringing you in spirit to my side. To Americans everywhere I would that they could feel this sacred presence as I feel it now. To the hearts of all humanity I would convey the meaning of this place and this moment, that we could all unite in a common impulse of devotion to our God; to a sense of that ancient neighborly friendliness which was actually part of the old-time religion.

I would that we could join together in the simple hymns they sang; be impressed by the devotions of their day and dedicate ourselves to the sincerity, the simplicity, and the beauty of their lives. They are not far away. They seem to be here at my side, and the rhapsody of memory exalts my soul to their worship and to mine, in humility in the presence of our common Creator.

We need it, fellow Americans. We need a return, not only to the wisdom, the courage, and the character of George Washington, but we need a return to his calm faith in the God of human destiny. We need a new consecration to that morality which guides and stimulates the acts of our daily lives. We need a devotion that surmounts difficulties, that overcomes opposition, that triumphs in the relationship of men with men.

These devoted people who bullded this church, who worshiped here in these inspirational surroundings, who set us an example of good living, fine companionship, and steadfast honor, would bring us back again into the stream of life as they knew it.

We need the calm, sobering influence of practical religion by which we may set our course, and we need to reexamine these landmarks of public and private decency which point out the undeviating course of justice and kindness and love.

The lessons of this hour are the lessons of simplicity, the lessons of childlike faith, the lessons of the immortality of the soul. Mark it well, "Lest we forget, lest we forget."

I seem to feel, as George Washington felt, the influence of all these great sermons that were preached here by men of God. I seem to feel that from every word they spoke there continues an echo that swells into a glorious chorus of divine praise.

Here the greatest American found companionship with God. Here he received those sacraments that strengthened his character, steadied his purpose, and fitted him for the momentous part he played in the epic drama of his time. And there at beautiful Mt. Vernon, a few miles away, he sleeps, beside his beloved Martha, to the requiem of immortal adulation of all mankind.

This is God's house, and here we know we are close to our Creator, and as we go hence a glorious recessional of the ancient faith must ring always in our hearts.

Reluctantly I turn to go. The spell is still upon me. In this midwinter afternoon the shadows gather early, and, as I slowly walk toward the world and its concerns, the words of that sweet poem come back to me with a new revelation of truth: "Standeth God within the shadows keeping watch above his own."

WHEN THE GEORGE WASHINGTON BICENTENNIAL CELEBRATION BEGAN
]Broadcast from Washington, February 23, 1932[

The great celebration of the bicentennial of the birth of George Washington has been formally opened, and from now on interest in the observance of this historic event will gather momentum until its climax and the end of the celebration on Thanksgiving Day of this year.

Yesterday witnessed the opening of these nation-wide, I should say world-wide, plans which have been maturing for the past two years. We of the United States George Washington Bicentennial Commission, of which I have the honor to be associate director, are proud of the overwhelming response of the people of the United States to the work which we have been doing. We are gratified beyond all measure of expression at the cooperation, the sympathetic helpfulness, and the deep patriotic feeling that have been exemplified in every part of our beloved land.

I speak from the heart when I say that all of us who have been concerned in this momentous work are deeply touched at the appreciation which has been given to our humble efforts, and we are inspired by the obvious fact that the people of the United States everywhere have rallied to the spirit and purpose of this occasion beyond anything that could have been anticipated.

The events of the past two years have occupied our minds, our hearts, and our hands beyond any similar work that was ever undertaken. The beginning of this celebration yesterday was marked by observance in thousands of towns and cities throughout the Nation and in millions of homes and schools and churches. From one end of the country to the other, in our insular possessions, in foreign lands, wherever Americans reside, there has been

exhibited an interest and a whole-hearted sentiment of the true American spirit which should hearten every real American living under the protection of our flag.

The nations of the world joined with us yesterday in paying homage to our great Washington. In practically all foreign countries radio broadcasts were made by heads of government, statesmen, and patriots, so that the name of Washington resounded throughout the earth.

The celebration in the National Capital naturally was the center of immediate interest, because here the Government itself, in the most formal, dignified, and magnificent way, paid its tribute to Washington with solemn and beautiful ceremony.

The address of the President of the United States and the singing of America by a grand chorus of the entire Nation was carried by the miracle of radio to every part of the world. Yesterday the man who still is and ever will be to us the Father of our Country reached the hearts of his people as never before. To-day the press of the world tells us how the hearts of humanity responded.

To-day it is my proud privilege, through the courtesy of this great broadcasting system, to thank the 120,000,000 of Americans who responded so magnificently to this call of a great man to a great occasion.

On behalf of the United States George Washington Bicentennial Commission I tender the thanks of this Government to our people everywhere and to those across the seas for their interest and their help in this fitting testimonial to the memory of our greatest American.

I can hardly realize what has come to pass. The celebration has begun in a manner that overwhelms me. It is not only the greatest event of its kind ever held in the history of the world but it is impossible now to conceive how anything could have been added to this mighty tribute of the peoples of all countries. The words I speak are hopelessly inadequate to express what I, an American citizen and lover of George Washington, would like to convey to my fellow Americans.

No precedent guided us, for no such celebration was ever attempted by any nation at any time. We set to work with energy and enthusiasm, which have not abated during all these months and years of effort.

We were sustained by an unflinching confidence that Americans were eager to participate in this form of tribute. That confidence grew with the passing of time and with the thousands upon thousands of letters that came to the commission from all over the world, and especially all over our own country. We were inspired with new confidence, new faith, and new energy. I may say truthfully that I do not believe any organization of the Government, in time of war or peace, has ever given such unstinted service, loyalty, and talent as have those who have aided me in the conduct of this mighty enterprise. On behalf of Americans everywhere I want to express my appreciation of this service, which is as truly a tribute to Washington as any ceremony or any material monument.

What we witnessed here in the National Capital yesterday was an awakening that gives encouragement to all of patriotic heart and mind.

When the President of the United States stood in the National Capitol and delivered his wonderful tribute to the memory of George Washington, I felt a thrill I can not describe. It was what we had worked for, planned for, hoped for all these years. It was the greatest historical celebration in the life of our country and not at least for another hundred years will there be anything like it. Our dream was realized, our hopes fulfilled, and I know that George Washington received the tribute that he would have liked to receive, because it was not in the form of a new monument or material evidence of our growth but was an expression from the hearts and minds of his people—the people of the United States.

I say this with the pride of an American. I say it with a heart full of gratitude to those who have joined with us in the planning of this great celebration. We Americans have always loved George Washington, but to-day we love him with a new revelation of understanding. We love him because we know more about him, and knowing more about him we realize the mighty stature of the man.

What the United States George Washington Bicentennial Commission needed to do was to awaken the love of our people to this new understanding of Washington. It was a mighty task, and we are proud to feel that with the support of the people themselves the task has been well done.

Eight years ago far-sighted men in Congress had a vision of just what we witnessed yesterday and took steps to prepare for it.

The program which was launched was broad and comprehensive. It ramified to every corner of the earth and reached every stratum of humanity. When we began our work, George Washington was something of a myth, to many a cold impersonal figure of history, remote and almost unknown. To-day there is hardly a man, woman, or child in this land of ours but knows a great deal about George Washington. They know something of his mighty character, they know of his services, his sacrifices, his victories, and his triumphs of statesmanship. But more than that, they know of George Washington as the man. They feel a different sentiment toward him, a nearness, an understanding, a personal love.

From the least known of Americans George Washington has become one of the best known. We have succeeded in large measure at least in making him familiar to Americans for what he

really was, a simple farmer, like millions of other American farmers, a business man, like many other American business men, a friend worshiped by troops of friends, a father to all the children he knew, a devoted husband, a mighty conqueror without the glamour of ambition, a statesman without selfishness—the ideal American.

I believe that if this celebration had served no other purpose than in making George Washington understood and loved, it would have been worth all the planning and all the effort.

So I have reason not only to thank the American people for their cooperation but to congratulate them from the depths of my heart for the long, earnest, self-giving efforts they themselves have put forth to make this memorial to George Washington what it should be.

During these two years of active preparation 60,000,000 people—half the population of the United States—with half a million committees to lead them, have found the time, the willingness, and the initiative to plan the great tribute which opened in the National Capital yesterday, and in cities, towns, and hamlets all over our beloved land.

But it is the 35,000,000 young Americans in our schools and colleges who have touched my heart most profoundly. It was the patriotism of these future generations of American citizens that we wished to awaken first of all to a response in love of country that has stirred me deeply.

The United States George Washington Bicentennial Commission has found it almost impossible to meet the demands for school studies of Washington. We have, however, placed his picture in every one of the 850,000 schoolrooms of the country. We have supplied these schools with literature of all kinds touching every phase of the life of George Washington. These young people have enrolled themselves with the same enthusiasm in the contests we have arranged through the year for excellence in essay, declamation, and oratory on the subject of George Washington and the Americanism he lived and taught.

Nothing could have pleased and touched George Washington himself so much as this overwhelming tribute of affection from these young Americans of to-day. Childless himself, he loved all the children that he could draw near him. Yesterday the children of a later American paid him the same homage of love in song, in parades, in every form of exercise.

This tribute from those who will love Washington all their lives and strive to be like him was one of the finest touches to the whole celebration, and I am proud to have had a hand in bringing about a stirring of hearts so deep, so fine, and so patriotic.

No greater distinction or self-satisfaction could come to any man, woman, or child than to have had a part in this inspiring work.

Throughout the months to come there will be thousands upon thousands of celebrations of all kinds throughout our country. For the most part these will be simple, inexpensive forms of tribute—the kind George Washington himself would most like. I ask the people everywhere, and especially the boys and girls, to become active in these celebrations, for everyone will have his opportunity.

Let us upon all appropriate occasions find ways of joining in these manifestations of honor to the great American, for in honoring George Washington we honor ourselves; in teaching George Washington, we are doing the most important work in the preservation of our common country.

EXPLANATION OF THE DATE AND DAY OF GEORGE WASHINGTON'S BIRTH, FEBRUARY 11, 1731, AND HOW IT CORRESPONDS WITH FEBRUARY 22, THE DATE WE CELEBRATE

Mr. BLOOM. Mr. Speaker, as we celebrate the two hundredth anniversary of the birth of George Washington, it may be of interest to consider certain points with reference to our calendar, inasmuch as they have a direct bearing upon the date on which the celebration is to be held.

The use of the Julian calendar in Great Britain and her colonies, including the United States, ended with December 31, 1751, in accordance with an act of Parliament. A part of this act, as contained in Henning's Statutes at Large, Laws of Virginia, volume 1, page 394, is as follows:

So much of the act of Parliament of Twenty-fourth George II, chapter 23, as relates to the establishment of the new style, is in the following words: "Throughout all His Majesty's dominions in Europe, Asia, Africa, and America, subject to the Crown of Great Britain, the supputation according to which the year of our Lord beginneth on the 25th of March shall not be made use of after the last day of December, 1751, and the 1st day of January next following the said last day of December, shall be deemed the first day of the year of our Lord 1752, and so on, the 1st day of January in every year shall be deemed the first day of the year. And after the said 1st day of January, 1752, the days of each month shall be reckoned in the same order; and the feast of Easter, and other movable feasts thereon depending, be ascertained according to the same method, as they now are, until the 2d of September in the said year 1752, inclusive; and the natural day next immediately following the said 2d of September shall be called the 14th of September, omitting for that time only the 11 intermediate nominal days of the common calendar; and the natural days following the said

14th of September shall be numbered forward in numerical order from the said 14th of September, according to the order now used in the present calendar; and all acts, deeds, writings, notes, and other instruments executed or signed upon or after the 1st day of January, 1752, shall bear date according to the said new method of supputation, etc." The section then goes on to provide for the sessions of courts, and so forth, according to the new method.

With respect to leap years, the second section declares, "that the years 1800, 1900, 2100, 2200, 2300, or any other hundredth year of our Lord, except only every fourth hundredth year, whereof the year 2000 shall be the first, shall not be bissextile or leap years, but shall be common years, consisting of 365 days and no more; and the years of our Lord 2000, 2400, 2800, and every other fourth hundredth year of our Lord, from the year 2000, inclusive, and all other years of our Lord, which by the present supputation are bissextile or leap years, shall be bissextile, or leap years consisting of 366 days."

It is seen from the above that the year 1751 was a short year, in that it began with March 25, and ended with December 31; 1752 was also a short year, in that 11 day dates were omitted in September of that year. That is, no days were designated as September 3 to September 13, inclusive. The day immediately following Wednesday, September 2, was designated Thursday, September 14. There was no interruption of the regular succession of the days of the week.

From the foregoing, and from consideration of a known error in the Julian leap year rule, it is apparent that on bringing into our present calendar events that occurred between February 29, 1700, and September 2, 1752, both dates inclusive, and "old style," a correction of 11 days must be made because of the 11 dates omitted from September, 1752, and in addition, if the event occurred between January 1 and March 24, inclusive, the year date must be increased by one. For example, George Washington was born on February 11, 1731, according to the calendar in use in Great Britain and her colonies at the time of his birth, but on extrapolating our present calendar back to that time the date becomes February 22, 1732, and we shall celebrate the two hundredth anniversary of his birth on February 22, 1932.

Having been born on February 11, 1731, Washington was 19 years old on February 11, 1750, and 20 years on February 11 of the year following. This would have been 1751, under the old calendar, but the year 1751 ended with December 31, and the following February became February, 1752. Washington's twentieth birthday was, therefore, celebrated on February 11, 1752. In the following September, 1752, 11 day dates were omitted, so that Washington's twenty-first birthday was celebrated on February 22, 1753. From that time onward February 22 has been counted as the anniversary of his birth, and February 22, 1932, will be correctly celebrated as the two hundredth anniversary of his birth.

For many years both before and after the adoption of the Gregorian calendar in this country the practice of "double dating" was customary, or, at least, not uncommon, and sometimes led to confusion. Thus George Washington himself writing to Sir Isaac Heard, Garter King-of-Arms, May 22, 1792, thus recorded his own birth:

"Augustine then married (Mary) Ball, March 6th, 1730; by whom he had issue George, born February 11th (old style), 1732"; meaning 1731/32. This slip has caused some people to claim that he was born in 1732/33.

This practice of double dating was necessary before the adoption in order to avoid uncertainty in official records, correspondence, and especially in documents relating to foreign trade, because of the fact that the Gregorian calendar was in use in Catholic countries from 1582 onward and its use in these countries was recognized in Great Britain and her colonies, although it was not put into effect in Great Britain and her colonies until January 1, 1752. After the adoption, double dating was also used, presumably to eliminate all possibility of confusion which might have resulted from inertia in changing calendars, but the practice soon died out.

Of special interest in this connection is the fact that the Washington family Bible, now at Mount Vernon, records the birth of George Washington in the following manner:

George Washington, son of Augustine and Mary, his wife, was born ye 11th day of February, 1731/2.

ECONOMY COMMITTEE

Mr. POU. Mr. Speaker, I call up House Resolution 151.

The Clerk read the resolution, as follows:

House Resolution 151

Whereas the annual operating expenses of the Federal Government have increased approximately \$1,000,000,000 within the span of the last decade; and

Whereas the industrial depression under which the country, its industries, and its people are now and have been suffering has substantially reduced the revenue accruing to the United States; and

Whereas in addition to a cumulated deficit of over \$3,000,000,000 for the years 1931 and 1932 there is an estimated deficit of \$1,250,000,000 for the year 1933, exclusive of debt-retirement requirements; and

Whereas the estimated deficit for 1933 must be eliminated and the Budget balanced not only by increasing the tax burden but also by the practice of economy and the elimination of appropriations for objects not now necessary and essential to the orderly and requisite activities of government; Now, therefore, be it

Resolved, That the Speaker of the House of Representatives be, and he is hereby, authorized to appoint a select committee of seven Members of the House of Representatives, to be known as the Economy Committee, to consist of the chairman and at least one minority member of the Committee on Appropriations, and the chairman and at least one minority member of the Committee on Expenditures in Executive Departments, and the remainder at his discretion, for the purpose of investigating the economies in the Federal Government which may be effected without impairing the necessary functions of government; be it further

Resolved, That said Economy Committee shall conduct its investigations in cooperation with the Committee on Appropriations and the Committee on Expenditures in Executive Departments, shall submit its recommendations of economies to be effected and its recommendations, if any, on the organization of government to the House of Representatives on or before April 15, 1932; be it further

Resolved, That said Economy Committee shall have the authority to use as assistants employees of the Federal Government, to take testimony, to call upon the heads of the various executive departments, bureaus, commissions, and their employees for information, and shall be authorized to sit during sessions of the House of Representatives.

With the following committee amendment: Strike out all of the preamble.

Mr. POU. Mr. Speaker, I wish to yield to the gentleman from Indiana one-half of the time, to be in turn yielded by him. I yield to myself eight minutes.

Mr. Speaker, during the 50 working days in this Congress we have passed the so-called moratorium, the Reconstruction Finance Corporation measure, the Steagall-Glass bill, and the Jones bill for the relief of agriculture and livestock corporations.

The resolution before the House might be considered supplemental to the program which has already been enacted into law. The bill provides for the creation of a committee of seven, and the formula under which that committee will work is the investigation of economies in the Federal Government which do not impair the necessary functions of the Government. The jurisdiction conferred is therefore very broad.

I believe that this committee will find on the very threshold of their work that they have a Herculean job before them. It has been found to be easier to vote money out of the Treasury than it is to abolish useless and unnecessary offices.

Almost 30 years ago I heard Senator Aldrich in the Senate make the statement that if the Government were administered in a business manner \$300,000,000 a year could be saved. Since that time there have been repeated efforts made toward effecting economies, but steadily the cost of Government has mounted, and this committee will find that there will be many unforeseen obstacles in the way of the work that has been cut out for them in this resolution.

It will take courage to do this job, but I believe that this committee of seven that the Speaker will appoint will be equal to the emergency, and that they will come back here with a report, no matter whom it hurts, by the 15th of April which will save this Government many millions of dollars. [Applause.] Mr. Speaker, I reserve the balance of my time.

Mr. PURNELL. Mr. Speaker, I hope it is unnecessary for me to state that we on this side of the aisle are just as

anxious as those who bring in this resolution to effect substantial economies in Government.

I hope it is unnecessary to state that we are willing to go to any reasonable length to bring about that which we all so earnestly desire, namely, a balanced Budget.

I voted for this resolution in the Rules Committee, and I shall vote for it to-day. I do so, however, with a feeling of sincere regret. Any fair-minded Member must realize that this is little more than another gesture. I shall vote for it because it is the only proposal we shall have an opportunity to vote upon.

Just what is proposed? This resolution authorizes the appointment by the Speaker of a select committee of seven to be known as the Economy Committee. It is charged with the duty of investigating economies in the Federal Government, which may be effected without impairing necessary functions of the Government. It is also charged with the duty of making recommendations touching upon the reorganization of Government. Under the terms of the resolution this select committee must report its findings and submit these recommendations not later than April 15, 1932. I submit that no seven men in the country working night and day can hope to intelligently deal with both of these questions and make a report in six weeks' time.

If we must have a congressional committee make this investigation I submit that it would be preferable to have a joint committee of the two bodies of Congress rather than a special committee from either branch. When this committee of seven shall have completed its work, that which they recommend, that which they seek to accomplish, must not only be reconsidered by legislative committees of this House, but the work must also be reviewed and considered by the Senate. A joint committee answerable to both bodies and representative of both bodies would, in my judgment, bring final action more quickly than can possibly be hoped for under this proposal.

Personally, I should prefer to see the President given the authority which he has asked for and permit him to effect such economies and reorganization. He has stated plainly that if given the power he would do it.

Much has been said lately concerning the attitude of the President upon the subject of economy and reorganization of the executive departments. There is no confusion on this side of the aisle as to his purposes and desires. In order that those who pretend to hold some doubt as to his position I wish to call attention to the following extracts from addresses and messages made by the President from time to time since 1920 upon the question of the reorganization of the Government.

From an address before the American Institute of Mining Engineers, Minneapolis, Minn., August 26, 1920:

The second step is to determine that our Government will be a government of cooperation, limiting profits surely, but holding to individual initiative as the single hope of human development. In order that we shall have some central point in the Federal Government where these problems may be adequately considered, from which they can be ventilated for the verdict of public opinion, where the business brains of the country can be called into conference and cooperation with the Government, and therefore with the people, the engineers of the United States have proposed time and time again that a Cabinet department should be established in Washington, either new or to replace the Interior Department, to which should be assigned the whole question of public works. You are familiar enough with the advantages of such a department from an everyday administration point of view, and enormous saving to the Government from the duplication or competition of the six or seven departments now engaged in engineering construction work of this character, but on this occasion I wish to call your attention to the fact that such a department has become an essential from the point of view of proper consideration and presentation to the American people of these broader national engineering problems upon which the next generation must depend if our country is to march forward.

From an address at the Engineers' Council dinner, Philadelphia, April 16, 1921:

There is one problem of the new administration that has received the attention and thought of the organized engineers of America for many years past. This is the problem of the reorganization of the Federal Government. The inadequacy, the wastefulness, and the inefficiency of our Federal organization was

evident enough under pre-war conditions. These inadequacies, these inefficiencies, these wastes were exhibited to the country during the war at the cost of millions.

To any student of Federal organization, one sweeping and fundamental necessity stands out above all others, and that is that the administrative units of the Government must be re-grouped so as to give each of the great departments more nearly a single purpose. The hodgepodge of aims in certain administrative branches is scarcely believable when we consider our national pride and skill in organization. Such functions as public domain, public works, assistance to veterans, public-health functions, aids to navigation, to industry, to trade, purchasing of major supplies, are each and every one scattered over from four to eight departments, most of which are devoted to some other major purpose.

We have also some confusion between executive, advisory, and semijudicial functions. One of the tendencies of Government, both local and national, during the last 20 years has been to add executive functions to commissions and boards created primarily for advisory or regulatory purposes. It requires no argument with our business public that the executive functions can not rise to high efficiency in the hands of Government boards where from the very nature of things each member has a separate responsibility to the public and is primarily engaged in a semijudicial function.

Furthermore, during the last few years, there has been a great growth of independent agencies in the Government reporting directly to the President until his office is overburdened almost beyond the point of endurance. The original and sound conception was that the executive functions should be reported up to the President directly through his Cabinet officials. Not only do these outside functions to-day overburden the President, but they render coordination with executive departments extremely difficult. It is neither possible nor advisable to place all these outside organizations into the departments, but much could be done to mitigate the situation.

Letter to Mr. Walter F. Brown, Joint Committee on Reorganization of Administrative Branch of the Government, Washington, D. C., April 7, 1924:

I understand the question before your committee is as to the transfer of the whole of the Shipping Board functions to the Department of Commerce. In this memorandum you will see that I have suggested a separation of the Shipping Board functions into those of semijudicial regulatory order and those of purely executive or administrative order, which I have suggested should be transferred to the Emergency Fleet Corporation; that the Emergency Fleet Corporation should be equipped with a president selected by the President of the United States, a board of directors that would secure coordination of the different branches of the Government.

Extracts from testimony at the hearings before the Joint Committee on the Reorganization of the Administrative Branch of the Government, January 22, 1924:

There are certain essential principles that should be laid down as to administrative relations in these governmental activities.

First, administrative and executive functions can not be carried out by boards. The proper and useful functions for boards are in semijudicial, regulatory or advisory, nor can advisory functions as to administrative matters be carried out by the same board as regulatory functions without destroying both values.

Second, the actual business of operating ships to be economical and successful must be concentrated in the usual form of business organization with a responsible president at the head and with a board of directors of advisory character.

Third, the other Government relations to merchant marine, such as aids to navigation, governmental control of ships and crews, safety and promotion functions in relation to the American merchant marine as a whole should be concentrated so as to stop overlap, waste, and unnecessary drain upon the industry.

II

The Shipping Board should have its functions reduced to purely regulatory functions over rates, combinations, and discriminations. It should act impartially toward all ships private or public and have the same independence as the Interstate Commerce Commission. It should have no advisory or administrative functions in relation to Government fleet or the administration of it.

III

There should be created an under secretary of merchant marine in the Department of Commerce. The following bureaus and functions of the Government should be transferred to a new division of merchant marine with an under secretary of the merchant marine, in the Department of Commerce. The following bureaus and functions of the Government should be transferred to this new division:

1. Coast and Geodetic Survey (now in Commerce).
2. Bureau of Navigation (now in Commerce).
3. Steamboat Inspection Service (now in Commerce).
4. Bureau of Lighthouses (now in Commerce).
5. Hydrographic Office (now in Navy Department).
6. National Observatory (now in Navy Department).
7. Life-saving stations (now a portion of the Coast Guard).
8. Steamship anchorage control (now in War Department).
9. Great Lakes Survey (now in War Department).
10. Marine division of customs houses (now partly under Treasury and under Commerce).

11. Admeasurement of vessels (now in Treasury).
12. Commerce statistics (now in War Department).
13. Inland barge service (now in War Department).

Authority should be given to the Secretary of Commerce to consolidate any of the above functions and to redistribute any of them in new bureau grouping. Activities of these bureaus in their contacts with ships should be concentrated as nearly as possible under one official at each port. An immediate saving of more than a million dollars a year could be made in administration costs by the elimination of duplication, but this is of trivial importance compared to the expense now imposed upon the shipping industry through the necessity to maintain contact and secure directions and service from all these bureaus. For instance, this concentration of functions would permit masters of vessels to attend at one office in each port to make contact with 9 or 10 separate officials as is now necessary.

There must obviously be some well-defined and accepted principle as the basis for any plan of reorganization. It is also a certainty that the administrative reorganization must be based purely on practical considerations. The sole end is the accomplishment of the greatest efficiency and economy. Thus it appears to me that the major principle in reorganization must be the grouping of Government functions solely according to their major purpose. If all of the different functions that are driving toward some particular service, whether the Army, Navy, public health, public works, agricultural production, public domain, or merchant marine, can be put into groups, cheek by jowl with each other under the same control, then the overlaps can be planed out, but it can be done in no other way. This is in fact the most primary principle of organization and exists in practically every other institution in the United States except the Federal Government.

I wish to emphasize that in reorganization the important thing is to assemble the various functions of Government relating to the particular purpose in the groups. Some of these groups will be large enough to comprise an entire department, such as the Army or Navy, the Treasury or the Department of Justice, the Department of State or the Post Office or Agricultural production. Others of these groups are not large enough to warrant the establishment of special departments with the accompanying addition to the Cabinet. It is, therefore, necessary to establish three or four of the lesser-sized groups in some of the departments. It is entirely secondary as to what Cabinet officer these groups are placed under. The important thing is to have the functions and fractions of functions in the Government brought together in groups according to their purpose. As I have said, if they are brought cheek by jowl together, it is then possible to consolidate them into large bureaus, wiping out their overlaps, and to place them under single-headed direction.

These secondary groups should be headed by an assistant secretary or an under secretary for the group. These men would in the ordinary course be chosen because of their fitness for that sort of group. Men of experience and national standing would be available for undersecretaryships. They would greatly strengthen the whole organism both in administration and in assistance to Congress in general policies.

It would appear to me, therefore, that the first process in reorganization would be to strip the Treasury Department, the War and Navy Departments, and the Department of Agriculture of all of the functions which do not pertain to their major purpose as their major purpose is sufficiently large to tax the capacity of any one organization. There are perhaps some independent activities that should be added to these departments as being a part of their major purpose.

The second step in conception of reorganization would seem to me to be to take all of the functions that would be thus removed from the above departments, together with all of the functions in the Departments of the Interior, Commerce, and Labor, and all of the independent executive establishments which can be placed under departmental control and to divide them into groups according to the major purpose of such groups. It will be found that they naturally fall into certain groups not large enough to comprise each one in itself a department but in which departments can be created of three or four groups having some general affinity in purpose between groups.

In view of the accumulation of resistance which will come from Government officials to any grouping, obvious from the hearings before this committee and the propaganda in the country by interested bureaus against such groupings and reorganization, it will be extremely difficult to secure a precise set-up by congressional action. Plausible arguments are made pro and con which can only confuse the Members of Congress who are not able to give the time and attention necessary to get to the bottom of these questions. Furthermore, a complete rearrangement of organization to-day would require amendment again to-morrow. New functions and new activities are constantly under creation by Congress to meet the tides of necessity.

I would, therefore, like to make a suggestion as to the method by which this matter could be handled with more certainty of success and assurance of accuracy not only at the present moment but for the future. This suggestion is that Congress should give authority to the President to make such changes within the limits of certain defined principles as may be recommended to him by an independent commission to be created by Congress and clothed with these authorities. The broad principle of grouping by major purpose could be laid down by legislation, and the major purposes of the departments could be likewise defined. The groups according to major purpose could be enumerated by legislation and

the groups assigned to departments. Then the details of transfer of individual bureaus and functions to meet these principles could be left to the President, upon the recommendation of such a commission.

Address before the Thirteenth Annual Meeting of the Chamber of Commerce of the United States, May 21, 1925:

Over many years our people have been striving to better the Federal administration. We have succeeded in two major steps; we still have a third equally important and perhaps more difficult one to accomplish. The first step was the establishment of Government employment based upon merit; the second was the establishment of adequate control of appropriations through the Budget system. There still remains the third and even more important step to relieve the taxpayer of a greater but more obscure waste—that resulting from faulty organization of administrative functions. And the first two steps will never reach the full realization without the third.

In recent years, under the leadership of the President and with the cooperation of Congress, we have been successfully slashing Federal expenditures by the elimination of extravagances and unnecessary personnel. But for lack of legislative authority we have not been able to reach into what I believe is an even larger waste and larger drain on the taxpayer than extravagance and the inflation of pay rolls—the waste which arises from the swamp of bad organization.

On the executive side of the Federal Government we have grown to have more than 200 different bureaus, boards, and commissions with a total of 550,000 employees. For the most part they have been thrown hodgepodge into 10 different executive departments, under Cabinet officers. But there are more than 40 independent establishments either directly under the President or directly under Congress.

As these 200 bureaus and agencies are now grouped and organized there are two primary streams of confusion and waste. There is a confusion of basic principles; there is a grouping of Federal bureaus which divides responsibility. There consequently arises a lack of definite national policies, and direct wastes arise from overlap and conflict. Indirectly large costs are imposed upon citizens by this scattering of functions, and I may add, by the undue complexity of our laws and regulations of independent agencies. There are too many floating islands in this dismal swamp. They are technically anchored to the President, but really responsible to nobody. With all this division of authority there continues and multiplies a self-propelled urge for expansion of Federal activities in every direction.

The Shipping Board—to cite a glaring case—was originally created as a body to regulate rates and abolish discrimination in ocean-going traffic. These are semijudicial functions that quite properly were intrusted to a board. Political jealousies and sectional jealousies, however, resulted in a bipartisan body selected from different parts of the country although it was to perform an expert judicial function. Then this structure was suddenly loaded with the most difficult of administrative jobs—the actual construction and operation of the greatest single merchant fleet in history. The losses and waste which have resulted from this blunder of assigning executive and administrative functions to the joint and equal minds of a wrongly constructed semijudicial body have amounted to perhaps a few hundred millions out of the three billion we have lost on shipping, but beyond this the impossibility of a continuous merchant-marine policy has worked great losses upon our privately owned merchant marine. Nor can we properly blame the individual member of the Shipping Board. Not even two geniuses of equal authority could administer a competitive business, let alone seven. There are other breeds of this same sort of confusion between individual and joint responsibility. The Federal Board for Vocational Education, the Federal Power Commission, and other agencies likewise are mixed functions.

Every single department, bureau, and board in the entire Government should be placed upon the operating table and a clean-cut separation established between semijudicial and semilegislative functions on the one hand and of administration on the other. The former rightly belongs to boards or commissions, the latter to individuals. For instance, the semijudicial and semilegislative functions arising from the navigation laws should be transferred to a properly constituted Shipping Board, leaving matters of administration of such decisions to the Department of Commerce.

DIVISION OF AUTHORITY IN ADMINISTRATIVE AGENCIES

Our other greatest weakness in organization is the division of authority over services directed to the same major purpose by scattering them through unrelated groups. Needless to say some of the 10 executive departments are fairly homogeneously devoted to a particular major purpose—notably the Department of Justice, the Navy Department, the State Department, the Department of Agriculture, and the Post Office Department. But all the others, and even some of these, contain functions that should be transferred elsewhere. And there is hardly a department that should not, when it gives up these functions which are without relation to its major purpose, receive in exchange functions which properly belong in its jurisdiction but which are now performed by other departments.

To illustrate my point, I have made a partial collection of misfits and in so doing I have taken no account of either incidental functions or semilegislative or semijudicial agencies, except so far as they have administrative functions.

	Number of bureaus or agencies	Number of departments or independent agencies in which they are located
Public works construction.....	14	9
Conservation of national resources.....	8	5
Direct aids to industry.....	5	2
Direct aids to merchant marine.....	14	6
Direct aids to education.....	6	3
Direct aids to veterans.....	4	4
Government of territories and dependencies.....	4	3
Public health.....	4	2
Purchase of \$250,000,000 of supplies annually.....	(1)	(1)

¹ In every bureau of the Government.

It is not necessary that each of these groups should become a whole executive department, each under a Cabinet officer; but it is entirely feasible to place each one of them under the supervision of a special assistant secretary, and if we were truly intelligent we would class him as an expert and outside selection on political grounds. It is entirely secondary what department these groups are in. The big thing is to bring these kindred agencies together under one leadership, so that their overlapping edges can be clipped and their fights stopped. No one familiar with the internal workings of the departments will deny the direct waste which comes from overlap and friction as the result of the present lack of coordination of activities. Coordination is feasible when some one person is responsible; with divided authority among the different branches of government it is a hypothesis that evaporated soon after the perennial conferences of Cabinet officers on the subject. It all costs somebody money. One of the favorite indoor sports of our newspaper correspondents is to ventilate these conflicts.

The divided responsibility with absence of centralized authority prevents the constructive and consistent development of broad national policies in these special branches of governmental activity, for there is by necessity of this division constant conflict of view within the Government itself. Under the present system we have different bureau policies, department policies, board policies, and commission policies. We have a bundle of divergent ideas without focus; lumber piled together does not make a house. The treatment of our national resources furnishes a good instance. If anything is certain, it is that the Government should have a continuous, definite, and consistent policy directed to intelligent conservation and use of national resources. But it can have no such policy so long as responsibility is split up among half a dozen different departments. The recent occurrences in oil leases are a fair example of what may happen by the lack of single-headed responsibility in such matters. No policy of real guardianship of our reserve resources will exist until we put all conservation business in the hands of an under secretary for conservation, with the spotlight of public opinion continuously upon him.

THE INDEPENDENT AGENCIES

The 40 governmental agencies which are now supposed to function directly under the President present another problem. Here we have four breeds which might be classified according to the functions they perform: The semijudicial, the semilegislative, the service bureaus to all departments, and the straight administrative. Often enough they are mixed. They are supposed to act under the direct supervision of the President, but it is preposterous to expect that, with his multitude of higher obligations, the President can give them anything like adequate supervision. As a matter of fact, these independent establishments conduct their activities with very little supervision or coordination. The last group, the straight administrative, expend nearly half a billion a year—as much as the total of five of the departments under Cabinet officers. If for no other reason, this group should be placed directly in the departments, in order that the President may exercise, through his Cabinet, the guidance and control of the administrative arm of the Government. And the President, already overworked in major policies, must be relieved of detail.

IN GENERAL

What we need is three primary reforms: First, to group together all agencies having the same predominant major purpose under the same administrative supervision; second, to separate the semijudicial and the semilegislative and advisory functions from the administrative functions, placing the former under joint minds, the latter under single responsibility; and third, we should relieve the President of a vast amount of direct administrative labor.

Every President from Roosevelt to Coolidge has urged upon Congress a reorganization of the executive arm of the Government; commissions have been appointed, congressional committees have investigated, reports have been made, confirming all this. Cabinet officers express their feelings in spirited annual reports with a circulation of a few hundred copies. More than once a complete program of reorganization has been formulated and put forward as a basis for general consideration.

But practically every single item in such a program has invariably met with opposition of some vested official, or it has

disturbed some vested habit, and offended some organized minority. It has aroused the paid propagandists. All these vested officials, vested habits, organized propaganda groups, are in favor of every item of reorganization except that which affects the bureau or the activity in which they are specially interested. No proposed change is so unimportant that it is not bitterly opposed by some one. In the aggregate, these directors of vested habits surround Congress with a confusing fog of opposition. Meantime, the inchoate voice of the public gets nowhere but to swear at "bureaucracy."

Nor will we ever attain reorganization until Congress will give actual authority to the President or some board, if you will, or a committee of its own members to do it. It is of no purpose to investigate again and report. We have had years of investigation and every investigation has resulted in some recommended action. Congressional committees have for many sessions and even so late as the last session reported out important recommendations. What is needed is the actual delegation of authority to act. Congress courageously removed the civil service from politics; created the Budget; it established the classification. The remaining great step is to authorize somebody to reorganize the administrative arm of the Government.

Nor is Congress to be blamed for this situation, as it is impossible for such an overworked body to study directly and act upon the overwhelming detail involved. Nor is it possible for a great body like this to determine the right and wrong of a thousand clamors. I do not expect that the Federal Government will ever be a model of organization, but I have aspirations to see it improve.

From the address of acceptance of the Republican nomination for President, August 11, 1928:

One of the greatest difficulties of business with government is the multitude of unnecessary contacts with Government bureaus, the uncertainty and inconsistency of Government policies, and the duplication of governmental activities. A large part of this is due to the scattering of functions and the great confusion of responsibility in our Federal organization. We have, for instance, 14 different bureaus or agencies engaged in public works and construction, located in 9 different departments of the Government. It brings about competition between Government agencies, inadequacy of control, and a total lack of coordinated policies in public works. We have eight different bureaus and agencies charged with conservation of our natural resources, located in five different departments of the Government. These conditions exist in many other directions. Divided responsibility, with the absence of centralized authority, prevents constructive and consistent development of broad national policies.

Our Republican Presidents have repeatedly recommended to Congress that it would not only greatly reduce expenses of business in their contacts with government but that a great reduction could be made in governmental expenditure and more consistent and continued national policies could be developed if we could secure the grouping of these agencies devoted to one major purpose under single responsibility and authority. I have had the good fortune to be able to carry out such reorganization in respect to the Department of Commerce. The results have amply justified its expansion to other departments and I should consider it an obligation to enlist the support of Congress to effect it.

Message to Congress, June 6, 1929:

To the Congress of the United States:

In order to secure the utmost expedition in the reorganization and concentration of responsibility in administration of the Federal bureaus connected with prohibition enforcement, so greatly needed to improve their effectiveness, I recommend that Congress appoint a joint select committee to make an immediate study of these matters and to formulate recommendations for consideration at the next regular session.

I shall be glad to appoint a committee from the departments to cooperate with such a committee of the Congress. The National Commission on Law Observance and Enforcement will also cooperate through their studies of the departmental organizations.

The subject involves the transfer of parts of various bureaus and agencies from certain departments to others and it includes as well the necessity for the unification and strengthening of our border patrols, both in connection with prohibition and illegal entry of aliens. As the question embraces numerous laws and regulations in several bureaus, it will require extensive consideration, which if given jointly by such committees of the Congress and the departments prior to the regular session will save many months of delay.

From the message to Congress of December 3, 1929:

DEPARTMENTAL REORGANIZATION

This subject has been under consideration for over 20 years. It was promised by both political parties in the recent campaign. It has been repeatedly examined by committees and commissions—congressional, executive, and voluntary. The conclusions of these investigations have been unanimous that reorganization is a necessity of sound administration, of economy, of more effective governmental policies, and of relief to the citizen from unnecessary harassment in his relations with a multitude of scattered governmental agencies. But the presentation of any specific plan at once elicits opposition from every official whose authority may be curtailed, or who fears his position is imperiled by such a result; of bureaus and departments with which to maintain their

authority and activities; of citizens and their organizations who are selfishly interested, or who are inspired by fear that their favorite bureau may, in a new setting, be less subject to their influence or more subject to some other influence.

It seems to me that the essential principles of reorganization are two in number: First, all administrative activities of the same major purpose should be placed in groups under single-headed responsibility; second, all executive and administrative functions should be separated from boards and commissions and placed under individual responsibility, while quasi legislative and quasi judicial and broadly advisory functions should be removed from individual authority and assigned to boards and commissions. Indeed, these are the fundamental principles upon which our Government was founded, and they are the principles which have been adhered to in the whole development of our business structure, and they are the distillation of the common sense of generations.

For instance, the conservation of national resources is spread among eight agencies in five departments. They suffer from conflict and overlap. There is no proper development and adherence to broad national policies and no central point where the searchlight of public opinion may concentrate itself. These functions should be grouped under the direction of some such official as an assistant secretary of conservation. The particular department or cabinet officer under which such a group should be placed is of secondary importance to the need of concentration. The same may be said of educational services, of merchant marine aids, of public works, of public health, of veterans' services, and many others, the component parts of which are widely scattered in the various departments and independent agencies. It is desirable that we first have experience with these different groups in action before we create new departments. These may be necessary later on.

With this background of all previous experience I can see no hope for the development of a sound reorganization of the Government unless Congress be willing to delegate its authority over the problem—subject to defined principles—to the Executive, who should act upon approval of a joint committee of Congress or with the reservation of power of revision by Congress within some limited period adequate for its consideration.

From the statement at the newspaper conference of July 8, 1930:

One of the most important steps taken in reorganization of the Federal Government was the legislation carrying out my recommendation for a consolidation of all veterans' agencies—that is, the Veterans' Bureau, an independent establishment, the Pension Bureau from the Department of the Interior, and the Soldiers' Home from the War Department.

From the message to Congress of December 8, 1931:

REORGANIZATION OF FEDERAL DEPARTMENTS

I have referred in previous messages to the profound need of further reorganization and consolidation of Federal administrative functions to eliminate overlap and waste and to enable coordination and definition of Government policies now wholly impossible in scattered and conflicting agencies which deal with parts of the same major function. I shall lay before the Congress further recommendations upon this subject, particularly in relation to the Department of the Interior. There are two directions of such reorganization, however, which have an important bearing upon the emergency problems with which we are confronted.

SHIPPING BOARD

At present the Shipping Board exercises large administrative functions independent of the Executive. These administrative functions should be transferred to the Department of Commerce, in keeping with that single responsibility which has been the basis of our governmental structure since its foundation. There should be created in that department a position of assistant secretary for merchant marine, under whom this work and the several bureaus having to do with the merchant marine may be grouped.

The Shipping Board should be made a regulatory body, acting also in advisory capacity on loans and policies, in keeping with its original conception. Its regulatory powers should be amended to include regulation of coastwise shipping so as to assure stability and better service. It is also worthy of consideration that the regulation of rates and services upon the inland waterways should be assigned to such a reorganized board.

REORGANIZATION OF PUBLIC WORKS ADMINISTRATION

I recommend that all building and construction activities of the Government now carried on by many departments be consolidated into an independent establishment under the President to be known as the public works administration, directed by a public works administrator. This agency should undertake all construction work in service to the different departments of the Government (except naval and military work). The services of the Corps of Army Engineers should be delegated in rotation for military duty to this administration in continuation of their supervision of river and harbor work. Greater economies, sounder policies, more effective coordination to employment, and expedition in all construction work would result from this consolidation.

From the statement at the newspaper conference of December 29, 1931:

The most constructive direction for economy in Federal expenditure beyond a rigid reduction of appropriations and the resolute

opposition to new appropriations lies in the consolidation of Government bureaus and general reorganization of the Federal Government. I have recommended this reorganization in public addresses, reports, and messages to Congress throughout the past 10 years.

I particularly emphasized this necessity as the basis of constructive economy in my message to the second session of the Seventy-first Congress. I again referred to it in the message to the third session of that Congress, and in my message to the present Congress I again traversed the subject. Some of my recommendations have been carried out, the most notable one being the consolidation of all veterans' activities into the Veterans' Administration. As a result, General Hines reports that we are saving somewhere from ten to fifteen millions a year in this service alone.

Outstanding amongst these reorganizations would be consolidation of all construction activities of the Government under an administrator of public works, to serve all the departments. Other cases are the consolidation of all Merchant Marine activities into the Department of Commerce; the consolidation of the conservation activities of the Government; of the public-health services, of educational activities, and numerous other groups on the same major purpose under single-headed responsibility. Such action would result in the elimination of many expensive agencies and overlap, resulting in very great economies. These economies would run into many millions.

In addition to the actual economy by concentrated administration and elimination of overlap, further great economies would be brought about through the curtailment of the self-expanding capacity of scattered bureaus which could be much better controlled if they were grouped together. It would enable policies in connection with different Government activities to be better developed and better directed.

The subject is an old one and now that economy absolutely must be the first order in Government, it is an appropriate time for Congress to take up this question and bring it to conclusion. Such action would comprise a major accomplishment of the present session of Congress.

A careful reading of the above must convince the most skeptical that the President has been and still is in dead earnest in his desire to bring about a workable reorganization with an attendant reduction in governmental expenditures.

That we must have more economy in Government is no longer debatable. No government can long endure whose budget remains out of balance. It is our immediate duty to find the best method by which we can balance our own. With that thought in our minds we on this side of the aisle shall join with you on the other side of the aisle in every honest effort you may make looking toward a reduction in governmental expenditures and a reorganization of the Government.

Mr. POU. Mr. Speaker, I yield seven minutes to the gentleman from Missouri [Mr. COCHRAN].

Mr. COCHRAN of Missouri. Mr. Speaker, before proceeding with a discussion of this resolution I refer briefly to the remarks of the gentleman from Tennessee [Mr. BYRNS]. I will state that the Committee on Expenditures in the Executive Departments has held hearings upon the bill to create a Department of National Defense. It was only introduced January 5. The hearings were closed last Thursday. On Saturday an executive session was held. Suggestions were made at the hearings which the committee thought should be considered, and very properly so. After discussing the matter at some length the committee voted to refer the two bills to a subcommittee of five, to make such changes, if any changes are necessary, and report the bills back to the full committee.

It matters not to me whether the Speaker of the House or the chairman of the Committee on Appropriations are for this legislation. I do not propose to railroad such a bill through the committee. I do not propose to destroy the future usefulness of that committee by taking such action. [Applause.] I want this bill to be properly considered, and I want every member of the committee who is opposed to it to have a fair opportunity, in executive session, to speak their views upon the bill. That is orderly procedure.

If gentlemen will wait just a few days, I think we will have a vote upon the bill in the committee.

They are asking a committee to do something in 6 weeks that certain Members of Congress have been trying to do for 30 years, and I think it is unfair to try to rush us in the consideration of that measure.

I am in favor of the bill, and I think if properly administered it will, as the gentleman from Tennessee [Mr. BYRNS] says, save this country millions upon millions. I am con-

vinced that there is duplication and overlapping that can be eliminated by proper administration; but, Mr. Speaker, this bill does not affect two small bureaus of the Government, it affects two great departments of the Government; and while hearings have been held on similar bills on many occasions in the past members of this committee were not present at those hearings. Why, the hearings have not as yet been received from the printers. They have just been sent there and will be ready by Saturday. Even if the bill was in, it would not displace the appropriation bill that is waiting and is booked for consideration. Just let us handle this matter in a proper way; and, I think, if you do the bill will get along better when it reaches the floor. This committee has a duty to perform, and it desires to perform it in an orderly way. It has some responsibility in this matter.

Mr. Speaker, every Member of Congress recognizes the necessity of reducing Government expenditures. I favor the passage of this resolution because I feel it will enable the Congress to secure information that will help the House to act intelligently upon this important question. [Applause.]

My purpose in rising here this morning, however, is to direct the attention of the Members to what is going on behind the scenes. The official spokesman in this House of the President on matters affecting appropriations, Mr. Wood, of Indiana, told us last week that he was authorized to say that the President stood squarely behind the Appropriations Committee in its action in further reducing appropriations below the estimates of the Bureau of the Budget. That was most pleasing information, but at the time Mr. Wood was making this statement we find the Secretary of Agriculture and his aides before the Senate Committee on Appropriations making an argument which resulted in that committee eliminating from the agriculture appropriation bill the proviso that would have resulted in reducing the personnel by preventing the filling of vacancies and preventing promotions which would have saved the Government millions of dollars.

I call attention now to the activities of two other members of the President's Cabinet by reading an editorial printed last week in a great metropolitan newspaper, a responsible newspaper, the St. Louis Star:

PROPAGANDA AGAINST ECONOMY

A queer spectacle is presented at Washington, with President Hoover and Congress trying to save money while Cabinet members and subordinates in the departments flood the country with propaganda in opposition to the economy program.

The day's mail brings the Star a press release from the Department of the Interior telling how Secretary Wilbur is protesting against the \$500,000 saving in appropriations for the "survey of the public domain." He seems to think the country will go to pot if a surveying job which began in 1785 and has been in progress for 147 years is slowed down for a year or two. The work, he says, "is largely in the wild country where the chuck wagon and the pack mule still survive." Better turn the pack mule out to graze. It'll be better off than a lot of taxpayers.

The same mail brings a form letter from the War Department asking for an editorial protest against the temporary suspension of citizens' military training camps by the President and Congress, and containing the gentle suggestion that such training is particularly needed just now because of "the undercurrent of unrest." What does the War Department have in mind, to train young civilians to shoot the unemployed when they get too hungry? These training camps perform a fine service in their normal activities, but why insist on them in a year when the National Treasury faces a \$2,000,000,000 deficit?

Incidentally, the Federal departments could save a little money by ceasing to send out propaganda against economy.

Think of it, Mr. Speaker, the taxpayers' money being used for the purpose of undermining the efforts of the President and Members of Congress who seek to reduce Government expenditures. Three Cabinet officers within a week using their efforts to set aside the will of their chief.

Mr. Speaker, yesterday in every corner of our country exercises were held commemorating the anniversary of the birth of Gen. George Washington. Orators spoke of his many fine qualities, but his outstanding achievements resulted from his ability to lead and in possessing the courage to bring to a successful conclusion the policies that he advocated. [Applause.]

Washington was faced with the same situation when he became President that confronts us to-day. He was re-

quired to find ways to place the country on a sound financial footing. He had as advisers the great Hamilton and the great Jefferson, but when the final decision was reached it was Washington's decision. What would have happened in those hectic days had our first President permitted his Cabinet to oppose his efforts?

Mr. Speaker, what we need to-day is leadership backed by courage, and if the President will assume that leadership and he has the courage to serve notice on his Cabinet officers that they must back his and the Congress's action on appropriations, the objective, a reduction in Government expenditures, will be much easier accomplished. [Applause.]

The same applies to the reorganization of Government departments. Here, like on appropriations, we find recommendations coming from the White House and opposition from the Cabinet. How long is such a deplorable state of affairs going to be permitted to exist? [Applause.]

Mr. POU. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. SNELL].

Mr. SNELL. Mr. Speaker, as far as the general purpose of this resolution is concerned, I am just as much in favor of it as any Member of the House. If there is any possible way whereby we can do away with duplication or overlapping of work and duties in the various executive departments and bureaus, I am absolutely in favor of it. During my entire service in this House I probably have voted more often against the creation of extra bureaus and extraneous appropriations than any other man, so that I do not have to take any different position to-day from what I have always taken on the floor of the House.

The resolution as presented at the present time, I think, is much better than the original resolution presented by the gentleman from Tennessee [Mr. BYRNS], because this resolution does to a certain extent recognize the Committee on Expenditures in the Executive Departments, which committee was set up as a standing committee of the House for the distinct purpose of doing just exactly what you want this special committee to do at the present time. If we had adopted the original resolution, it would have been necessary for this Congress to say that the standing committee of the House was absolutely incompetent to do that for which it was specially set up, and to a certain extent you have overcome that by recognizing the chairman of that committee and at least one minority member of it, which really is only a gesture; but, as has been stated by the gentleman from Indiana [Mr. PURNELL], if you want to accomplish the object of this resolution, you should provide for a joint committee of the House and Senate, because it is absolutely impossible to change the law, and to do that you are seeking to do without the cooperation of the Senate. These bureaus and independent offices were set up by statute, and you must repeal some of the laws to do away with them.

Let us see what the resolution provides: In line 16, on page 2, we find that this committee—

shall submit its recommendations of economies to be effected and its recommendations, if any, on the organization of Government to the House of Representatives on or before April 15, 1932.

After that is done, the natural thing to do is to refer the recommendations to the Committee on Expenditures in the Executive Departments. In other words, we must take those recommendations and put them right back where it is proper for them to have been commenced at the present time. That committee then must go over them, examine them, and present bills to the House to carry out these recommendations before you can accomplish your purpose.

In other words, we must have the recommendations reviewed by the regular standing committee. If the Committee on Expenditures in the Executive Departments is not the proper committee to make the investigation at the present time, it is certainly not the proper committee to look over the recommendations and present a bill to the House carrying out the same.

Mr. SCHAFER. Will the gentleman yield?

Mr. SNELL. Not just now.

The President sent a special message to the House in which he said there was duplication and overlapping of jurisdiction and work; that there were many remedies that could be made. He said in that message that if you gave him the power to do it he would do it. Now, if you really mean what you say and you want to cut down this duplication and overlapping, why not give the President the power that he asks for and put the proposition squarely on his doorstep and demand that we get results? That, it seems to me, is the proper method of procedure. That is one procedure we can follow out that will put the responsibility where it belongs.

This is an executive matter. Let us put it up to the President and say to him, "You have told us this can be done if you have the authority to do it, and we give you that authority and we want you to show results."

If we will do that, we will get some definite results; but in this program it is absolutely impossible to accomplish anything during this session.

It may be possible to get something passed through the House, but the only thing to do is to follow the recommendation of the President and ask him to do what he says he can do. [Applause.]

[Here the gavel fell.]

Mr. POU. Mr. Speaker, I yield one minute to the gentleman from Tennessee [Mr. COOPER].

Mr. COOPER of Tennessee. Mr. Speaker, I am asking the indulgence of the House at this time for the purpose of raising my voice in support of this resolution.

I had prepared a resolution on this subject and was in the act of introducing it when I found that my colleague the gentleman from Tennessee [Mr. BYRNS] had just introduced a resolution on the same subject. Naturally I withheld the resolution prepared by myself.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include this brief resolution prepared by myself.

The SPEAKER pro tempore (Mr. BYRNS). Is there objection to the request of the gentleman from Tennessee [Mr. COOPER]?

There was no objection.

Mr. COOPER of Tennessee. Mr. Speaker, my resolution provided that a special committee of seven Members of the House of Representatives be appointed by the Speaker to investigate the various departments, bureaus, commissions, agencies, and activities of the Federal Government, with the view of reporting to the House of Representatives as soon as practicable and recommending such consolidations, changes, transfers, and eliminations as may be deemed wise, expedient, and to the public interest; and that said committee be authorized to call upon any and all departments and agencies of the Government for such information and assistance and for such clerical help as in the discretion of said committee may be necessary.

The centralization of power in the Federal Government, contrary to the fundamental principles of our Government, and the ever-increasing number of bureaus and commissions present question that is now challenging the thoughtful attention and consideration of Congress. In this Government, supposed to be a government by the people, we have more than 600,000 Federal employees and less than 600 of them are chosen or elected by the people. The number of these employees has increased some 68,000 during the last eight years and the cost of the Federal Government has increased about a billion dollars during the last decade.

At this time, when the matter of economy in Government is recognized on every hand as imperative, when we are bending every effort to balance the National Budget, I feel that the most important question in this connection is the matter presented by the pending resolution. In its far-reaching consequences to the matter of economy in our Government, I think this resolution is one of the most important measures considered at this session of Congress.

Mr. POU. Mr. Speaker, I yield two minutes to the gentleman from Oklahoma [Mr. McCLINTIC].

Mr. McCLINTIC of Oklahoma. Mr. Speaker, I am heartily in accord with this program. I have felt for a long time that there was much duplication on the part of our Government departments. I know we can save a great deal of money if some of the departments are consolidated.

I have introduced a resolution which, if enacted into law, will allow a committee to be appointed for this purpose. I sincerely hope that legislation of this kind can be passed so that we can go ahead in the performance of our duty, thereby assuring to the taxpayers that we are looking after their welfare in the proper way.

I yield back the balance of my time, Mr. Speaker.

Mr. POU. Mr. Speaker, I yield five minutes to the gentleman from Arizona [Mr. DOUGLAS].

Mr. DOUGLAS of Arizona. Mr. Speaker, I was very much interested in the remarks of the distinguished gentleman from New York, the minority leader [Mr. SNELL], in which the gentleman referred the House to the language in line 16, page 2, of the resolution, and drew the conclusion that by reason of that language any recommendations of the so-called economy committee would, of necessity, be referred to the Committee on Expenditures in the Executive Departments.

In reply, may I call the attention of the gentleman from New York to the fact that the language reads as follows:

Shall submit its recommendation of economies to be effected, and its recommendations, if any, on the organization of government, to the House of Representatives on or before the 15th day of April.

There are, therefore, two propositions. First, cuts in appropriations that can be made, and, secondly, consolidations of bureaus, abolishment of bureaus, or curtailment of activities of bureaus. It is not necessary to point out to the gentleman from New York that under the first category the Committee on Appropriations would receive the recommendations, nor is it necessary to point out that under the first category and under the power of the Committee on Appropriations, bureaus may be abolished or may be curtailed in their activities by the simple procedure of denying appropriations or curtailing appropriations.

Mr. SNELL. Will the gentleman yield?

Mr. DOUGLAS of Arizona. I yield.

Mr. SNELL. Then the gentleman does not intend to abolish, by law or by new legislation, or transfer these bureaus? The gentleman would just kill them off by defeating appropriations. Is that the purpose?

Mr. DOUGLAS of Arizona. To curtail is one of the purposes. That remains to be seen.

Mr. SNELL. I supposed the committee would work out the whole scheme and combine the departments. If that is done it would necessarily have to be referred to the Committee on Expenditures in the Executive Departments.

Mr. DOUGLAS of Arizona. The recommendation having to do with the consolidation of bureaus in the Government would be referred to the Committee on Expenditures in the Executive Departments for the necessary legislative action, but I call attention to the fact that there are two propositions—one requiring legislative action and one requiring appropriation action, one somewhat overlapping the other, but overlapping only in the cases in which legislation is necessary but not overlapping in the cases in which legislation is not necessary.

Mr. SNELL. Then, from the gentleman's standpoint, the Appropriations Committee at the present time, without additional authority, can cut those appropriations where that committee thinks it is proper to do so?

Mr. DOUGLAS of Arizona. I am convinced that the Committee on Appropriations has so far done an excellent job in its reduction of appropriations, but I think that the chairman of the Committee on Appropriations will concede that even more can be cut off our annual appropriation bills.

The gentleman from New York and the gentleman from Indiana claim it would be infinitely preferable were there to be a joint committee appointed to accomplish the objects sought to be accomplished by the resolution now under consideration. I call the attention of the gentleman from

New York and the attention of the Members of the House to the fact that, in so far as appropriations are concerned—and bear in mind that one of the objects to be accomplished by the resolution is the curtailment of appropriations—the power to originate is vested, under the Constitution, in the House of Representatives. Moreover, I call the attention of the House to the fact that if we attempt to accomplish the things sought to be accomplished by means of a joint resolution, undue delay necessarily follows.

This is no time for delay. This is a time in which speed is absolutely necessary—in which we must work with such rapidity that we will before this session of Congress adjourns have effected very substantial reductions in the cost of operating the Government. [Applause.]

[Here the gavel fell.]

Mr. POU. Mr. Speaker, I yield one minute to the gentleman from Missouri [Mr. FULBRIGHT].

Mr. FULBRIGHT. Mr. Speaker, I rise to voice my approval of the pending resolution. On February 1, of this year, I introduced a bill (H. R. 8690) providing for a survey commission to make a similar investigation, a commission to be composed of outstanding economists of the country with power to make a thorough and scientific investigation of the Federal Government with the view of eliminating useless boards, commissions, and bureaus and the consolidation of such governmental functions as might be found practical. It is stated by gentlemen on the minority side of the Chamber that the resolutions recently introduced and the one now pending are mere gestures and were proposed about the same time the President addressed his message to Congress. I desire to say that I introduced H. R. 8690 more than two weeks before the President's message was presented to the Congress and before he had exhibited any more than passing interest in such reform. As a matter of fact, it was stated on the floor of the House that several days before the President sent his message to Congress on this subject, February 17, dealing with reorganization of the Federal Government, he distributed copies to the newspapers of the country to be released at such time as he might transmit his message to the Congress. If this be true, I am wondering if it was intended more for political purposes than a real desire for economy and reform.

The bill I proposed recognizes the need for a careful and specialized study of the entire problem of reorganization, with special consideration of the functions, responsibilities, and activities of every establishment. It proposes to establish in the Bureau of Efficiency a survey board for the purpose of making a survey in order to determine what action should be taken to increase efficiency and reduce the costs of administration, with respect to (1) eliminating useless boards, bureaus, commissions, and other agencies; (2) merging or consolidating boards, bureaus, commissions, or other agencies whose functions are related, overlapping or duplicating; and (3) modernizing, systematizing, and standardizing the departments and agencies of the Federal Government.

This bill proposes that the Chief of the United States Bureau of Efficiency shall be a member and chairman ex officio of the survey board, consisting of five members, the other four members to be political economists of outstanding ability. The bill provides further that this board shall report the result of its survey to Congress within one year after the date the bill shall become a law. In this way its tenure will be limited and it will pass out of existence automatically.

The proposal that the Chief of the United States Bureau of Efficiency be chairman of the survey board seems to be logical and in the interest of economy because that is the only establishment of the Federal Government whose duties and functions for nearly 20 years have related to problems of organization and procedure. The bureau is an independent establishment purely of a service character whose work, and the knowledge already acquired by its specially trained force, will provide a most valuable source of information and assistance to the proposed survey board.

No survey of this kind has been made within the past 10 years, and it seems to me most essential that this great

problem be approached in this way in order that the Congress may be in a position to proceed intelligently with the consideration of any bills which may be introduced to accomplish the reorganization of the executive departments of the Government.

It seems to me that this problem of reorganization is of such magnitude that it would be impracticable to consider in one bill the reorganization of the entire executive establishment. It will be most practicable to consider separate bills affecting similar functions; but without a survey and report, such as that proposed in my bill, our consideration of separate bills would be fraught with difficulty and lack of understanding, due to the absence of basic and necessary current information showing the nature and scope of the activities of each establishment and its peculiar functions.

I believe that careful and orderly procedure in approaching a subject of such magnitude as the reorganization of the administrative departments of the Government should be followed, but the pending resolution provides a method whereby effective action may be had with little delay. I therefore hope to see the resolution adopted and that as a result thereof a decided step may be taken in the elimination of useless boards, bureaus, and commissions, and in the consolidation of related, duplicating, and overlapping governmental functions, to the end that there may be a substantial saving to the taxpayers of this country in the administration of Government. [Applause.]

Mr. PURNELL. Mr. Speaker, I yield five minutes to the gentleman from Michigan [Mr. MICHENER].

Mr. MICHENER. Mr. Speaker, we are all agreed on one thing, and that is that we must have more economy in Government. It is just a question as to how we are going to proceed to bring about that result. I favor this resolution. I voted for it in the Rules Committee, and I am going to vote for it to-day. But, gentlemen, this resolution, if enacted into law—and mark my words—will be but a gesture. Why? Because there is but one way that we can effectuate economy, so far as consolidation in the departments is concerned, and that is by legislation. In order to legislate we must enact legislation in the House. It must then be enacted in the Senate. It must then be approved by the President.

We have to-day, as has been said, a committee set up for this specific work. We are now creating another committee to do the same kind of work. After that committee has considered the matter it reports to the legislative committee; then the legislative committee must go over the whole thing again and give the recommendations of the select committee its approval or disapproval. Then, assuming the legislation goes through the House, it goes to the Senate. After the legislation reaches the Senate the Senate must refer it to its legislative committee or a select committee. That committee must give consideration, and then after the two bodies have agreed, it must go to the President. Is there a man here so credulous as to believe there is not going to be investigation and consideration in the Senate?

If the House wants to pass something and lay it on the doorstep of the Senate and then go home and say, "We consolidated, but the Senate would not agree," that is one thing; but if we want to get results it seems to me the thing to do is to pursue the course which every intelligent and experienced legislator knows must be pursued if we are going to get results.

What is going to happen? The chairman of the Committee on Expenditures in the Executive Departments, Mr. COCHRAN of Missouri, who appeared here, tells us that his committee is to-day considering these very things. We are going to delay the work of that committee. We are going to take the chairman and the ranking minority member from that committee and we are going to put them on a special committee and stop the work of the regular committee until when? Until April 15, 1932. Then their select committee is going to report back to the regular committee and then the matter will proceed in the usual way.

Mr. DOUGLAS of Arizona. Will the gentleman yield?

Mr. MICHENER. For a question; yes.

Mr. DOUGLAS of Arizona. If the resolution is as weak as the gentleman claims it to be, why does the gentleman say he is going to support it?

Mr. MICHENER. The gentleman is saying he will support it because he believes in economy and on its face this resolution appears to attempt to bring about economy, and the gentleman does not want to be misunderstood. In the Rules Committee I urged the very reasons I have given here. I stated to the Rules Committee that this was a mere gesture on the part of the House of Representatives, but that I was not going to place an obstacle in the way of anything that might point toward economy, even though I thought another method more certain of accomplishment.

We hear much talk about paring appropriations to the bone. The Committee on Appropriations has done splendid work and it has pared to the bone. But we must have something besides paring to the bone in these days. We must have some major economies; we must cut off some of these bureaus and some of these commissions; we must limit them in every particular where it can be done without absolute detriment to the Government at this time.

I am sure that so far as this side of the House is concerned and so far as every Member of the House is concerned, regardless of party affiliations, that is the feeling. I am going along with this thing to-day because it is the best thing we can get. In my judgment, this action on the part of the House will be about as effective as action of the House was on the so-called tariff bill. A short time ago the House enacted a piece of legislation which the country was led to believe would have some effect on the present tariff law. A new office was created, a new bureau set up, no rates were changed, and the word went to the country that the House of Representatives had speedily passed a tariff law. That legislation is still in the Senate, and, if I mistake not, will never see the statute books, at least in its present form. The announcement to the country that the Congress had passed a tariff law may deceive some people, but the results in the end will count.

The President can not consolidate the departments without authority of law, and if we were to give him that authority, inasmuch as this is an executive function, he could proceed according to directions, and it seems to me that the results could be much sooner obtained. However, if we do not want to part with the authority which the Congress has over these matters, then let those responsible in the House and who have within their power to have legislation reported from legislative committees call upon the Committee on Expenditures in the Departments to report out consolidation legislation now pending before the committee. I am sure that no trouble will be encountered in obtaining a rule, and the House can very shortly have before it something specific. If another committee is to be set up, it surely should be a joint committee. That is, if time is of the essence of this matter. I am sure that it is immaterial to the country at whose suggestion this legislation originates. It is curtailment of the expense of the Government that the taxpayers are interested in and not who is entitled to the credit for the enactment of such legislation. There has been a splendid spirit of cooperation in the House since convening, and let us hope that this spirit will continue, and let us all join hands in the most expeditious way in which this economy program may be put into effect. This resolution under the rule is not subject to amendment, and we must vote for it, without any changes, or vote against it, and for reasons above indicated I shall vote for it. [Applause.]

[Here the gavel fell.]

Mr. PURNELL. Mr. Speaker, I yield five minutes to the gentleman from Michigan [Mr. MAPES].

Mr. MAPES. Mr. Speaker, the purpose of this resolution is perfectly apparent. It is a mere make-believe. It is another gesture. Who can take it seriously?

The two major offensives of its own initiation of the Democratic organization in this House since its organization on the first of December have resulted in sham battles, pure and simple. One was the passage of the Democratic so-called tariff bill and the other is this resolution. In my

judgment, this resolution will fall as flat, or flatter, if anything, than the so-called tariff bill has fallen.

The gentleman from Tennessee says that it is a Herculean task that this committee is going to be charged with. I will go further and say it is an impossible task. The committee is charged with the duty of investigating economies in the Federal Government which may be effected without impairing the necessary functions of government. Who thinks that any committee can make an intelligent investigation of that kind within six weeks? How can this committee determine within that time whether it is recommending economies that will impair the services of the Government or not? It is perfectly impossible. The committee will be obliged either to accept the work which others have heretofore done or to make an investigation of the most superficial character.

Furthermore, as suggested by my colleague the gentleman from Michigan [Mr. MICHENER], the Committee on Appropriations is now making the appropriations for the next year. By the 15th of April practically all the appropriation bills will have passed the House. Will there be any possibility of further reducing the appropriations for the next fiscal year? Of course not. It is not the purpose of this resolution to bring about economy. It is only to make a bluff at it.

This resolution would place the duty of making this investigation, among others, upon the chairman of the Committee on Appropriations, who for the next six weeks will have more work, with his regular committee work, than any one man can possibly do without having these additional duties put upon him.

The experience of the gentleman from Tennessee [Mr. BYRNS], as he has given it here this morning, is some illustration of the obstacles that will be placed in the way of any recommendation of a substantial nature that a committee may make looking toward a reorganization of any of the executive departments. Any suggested changes will be fought by every interest affected. It will be absolutely impossible between the 15th of April and the close of this session of Congress to get any important bill through this body and the Senate to reorganize the executive departments so as to accomplish any substantial economies or any substantial savings or to prevent and eliminate waste and duplication in the Government service.

I say again, this resolution is a mere make-believe, it is a mere sham, and it can not be taken seriously by anyone.

Mr. BARBOUR. Will the gentleman yield?

Mr. MAPES. Yes.

Mr. BARBOUR. If this special committee is necessary, why could we not write into the resolution a provision that this special committee should report to the House, by bill or otherwise?

Mr. MAPES. Of course, that should be done if it was intended to accomplish anything real by the resolution. In my judgment, it is not expected that it will accomplish any substantial results. The House organization may be able to force something through the House of Representatives, but everybody knows that no measure of any importance on this subject can be put through the House and the Senate both before the adjournment of Congress unless it is started at once, and without waiting to act until after the 15th of April.

Mr. BARBOUR. If the committee had that power, then on April 15 the House could have something definite before it to act upon.

Mr. MAPES. Certainly; but the framers of this resolution, in my judgment, do not want the committee to have that power. It would be depriving the resolution of its make-believe character. That would be making it a real resolution. The committee would then be called upon to do something substantial. That would destroy the present purpose of the resolution.

To use the language of a distinguished Democratic Member of another body, if you desire to do anything further than to render lip service in this matter of governmental economy, then you should leave it in the hands of some one

man to reorganize the executive departments; and, to quote further from that distinguished Democratic Senator, What one man is better equipped to do than the President of the United States? [Applause.]

Mr. PURNELL. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. LA GUARDIA].

Mr. LA GUARDIA. Mr. Speaker, the deficit in our Treasury is not due to excessive appropriations but the falling off of expected or anticipated revenue. Naturally we must balance the Budget, but in so doing we must not destroy the efficiency of the Government. This question of economy is being made the handmaiden of every interest that is seeking to destroy Government supervision and Government control over their particular industry.

Let us be perfectly frank about it. Gentlemen who are going to be caught in this whirl of economy will rue the day. I believe in orderly parliamentary procedure, and the way to effect economy is to take each department separately and permit the legislative committee having jurisdiction over that department to give it study, consideration, and bring their definite recommendations to the House. There is great danger that under the spell for economy many useful departments of Government may come under unjust assault.

I can point out now the bureaus that may be the targets for this so-called economy.

1. The Bureau of Mines: Certainly, every big mining interest does not want any supervision of safety for their employees.

Mr. DOUGLAS of Arizona. Will the gentleman yield?

Mr. LA GUARDIA. In just a moment.

Certainly, the large mining interests would prefer no publication by the Government bureau of statistics as to mineral resources.

2. The Pure Food Bureau of the Department of Agriculture: Certainly, every fake manufacturer, improperly labeling his commodities, does not want such jurisdiction and supervision. Many are the protests against this department, which was founded and established in the face of most obstinate opposition—by the interests which thrived on the sale of adulterated, impure, and misbranded foods and drugs.

3. The Bureau of Animal Industry: Surely the packers would indeed be happy to see it abolished. But recall Theodore Roosevelt's fight for this supervision, following the scandalous conditions exposed by Upton Sinclair in his book, *The Jungle*.

4. The Children's Bureau of the Department of Labor: Certainly every mill employer of children of tender years does not want the Children's Bureau on their backs all the time. They would be happy to see it abolished.

5. The Woman's Bureau in the Department of Labor seems to be objectionable to some—more about that another day.

6. The Federal Trade Commission would be the target of many on the ground of "economies," and certainly the Power Trust has been most active against this commission since the commission rendered such valuable public service in exposing the Power Trust.

7. The Board of Mediation and the Bureau of Labor Statistics would be other targets of the so-called economy. Why, there are people who strenuously object to the truth-telling data of the Bureau of Labor Statistics.

A great deal of this talk about balancing the Budget, where does it come from? From the very people who resent and who have been resenting proper governmental supervision or necessary governmental restraint of their improper activities. I know many of my colleagues are sincere in their efforts to reduce expenses. I only wish to caution them of insidious and selfish interests using their efforts to destroy many useful and necessary safeguards and protections which the sad experience of the past made necessary.

I am not going to be caught by a false cry of economy and be a party to any plan to eliminate many necessary Federal departments exercising jurisdiction for the protection of the people, and which bureaus it has taken years to create, and only after great battles by the people against entrenched and powerful interests.

Under this proposition there is great danger that legislation that has not been well thought out will be enacted.

I was talking with several Members, and it is clear to see that many Members who are shouting the loudest for economy have each some bureau that he wants to put out of commission. You will find that as we go on. Let anyone preaching economy take an appropriation bill and cut it further, but not begin to weaken the Federal Government at this time.

Mr. TILSON. The gentleman from New York would like to see one particular bureau weakened, would he not? [Laughter.]

Mr. LAGUARDIA. That can only be done by proper constitutional amendment or proper legislation.

Mr. BLANTON. Will the gentleman yield?

Mr. LAGUARDIA. Oh, I do not want to get into a discussion on prohibition. That is coming up later. Now, if I am not in favor of the resolution, I do not hesitate to express my opposition.

Mr. BLANTON. Is the gentleman in favor of leaving the question of reorganization and consolidation entirely to the President?

[Here the gavel fell.]

Mr. PURNELL. Mr. Speaker, I yield two minutes to the gentleman from Illinois [Mr. HOLADAY].

Mr. HOLADAY. Mr. Speaker, a few days ago Congress received a message from the President of the United States calling for economy. About the same time a movement on the Democratic side of the House was started as a gesture toward economy. On Friday, February 19, I introduced, without consulting anyone in the House or outside of it, House Joint Resolution No. 302, which if passed, will result in real economy.

I provide in that resolution that Congress give to the President the unusual power, I will admit, to abolish, combine, and consolidate any of the commissions, boards, bureaus, and departments of the Government, with a provision that he report back to the House the Executive orders which he may have issued to carry the economies into effect.

There was only one reservation, and that was a guaranty to the taxpayers of this country that there would be a reduction in the cost of Government. That resolution provides that where the President by Executive order had abolished, combined, or consolidated any of the agencies of the Government, as the result of that action, he must show a decrease of 20 per cent in personnel and 20 per cent in total cost.

That is the way to get real economy. You are not getting anywhere with this resolution.

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

Mr. PURNELL. Mr. Speaker, I ask unanimous consent that all gentlemen who have spoken, or may speak, on the resolution have five legislative days within which to extend their remarks in the RECORD.

The SPEAKER. Is there objection?

Mr. JOHNSON of Washington. Mr. Speaker, reserving the right to object, will not the gentleman make it all Members? I do not think that would be an imposition.

Mr. PURNELL. I would rather the gentleman submit that request separately.

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

There was no objection.

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent that all Members have five legislative days in which to extend their remarks in the RECORD on this subject.

The SPEAKER. Is there objection?

There was no objection.

Mr. PURNELL. Mr. Speaker, I yield one minute to the gentleman from Kansas [Mr. HOCH].

Mr. HOCH. Mr. Speaker, I have time in one minute only to call attention to one matter to which reference has not been made. Lines 20 and 21, on page 2, read as follows:

That said Economy Committee shall have the authority to use as assistants employees of the Federal Government.

That language enforces the argument that this should be a joint committee and not merely a House committee. What power has the House alone to take the employees of the Federal Government, holding statutory positions, away from the work to which they are assigned and use them in the work of this committee? Obviously we have no such power. On the other hand, if this were a joint committee, we would have before us a joint resolution which has the full force of law. A joint resolution would give the power to take employees, in cases where thought wise, and assign them to the work of this committee. In the provision to which I have called attention attempt is made to do something which no House resolution passed by the House alone has power to make effective. I would like to have seen a committee clothed with full power to use Government employees in its work and every possible means of doing its work most effectively.

Mr. PURNELL. Mr. Speaker, I yield the remainder of my time of the gentleman from Illinois [Mr. CHINDBLOM].

The SPEAKER. The gentleman from Illinois is recognized for one minute.

Mr. CHINDBLOM. Mr. Speaker, there is only one way in which any substantially large reduction in Federal expenditures can be made, and that is by the absolute elimination of many services and activities which have grown up during the years that have passed. Paring a few millions here and there will not do it. A major operation must be performed. Carving, not whittling, is necessary. The Federal Government is engaged to-day in activities which do not belong to the Federal Government, but which properly belong to the States and local authorities. Some of them are of the character mentioned by the gentleman from New York [Mr. LAGUARDIA]. We have, in addition, the system of giving aid to the States, taking money out of the Federal Treasury for the purpose of "matching" or supplementing some appropriation by the States for purely State purposes. The Government of the United States should return to the original purpose of being merely a Federal or central Government, and not of performing and duplicating all the functions of the State and local governments within the 48 sovereign States that compose the Union. When we do these things we can reach some measure of substantial reduction in expenditures. [Applause.]

Mr. Speaker, most of these activities and services are not, strictly speaking, of a governmental character. Many of them have been established under a broad interpretation of the "general-welfare" clause of the Constitution. They probably all serve excellent purposes. Most certainly they have been urged by large groups of citizens, who have succeeded in compelling Congress to yield to their demands. In many cases these services and activities were intended to stimulate the States in the performance of good works. The States in their turn, finding the Federal Government embarking upon some of their activities, have relinquished these fields, in the hope and to the end that the Federal Government may continue to perform functions which under our system of local self-government should have remained under the exclusive jurisdiction of the States and local communities. Even now, with the reduction of Federal income and the necessity of retrenchment in expenditures and of the imposition of new and additional taxes, we are being importuned to enlarge present functions and to undertake new responsibilities. The Congress must have the courage to withstand these pressures. Some of us know by not too pleasant experience that refusal to accede to these requests and to support appropriations in the interests of special groups will bring opposition and hostility, but in these times, which may truthfully be said to "try men's souls," we must devote ourselves to the greatest good for the greatest number. The situation that confronts us is above all financial and economic. Many useful and beneficial services must be abandoned or postponed until we have put our financial house in order. The Federal Budget must be balanced, expenditures must be held to a minimum, borrowing must cease, and revenues must be provided sufficient to cover the necessary cost, but only the necessary

cost, of the maintenance of our Government and its institutions. In brief, Government must practice the same economy which the householder finds necessary when income has been lessened.

Mr. **POU**. Mr. Speaker, I yield seven minutes to the gentleman from Alabama [Mr. **BANKHEAD**].

Mr. **BANKHEAD**. Mr. Speaker, although the distinguished leaders on the Republican side say that they are in sympathy with this resolution, I have never heard a proposition raised here that was damned with so much faint praise by these gentlemen as this. The Democratic Party, by the confidence of the country, is in control of this House by a very meager majority. If I know anything about what the Democratic Party and its organization has in mind with reference to conducting the affairs of this country, it is that that party is resolved by all legitimate means, in the ultimate interest of the taxpayers of the country, to really cut down the national expenditures and try to cut out some of these unnecessary departments and bureaus. [Applause on the Democratic side.]

The gentleman from Michigan [Mr. **MAPES**], who has lately assumed the attitude of chief apologist of the Executive for the failure in 10 years to do anything along this line, now rises in his place and asks the Congress of the United States why we do not lay this question at the doorstep of the Executive. It has been lying there at the doorstep of the Executive for three years and never has yet been carried into the interior of the White House. We propose, if we can do so, to take it off his doorstep and lay it on his table for action.

Mr. **WILLIAMSON** rose.

Mr. **BANKHEAD**. I decline to yield. It is confessedly the law of this country to-day that the President of the United States has the power, as was clearly pointed out by the distinguished gentleman from Tennessee [Mr. **BYRNS**] a few days ago, and he has had it during the three years that he has been in control of this Government, to consolidate these bureaus himself, to take the initiative in cutting out some of this duplication and overlapping and all that sort of thing. It is said that for 10 long years he has had a consistent record of recommending propositions of this sort. What the Democratic Party in this House has resolved to do, if we have the power to do it and the courage and the brain to do it, which I think we have, is to present something here that will force action upon the Executive of this country in undertaking to remedy this very distressed situation. [Applause on the Democratic side.]

Mr. **GARBER**. Mr. Speaker, will the gentleman yield?

Mr. **BANKHEAD**. No. I have only a few minutes, and there are some matters which have been injected into this debate that I think ought to receive an answer. The gentleman from Michigan [Mr. **MAPES**] says this is a mere gesture. What of all these long 10 years of protestation on the part of the President with reference to action along this line? How does the gentleman designate those maneuvers?

Mr. **MAPES**. Mr. Speaker, will the gentleman yield?

Mr. **BANKHEAD**. No. With all of his power, with all of his opportunities, with all of his solemn convictions on this great remedial process, has he brought anything to the doorstep of Congress, because Congress must finally act upon this question? Has he come here with any definite, concrete proposition of economy and reform in the reorganization of our Government departments? If so, I ask you to point them out to me. Has anything been sponsored by any of the Republican leaders seeking to effectuate the gestures the President has been vainly making for 10 years?

I think I am speaking within the record. I want to say further with reference to what is going on in the family of the Executive himself there is undisputed evidence that at least four of his Cabinet within the last few days have left their desks in the Cabinet of the President and journeyed up to Capitol Hill to undertake to use their personal and official influence against propositions pending in the various committees of this House seeking real economy in public expenditures.

Moreover, as was read to the House by the gentleman from Missouri [Mr. **COCHRAN**] a few moments ago, they are not only doing that but the Cabinet officers are sending out private communications to the great newspapers of the country, urging them to engage in an editorial crusade against the Congress of the United States, which is undertaking in good faith to bring about some real economy in the administration of the public affairs of the country.

Mr. **MICHENER**. Will the gentleman yield?

Mr. **BANKHEAD**. Does the gentleman who now rises deny the accuracy of those statements which the gentleman from Missouri read? They are made upon the solemn responsibility of a great newspaper in the city of St. Louis. Does the gentleman apologize for it? Does the gentleman commend that sort of activity upon the part of Cabinet officers of the President when that President is sending word here urging Congress to practice economy?

Mr. **MICHENER**. In answer to the gentleman, may I ask the gentleman if he does not know that no Cabinet officer has appeared before any committee of this Congress unless invited by the committee, which is headed by a member of the Democratic Party?

Mr. **BANKHEAD**. Oh, yes; unless invited; but they have been there, whether they got there by invitation or by volunteering to come. What I am complaining about is that they are using their official and personal influence to try to destroy the efforts of the Congress of the United States, particularly the Democratic Party, to carry out some real reforms in economy.

Mr. **BYRNS**. Will the gentleman yield?

Mr. **BANKHEAD**. I yield.

Mr. **BYRNS**. Three Cabinet officers have given interviews to the newspapers, attacking the Committee on Appropriations for reducing their estimates.

Mr. **BANKHEAD**. Exactly. I commend to the thoughtful consideration of your great President, for whom personally, of course, I hold great respect, that if he expects the Congress of the United States, on our side and on your side, in good faith, to undertake to carry out his recommendations, he should put his own house in order first and keep this official meddling away from Capitol Hill. [Applause.]

[Here the gavel fell.]

The **SPEAKER**. All time has expired.

Mr. **MICHENER**. Mr. Speaker, a parliamentary inquiry.

The **SPEAKER**. The gentleman will state it.

Mr. **MICHENER**. The gentleman from Alabama [Mr. **BANKHEAD**] referred to "your President." Is that proper language? Is he not the President of all the people of the United States?

The **SPEAKER**. The Chair does not think that is a proper parliamentary inquiry.

Mr. **POU**. Mr. Speaker, I move the previous question on the resolution to final passage.

The previous question was ordered.

The **SPEAKER**. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The **SPEAKER**. The question is on the passage of the resolution as amended.

The question was taken; and on a division (demanded by Mr. **BLANTON**) there were—ayes 215, noes 22.

So the resolution as amended was agreed to.

EXTENSION OF REMARKS—ECONOMY COMMITTEE

Mr. **WILLIAMS** of Missouri. Mr. Speaker, strict economy in all branches and departments of government, national, State, local, and municipal, is one of the urgent needs of the time. The financial condition of many of the large cities of the country is desperate. Scarcely a county or local government unit has funds sufficient to meet its current expenses. Many of the States are in financial straits and the National Government is facing a deficit of over \$2,000,000,000. While local, State, and national income and expenditures have increased many times over during the last quarter century, the machinery of government remains essentially the same and has now become antiquated and broken down. It is a fact

universally known and recognized that the affairs of government are not administered as efficiently and as economically as those of private enterprise. No great business or industrial organization could long survive bankruptcy attempting to carry on with the clumsy, cumbersome, confusing, and worn out, antique methods that are used in the conduct of public affairs. In our own State, Missouri, the income and expenditures are to-day over fourteen times what they were 30 years ago. While there has been an enormous increase in the expense of collecting and disbursing the revenues, there has been little change in the methods.

One of two things is evident, either those who are charged with responsibility for the management of governmental business have not the foresight and ability to set in operation a modern, highly efficient, a skillful, and an economical organization to carry on the public business, or those same persons having the ability have not the courage and determination to set up such an organization because of political pressure, temporary expediency, or absolute indifference to the welfare of the people. A man who has not the ability to set up such machinery should not occupy a place of responsibility. A man who has the ability and who fears to use it because of political expediency, or who is indifferent to the reckless expenditure of public funds, should acknowledge his unfitness for public office and resign at once.

In the Republican national platform of 1920 there is found the following:

We advocate a thorough investigation of the present organization of the Federal departments and bureaus, with a view to securing consolidation, a more businesslike distribution of functions, the elimination of duplications, delays, and overlapping of work, and the establishment of an up-to-date and efficient administrative organization.

That sounds splendid. It reads fine; investigate, eliminate, consolidate, and make efficient. That is glorious. But what was done?

In the Republican national platform of 1924 one reads:

We favor a comprehensive reorganization of the executive departments and bureaus along the lines of the plan recently submitted by a joint committee of the Congress which has the unqualified support of President Coolidge.

Here is a reorganization plan along a definite line. Notwithstanding that there was nothing of importance done. The leaders of this party were so well pleased with their elimination, consolidation, and efficient reorganization of the executive departments and bureaus that not a word was said on the subject in the platform upon which Mr. Hoover was elected in 1928. They contented themselves merely with the statement, "Economy has been raised to the dignity of a principle of government." In view of these platform promises and this bold declaration of economy, it is entirely fit and proper to look at the record.

In determining the actual operating cost of the Government many items of expenditure must be eliminated, the largest of which are payment of interest on our national debt and granting pensions to the veterans of the various wars and their dependents. Discarding everything except the actual operating expenses of the Government, what becomes of the claims made by our Republican friends that the bureaus and departments of the Government have been consolidated and efficiently and economically reorganized? It would hardly be fair to compare the expenses of some of the boards and departments for the years immediately following the war, because there were still at that time many war activities being carried on.

To begin with, the number of Federal employees increased 68,000 between 1920 and 1930. For the purpose of comparing the cost of Government the period from 1925 to 1930, inclusive, may be taken. The bare operating expenses of the 10 departments of Government, the Cabinet positions, increased during that period from \$872,178,000 in 1925 to \$1,116,050,000 in 1930, or 28 per cent. The mere running expenses of the various commissions, boards, and bureaus, independent administrative establishments, increased during that period from \$69,879,000 to \$124,891,000, or 79 per cent. Four years of Coolidge constructive economy and two years of Hoover smug complacency brought us a 79 per cent increase in the cost of bureaus and commissions.

The expenses of the executive branch of the Government, the salary of the President and Vice President, the expense for the travels and for the clerical force for the President and for maintaining the White House and grounds; in other words, the expenses of the office of President increased from 1925 to 1930 over 45 per cent.

Under this same efficient and economical management the total expenses of Government for the year 1931 were \$602,833,000 greater than they were for 1926. This is economy with a vengeance. In 1925 the United States Government had a surplus of \$402,632,000 in income over and above expenditures, while under the careful and extremely frugal direction of this and the preceding administration at the close of 1931 the excess of expenditures over receipts was \$1,501,919,000, and this deficit is growing greater day by day. What excesses and extravagances have been engaged in under the name economy! This word has been used as a smoke screen to conceal the saturnalia of riotous and excessive expenditure of public funds.

During this same period the value of farm lands, farm products, and income from farm production materially decreased until at the present time they have almost reached the vanishing point. During this time the wholesale and retail commodity prices declined 25 or 30 per cent and since that time have gone much lower. At the present time, with our foreign commerce vanishing, with farm products selling much below the cost of production, and with farms being sold for taxes and interest, with our mines and factories shut down or working only half time with limited force, with banks and business enterprises by the thousands closing their doors in bankruptcy and failure, with the wages of those who are at work being reduced and taxes being increased, with 7,000,000 men out of employment, with hunger marchers making a pilgrimage to Washington to present their claims to the Government and to demand relief, with poverty, destitution, want, and suffering abroad in the land it does seem that the time is here to stop the lavish and riotous expenditure of money in the Nation's Capital. Following these large expenditures an unheard-of deficit in the Treasury has developed, and the Ways and Means Committee is now busy day and night striving to devise some plan to remove the deficit, and balance the Budget. This can only be done in the end by taxation. Thus we go around the unending and vicious circle—increased expenses and increased taxes.

It has been suggested that the salaries of the Representatives and Senators be cut as a start on the road to economy. That may not be a wise policy, but so far as I am concerned it may be done at once. However, that would be but as a grain of sand on the seashore in a real economy program. It may be interesting to know that if the entire legislative branch of Government could be wiped out, including both branches of Congress—435 Representatives and 96 Senators, all clerks and secretaries, as well as heating, lighting, maintaining, and operating the Capitol Building and Grounds—if by one stroke of the pen they could all be eliminated from the pay roll this hour, the expenditures of the Federal Government would be reduced only thirty-five one-hundredths, or a little over one-third of 1 per cent.

There is a Missourian holding the position of Secretary of Agriculture, a department which is supposed in some measure to assist, advise, and encourage the agricultural industry of the Nation. He has been devoting considerable time to the preparation and delivery of rabid, partisan speeches until at last he ran amuck, and now, somewhat to our chagrin, he has been dubbed "a turnip head" by the brilliant Senator from Virginia [Mr. GLASS]. As Secretary, he is ex officio member of the Farm Board, a creature of this administration and an organization that has been roundly condemned and thoroughly repudiated; a board whose half-baked and ill-advised policies have led to the wasteful and extravagant expenditure of money at the expense and to the detriment of the farmer. It is informative to learn that according to the statement of the United States Treasury of February 15, 1932, for the last six months of 1931, the Department of Agriculture alone cost the United States Government over

\$248,370,000, almost a quarter of a billion dollars for six months and more than sixteen times as much as the entire legislative branch of the Government cost for the same period of time. This is economy "raised to the dignity of a principle."

It is said that we have the Department of Commerce housed in a stately building that cost the handsome sum of seventeen and one-half million dollars, and that at the cost of \$190 per month there is maintained in that building a private elevator to shield that distinguished Secretary from the gaze of the public and the touch of the rabble.

We are now told that fine, expensive, beautiful, comparatively new and modern Government buildings must be torn down because their particular form of architecture is not in harmony with certain artistic designs and plans. There seems to be a mad, frenzied effort to see how lavishly and extensively money can be spent.

There is not a great business concern in this entire country from Maine to California and from the Lakes to the Gulf; no transportation system, no financial institution, no mine, mill, or factory, no wholesale or retail house, no industrial organization, no farm association, or activity that has not in recent months reduced its overhead and cut down its operating expenses. Out of all the agencies and activities of the entire country, it has remained for the United States Government alone to fail to put its house in order and reduce expenses; but, to the contrary, it has been the insistent, constant, and persistent policy of those in power to increase the cost of government.

An earnest effort is now being made by Congress to reduce the cost of government and reorganize the departments and bureaus on an economical and efficient basis. The appropriation bills already passed by the House have reduced appropriations below the Budget estimate about \$60,000,000. There has been opposition to these reductions from different sources, but they have been made. A number of bills and resolutions have been introduced to consolidate bureaus and commissions, one by my distinguished colleague, Mr. FULBRIGHT, of Missouri.

A movement has been set on foot to consolidate the military and naval departments into one department, national defense. About 55 cents of each dollar of the operating cost of government goes for military services. In my opinion, it is necessary to provide reasonable and proper national defense, but it is evident that there can be an immense saving by a reorganization of these departments. Still, it is openly stated that Cabinet officers are busy using their high official positions and influence to prevent the consolidation.

House Resolution 151, introduced by the able Member from Arizona [Mr. DOUGLAS], provides for the appointment of a committee of seven Members of the House to investigate and submit recommendations as to economies in the Federal Government that may be effected without impairing the necessary functions of government. It further provides that the chairman of the Appropriations Committee, the brilliant, capable, and fearless gentleman from Tennessee [Mr. BYRNS], and the chairman of the Committee on Expenditures in Executive Departments, the tireless worker, the skilled and efficient Member, my distinguished colleague [Mr. COCHRAN of Missouri], shall be members of this committee. With their intimate knowledge of governmental affairs, by their assistance and efforts and under their direction and leadership, it is confidently expected that a real reorganization program will be presented and that substantial economies will be effected.

It is said that suggestions for reorganization have been made by this administration. If so, they were heard in silence and not talked about above a whisper. What the country needs is a leadership that will speak in thunder tones that can be heard from coast to coast that there must be and there shall be a real, scientific, efficient reorganization of the agencies of the Government, and that there must be and there shall be real and substantial economies effected, not a pale, weak, milk-and-bread, mollusklike policy but one of iron and courage.

There is no longer any reason or excuse for these antiquated, inefficient, worn-out, lumbering, and costly agencies of government. The time has come to step out in front, burn the bridges behind us, set our hands to the plow, turn our faces toward the future, and, regardless of political jobs and musty precedents, set up the machinery of government upon an efficient and economical basis in the interest of the taxpayers of the country. To not do so is to acknowledge our inability or to confess our lack of courage.

ORDER OF BUSINESS

Mr. OLIVER of Alabama. Mr. Speaker, the House has fixed a limitation of two hours in the discussion of the prohibition item carried in the appropriation bill and all amendments thereto.

I now wish to ask unanimous consent that the two hours' time so fixed be divided equally between the gentleman from Pennsylvania [Mr. SHREVE] and myself, with the understanding that the gentleman from Pennsylvania will yield one-half of his time to the gentleman from Pennsylvania [Mr. BECK] or such Members as he may suggest, and I will yield one-half of my time to the gentleman from Maryland [Mr. LINTHICUM] and such Members as he may suggest.

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

There was no objection.

Mr. OLIVER of Alabama. Mr. Speaker, there is one other controversial item in the appropriation bill. Following disposition of the item carrying the appropriation for prohibition enforcement, the committee will take up the item carrying an appropriation for the Employment Service in the Department of Labor. Interest has been expressed in that item. I therefore ask unanimous consent that debate on that item be limited to one hour, one-half of the time to be controlled by the gentleman from Pennsylvania, Mr. SHREVE, and one-half by myself, with the understanding that the gentleman from Pennsylvania will yield one-half of his time to those who are opposed to committee amendments, and I will also yield one-half of my time to those opposed to such amendments.

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

There was no objection.

Mr. MAPES. Will the gentleman yield for a question?

Mr. OLIVER of Alabama. I yield.

Mr. MAPES. Does the gentleman propose to have the debate on the prohibition item immediately upon the House resolving itself into the Committee of the Whole House on the state of the Union, or does the gentleman propose to finish the reading of the bill first?

Mr. OLIVER of Alabama. The debate on the prohibition appropriation will be the first item to be taken up.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. OLIVER of Alabama. I yield.

Mr. CHINDBLOM. Is it proposed to take a vote on the appropriation bill to-day?

Mr. OLIVER of Alabama. Yes. I will state that it is the hope of the committee to finish the bill by 5.30.

DEPARTMENTS OF STATE, COMMERCE, JUSTICE, AND LABOR APPROPRIATION BILL

Mr. OLIVER of Alabama. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 9349) making appropriations for the Departments of State and Justice, and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1933, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 9349, the State, Justice, Commerce, and Labor Departments appropriation bill, with Mr. McREYNOLDS in the chair.

The Clerk read the title of the bill.

The Clerk read as follows:

Salaries and expenses: For expenses to enforce and administer the applicable provisions of the national prohibition act, as

amended and supplemented (U. S. C., title 27), and internal revenue laws, pursuant to the act of March 3, 1927 (U. S. C., Supp. V, title 5, secs. 281-281e), and the act of May 27, 1930 (46 Stat. 427), including the employment of executive officers, attorneys, agents, inspectors, investigators, supervisors, clerks, messengers, and other personnel in the District of Columbia and elsewhere, to be appointed as authorized by law; the securing of evidence of violations of the acts; the cost of chemical analysis made by other than employees of the United States and expenses incident to the giving of testimony in relation thereto; the purchase of stationery, supplies, equipment, mechanical devices, newspapers, periodicals, books, including law books and books of reference, and such other expenditures as may be necessary in the District of Columbia and the several field offices; costs incurred in the seizure, storage, and disposition of liquor and property seized under the national prohibition act, including seizures made under the internal revenue laws if a violation of the national prohibition act is involved and disposition is made under section 3460, Revised Statutes (U. S. C., title 26, sec. 1193); costs incurred in the seizure, storage, and disposition of any vehicle and team or automobile, boat, air or water craft, or any other conveyance seized pursuant to section 26, Title II, of the national prohibition act, when the proceeds of sale are insufficient therefor or where there is no sale; purchase of passenger-carrying motor vehicles at a total cost of not to exceed \$50,000, including the value of any vehicles exchanged, and the hire, maintenance, repair, and operation of motor-propelled or horse-drawn passenger-carrying vehicles for official use in field work; and for rental of quarters; in all, \$11,369,500, of which amount not to exceed \$370,120 may be expended for personal services in the District of Columbia.

Mr. LINTHICUM. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LINTHICUM. Must we introduce the different amendments we want to introduce at this time or may they be introduced at any time during the discussion of two hours?

The CHAIRMAN. They can be offered at any time and read for information, but they should be disposed of after general debate is concluded.

Mr. LINTHICUM. Mr. Chairman, I offer an amendment for information.

The CHAIRMAN. The gentleman from Maryland offers an amendment for information, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LINTHICUM for information: On page 38, line 3, after the word "Columbia," insert "Provided, however, That no part of said appropriation shall be used for the expense of what is commonly known as wire tapping."

Mr. SHREVE. Mr. Chairman, in order to carry out the unanimous-consent agreement made a few minutes ago, I desire to yield 30 minutes to the gentleman from Pennsylvania [Mr. BECK].

The CHAIRMAN. The gentleman from Pennsylvania will be recognized for 30 minutes.

Mr. BECK. Mr. Chairman, under the privilege of allotting these 30 minutes, which we owe to the courtesy of the gentleman from Alabama, I yield 7 minutes to the gentleman from Massachusetts [Mr. TINKHAM].

Mr. TINKHAM. Mr. Chairman, as a member of the subcommittee of the Appropriations Committee which reported the appropriation bill now before the committee, I wish to bring to the attention of the committee the following interesting facts:

The 1933 estimates for the four departments—State, Justice, Commerce, and Labor—called for an appropriation of \$129,784,136.89; the Committee on Appropriations recommends \$124,713,818.12, a decrease of \$5,070,318.77.

The reductions from the Budget estimates made by the committee for the four departments follow, item by item:

Department of State

Domestic:	
Secretary's office, salaries, including temporary employees.....	\$59,460.00
Contingent expenses and miscellaneous expenses.....	11,000.00
Printing and binding.....	18,600.00
Passport bureaus.....	1,000.00
Foreign Service (Diplomatic, Consular, and Foreign Service):	
Chargés d'affaires ad interim.....	5,000.00
Clerk hire, Foreign Service.....	76,000.00
Contingent expenses, foreign missions.....	50,000.00
Foreign Service inspectors, expenses of.....	10,000.00
Contingent expenses, United States consulates.....	75,000.00
Relief and protection, American seamen.....	5,000.00
Foreign Service officers, salaries of.....	66,500.00

Foreign Service (Diplomatic, Consular, and Foreign Service):

Transportation of Diplomatic, Consular, and Foreign Service officers.....	\$82,000.00
Emergencies arising in Diplomatic and Consular Service.....	200,000.00
Allowance to widows or heirs of Diplomatic, Consular, and Foreign Service officers who die abroad.....	1,000.00
Transportation of Diplomatic, Consular, and Foreign Service officers.....	50,000.00
Foreign Service buildings fund.....	450,000.00
Representation allowances.....	100,000.00
Rent, heat, fuel, and light, Foreign Service (includes \$480,000 for 1932 in deficiency).....	50,000.00
International obligations, commissions, etc.:	
Boundary Commission, United States and Mexico.....	1,000.00
Boundary treaty of 1925 between United States and Great Britain.....	2,000.00
International Prison Commission.....	1,600.00
Seventh International Conference of American States, Montevideo, Uruguay.....	40,000.00
International Arbitration, Bureau of Interparliamentary Union for Promotion of.....	4,000.00
Agriculture, International Institute of, Rome, Italy.....	5,660.00
International Railway Congress.....	800.00
International Radiotelegraphic Convention, Madrid, Spain.....	30,000.00
International Joint Commission, Waterways Treaty, United States and Great Britain.....	40,000.00
International Research Council.....	5,042.77
Protection of Industrial Property, International Bureau of.....	50.00
General Claims Commission, United States and Panama (second deficiency act).....	34,000.00
International Fisheries Commission, United States and Great Britain.....	5,000.00
Foreign Service, judicial:	
Prisons for American convicts.....	2,000.00
Bringing home criminals.....	3,000.00
Department of Justice	
Attorney General's office, salaries.....	15,460.00
Stationery, furniture, etc.....	2,000.00
Customs cases, conduct of.....	4,400.00
Judicial offices, examinations of.....	6,340.00
Bureau of Prisons, salaries and expenses, office of.....	16,040.00
Judicial:	
Supreme Court of the United States—	
Printing and binding.....	2,500.00
Salaries of judges.....	10,000.00
Court of Customs and Patent Appeals, printing and binding.....	400.00
Marshals and their deputies.....	79,540.00
District attorneys, assistants to district attorneys, regular.....	40,980.00
Clerks of courts, salaries of.....	21,500.00
Fees of commissioners and justices of the peace.....	40,000.00
Fees of jurors and witnesses.....	150,000.00
Bailiffs and criers.....	60,000.00
Miscellaneous expenses.....	90,000.00
Penal and correctional institutions:	
Medical and hospital service.....	39,529.00
Penitentiary, Leavenworth, Kans.....	80,040.00
Penitentiary, Atlanta, Ga.....	43,360.00
Penitentiary, McNeil Island, Wash.....	40,000.00
Penitentiary, northeastern section.....	75,000.00
Federal Industrial Institution for Women, Alderson, W. Va.....	2,040.00
United States Industrial Reformatory, Chillicothe, Ohio.....	226,960.00
Penitentiary, southwestern section.....	1,168,000.00
United States Hospital for Defective Delinquents.....	270,000.00
Federal jails.....	110,000.00
Support of prisoners.....	250,000.00
Department of Commerce	
Secretary's office, contingent expenses:	
Contingent and miscellaneous items.....	6,500.00
Printing and binding.....	75,000.00
Federal Employment Stabilization Board (deficiency).....	28,800.00
Enforcement of wireless communication laws.....	3,500.00
Air-navigation facilities.....	75,000.00
Foreign and Domestic Commerce, Bureau of:	
Promoting commerce in Europe and other areas.....	10,000.00
Promoting commerce in South and Central America.....	5,000.00
District and cooperative offices, maintenance.....	10,000.00
Export industries.....	35,000.00
Domestic-commerce and raw-materials investigations.....	15,000.00
Customs statistics.....	25,000.00
Directory of foreign buyers.....	7,000.00
Traveling expenses to and from posts of duty, etc.....	10,000.00
Census Office, compiling and publishing Fifteenth Decennial Census.....	
	75,000.00

Lighthouses, Bureau of:	
Lighthouse vessels, salaries.....	\$10,000.00
Retired pay.....	50,000.00
Aids to navigation, establishing public works....	100,000.00
Coast and Geodetic Survey:	
Pay and allowances, commissioned officers.....	17,687.00
Office force, salaries.....	1,380.00
Patent Office, salaries.....	10,000.00
Bureau of Mines:	
Testing fuel.....	1,580.00
Helium production and investigation.....	10,000.00
<i>Department of Labor</i>	
Immigration, Bureau of, regulating immigration....	137,570.00
Employment Service (including \$500,000 for 1932 in second deficiency).....	17,500.00
In other words, reductions were made in 83 items of the bill.	

It will be noted that there was a reduction made for "enforcement of wireless communication laws," and a reduction also for enforcement of the immigration laws.

However, there is one bureau of one of these four departments which has not suffered the reduction of one cent from the Budget estimates, the Bureau of Prohibition, in the Department of Justice. The 1933 estimates for the Bureau of Prohibition were \$11,369,500 and the committee recommends the appropriation of this amount, notwithstanding that for 1931 the bureau had an unexpended balance of more than \$170,000.

The Bureau of Prohibition would seem to be the Government's sacred cow. Nothing must be deducted from the appropriation for this bureau; the sustenance of the sacred cow must not be curtailed in any particular. The protestations of the urgent need for economy are completely negated in this direction.

Let us dissect this sacred cow. We find it employs 3,122 employees drawing salaries aggregating \$7,956,804, including a director at \$9,000, three administrators receiving \$27,000, an assistant administrator at \$7,500, and a head of a legal division at \$7,000.

But this is not the worst that we have to report on the sacred cow. It calls for an appropriation of \$160,000 for "stool pigeons," who are designated as "special employees," and \$217,350 for "special and miscellaneous current expenses," which expenses constitute for the most part the purchase of liquor and incidental expenses, such as the purchase of meals, hotel charges, and the like. According to the department, in 1931, \$134,342 were expended for the purchase of liquor and \$46,223 for expenses incident to procuring evidence, such as lunches and meals, a total of \$180,565.

These are unclean items. If the next Congress is controlled by those who are opposed to prohibition, pressure will be brought to bear to prevent the appropriation of any money for enforcement. To defend future appropriations of money it behooves this Congress to make as clean and economical a bill as possible.

I wish to draw particular attention to another item, a small item, to be sure, only \$700, for "Emergency purchases of stationery and office supplies in the open market by field organizations performing undercover work," and to quote the denouncement of the circuit court of appeals for the Indianapolis district of the use made last year in that district of funds of a somewhat larger sum appropriated for the same purpose:

We think there is a vast difference between the use of decoys for the purpose of detecting crimes and apprehending criminals and the use of decoys to induce others to join in unlawful conspiracy originated by the Government for the purpose of securing the violation of laws by others.

It is unnecessary to the due administration of the criminal laws and it shocks the court's sense of justice to permit a prosecution to proceed where the evidence shows the offender was innocent of wrongdoing and free of evil intent prior to his acquaintance with the Government or State representatives who, in the professed cause of law enforcement, proceed, first, to corrupt the accused's mind by possibilities of profit and gain through violation of the statutes, and then, surrounded by accomplices as witnesses, await the downfall and ignominy of the victim.

Although it [the Government] be a sovereign, it should not be permitted to adopt means which are condemned by the courts when practiced by its citizens.

Such a situation is not dissimilar to the case where one arranges through a third party for a robbery to be committed upon himself with a view of receiving a reward, or a case of burglary, where the entry was made through the assent of those who were in the occupancy or control of the building burglarized.

I wish also to draw attention to the fact that unless a limitation is placed on wire tapping, any part of the appropriation for the Bureau of Prohibition may be used for this nefarious practice, denounced by a member of the Supreme Court of the United States as "dirty business." Let me add that the Department of Justice refused to inform the Appropriations Subcommittee how many wires had been tapped during the last fiscal year, notwithstanding the only information requested was the number of wires tapped, not a list of the cases or the districts or even the States in which the wire tapping occurred. For all the country knows, there may be thousands of wires tapped daily in the United States.

It is my intention to offer an amendment in the form of a limitation forbidding the expenditure of any appropriation for the Bureau of Prohibition for wire tapping.

Mr. Chairman, with unanimous consent, may I have the right to revise and extend my remarks?

The CHAIRMAN. Is there objection?

There was no objection.

Mr. OLIVER of Alabama. Mr. Chairman, I yield seven minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Chairman, during the past two weeks the newspapers that have been subsidized by the liquor traffic have heralded that this was to be a field day for the wets. They have advised us in advance about how many different fights the gentleman from Massachusetts would wage against the appropriation for prohibition enforcement, and the many ways he would attempt to restrict and limit the appropriation.

And it has been broadcast that an assault would be made upon the enforcement appropriation led by the distinguished gentleman from Pennsylvania [Mr. BECK] on the Republican side of the aisle, and by the distinguished gentleman from Maryland [Mr. LINTHICUM] on the Democratic side.

And so portentous appeared the battle array that a unanimous agreement was reached in the House last week that the debate would not occur until to-day, and that two hours should be allotted for the discussion, one half to be used by the wets and the other half by the dries.

And the wets are here now in full force, with their banners streaming. But the main wet-or-dry test vote is not to come on the amendment offered by the gentleman from Maryland [Mr. LINTHICUM] to stop wire tapping, because many dries will vote for that amendment, but the test vote, wet or dry, is to come on the amendment to be sponsored by our distinguished friend from New York [Mr. BOYLAN] to reduce the appropriation for prohibition enforcement, because no dries will vote for it and all wets will support it.

It has been contended here in running debate for several months that only churchmen who want to preach morality into men against their wishes are in favor of prohibition. It is likewise contended that prohibition crowds our penitentiaries. I want to quote from a famous agnostic who wrote what I quote long before we ever dreamed of national prohibition, who gives us a vivid picture of saloons and the liquor traffic—more vivid than words now will portray. It is from Col. Robert G. Ingersoll I now quote. I want you to note specially what he says about the liquor traffic—in preprohibition days—"filling jails" and "crowding penitentiaries." Here is what he said:

ROBERT G. INGERSOLL ON ALCOHOL

I am aware that there is prejudice against any man engaged in the manufacture of alcohol. I believe that from the time it issues from the coiled and poisonous worm in the distillery until it empties into the hell of death, dishonor, and crime it demoralizes everything that touches it from its source to its end.

I do not believe that anyone can contemplate the object without prejudice against the liquor crime. All we have to do, gentlemen, is to think of the wrecks on either banks of the stream of death, of the suicides, of the insanity, of the poverty, of the ignorance, of the destitution, at the little children tugging at the faded and withered breasts of weeping and despairing mothers,

of the wives asking for bread, of the men of genius it has wrecked, and man struggling with imaginary serpents. I believe every thoughtful man is prejudiced against this damned stuff that is called alcohol!

Intemperance cuts down youth in its vigor, manhood in its strength, and age in its weakness. It breaks the father's heart, bereaves the doting mother, extinguishes natural affections, erases conjugal love, blots out filial attachments, blights parental hope, and brings down mourning age in sorrow to the grave. It produces weakness, not strength; sickness, not health; death, not life. It makes wives widows, children orphans, fathers fiends, and all of them paupers and beggars. It feeds rheumatism, nurses gout, invites cholera, imparts pestilence, and embraces consumption.

It covers the land with idleness, misery, and crime. It fills our jails, almshouses, and asylums. It engenders controversy, fosters quarrel, and cherishes riots. It crowds our penitentiaries and furnishes victims for the scaffold. It is the lifeblood of the gambler, the element of the burglar, the prop of the highwayman, and the support of the midnight incendiary.

It countenances the liar, respects the thief, esteems the blasphemer, it violates obligations, reverences fraud, and honors infamy. It defames benevolence, hates love, scorns virtue, slanders innocence.

It incites the father to butcher his helpless offspring, helps the husband to massacre his wife and the children to grind the parricidal ax. It burns up men, consumes women, detests life, curses God, and despises heaven. It suborns witnesses, nurses perjury, defiles the jury box, and stains the judicial ermine. It degrades the citizen, debases the legislature, dishonors the statesman, and disarms the patriot.

It brings shame, not honor; terror, not safety; despair, not hope; misery, not happiness—and with the malevolence of a fiend it calmly surveys its frightful desolation and, unsatiated with havoc, it poisons felicity, kills peace, ruins morals, blights confidence, slays reputations, and wipes out national honor—then curses the world and laughs at its ruin.

It does all that and more—it murders the soul. It is the sum of all villainies, the father of all crimes, the mother of abominations, the devil's best friend, and God's worst enemy.

It was not prohibition, Mr. Chairman, that filled the jails in the time Robert Ingersoll wrote the above. It was saloons and the liquor traffic. It was not prohibition that "crowded our penitentiaries and furnished victims for the scaffold" in Robert Ingersoll's time—long before prohibition. It was saloons and the infamous liquor traffic. Ingersoll said "it murders the soul." Ingersoll said "it is the sum of all villainies." Ingersoll said "it is the father of all crimes." Ingersoll said "it is the mother of abominations." Ingersoll said "it is the devil's best friend and God's worst enemy." And when Ingersoll said all that he was talking about saloons and the liquor traffic, and not about prohibition.

Now, Mr. Chairman, because I want to refer to certain recommendations made by the Wickersham Commission relative to the Congress furnishing adequate money to enforce prohibition, I want to remind the House of the first four conclusions agreed to by the Wickersham Commission. These four conclusions were signed by each and all of the members of the commission except Mr. Lemann. Here are the four conclusions they agreed to:

1. The commission is opposed to repeal of the eighteenth amendment.
2. The commission is opposed to the restoration in any manner of the legalized saloon.
3. The commission is opposed to the Federal or State Governments, as such, going into the liquor business.
4. The commission is opposed to the proposal to modify the national prohibition act so as to permit manufacture and sale of light wines and beer.

The above conclusions are signed by George W. Wickersham, chairman; Harry W. Anderson, Newton D. Baker, Ada L. Comstock, William I. Grubb, William S. Kenyon, Frank J. Loesch, Paul J. McCormick, Kenneth Mackintosh, and Roscoe Pound. Only Mr. Monte Lemann did not sign same.

From his separate statement signed by Mr. George W. Wickersham, chairman of the commission, I quote from page 284 the following:

The older generation very largely has forgotten, and the younger never knew, the evils of the saloon and the corroding influence upon politics, both local and national, of the organized liquor interests. But the tradition of that rottenness still lingers, even in the minds of the bitterest opponents of the prohibition law, substantially all of whom assert that the licensed saloon must never again be restored.

From the separate statement signed by Mr. Roscoe Pound, I quote from page 281 the following:

Federal control of what had become a nation-wide traffic and abolition of the saloon are great steps forward which should be maintained.

From the separate statement signed by Mr. Paul J. McCormick, I quote from page 273 the following:

From the evidence before the commission I have reached the conclusion that the outstanding achievement of the eighteenth amendment has been the abolition of the legalized open saloon in the United States. Social and economic benefits to the people have resulted, and it is this proven gain in our social organization that has justified the experiment of national prohibition.

Then again on page 275 he says:

Absolute repeal is unwise. It would, in my opinion, reopen the saloon. This would be a backward step that I hope will never be taken by the United States. The open saloon is the greatest enemy of temperance and promotes corruption. These conditions should never be revived.

Take the report of Mr. Henry W. Anderson, which is the first one privately given. The following is a crumb of value in it:

The abolition in law of the commercialized liquor traffic and the licensed saloon operated entirely for private profit was the greatest step forward ever taken in America looking to the control of that traffic. The saloon is gone forever. It belongs as completely to the past as the institution of human slavery.

We must not lose what has been gained by the abolition of the saloon. The time has come when in the interest of our country we should lay aside theories and emotions, free our minds from the blinding influence of prejudice, and meet the problem as it exists. Forgetting those things which are behind, we must bring into action against existing failures the great reserve of American common sense. By this means we shall advance the cause of temperance and achieve an effective solution of the liquor problem.

We all knew how Ada L. Comstock would report when she was appointed. I quote from what she says the following:

As I still hope that Federal regulation of the liquor traffic may prove more effective than that of the States, I favor revision of the amendment rather than its repeal.

They are all against leaving it to the States except Mr. Newton D. Baker. Those of us who were here during the war, those of us who were compelled to override the veto of our own President, Mr. Wilson, in the passage of the Volstead law, knew how Mr. Newton D. Baker stood as one of the leading members of the Cabinet of Woodrow Wilson.

Let me read you an excerpt from the signed statement of W. I. Grubb:

Prohibition is conceded to have produced two great benefits, the abolition of the open saloon and the elimination of the liquor influence from politics.

Remission to the States would assure the return of the open saloon, at least in some of the States, and the return of the liquor interests to the politics of all of them. Revision of the amendment by vesting in Congress the exclusive control of the liquor business would make certain the return of the liquor influence in national politics and possibly the return of the open saloon in all of the States.

Those of us who served here when Judge Kenyon was a Member of the Senate all knew exactly how he stood on this and other questions. What additional information do we get from his report? None. But here is his crumb of value:

Many prohibition agents have lost their lives in attempting to perform their duties, concerning which little reference is made in the press.

Then again he says:

There was drinking in the colleges before prohibition. It is not clear how any system that might make liquor easier to procure would remedy that situation. * * * The abolition of the saloon has been a mighty movement for the betterment of the Nation. The saloon was in partnership with crime. It was the greatest aid in political corruption. It never did a good thing or omitted to do a bad one. Nothing good could be said of it, and it is notable that very few people advocate its return. The open saloon in this country is dead beyond any resurrection. People are prone to forget the picture of conditions before prohibition.

Speak-easies, so prevalent in large cities, are not entirely a product of prohibition. They existed prior thereto. Interesting is the following account from a Pittsburgh paper of November 15, 1900:

"At the meeting of the retail liquor dealers yesterday the statement was made that there are in Allegheny County 2,300 unlicensed dealers who sell liquor, in violation of the law, every day in the year, Sundays and election days included. This is a decidedly startling assertion, for while it is notorious that speak-easies exist and are to some extent tolerated by the authorities, there has been no visible reason to suppose that illicit traffic was being conducted on so large a scale. The district attorney of the county and the public-safety director of the city ought to be heard from on this head. If the law is being violated so extensively as the licensed dealers claim, it is manifest that there must be a wholesome neglect of duty in official quarters."

Senator Kenyon well quoted Miss Evangeline Booth, then commander in chief of the Salvation Army of the United States, as follows:

You can hush every other voice of national and individual entreaty and complaint! You may silence every other tongue—even those of mothers of destroyed sons and daughters, of wives of profligate husbands—but let the children speak! The little children, the wronged children, the crippled children, the abused children, the blind children, the imbecile children, the dead children. This army of little children! Let their weak voices, faint with oppression, cold and hungry, be heard! Let their little faces, pinched by want of gladness, be heeded! Let their challenge—though made by small forms, too mighty for estimate—be reckoned with. Let their writing upon the wall of the Nation—although traced by tiny fingers, as stupendous as eternity—be correctly interpreted and read, that the awful robbery of the lawful heritage of their little bodies, minds, and souls is laid at the brazen gates of alcohol!

The people of the United States get a crumb of value from the following excerpt which I quote from the signed statement of Mr. Frank J. Loesch, page 265, to wit:

Even if it were a possibility of accomplishment in the near future, it would be unwise to repeal the eighteenth amendment. Such repeal would cause the instant return of the open saloon in all States not having state-wide prohibition.

The public opinion as voiced in the testimony before us appears to be unanimous against the return of the legalized saloon.

Let me now give you an excerpt from the signed statement of Mr. Kenneth Mackintosh, quoted from page 272:

The fact should not be overlooked that the eighteenth amendment has marked a long step forward.

Now, let me quote some excerpts from the separate report signed by Mr. Monte M. Lemann, from Louisiana, he being the only member of the Wickersham Commission who failed to sign the four conclusions already quoted. Here are excerpts from Mr. Lemann:

The machinery of enforcement may, in my judgment, without disproportionate expense, be made adequate to cope with the industrial alcohol and smuggling aspects of the enforcement problem.

I do not favor the theory of nullification, and so long as the eighteenth amendment is not repealed by constitutional methods it seems to me to be the duty of Congress to make reasonable efforts to enforce it. * * * The additions to the field forces and equipment which are set out in detail in the Dennison-Sawyer study appear to be a moderate proposal in this direction and would involve no seriously disproportionate expense for the effort at prohibition enforcement, as compared with moneys otherwise expended for governmental operation. I therefore concur in the recommendations that the number of prohibition agents, inspectors, storekeeper-gagers, warehousemen, investigators, and special agents should be increased as recommended—

And so forth.

I do not think that any improvement in enforcement of the eighteenth amendment would result from an amendment of the national prohibition act so as to permit the manufacture of so-called light wines and beer. If the liquor so manufactured were not intoxicating, it would not satisfy the taste of the great majority of those who are now drinking intoxicating liquors, and if it were intoxicating, it could not be permitted without violation of the Constitution.

Elsewhere in his signed statement Mr. Lemann says—quoted from page 259:

Without considering the validity of the objections and reasons thus stressed, as to which opinions will widely differ, it seems to me clear that they do not justify failure to observe the law.

He says—quoted from page 260:

I do not think that to substitute for the eighteenth amendment a provision leaving the matter to Congress is any solution.

The suggestion that the matter be referred to Congress seems to me not to dispose of the problem or to make any substantial advance in its disposition. Moreover, this proposal would mean that the liquor question would play a large part every two years

in the election of Congress, that a fixed national policy of dealing with it would never be assured, and that all the political influence of the liquor interests would be introduced actively into our national affairs. It is suggested that this would be preferable to having these interests active with each State legislature, but relegation of the matter to Congress would carry no assurance even of this accomplishment, since Congress doubtless would not undertake to force any State to be wet which desired to be dry—

And so forth.

I can not see how any of our "wet" friends can get much consolation from the findings of the Wickersham Commission. There is plenty of good prohibition doctrine in the excerpts I have quoted above from the individual findings of each member of the commission.

Mr. Chairman, from the time the Attorney General of the United States appeared before our committee on January 19 until the gentleman from Massachusetts [Mr. TINKHAM] got through with him three days and a half thereafter there were many disappointments to our friend from Massachusetts. I want to say that the answer to every question he propounded during those three and a half days was a great disappointment to him.

Now, the gentleman from Massachusetts [Mr. TINKHAM], with our friend from Pennsylvania [Mr. BECK], who is the brains of the wets, and our friend from Maryland [Mr. LINTHICUM], who is ably managing his side of the wet question, have all from time to time quoted from the report of the Wickersham Commission.

The Wickersham Commission made recommendations to your President, who caused them to be appointed, that greater appropriations be made for the enforcement of the law; and in accordance with those recommendations, your Attorney General made requests for appropriations and your President's Budget denied them, and I shall show that that is one very valuable contribution the gentleman from Massachusetts made to these hearings of several hundred pages, because he brought that out himself.

If you will look on page 23 of the hearings, Mr. TINKHAM, in questioning the Attorney General, propounded these questions:

What was the amount asked from the Budget Bureau in excess of what the Budget Bureau allowed you for the Prohibition Unit? Mr. MITCHELL. The sheet here shows that the department estimates for the Bureau of Prohibition were \$13,635,415, and the Budget's allocation was \$11,369,500.

Mr. TINKHAM. What was the difference in dollars between what you asked for and what you received?

Mr. MITCHELL. Two million two hundred and sixty-five thousand nine hundred and fifteen dollars.

The Attorney General showed that the reason he asked for this sum, which the Budget did not allow him, was following the recommendations of the Wickersham Commission.

Now, the President ought to back up his commission. When he has a commission appointed that costs the people \$500,000, and they make recommendations, he ought to let his Budget uphold them in their recommendations. The President's Budget is the creature of the President, it is his Budget, it is to carry out his financial program. The Wickersham Commission was his commission, he appointed every member of it, and yet when the Attorney General, following the recommendations of that Wickersham Commission, asked for \$13,635,415 the President's Budget cut them down and gave them only \$11,369,500, and refused to give them \$2,265,915.

Why did not my friend from Massachusetts tell the House that? Why did he not tell the House that the President's Budget has already cut the enforcement appropriation down by \$2,265,915?

Mr. IGOE. Will the gentleman yield?

Mr. BLANTON. I am sorry, but the gentleman got me into the newspapers so much the other day I want to keep out of them. [Laughter.]

I wish all of our friends would read these 150 pages that our friend from Massachusetts caused to go into these hearings.

I was surprised the other day on the floor when he admitted here that he is not a profound lawyer. I thought he was. He had a trial brief about this thick [indicating] before our committee. Some lawyer prepared it for him. I

do not know who. I am constrained to believe it must have been "the brains of the wets" that put that into his hands. He sat there for three days and a half with that lawyer's brief, asking every kind of question that a wet lawyer could ask a semiwet Attorney General of the United States, trying to hamstring this enforcement bureau, and he could not budge him.

I take my hat off to the Attorney General of the United States. He is a splendid gentleman. He is an outstanding lawyer. He is a man who believes in upholding the law of his land when he takes an oath of office. I am for your Republican Attorney General of the United States. I am for Colonel Woodcock. Every question our friend from Massachusetts, ingeniously as he framed them, and he did frame them ingeniously—every question he asked, that Attorney General knocked the black out, and I never saw a man as disappointed in my life as was Mr. TINKHAM.

Mr. BOYLAN. Will the gentleman yield?

Mr. BLANTON. I am sorry I can not yield. I have just a few minutes.

If you will read these 150 pages here and read the questions he asked him and read the answers that Colonel Woodcock gave, and the answers of the Attorney General, you will see why our friend from Massachusetts had to confine his remarks to generalities here on the floor and not lodge any of them specifically against any part of the enforcement unit.

Why, his fight is over. His attacks have ceased. His mouth is closed. He has been hushed up by the Attorney General of the United States, and now he has to leave it to the ingenious former Solicitor General of the United States to handle the wet cause here on the floor.

Even as to wire tapping, the Attorney General showed the necessity of wire tapping sometimes to catch wet crooks. If you can get a warrant and go into a man's home and search every crevice of the castle where he lives, why can you not tap his wires, if it is necessary to catch a crook? If it is necessary to catch a crook, the kind of crooks that stand at the top of this liquor traffic, why can you not tap their wires if you can get a warrant and go into their homes? He showed him it was necessary sometimes to do this.

Why, you do not hear any more from Brother TINKHAM on that. You know, Brother TINKHAM will be voting dry inside of two more years. [Laughter.] If he will use three more days and a half asking questions of the Attorney General and Colonel Woodcock, their answers will convert him, as sure as he lives, and he will be the strongest advocate of prohibition we have on the floor. [Laughter.] And you watch the test wet and dry vote that is to come on the Boylan amendment. It will show how few wets there are here.

I wish I could make the Solicitor General that is going to handle the wet cause read all these hearings. I wish the gentleman from Maryland [Mr. LINTHICUM] would read them. They are convincing. They are unanswerable.

[Here the gavel fell.]

Mr. OLIVER of Alabama. Mr. Chairman, I yield 30 minutes to the gentleman from Maryland [Mr. LINTHICUM].

Mr. LINTHICUM. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. O'CONNOR].

Mr. O'CONNOR. Mr. Chairman, I ask unanimous consent to read a short editorial from the New York Herald Tribune.

The CHAIRMAN. Without objection, it is so ordered.

Mr. O'CONNOR. Mr. Chairman, I shall read an editorial from the New York Herald Tribune of February 16, 1932, because it expresses, I believe, the sentiments of the country much better than I could express them myself. It is headed "One Comfort in Paying Increased Taxes" and proceeds:

The House Appropriations Committee yesterday cut down the budget for the major activities of the State, Justice, Commerce, and Labor Departments. The committee, however, disregarded the request of the wets that it apply the economy rule to prohibition enforcement along with other Federal activities. It explained its course thus: "The majority of the committee felt that as this appropriation is for the enforcement of a law which presents unusual difficulties, at times, in its enforcement, the appropriation should not be reduced." (Don't you love that "at times"?) What a great comfort this is going to be to all of us in paying our

heavily increased taxes to the Government next year! How delighted we are going to be in the remembrance that no matter how much our Army and Navy have been cut down, the holy band of prohibition agents is to go on with unreduced strength in its successful work of keeping every single drop of intoxicating liquor outside the borders of the United States.

We very well know that the political influence of the organized forces in behalf of prohibition, the McBrides and the Cannons, are still operating as threateningly as ever. They still intimidate the Committee on Appropriations, irrespective of the politics of the members of that committee, who still timidly cast their eyes heavenward and see the "sword of Damocles" hanging over them. After gazing on this "vision," they weaken in their avowal of inflexible economy in every department. They dare not fulfill their promises of "paring to the bone." Their political future is at stake. I understand that only one member of the subcommittee in charge of this bill for appropriations for the Departments of State, Justice, Commerce, and Labor had the temerity to suggest a reduction in the appropriation for prohibition enforcement.

I sincerely hope there will not be any vote on these collateral matters here to-day. We have only to wait until the 14th of March, when we shall ascertain where every Member in this House stands on the prohibition question.

As you have been advised, the Linthicum House Joint Resolution 208, which is identical with the Beck House Joint Resolution 209 and my Resolution 212 and similar resolutions introduced by many other Members, has been denied a favorable report by the Committee on the Judiciary. Those resolutions contain in their first five lines the identical language recommended by the entire 11 members of the Wickersham Commission—to restore to the States their fundamental right to deal with the liquor question, at the same time giving protection to those States which desire to retain prohibition.

On next Thursday, February 25, 1932, immediately after the Chaplain's prayer, there will be filed at the Clerk's desk in this House a petition to discharge the Committee on the Judiciary from further consideration of this joint resolution. Under the newly adopted discharge rule, as soon as 145 Members shall have signed that petition the same goes in the calendar, and on the second or fourth Monday of any month after the same shall have been on the calendar for seven days it may be called up for consideration.

It is therefore our plan and program to bring before this House on the 14th of March, 1932, the question of resubmission of the eighteenth amendment to the people of the country at conventions called in the States for that purpose.

A subcommittee of the two wet groups in the House, of which I have been acting as chairman, have drafted a "beer" bill to be introduced within a few days after its approval as to detail by both groups. If that bill be not favorably reported by the committee to which it shall be referred within 30 days, a petition to discharge that committee will also be promptly filed so that an early vote on a "beer" bill may be had at this first session of the Seventy-second Congress. We shall, therefore, have two votes at this session—first, a vote on resubmission of the eighteenth amendment, and after that a vote on a "beer" bill.

The proposed "beer" bill is as follows:

A bill to provide additional revenue, and for other purposes

Be it enacted, etc.—

SECTION 1. That in order to provide an additional and substantial source of revenue to defray the expenses of Government and to relieve other industries and subjects of taxation from existing and additional burdens there shall be levied and collected on all beer, lager beer, ale, porter, stout, and other malt, brewed and fermented beverages containing one-half of 1 per cent of alcohol by volume and not more than 2.75 per cent of alcohol by weight, which maximum percentage is hereby declared to be nonintoxicating in fact, brewed or manufactured and hereafter sold, or removed for consumption or sale within the United States by whatever name such beverages may be called, in lieu of the internal-revenue taxes now imposed thereon by law, a tax of 3 cents per pint, to be collected under the provisions of existing laws: *Provided*, That cereal beverages containing less than one-half of 1 per cent of alcohol by volume may be manufactured and sold free of tax under the existing provisions of the national prohibition act as amended.

SEC. 2. Such beer, lager beer, ale, porter, stout, and other malt, brewed and fermented beverages containing one-half of 1 per cent of alcohol by volume and not more than 2.75 per cent of alcohol by weight shall be sold only in bottles, which bottles shall be filled at the brewery or place of manufacture, and shall not be sold to be consumed on the premises or in the building where sold, except where sold with meals in a regularly established dining room of a hotel, restaurant, or a duly incorporated club with membership, paying annual dues of not less than \$15 per year, and the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall have power to prescribe and enforce rules and regulations carrying this section into effect, together with all the provisions of chapter 6 of title 26 of the United States Code, as amended and supplemented, and any other provisions of said title 26 as applicable to malt, brewed, or fermented liquors or beverages, and all provisions of existing laws relative to the licensing, registering, filing of returns, and payment of tax by manufacturer, brewer, wholesalers, and retailers in brewed, malt, or fermented liquors, and their agents and employees, are made applicable hereto and shall be enforced by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, under proper rules and regulations. Every brewery shall be assigned a number by the collector of internal revenue, which number shall not be held at the same time by any other brewery in his district, nor thereafter be changed except for reasons approved by the Commissioner of Internal Revenue, and such number, one-half inch in size, shall appear on the label of each bottle. No license shall be granted or continued hereunder to any person who has been convicted of a felony under the laws of the United States or the laws of any State or Territory, and the collector of internal revenue shall revoke any license held by a person who shall continue to employ any person after knowledge that such person has been convicted of a felony under the laws of the United States or the laws of any State or Territory.

SEC. 3. No license shall be issued, granted, or continued by the Commissioner of Internal Revenue to any brewer, manufacturer, wholesaler or retail dealer, or other person to make, distribute, or sell such beer, lager beer, ale, porter, stout, or other malt, brewed, and fermented beverages containing one-half of 1 per cent of alcohol by volume and not more than 2.75 per cent of alcohol by weight, in any State or Territory in which the laws of such State or Territory prohibit the manufacture, transportation, sale, or use of such beverages, or in any political subdivision thereof wherever, under constitutional provision or law granting local option, such political subdivision has duly prohibited the manufacture, transportation, sale, or use of such beverages.

SEC. 4. The national prohibition act, as amended and supplemented, is hereby amended by striking out the words "and is otherwise denominated than as beer, ale, or porter" in subdivision (1) of section 1 of Title II of that act, and no provision of that act shall apply to beer, lager beer, ale, porter, stout, or other malt, brewed, and fermented beverages containing not more than 2.75 per cent of alcohol by weight.

SEC. 5. Nothing herein contained shall be construed to authorize the shipment, transportation, or importation of such beverages into the United States from any other country or place, nor into any State or Territory or political subdivision thereof, whenever the manufacture, sale, transportation, or use of such beverages is prohibited by the constitution or laws of such State, Territory, or political subdivision, and such shipment, transportation, and importation is hereby expressly prohibited, and all existing laws applicable thereto and in force on the date of the approval of the national prohibition act are hereby declared to be in full force and effect.

SEC. 6. (a) No grain or other ingredients suitable for use in the manufacture of beer, lager beer, ale, or porter, stout, or other brewed, malt, or fermented beverages may be imported into the United States or any place subject to the jurisdiction thereof, or withdrawn from bonded warehouse for domestic consumption, if it is to be used in the manufacture of beer, lager beer, ale, porter, stout, or other brewed, malt, or fermented beverages.

(b) This section shall be enforced as part of the customs laws, and the Secretary of the Treasury is authorized and directed to prescribe such rules and regulations as may be necessary for such enforcement.

SEC. 7. Any offense in violation of, or any right, obligation, or penalty, or any seizure or forfeiture, based upon any provisions of the national prohibition act, as amended and supplemented, or upon any regulation or permit issued thereunder, committed, accruing, or incurred, respectively, prior to the time this act takes effect, may be prosecuted or enforced in the same manner and with the same effect as if this act had not been passed.

SEC. 8. If any provision of this act or the application thereof to any person or circumstance be held invalid, the validity of the remainder of this act and of the application of such provisions as to other persons and circumstances shall not be affected thereby.

SEC. 9. This act shall take effect on the thirtieth day after its approval.

A careful reading of this proposal will disclose that its main purpose is to raise revenue in these days of a national deficit of \$2,000,000,000; to relieve industry and business, already overburdened with taxation, from additional burdens. The latest proposal of some of the leaders of the House is to enact a tax on "manufactures," an evasive

phrase meaning a sales tax. What that obnoxious tax will raise no one dares even estimate. There is no machinery for its enforcement and no past experience as to its possible yield. From exact statistics, based on past experience, it can be safely estimated that a tax of 3 cents per pint on beer will yield five hundred millions of revenue per year to the National Government, with many times additional revenue to the States and localities which sorely need additional sources of revenue.

Take your choice, Mr. Manufacturer and Mrs. Consumer, between a "sales tax" and a "beer tax," each raising the same amount of revenue.

It will be noticed that the proposed "beer" bill permits the sale of beer containing 2.75 per cent of alcohol by weight. In the cases before the Supreme Court of the United States and in lengthy hearings before the Committee on the Judiciary of the House this percentage has been found to be nonintoxicating in fact and not in violation of the eighteenth amendment.

The bill also restricts the sale of the beer to bottles, and thus abolishes the saloon. Saloons are only necessary or possible where the beer is sold in kegs or barrels, with the accompanying necessary bar and apparatus for drawing the beer. No saloon could exist selling beer in bottles.

It will also be noticed that the bill prohibits the sale of the beer to be drunk on the premises except with meals in dining rooms of hotels, restaurants, or legitimate clubs. No convict can obtain a license to sell the beer or keep a convict in his employ. This provision disposes of the gangster and the racketeer.

The bill not only protects the dry State against the invasion of the beer against its laws but also protects the local community which has gone dry by local option from the sale of the beer within its confines. What more could any true believer of States' rights, local option, or temperance ask?

The bill also expressly prohibits the importation of beer into the United States. But what is probably one of the outstanding features of the bill is contained in section 6, wherein the importation of grains or other ingredients for the making of beer is expressly prohibited. This provision should especially appeal to the agricultural sections of our country, so sorely tried—yes, ruined—by a surplus of grain. It is estimated that 150,000,000 bushels of barley and corn will be used each year in the manufacture of this beer. Surely this use of purely domestic cereals will help to reduce our surplus and restore a fair commodity price to our farmers. Can anyone say this program is not worth while?

A copy of this bill has been sent to each Member of the House. The committee invites the comment of every Member.

The people of the country will then know exactly how many Representatives in Congress are in favor of resubmitting the question to the people, how many Members are still dry, and how many Members favor modification or repeal. There will be no dodging the issue. A dry Member may well sign the petition, because his signing merely means he is willing that the House consider the question of resubmission, but no wet Member can refuse to sign the petition and still pose as a champion of repeal or modification. By refusing to sign he or she forever is branded as a dry, unwilling that the people voice their sentiments on this greatest of all national issues.

Resubmission of the eighteenth amendment to the people is a new question in this House. Of 435 Members, there are in the House only 81 men who voted for or against the submission of the eighteenth amendment. There are now in this House only 60 men who voted to submit the eighteenth amendment and 21 who voted against its submission. There are, therefore, 350 men in the House who have never had an opportunity to vote on the eighteenth amendment.

The editorial which I read at the beginning of my remarks brings to my mind that old slogan of the dry fanatics, "If necessary, call out the Army and the Navy and the marines to enforce prohibition." Times have not changed nor the

fervor of the dregs. But now the slogan is "We shall spend countless millions in attempt to enforce this noble and unenforceable experiment, though we bankrupt the United States." [Applause.]

Mr. Chairman, I yield back the balance of my time.

Mr. BECK. Mr. Chairman, I yield five minutes to the gentleman from Kentucky [Mr. FINLEY].

Mr. FINLEY. Mr. Chairman, criticism has been leveled at the Committee on Appropriations because the bill they framed, and which is now under consideration, while proposing to reduce appropriations for this, that, and the other purpose, does not propose to reduce the appropriation for the Prohibition Enforcement Service.

That criticism was to be expected, of course, from a small group of professional wet propagandists who happen to be Members of this House at this time, and was discounted in advance.

In order to assuage the indignation of these duly appointed critics of everything and everybody that will not bow down to the liquor traffic, let me suggest that the committee might have had a reason for what they did.

For instance, perhaps the committee believed that there are 35 or 40 organizations in this country, financed by profligate, predatory, and sinister wealth, whose sole and common purpose is to obstruct and prevent enforcement of the prohibition laws, and whose spokesmen and propagandists, both outside this Chamber and on this floor, incite, encourage, and foment violation and nullification of those laws. And who shall say there are not grounds for that belief?

Perhaps the members of the committee, as loyal Americans, felt that the suppression of such a conspiracy and the enforcement of our laws—all our laws—is a duty they owe to their country.

And if that was their reason, what law-abiding, patriotic American citizen will criticize them, either outside this Chamber or in it?

The fathers of some members of that committee fought under the Stars and Bars; of others, under the Stars and Stripes. Those fathers never surrendered to an inferior force. And they never declined the gage of battle when tendered by the other side.

Perhaps the members of the committee felt that they would prove themselves ignoble sons of worthy sires should they surrender to or retreat before a band of bushwhackers and freebooters, which carries no flag, acknowledges no allegiance anywhere, and whose sole object is rapine and plunder.

And if that was their reason what self-respecting son of an honored sire will criticize them, either outside this Chamber or in it?

Perhaps the members of that committee knew that the organized liquor traffic has no bowels of compassion and never had the semblance of a soul. Perhaps they knew that liquor has dug more human graves than war, pestilence, or famine. Perhaps they knew that it has destroyed more property than earthquake, fire, flood, or storm. Perhaps they knew that it has quenched more genius, clouded more intellects, and blasted more careers than all of human maladies. Perhaps they knew that it has built more scaffolds, peopled more prisons, almshouses, and insane asylums, blighted more lives, broken more hearts, destroyed more homes, and caused more crime, misery, degradation, poverty, and shame to the human family than all other agencies of the devil combined. Perhaps they believed that while the abhorred communists across the sea would drag God from the heavens the advocates and emissaries of the liquor traffic would, if permitted, enthrone Satan and establish hell on earth.

Perhaps the committee knew or believed those things, and believed that the Nation's money could not be spent to nobler purpose than to destroy the Nation's deadliest foe and this grisliest enemy of God and man.

And if they did, where is the God-fearing, country-loving American citizen who will criticize them either here or elsewhere?

Perhaps the memory of some members of the committee, like the wild bee to its hive, winged its way back across the void of intervening years to the childhood home and the mother, who, when her day's work was done, taught him to kneel at her knee and lip that prayer which has bent a shield around the hearts of ten thousand times ten thousand boys during all the after years—that prayer which maybe some Congressmen still humbly and sincerely offer: "Our Father who art in heaven, hallowed be Thy name; Thy kingdom come; Thy will be done on earth as it is in heaven."

Perhaps the members of the committee felt that no man can offer that prayer, claim Almighty God as his father, acknowledge all men as his brethren, then temporize or compromise with the most monstrous enemy of both God and man without proving himself such a hypocrite as should be pilloried to the scorn and execration of all mankind.

And if they did so feel, shall the flickering, forked tongue of venomous criticism be darted at them by those destitute of like ideals and impulses? [Applause.]

Mr. BECK. Mr. Chairman, I yield myself eight minutes. I shall not accept the invitation of my distinguished friend from Texas [Mr. BLANTON] to read the hearings before the committee, which he thinks would convince me of the beneficence of wire tapping, because I am not fond of light literature. Moreover, even the authority of the Attorney General of the United States, for whom I have very great respect, would not reconcile me to anything so un-American and invidious as wire tapping, especially as I have a greater authority than even the present incumbent of that high office.

Justice Holmes, that venerable Justice of the Supreme Court, whose retirement from the bench a few months ago the Nation deeply regretted, probably the most philosophic of the Justices of that great tribunal in our generation, with his characteristic terseness of expression summed up the question in two words when he said that wire tapping was "dirty business." You can not add anything to that expression of Justice Holmes. Nor shall I discuss the remarkable fact that with the Government in a very grave fiscal crisis and when a sincere attempt is being made to reduce Government expenditures in every direction the only appropriation that seems to be sacrosanct, and upon which the hand of economy can not possibly be laid is the appropriation for the systematic manufacture of self-respecting Americans into criminals. I was surprised last Saturday when my genial friend from Alabama [Mr. OLIVER], not, I am sure, expressing his own choice of arguments but acting as the spokesman of the Prohibition Unit of the Department of Justice, sought to audit in dollars and cents the alleged benefits of prohibition enforcement. He quoted the Prohibition Unit as claiming that such enforcement had netted this Government \$4,000,000 in the Treasury in dollars and cents, and that if one were to count the property that has been seized and destroyed the balance of trade in favor of the Prohibition Unit would be about \$11,000,000 annually. I have no taste or desire to question the accuracy of the audit, although if I were more of a mathematician I might suggest, as the Attorney General himself admitted, that one-half of all the expenses of the Department of Justice goes to enforce this unenforceable law, and that, therefore, it might be fair to bring into the calculation one-half of the overhead of the department, which would make the balance of trade decidedly against prohibition enforcement.

But, Mr. Chairman, this question rises much higher than mere dollars and cents, and it is to demean a great controversy when we reduce it to the question of whether the appropriation for prohibition results in a return to the Public Treasury of a few millions of dollars. There is a great human element in this question that I wish I had time impressively to bring to the attention of this House. You must include in your audit the cheapened manhood of the people. Never does a policeman's hand rest upon a man that that man, however excellent he might have been in other ways, does not lose a little of his self-respect; never is a man arraigned in a criminal court, and is obliged to plead not guilty, even if subsequently acquitted, that some

measure of his proud self-respect as an American citizen has not been lost; and never is a man convicted and sent to prison that his self-respect does not suffer a fatal impairment. In the 12 years of prohibition, how many American citizens have thus had their manhood cheapened? I can not tell you the exact figures, but it must be considerably in excess of 500,000 American citizens. At the present rate of grist of the Federal criminal courts over 60,000 men and women, and in some cases young boys, annually feel the hand of the law upon their shoulders and have been arraigned in the criminal courts in the vain attempt to enforce an unenforceable law. I spoke yesterday from the east portico of the plaza, and I imagine that in front of me were possibly at the most about 50,000 people. You would have to take that vast audience and magnify it tenfold before you could visualize this ghastly destruction of the self-respect of many Americans who have been indicted in the attempted enforcement of this iniquitous and foolish law.

Mr. OLIVER of Alabama. Mr. Chairman, will the gentleman yield?

Mr. BECK. Yes.

Mr. OLIVER of Alabama. I will yield the gentleman one minute while I call his attention to what I have in mind. The gentleman referred to my statement in reply to questions asked, and I shall read what I stated in the hearings, which will be found on page 207, in respect to the matter of which the gentleman spoke:

Mr. OLIVER. I do not think we should put law enforcement on the basis of whether the bureau charged with the law enforcement is self-sustaining or not.

May I add that I share the views expressed by Colonel Woodcock, that it would be a great mistake to determine whether you shall enforce the law by the returns that flow from the enforcement of the law, in the way of money paid into the Treasury. If a law is to continue on the statute books, it should be enforced, as far as we can enforce it, within the limits of the appropriations that Congress grants.

Mr. BECK. I am very glad to hear the statement of the gentleman. It is worthy of him.
[Here the gavel fell.]

Mr. BECK. Mr. Chairman, I yield myself two additional minutes.

I am sorry I did not get far enough to outline what I believe will be the program of the wets without respect to party affiliations. We realize that a majority of this House has not yet seen the light. They will see it. Many of them are already well on the road to Damascus [applause], and before very long, certainly after the next presidential election, many a dry Saul will become a very devout and wet Paul, in my judgment. [Laughter and applause.] Therefore the final solution of this problem may only come in another Congress, and all we can do now is to indicate the grounds and the reasons for what will be the redemption of this Nation from an intolerable system of moral bondage.

When I was speaking from the east portico of the Capitol on the subject of Washington, I could not but recall the fact that the great architect of the Capitol, Latrobe, in his delightful autobiography, tells us that he dined at Mount Vernon, and that at the dinner he noticed that when General Washington had taken a glass of wine some of his taciturnity passed away and he became more genial. If Latrobe had said to him, "Now, General, I am something of a prophet. I see that you drink wine, and I see beyond your home are the fields in which you grow the grain from which you brew beer and the vineyards from which you distill the very wine you are drinking. I am a prophet. The time is coming, and it will come in a little more than a century, when the American people in a moment of aberration, which to another generation will seem amazing, will make it a crime to even possess a glass of Madeira or to brew beer or to distill the genial fruits of the grape." If Latrobe had said that, the old general would never have believed him, because it would have been inconceivable to Washington or Franklin or any of the founders of this Republic that any such intolerable system of moral bondage as the eighteenth amendment could ever become the fundamental law of the American people.

[Here the gavel fell.]

Mr. SHREVE. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. KETCHAM].

Mr. KETCHAM. Mr. Chairman, the course of the discussion this afternoon has taken a different turn than most of us had expected. I had anticipated a general field day on this whole prohibition question. In fact, so certain was I of the turn that I expected the debate would take that I extended an invitation to a number of our educational friends to hear our distinguished friends upon the other side of this question present some of their arguments.

As you know, there are within the boundaries of the city of Washington at this time a splendid group of our citizens who make up a division of the National Educational Association. I refer to the annual meeting of the superintendents of that great organization. Newspaper accounts relate the fact that there are something like 15,000 of those splendid men and women now guests of the Capital City.

If any of them were on the Plaza yesterday afternoon and had the opportunity to hear that matchless address of our distinguished colleague, the gentleman from Pennsylvania [Mr. Beck], and then, perchance, if they have been within this Chamber this afternoon and have listened to the remarks the gentleman has just made, I regret the striking contrast they surely note between the sublime eloquence of yesterday afternoon and the sorry exhibition before us just a few minutes ago. [Applause.]

My recollection is that one year ago, upon Washington's Birthday, we were likewise privileged to hear from this same colleague one of the most eloquent addresses upon the Father of our Country to which I have ever been privileged to listen. I declare to you that I would go a great many miles to hear him on that theme, and whatever might have been the number of times I had previously had the pleasure of listening to him, I would travel the distance gladly and be dead sure I would be amply rewarded for the sacrifice of time and money I had made. Then, as to-day, within a few hours after he had moved us deeply by his eloquent tribute to Washington and his references to the Constitution, he stood in this same public forum, forgetting the incongruity of it all, and sought by innuendo if not by direct attack to discount and belittle a part of the great document which he always loves to defend with that matchless eloquence of his. In the wide range of his study on Washington I wonder if he ever chanced upon this striking statement of the Father of our Country bearing directly upon the proposition now under discussion, namely, adequate enforcement of law:

Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political system is the right of the people to make and to alter their constitutions and government. But the constitution which at any time exists, until changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power and the right of the people to establish government, presupposes the duty of every individual to obey the established government.

Mr. Chairman and members of the committee, bearing in mind the lofty sentiments just quoted from the Father of our Country, it seems clear to me that the real test of patriotism at the present moment, and in connection with the particular item under consideration, is not the use of eloquent words but the performance of sworn duty. In the vote we are about to cast we are to reflect not only our personal views but are charged with the responsibility of expressing in addition thereto the voice of the thousands of people whom we are representing, and in a still larger sense the thought of the people of the whole United States. In that connection it seems timely to me to set out the oath of office taken by every Member of the House of Representatives:

I * * * do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

In my opinion, Mr. Chairman, the situation now before us involves far more than the sum of money involved in the

appropriation. It goes to the very fundamentals of the Government itself. Speaking as one member of the committee, I believe it to be my duty to support the request of the administrative officer directly responsible for law enforcement for the amount carried for this item, and likewise to support the very capable subcommittee which favorably reported the item after the most complete hearings referred to earlier in the debate. In this connection it seems to me there is a special obligation resting upon the membership of this House who are attorneys, and, therefore, in a larger sense accountable for proper enforcement of the law.

I have just been advised that the action to be taken by the opponents of the proposition under discussion is not to be directed to the whole appropriation but to one single item, and for this concession I am glad to commend them. However, I regret exceedingly that men of the very high legal standing of those thus far appearing in opposition, should stand upon the floor and by their attacks upon one single item, make more difficult the discharge of enforcement responsibilities. To me such action is a strange response to the solemn oath of office taken by all Members before the Speaker of the House on the opening day of Congress.

In another respect the position assumed seems entirely contradictory. Upon every occasion, when discussion upon this question occurs in this chamber, repeated references are made to lack of enforcement of the law, and bitter complaints are registered by the very people who by their utterances as well as by their votes, are seeking to make enforcement more difficult. It is my opinion that if one-half the energy and one-half the eloquence devoted to opposition to the law and its proper enforcement, had been placed squarely behind the law, long before this time we would have had a satisfactory standard by which we might judge results. I regret exceedingly that one of my colleagues has referred to it as an "unenforceable law" and another as an "iniquitous law."

Before my time expires I want to refer again to the splendid group of men and women who are guests of the Capital City as members of the department of superintendents of the National Education Association. If a referendum were desired from the whole country upon this enforcement proposition, I wish we might have, as indeed I hope we will have before the week is over, an expression of opinion from this splendid army of men and women in direct charge of the training of the boys and girls of the land. [Applause.] If we could have such a referendum from these men and women who are in such vital touch with the real problem, not only in its particular relationship to the young men and women of the land but also as it relates to their particular communities, I would be willing to rest the whole case upon the outcome of such an expression of views. I desire to congratulate them upon the fine leadership they have shown in this particular matter and the splendid spirit of patriotism they have always manifested in teaching the youth of the land proper reverence for the Constitution and sincere respect for all laws.

In conclusion, as one member of the committee, I want to accept cheerfully the challenge implied in the remarks of my friend, the gentleman from New York [Mr. O'CONNOR], who seems to believe there are some who hesitate to meet the issue which he assures us will be presented on March 14.

So far as I am concerned it will not be necessary to postpone the vote that long, nor to resort to the procedure indicated to secure an expression of my opinion. Indeed, I would have been glad if we could have finally disposed of the matter before this time so that the attention of Members might be given to legislative propositions of far greater significance and importance. I welcome the opportunity which is to come to us on March 14 through the resolution suggested by the gentleman from New York. [Applause.]

Mr. LINTHICUM. Mr. Chairman, I yield four minutes to the gentleman from New York [Mr. BOYLAN].

Mr. BOYLAN. Mr. Chairman, I offer an amendment, which I would like to have read now for information.

The Clerk read as follows:

Amendment offered by Mr. BOYLAN: Page 38, line 1, after the word "all," strike out "\$11,369,500" and insert "\$3,369,500."

Mr. BOYLAN. Mr. Chairman, in these days when we are trying to exercise every possible means of economy, there is no reason, to my mind, why we should not exercise economy in the Prohibition Department.

During the preliminary debate last week I asked the question what departments in this bill had not been reduced in their appropriations, and I was told there were only three departments, the Prohibition Department and two other departments. I brought out the fact that these three departments are engaged in the very laudable (?) business of sending people to jail.

I would now suggest as a new slogan for the prohibition forces represented here and elsewhere a slogan as follows: "We hereby pledge ourselves to the construction of better and handsomer and more commodious jails."

The Attorney General stated in the hearings that of his large appropriations of \$55,000,000, between 50 per cent and 60 per cent of the total amount is to be spent for the enforcement of prohibition. This being the case, why should not prohibition take a cut in this era and age of economy together with every other department of Government? Is it, as the distinguished gentleman from Pennsylvania has said, sacrosanct? Is it above and beyond the law? Is it on a pedestal by itself, that we should exclude it from all the departments in which an effort is being made to make a saving in this hour of need?

The gentleman from Massachusetts [Mr. TINKHAM] at the hearings brought out the fact that there were 13 civilians killed during the year 1931 as against 9 prohibition officers, and the distinguished gentleman from Texas [Mr. BLANTON] said:

That would indicate that the bootleggers are better shots than our prohibition agents. I would suggest to Colonel Woodcock that he have them trained a little bit in the use of firearms. Whenever they go after a man they ought to arrest him. If it requires killing him, they ought to kill him, in my judgment.

Mr. BLANTON. Mr. Chairman, will the distinguished gentleman from New York yield?

Mr. BOYLAN. I yield to the gentleman.

Mr. BLANTON. What would my friend from New York have him do—lay down?

Mr. BOYLAN. Further, the gentleman from Massachusetts [Mr. TINKHAM] said:

Well, I do not assume that the honorable Representative from Texas would want any unnecessary killing.

Mr. BLANTON. When a police officer goes to arrest a man, I think he ought to arrest him.

Mr. BLANTON. I think he ought to.

Mr. BOYLAN. Is it not a nice statement for a Member of this House to favor the killing of men, women, or children for mere minor violations of this wonderful prohibition law.

Mr. BLANTON. I am not in favor of anybody being killed. But when officers of the United States arrest hardened criminals, and such thugs attempt to kill such officers, I want the Government officers to effect the arrest even if they have to kill the criminal to defend their own lives. That is my position.

Mr. BOYLAN. My amendment provides for a reduction in the appropriation for the Prohibition Bureau of \$3,000,000. On account of the business slump, we could easily dispense with the services of at least 1,000 enforcement officers. Their salaries would approximate the amount of the proposed reduction.

I would like to call the attention of the House to the fact that the sentiment of the country has changed about this "noble experiment." Every special election held for a congressional seat has resulted in the election of a wet. You gentlemen should see the error of standing up for a law that is universally discredited and that will in a short time be wiped off our statute books.

For 11 years every species of oppression has been used to secure its observance. The most sacred rights of the indi-

vidual have been violated; homes have been entered without due process of law; telephone wires have been tapped; property has been destroyed; men, women, and even little children have been shot down on the highways of our country; all these atrocities have been perpetrated upon our citizens—all in the "sacred cause" of prohibition.

I appeal to you dry Members to rise and assert your rights without fear of any enforcement organization and support my amendment for a fair and reasonable cut in the appropriation for the Prohibition Bureau. [Applause.]

Mr. OLIVER of Alabama. Mr. Chairman, I yield five minutes to the gentleman from Arkansas [Mr. RAGON].

Mr. RAGON. Mr. Chairman, I am not here to express any particular views on the prohibition question. I will say, however, in my eight years of experience in the House, in which time I have had a splendid opportunity to visualize the assault upon and the defense of the prohibition law, I have about come to the conclusion that it is the most securely fool-proof law there is on all the statutes of the United States, because in this time it has successfully placed a granite front to all the bitter and unrelenting attacks of the gentlemen who classify themselves as wets as well as withstood the support of a few of its fool friends.

I am not interested this afternoon in discussing the merits or demerits of prohibition, but I am vitally interested this afternoon in the question of enforcement of the prohibition law. In our enthusiasm for either the prohibition side or the wet side of the question it ill behooves Representatives of the people of the United States in Congress here assembled to forget the purposes to which this present phase of the bill is directed, which is a proper enforcement of the prohibition law.

Mr. MAAS. Will the gentleman yield?

Mr. RAGON. I would prefer not to yield. If it is an urgent question, I will yield; but I have only five minutes.

Mr. MAAS. I consider it an urgent question. Does the gentleman consider it more important to enforce this law than to feed American citizens who are hungry?

Mr. RAGON. No; of course not.

Mr. MASS. But you are appropriating all the money they have asked for this law.

Mr. RAGON. Yes; and I would even go farther. Be seated; I can not yield to the gentleman for any of these wet speeches. Give the enforcement of this law a square deal. It has never had one. You may be a wet or you may be a dry; but whatever you are, give the mandates of your country's Constitution a square deal.

I have seen these little challenges come up about a proper appropriation for carrying on the enforcement of this law. If it is a bad law, the best way for you fellows to get rid of it is to properly enforce it. That will kill it, if it is a bad law, quicker than anything else; will it not?

Mr. LINTHICUM. But you can not do it.

Mr. RAGON. All right; if you can not do it, then trust to the people who sent you here to have sense enough to know that they can not do it; but I say to you gentlemen this is the only law I have heard since I have been in Congress here attacked day in and day out on the floor of this House, and they have even carried it to the point of trying to dwarf the money we appropriate to enforce it. Why, it is so all-important that the wets of the two parties here in the House can not enlist their services under one man as floor leader, but must have a twin leadership under the gentleman from Maryland [Mr. LINTHICUM], representing the Democratic side, and the distinguished gentleman from Pennsylvania [Mr. BECK] to properly represent the Republican ideas. Some of us wonder if legislative strategy is the only reason for this.

So, with gentlemen like that, with their astuteness and their broadness of intellect, fighting this law day in and day out, I say to you I do not wonder there is some sentiment somewhere in the United States that this law ought to be violated at the discretion of the individual. We may differ in our opinions on prohibition, but we can not differ, as Americans, on the propriety of enforcement.

My friend, Mr. MAAS, has just interposed a question here that I think if he had read the report he perhaps would not have asked; and that is, Why give such importance to the enforcement of the prohibition law, and why not diminish the present amount given in this bill as we have reduced every other item? In this he is incorrect.

I am sure, gentlemen, if you will take the time to look at the report on page 12, you will find that similar action is taken with respect to the enforcement of the antitrust laws and immigration laws. This is due to the difficulty in enforcement. We have numerous laws difficult of enforcement, and prohibition is one of them. A Government that can within a few months organize 4,000,000 men and raise \$26,000,000,000 to bring the most potent foreign military force ever organized to its knees in a comparatively short time can not enforce a criminal statute when it sets itself seriously to the task of doing so? I do not care what you say or believe, I think it can.

All right. If my friend from New York [Mr. O'CONNOR] is going to get up here and appeal for economy to reduce this appropriation for prohibition, why is he not likewise interested in the reduction of the appropriation for the enforcement of the antitrust law and the immigration law? [Applause.]

Mr. O'CONNOR. Will the gentleman yield?

Mr. RAGON. Yes.

Mr. O'CONNOR. I want to say that I am for the reduction of the appropriation in both of those items. [Applause.]

Mr. RAGON. That is a good answer, but my friend got up, and with considerable vehemence, took the floor inveighing against the enforcement of the prohibition law, and said at the time that we were not keeping step with the economies of the program when we did not reduce this appropriation for the enforcement of prohibition and yet failed to say anything in favor of reducing the appropriation for strict enforcement of immigration laws and the strict enforcement of the antitrust law. So I say that my friend from New York, with all due respect, should be consistent in the matter.

So I say you should vote to-day to enforce the Constitution of the United States and the laws enacted under it in this provision we are considering now.

Let us forget the question of whether we are for or against the amendment, let us not make a display here when the galleries are crowded with people, who, as my friend from Michigan says, represent the educational forces of America. When we sit here in the presence of these people who are instructing the youth of this country on the Constitution and Government, the legislative and executive system of our country, let us not inveigh against the enforcement of a law that was given them as a solemn mandate in the Constitution of the United States.

Bring on your referendum for repeal, bring on your bill for a modification of the Volstead Act, let us meet them on their merits, but in the name of all that is good, do not stand up here and say in the face of the Constitution that you will not enforce the law. [Applause.]

Mr. BECK. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. LaGUARDIA].

Mr. LaGUARDIA. Mr. Chairman, the gentleman from Arkansas makes an appeal for law enforcement, and criticizes Members for calling attention to the fact that of all the reductions in the appropriation bill there is no reduction in the item for the enforcement of prohibition.

I agree with the gentleman from Arkansas as to the enforcement of this law, and would like to see prohibition enforcement commence right in those sections of the country which pretend to be for it—it would be wholesome and useful. Let prohibition commence at home. [Applause.] I would be willing to add to the appropriations for enforcement right in the gentleman's own State. [Applause.] But it is, Mr. Chairman, the squandering of millions of dollars on a law—not that the wets in Congress refuse to enforce but a law that the majority of the American people do not want enforced, and do not respect or obey. We would not have the thousands and thousands of bootleggers if we did

not have hundreds of thousands and millions of individuals who buy their wares. It is the universal demand for liquor that creates this situation. It is the universal demand and consumption of liquor which makes enforcement hopeless. It is the universal desire on the part of the people to obtain and consume liquor in all and every State of the Union which makes enforcement impossible. We surely are within our rights to refer to these conditions and endeavor to bring an end to this impossible law, thereby saving millions and millions of dollars to the taxpayers.

I ask the gentleman from Arkansas [Mr. RAGON], I ask any outstanding dry, and will even include the newly elected loud-speaker for the dries, my good friend, Mr. BLANTON, from Texas, to point out one other law which American gentlemen, almost without exception, will witness the violation of without resentment. Is there any American gentleman who would witness a violation of our counterfeiting laws without protest? Is there any American citizen who would engage in a nation-wide acquiescence in the violation of any other law such as there is in prohibition? Then why continue this legalized mockery? Let us put an end to it. I will go one with the gentleman from Arkansas. I will stand here and vote for every cent that he will recommend for the enforcement of prohibition at the present time, now a part of the Constitution, if he will stand up and vote for the equal enforcement of laws to carry out the intent of the fifteenth amendment. [Applause.] It is just as much a part of my Constitution as is the eighteenth amendment.

In considering this matter from a dollars-and-cents standpoint, at this time we should consider not only the appropriations provided for in this bill for enforcement but we should add to them the additional cost of our penal institutions, then to that the additional cost of the Federal courts, and then the additional cost of the marshals and the personnel that are necessary under attempted prohibition enforcement, and the money so appropriated, together with the loss in taxes, would amount to over \$750,000,000. That is the cost of prohibition without enforcement. If gentlemen really want to reduce expenses and reduce taxes, repeal prohibition, which runs into hundreds of millions of dollars, instead of seeking to abolish the Children's Bureau in order to make economies so as to balance the Budget. In addition to that, I should add the amount of money involved in the loss to the States and the municipalities through loss in license and excise taxes, assuming we take the definition of liquor as given by the gentleman from Kentucky [Mr. FINLEY]. If it is so bad as he says, if it is so dangerous, then let us put it under proper Government control and not leave it under the control of racketeers and criminals. I say we must face this issue. I admit we can not face it on an appropriation bill, but you gentlemen who have been sitting with us for the last 10 years see that the American people are protesting and that each year the protest increases in this House. [Applause.] We are certain of success, because prohibition has proved to be a failure and the American people will not continue an unsuccessful experiment.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. SHREVE. Mr. Chairman, I yield six minutes to the gentleman from Nebraska [Mr. SIMMONS].

Mr. SIMMONS. Mr. Chairman, I came to this discussion this afternoon with the distinct understanding that I had gotten from reading the stories in the daily press that we were here to be confronted with a movement on the part of the wets to reduce this appropriation for prohibition enforcement. When I came into the Chamber, I went to the Clerk's desk and asked to see the amendment that had been offered to find out how much it was proposed we should reduce the appropriation for prohibition enforcement and was told that no amendment was pending. Then I went to several of my wet friends on the floor of the House and said, "How much do you men want to cut this appropriation?" and not one man was willing to say that he was ready to take a chance to move to cut the appropriation one penny until Mr. BOYLAN broke away from the rest of the wets and

had the courage to say that he would move to cut the appropriation.

Mr. BOYLAN. Mr. Chairman, will the gentleman yield?

Mr. SIMMONS. Yes, sir.

Mr. BOYLAN. The reason that no amendment was offered is due to the fact that by agreement of the House this particular section of the bill was not to be taken up until to-day.

Mr. SIMMONS. But the discussion has been carried on here to-day, and the gentleman from New York has been the only man willing to say that he wanted to cut it one penny.

A MEMBER. Oh, no.

Mr. SIMMONS. One other gentleman says "no" and leaves the Chamber.

Mr. MAAS. Mr. Chairman, will the gentleman yield?

Mr. SIMMONS. If the gentleman is willing to say how much he is willing to cut it.

Mr. MAAS. I am willing to eliminate it entirely. I would not vote a dollar for it. [Applause.]

Mr. SIMMONS. That is all I yielded for.

Mr. MAAS. That is enough.

Mr. SIMMONS. Here is a man in this House, sworn to uphold the law and enforce the Constitution, who says that he is ready to render it absolutely inoperative in a matter that he does not like. I think we have reached a time in the House when we ought to find out whether or not men sworn in this body to enforce the law are willing to see that it is enforced and enforced properly. [Applause.] Then the gentleman from New York [Mr. O'CONNOR] takes the floor and says that the committee are guilty of cowardice, because they do not cut this appropriation. How long since is it that men in this body have the right to judge others in that manner? I think I know something of the men who handled this bill, something of the men who studied it, and the charge of cowardice leveled against any member of that subcommittee is absolutely unjustified. Then he would have branded the rest of the membership of the House with cowardice when he says, "Oh, yes; the time is coming when we will find out how men stand on this floor, because on the 14th of March you are going to say where you stand, for then we are going to compel you to go on record." I say to the gentleman from New York that there may be men who believe as he does who fear to go on record in this House, and I say to you now that you need not wait until the 14th of March to find out how I am going to vote. I am going to vote against the resubmission of the eighteenth amendment. And there are a great many others. If the gentleman has the courage that he charges men with not having on the floor of this House, let me say to him that there are a number of us here who are ready this day to go on record and vote on this issue, if you will only make your motion to cut the appropriation.

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

Mr. SIMMONS. If the gentleman is willing to say how much he wants to cut this appropriation.

Mr. O'CONNOR. If the gentleman heard my entire remarks, he would have heard me say that I believe there should not be a vote on what I call collateral issues, such as this, until we get to the fundamental vote on resubmission. I would not vote on a collateral issue such as this at this time.

Mr. SIMMONS. The gentleman is ready to come in here and get his newspapers to carry his wet speeches, but does not have the courage to submit any one of these issues to this Congress.

I am ready to vote to-day with you on the question of whether or not the House of Representatives is ready to vote the money needed to enforce the prohibition laws of this country. I am ready to help the gentleman get a record vote on it. If there are other wets who are ready to say they will vote on that and say how much they want to cut this appropriation, I am ready to vote on it.

I am talking to you wet people, who are always perfectly willing to take advantage of every opportunity to spread your views; you have told the country you are going to cut

this appropriation for prohibition enforcement; there is only one gentleman, the gentleman from New York [Mr. BOYLAN], who is ready to offer an amendment to cut the appropriation, and one other gentleman who says that he would cut it all out.

Mr. BOILEAU. I will vote to cut it all out.

Mr. SIMMONS. I will say to the gentleman from Wisconsin what I said to the gentleman from Minnesota. The gentleman from New York said something about bankrupting the United States to enforce prohibition. How absurd. This appropriation amounts to but 9 cents per capita per year.

[Here the gavel fell.]

Mr. SCHAFER. Will the gentleman yield?

Mr. SIMMONS. My time has expired.

Mr. SCHAFER. Twenty-nine States in the Union have laws against wire tapping. Will the gentleman support the enforcement of those laws?

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. LINTHICUM. Mr. Chairman, I yield four minutes to the gentleman from Ohio [Mr. HARLAN].

Mr. HARLAN. Mr. Chairman, opposition to adequate appropriations for the enforcement of criminal law means but one thing—the encouragement of anarchy. On the other hand, submission to a law which one is convinced violates the wishes of a substantial majority of the people and is unnecessarily oppressive is but a tolerance of tyranny. The action of the Judiciary Committee of this Congress in refusing to allow the people of the States to vote their sentiments on the repeal of the eighteenth amendment, together with the ever-growing appetite of the dry bloc for more and greater appropriations, has, I submit, made the choice between these two odious things unescapable.

Nor should that choice be difficult for those who inherit the traditions of the Boston tea party. The path toward anarchy will by comparison be smooth and pleasant. With that purpose in mind, as long as Congress arrogates to itself the prerogative of telling the people, who own this Government, that they shall not be permitted to vote on what they desire in our basic law, I for one shall not vote for any appropriation bill that provides one dime to enforce the prohibition law.

With those in Congress favoring a resubmission of the eighteenth amendment slightly in the minority, this proposal may not appear at all threatening. However, there are few appropriation bills that do not produce opposition on many other grounds, and it is not too much to hope that in time combined opposition may require this deluge of prohibition-enforcement waste to be set forth alone for public inspection in all its silly and profligate detail. For example, the \$100,000 which we voted for the other day to enforce prohibition among the Indian tribes all tucked away in the Interior Department bill will be placed where it belongs and added to the total. We may even be able to allocate the cost of maintenance of our vast army of unemployed bootleggers in United States penitentiaries.

If and when Congress permits the people to exercise their franchise on this subject, pending that verdict, I should favor granting the Anti-Saloon League and its handmaidens, the present Republican administration—as distinguished from the Republican Party—all the funds they crave to demonstrate in finality the utter hopelessness and futility of their program. This proposition should by no means be distasteful to them because they proclaim with great vehemence that the people will never tolerate the repeal of the eighteenth amendment. Therefore, if this Congress should adopt that policy, the dry forces will have for all time to come plenty of revenue to enforce their pet theory of paternal government.

The problem of alcohol is about as old as the Aryan race; and if we fail to solve it in this decade, future generations may forgive us for our stupidity.

However, our American experiment in democracy is still but an infant in history. If we pursue an erroneous course

in government for a comparatively short period, we mold customs and establish precedents that may well bring upon us the curse of future generations. I submit that the persistent attitude of this Congress in refusing to allow the people to vote on a proposition which even in this financial cataclysm continuously calls for more attention and discussion than any other question in our civilization is establishing a precedent directly opposite to the conception of the founders of our Government.

When the United States Constitution emerged from the convention it fully satisfied no one. Both the large and the small States feared it, and John Quincy Adams critically called it "a bundle of compromises." The one provision that finally made it acceptable to the people of the States was the apparent ease with which it could be amended. This provision for amendment, Article V, was the one contribution to the Constitution made by the patron saint of the Republican Party, Alexander Hamilton. James Madison, destined later to become one of democracy's shining lights, in commenting on this section, said:

The people were in fact the fountain of all power; by resorting to them all difficulties were gotten over. They could alter the Constitution as they pleased.

That statement would be true to-day if it were not for the development and functioning of political parties and blocs which the founders of our Government seemed wholly unable to foresee. None of us, I am sure, would criticize party government to-day. It is necessary, and those countries in which it operates most successfully enjoy the greatest freedom. But, I submit, we should all be equally zealous to keep the amendment of our Constitution close to the people and free from entanglement with other party issues. This was in the hearts of the framers of the Constitution when it was said:

We, the people of the United States, in order to form a more perfect union—

And so forth.

It was in the mind of James Madison when he said:

The people were in fact the fountain of all power. They could alter the Constitution as they pleased.

A number of States have attempted to bring constitutional amendments closer to the people by a referendum on State legislative action in approving constitutional amendments, but our Supreme Court has nullified such efforts. The progressive platform of 1912 contained a pledge to provide a simpler and more direct method of constitutional amendment. A number of State political platforms have contained similar proposals.

Reduced to final terms our present difficulties are due to the fact that as to constitutional amendment Congress is no longer a deliberative body. Its Members are so bound up with blocs and party issues and the parties themselves are so helpless in the hands of these organized blocs that there is no freedom of thought for deliberation. When the fact is gone why perpetuate the fiction?

At least until some other method of constitutional amendment is devised, providing the people with a real referendum on their fundamental law, I submit there is just one way to restore the Constitution to the people, and that is for Congress to determine just two facts pertaining to any proposed amendment:

First. Is the subject matter of the proposal a fundamental rule of government and not merely a statute?

Second. Do approximately half of the population desire a vote on the question involved?

If both of these questions are answered in the affirmative, then congressional responsibility should consist in phrasing the proposal in good English and in handing it to the people. In this respect the fact that the proposed repeal of the eighteenth amendment happens to touch the question of prohibition should make no difference in principle. It is simply a question of fairness in government and preserving the spirit of democracy. It should have the same appeal to all citizens who believe in fair play, whether they be as wet as the Pacific Ocean or as dry as Death Valley.

The Hon. MORRIS SHEPPARD, reputed to be the author of the eighteenth amendment, on July 30, 1917, said:

The Member of Congress who will not vote for the submission of a constitutional amendment to the decision of the States, where it belongs, unless he personally believes it should become a part of the Constitution, usurps the function of the States, arrogates to himself and the Federal Government a prerogative that belongs to the States, and violates the very essence of their sovereignty.

The Hon. WESLEY L. JONES, author of the famous and foolish "5 and 10" enforcement law, on July 31, 1917, said:

I believe it to be my duty as a Senator to vote to submit an amendment to the State legislatures when there is a strong, matured, widespread sentiment and demand from the people for such an amendment. To refuse to do so is to act as the master rather than the representative of the people.

Is there such a demand on the part of the people? Observe for a moment those congressional districts in the last election which were normally Republican and where prohibition was not an issue—the first and ninth Ohio and the thirtieth Pennsylvania districts. In spite of the tremendous drift away from the policies, or rather lack of policies, of this administration those districts remained safely Republican. Gaze again at three equally strong Republican districts where prohibition was an issue—the third and twelfth Ohio and eighth Michigan districts. There the people voted for and elected antiprohibition Democrats.

Nine States have in one manner or another directly repudiated national prohibition. They are Massachusetts, Rhode Island, Nevada, Illinois, New York, Wisconsin, Connecticut, Maryland, and Montana, States containing over one-fourth of our population and paying three-fifths of our Federal income tax. The three polls of the Literary Digest show a progressive national revulsion against this fatuous and oppressive law. The members of the American Bar Association, the American Medical Association, the American Federation of Labor, and the American Legion have all expressed themselves as opposed to our present prohibition effort. Where could we find a more representative cross section of American citizenship?

Nine of the ten signers of the Wickersham report declared themselves either in favor of the submission of the question of repeal or modification of the eighteenth amendment to the people. Here is what they said:

Henry W. Anderson: "It is proposed * * * that the eighteenth amendment be modified or revised."

Newton D. Baker: "A submission of the amendment * * * would test the present sentiment of the country."

Ada L. Comstock: "I * * * favor an immediate attempt at change."

William S. Kenyon: "The feeling of the people on the subject should be registered by a referendum."

Monte M. Lemann: "I see no alternative but repeal of the amendment."

Frank J. Loesch: "Steps should be taken immediately to revise the amendment."

Paul J. McCormick: "I favor and recommend such action (submission of the eighteenth amendment.)"

We paid these specialists a half million dollars to prepare and deliver their opinion. Shall we now repudiate their advice and follow that of the Rev. Scott McBride and the notorious James Cannon, jr.?

The other day a number of us voted to submit to the people the so-called "lame-duck" amendment with but a fraction of the evidence of a popular demand which is manifest for a vote on the eighteenth amendment. Many of us thought that this "lame-duck" amendment at best was of no value and possibly even harmful, yet we voted to submit it to the people, as there was some substantial evidence of a popular wish to have the question submitted.

There is no more reason for perpetually reenacting this anachronistic farce in which an all-wise, nonpartisan Congress is supposed to deliberate on the expediency of trusting a constitutional amendment to popular vote than there is of operating the Electoral College in its originally conceived capacity as a deliberative body.

Just now it is not a question as to how the people should vote on this repeal. The important question is: Shall they have the privilege of voting, or shall Congress, under the dominance of a group of smug, self-satisfied reformers, say

to the people, "We alone know what is best for you; we got what we want into the Constitution, and now, by the powers, you shall not have a vote on a change"? These are not imaginary words. They very closely paraphrase an editorial of William Allen White, the dry Republican mouthpiece of Emporia, Kans. They epitomize the basic doctrines of bigotry and tyranny from the dawn of history. They would well have become the tongue of Lord North, and were, no doubt, in the mind of Louis XIV when he said, "L'état c'est moi."

To combat such a spirit drastic methods are necessary. If we may judge from the scandal-strewn pathway of this noble experiment, putting a knot in the purse strings is the most effective one possible. This will not disturb the idealist talking from his pulpit, but the "practical prohibitionist" will soon lose interest. [Applause.]

Mr. LINTHICUM. Mr. Chairman, I yield four minutes to the gentleman from Illinois [Mr. KARCH].

Mr. KARCH. Mr. Chairman, it is unfortunate that a Member of Congress is required to limit his discussion of an important question to a comparatively short period of time. It is difficult to make a logical argument on a subject of such vast importance as the prohibition question within the time a Member can reasonably expect to be accorded him in this House.

I am not finding fault with the system that prevails here of limiting the time of a Member in which he may discuss a proposition, because I realize that on account of our very large membership of approximately 435 and the very large number of subjects and measures that deserve the attention of the House it is both unjust and impracticable to extend any one Member unlimited time to address the House.

I only wish to express my regret that such a situation prevails, and request the indulgence of my fellow Members in what may appear to be a summary presentation of an argument on this very important and far-reaching problem, and the apparent omission of facts and circumstances which should, in the arraignment that I am about to make against prohibition, be stated to support in logical sequence the charges that I shall inveigh against this nefarious institution.

I dare say that there has not been a question before the American people since the Civil War, which has been so widely and voluminously spoken upon and written about and agitated by the citizens at large, as has the prohibition question. That fact alone stamps that question with great magnitude and transcending importance.

I do not wish to have you gentlemen, who have not yet learned to know me well, believe that I am obsessed with the subject—prohibition. I wish you all to know that I have given this question careful thought for many years, and that I have, at all times, considered it with an open mind and aside from my own native predilections, with no end in view except the welfare of our Republic and the weal and virtue of its citizenship.

If I could be convinced that the welfare of this Nation required an absolutely abstemious people, and that this new and anomalous system of prohibition under which we are operating had accomplished or would ever accomplish that end, I, as a loyal citizen and a sincere humanitarian, would most cheerfully subscribe to and abide by this kind of prohibition.

But is there a man within hearing of my voice—is there a man within the borders of this Nation—fair to himself, fair to his country, and fair to his conscience who can say that the two things which I have just mentioned do in fact exist?

If they do exist, then why this tremendous agitation and this overwhelming protest? Twelve years is a long period in the affairs of one's life and in the affairs of a nation. Prohibition has had a trial, and a fair trial. The Government has been earnest and generous in its efforts to make it a success.

There has not been a time when the administration of prohibition has not been in the hands of those who wrought this reform, who believe in it, and who have strained the uttermost resources of our Government, within the law and beyond the law, to demonstrate its feasibility.

Prohibition has been administered under the régimes of three Presidents who were, at heart and soul, prohibitionists. The dries not only furnished all of the personnel, from chief down to the lowest agent charged with its enforcement administratively, but, I here make the charge, that their voice was heard and that their voice was obeyed in the selection of the United States attorneys and United States marshals and United States judges under whose function the final execution of the law has hitherto been reposed.

The Government of the United States, backed by a patient and loyal citizenship, up to this hour has sacrificed, directly and indirectly, \$7,000,000,000 of the taxes of a hard-pressed and struggling people in order that prohibition should have a fair trial. Courts have gone to excess in procedure and in penalties to enforce prohibition. This law is the most drastic law on the statute books of any nation in the world. The fourth and fifth amendments to the Constitution of the United States have been practically abrogated. What was an innocent act of a human being since the dawn of creation has been denominated and has been treated as a heinous felony; forfeitures and attainder have been superimposed upon the specific penalties which themselves under any standard of classified crime and under our constitutional inhibitions against excessive penalties are both obnoxious and unconscionable.

The pursuit of a murderer or a kidnaper, or even a traitor to his country, is attended by no more drastic authority than is the pursuit and apprehension of a citizen suspected of having violated the Volstead Act.

We have judges in this country and we have legislators in this House who have publicly announced that it is entirely just and proper and within the law to shoot and kill a subject, suspected of having violated the Volstead Act, fleeing from or resisting arrest by a prohibition agent—mark you, my friend—for an offense which is innocent per se and by every reasonable standard only a misdemeanor.

When and where, I ask you gentlemen who justify the slaughter of our citizens clothed with the presumption of innocence under our humane institutions, was it the law that the apprehending officer possessed the right to kill a fleeing or a resisting suspect of any offense under the grade of common-law felony, except where the officer was in imminent danger of his life or great bodily harm? When and where, I ask you gentlemen, was there a law confiscating the goods and the chattels and the homesteads of the citizens or of a subject guilty of no greater offense than to make or possess home-brew beer? Time forbids me here to enumerate further the violence and the tyranny which have been invoked and which the friends and administrators of prohibition justify and condone in the execution of this law.

Therefore I say that the prohibition laws and the regulations of this country for the enforcement of prohibition are the most drastic that could be devised in the name of an enlightened democracy, and yet they have proved impotent to thwart the desire and determination of the citizen of high and low degree to violate the prohibition act with scorn and impunity.

Who says that prohibition can be enforced? The press of the Nation says that it can not be enforced. The members of the American Bar Association, typifying the intelligence and the patriotism and the conservatism of our country, say that it can not. The American Federation of Labor, representing millions who toil for the Nation, who are imbued with the loftiest patriotism, says that it can not be enforced and that it ought not to be enforced. The American Medical Association, whose members have consecrated their lives for the good of humanity, says that it can not be enforced and that it ought not to be enforced. The American Legion, speaking for every veteran who offered his life that this Nation might live and that democracy should be safe everywhere and for all time, says it can not be enforced. The economists of our country tell us that prohibition has been a failure. The heads of the colleges and schools of our country tell us that prohibition has been a disaster and a failure. Yes; and every mother and every father in this country proclaims it a failure and prays that it

may be repealed to save our boys and girls from the maelstrom of depravity into which they are drawn daily by the hundreds and the thousands.

I say that nobody says that prohibition is being enforced except the zealots and the fanatics and the dogmatists and the intolerant and the blue-law crusaders and the Ku-Klux Klan and the moochers and grafters and racketeers who seek to mollify their nefarious avocations in the name of a sanctified cause.

Prohibition has not been a success in any country in which it has ever been tried. But that experience alone does not persuade me, because I do not know just what kind of prohibition they had and what particular elements are at work in these foreign countries—about whose forms and systems I know very little—militating against the success of their prohibition.

But I say prohibition will never be tolerated in the United States because it is contrary to the genius of our kind of democracy. I am assuming that it is conceded that the American people by nature abhor sumptuary legislation and anything that savors of paternalism. That peculiar attribute of the American people has been termed by the distinguished gentleman from Pennsylvania [Mr. Beck] as the ethos of American society.

Furthermore, we have concrete proof that the American people will not tolerate prohibition—not only by their conduct of ruthless disobedience but by their expressed will in a series of referenda which have been conducted recently, both through elective machinery of our States and the Literary Digest poll, one of which is in progress at this very hour, each of these methods revealing that at least two-thirds of our adult electorate are dissatisfied with prohibition.

The result of a poll conducted by the Birmingham American Legion Post is announced and shows a big majority for out and out repeal. Considering that this occurred in the South it is regarded as indicative of a great change in sentiment in this entire section. Analysis of the poll shows that 84 per cent of the lawyers are for repeal and 85 per cent of the business men are of the same opinion. Forty-one of forty-four physicians favor modification or repeal. Only the ministers want a continuance, and they voted 44 to 1 for "better enforcement."

And now Bradstreet's declares that American business leaders are wet and have so indicated. Having questioned a number of them—two or three in each community—Bradstreet's reports that 55 per cent believe business would be helped by repeal of the Volstead Act, while 14 per cent believe it would be helped by modification. Early in 1930, the Du Pont poll indicated that Delaware voters favor the repeal of their State enforcement act. The Harvard Crimson's poll of 14 eastern and midwestern colleges went wet by three to one.

Finally, in referenda connected with the 1930 elections, Rhode Island voted for repeal of the eighteenth amendment, Massachusetts and Illinois for repeal of their State enforcement acts and the latter for repeal of the Volstead Act and the eighteenth amendment.

Eighty-four per cent of the ballots received in the first tabulation by States in the Nation-wide prohibition poll of the Literary Digest now being conducted are in favor of repeal of the eighteenth amendment, it was announced last night.

The 1932 tabulation, in detail, was as follows:

State	Amendment	For repeal	Total
Georgia.....	1,664	3,588	5,252
Illinois.....	493	2,961	3,454
Indiana.....	1,909	3,540	5,449
Maryland.....	2,208	10,616	12,824
New York.....	32,338	224,877	257,215
North Carolina.....	4,909	7,142	12,141
Virginia.....	1,669	4,477	6,146
Total.....	51,285	272,265	323,550

As stated at the outset, I regret to make bald statements without following up with a specific verification of them. But I will take time at this juncture to invoke some basic authority, limited as it may be, to demonstrate my contention that no law which does not fundamentally emanate from the sovereign, that does not comport with the individual's conception of his innate liberty which he exercised many generations by, so to speak, prescription, will command his respect, nor will it endure.

Aristotle, one of the wise men of ancient Greece, and the greatest political philosopher known in all history, discovered this law, and the statement of it runs through all of his works. This is the doctrine of Aristotle:

The suppression of long-established habits brings the overthrow of innovating governments, because the old habits persist among the people; characters are not so easily changed as laws. If a constitution is to be permanent, all the parts of a society must desire it to be maintained.

Woodrow Wilson had in mind the same principle enunciated by Aristotle when he said:

In all matters having to do with the personal habits and customs of large numbers of our people we must be certain that the established processes of legal change are followed. In no other way can the salutary object sought to be accomplished by the great reforms of this character be made satisfactory and permanent.

Wilson upon another occasion said:

You can not regulate the morals and habits of a great cosmopolitan people by placing unreasonable restrictions upon their liberties and freedom. All such attempts can only end in failure and disappointment. In the last analysis, in these matters that seek to regulate personal habits and customs, public opinion is the great regulator.

It is impossible to divorce the problem of enforcement from that of enforceability. (P. 1 Wickersham Commission report, p. 1, reprint.)

It (prohibition) remains one of acrimonious debate, with the most zealous adherents of the latest solution compelled to admit grave difficulties and serious resulting abuses. (P. 5 commission report, p. 3, reprint.)

Settled habits and social customs do not yield readily to legislative fiat. (P. 6 commission report, p. 4, reprint.)

The proponents of the law paid no heed to the admonition that "no law can be effectively enforced except with the assistance and cooperation of the law-abiding element." On the contrary, the passage of the act and its enforcement were urged with a spirit of intolerant zeal that awakened an equally intolerant opposition, and the difficulties now being experienced in rallying public sentiment in support of the eighteenth amendment result largely from that spirit of intolerance.

From a sermon delivered by Henry Ward Beecher in Plymouth Church, Brooklyn, December 3, 1882, I read:

Any law that takes hold of a man's daily life can not prevail in a community unless the vast majority of the community are actively in favor of it.

To attempt to create morality by law is of all things supremely and superbly foolish. Morality can create law, and may help in its execution; but law can not create morality. The feeling must be in existence first, and give itself form, substance, and power afterwards. The law must be an expression of the foregoing state of conscience and judgment, and not a means by which to create that judgment and that conscience. If we could create moral feeling by law, we could get, now and then, a whole legislature which would have all men converted in a year; but we can not.

In America a law with no popular public sentiment behind it, or with no active good will behind it, is like a gun with no powder in it.

Next comes the question of the right of the law to determine whether a man shall or shall not drink. On that subject I am in favor of men's not drinking unless you tell them they shall not drink.

Forget not, I pray you, the rights of personal freedom, self-government is the foundation of all our political and social institutions. Seek not to enforce upon your brother by legislative enactment the virtue that he can possess only by the dictates of his own conscience and the energy of his will. (John Quincy Adams.)

LINCOLN ON THE CONSTITUTION AND LAW ENFORCEMENT (From p. 209, Carl Sandburg's Lincoln)

I should not care to be the candidate of a party having as its only platform "the Constitution, the Union, and the enforcement of the laws." The Constitution, as we understand it, has been the shibboleth of every party or malcontent from the Hartford convention that wanted to secede from slave territory and the "blue

light" burners, who were in British sympathy in 1812, to John C. Calhoun and the South Carolina nullification. No law is stronger than is the public sentiment where it is to be enforced.

By Arthur Twining Hadley, president emeritus, Yale University

One of the greatest dangers which now confront us is the increasing demand for ill-considered legislation, and the increasing readiness of would-be reformers to rely on authority rather than on public sentiment for securing their ends. When the Republic was first founded we had more to fear from the lawbreakers than from the lawmakers, from the absence of authority than from its overexercise. People believed in individual liberty and even sometimes inclined to carry that idea to extremes. But this love of liberty has gradually given place to a zeal for standardization. The new democracy, in the words of Lord Farrer, is passionately benevolent and passionately fond of power. To-day it is from the lawmaker rather than from the lawbreaker that our American traditions of self-government have most to fear.

Now, my friends, let us be men. Let us have the courage to meet a true situation. Let us disillusion ourselves. Let us stop patronizing to these forces of prejudice and fanaticism and, to a very large extent, provincialism.

The time has come when people no longer will temporize on this subject. They are in no good humor to await our tardy realization of what is the notorious aspect of the public mind.

Is anyone deceiving himself in the belief that any of our major political parties will prevail at the next election without an unequivocal expression in its program for the repeal of the eighteenth amendment? Is there anyone here who even hopes that his political party will declare for adherence to the eighteenth amendment and the prohibition that we have by virtue of it? Do any of you gentlemen seriously believe that either of the two old parties will nominate a dry for the Presidency? Universally as it appears to be conceded that Mr. Hoover will be nominated by the Republican Party next June, let me make this prediction, and I wish you all to remember it: That Mr. Hoover will not be nominated for the Presidency of the United States by the Republican Party unless he is willing to accept a platform declaring unequivocally for a resubmission of the eighteenth amendment to the people.

The political leaders of those sections of our country, heretofore known to be dry, have already accepted the candidacy of Franklin D. Roosevelt as the Democratic nominee who would not accept—and could not expect to receive—the nomination unless he and the Democratic platform would promise the people, in no uncertain terms, that the eighteenth amendment would be resubmitted, and that, in the meantime, his administration be committed to legislation legalizing beverages not intoxicating in fact, to be burdened with a revenue that will rehabilitate the solvency of our Nation. If eventually we must abandon prohibition, why not now?

Let me make another prediction which I know will come true: Do you gentlemen know that there is in the making right now a new party—a third party—which is suspending its decision to enter the field—only to await whether any of the old parties will declare for a progressive program, including a declaration for the resubmission of the eighteenth amendment?

My prediction is that unless either the Republican Party or the Democratic Party declare in convention for the progressive things that the progressive people—who are made up of the common people, and who are in the majority—demand, this new party to which I refer, sponsored by the League for Independent Political Action, will step into the breach with its program including, as I have stated, the resubmission of the eighteenth amendment. If the exigencies arise which would draw this new party into action, it will prevail at the election, and this country might for the first time in many a generation, if ever, have a government by a plurality instead of a government by a majority.

We are asked here to vote these eleven or more million dollars for the enforcement of prohibition, when we know that it is only that many more millions thrown to the winds. Director Woodcock has as much as confessed in his testimony before the Senate committee the other day that prohibition can never be enforced within the full purview of

the law; that there are classes of violations that can never be reached by the law; that the volume of the violations is so great and so devious that the best he can do is to select and single out those transactions which he will prosecute and those transactions which he will not prosecute, those individuals whom he will prosecute and those individuals whom he will not prosecute.

There is an axiom in fundamental law, effective alike in monarchies and democracies, that the criminal law must within its own terms define the act to be condemned, and that it must operate equally upon all the individuals of the realm, the high and the low, the weak and the strong; the law must be complete, and the prosecutor must have no choice in proceeding against the transgressor.

A fine example is here furnished by the United States Department of Justice, to which every American citizen looks as the exemplar of right, and from which, it is expected, emanate only the highest standard of professional conduct and judicial procedure.

What true American will tolerate a law affecting the lives and the liberties and the property of the people which applies only to those whom the prosecutor will select—opening the door for the exercise of favoritism as well as of reprisal and vengeance? What true American will defend a law which can not and does not stand up on its own bottom; that can not be enforced, on the confession of the Attorney General of the United States, and upon the findings of the Wickersham Commission, the highest and most solemn authority that has ever spoken upon this subject.

I oppose this appropriation because it is a useless expenditure of money, and because it is an indefensible drain upon our financial resources at a time when our Government is trembling before imminent prospects of insolvency and danger of financial collapse. The Nation demands that the situation be reversed and that the accustomed beverages be restored, subject to the imposition of an excise tax that will reach at least one-half billion dollars annually, and save the country from its financial debacle. I am not in favor of voting for one dime of this appropriation, and if that be nullification, make the best of it and I will take the consequences.

Again I say, my friends, that I am not moved here by an obsession; I do not plead my personal privilege to drink beer and whisky, as I have been accustomed to do, nor to promote the brewery and distillery interests of the land. I plead for those millions who are now victimized under the election of the Attorney General of the United States—the poor and the lowly and the meek millions, the laboring masses of the Nation—so that they may enjoy the same privilege to do that which the rich and the influential, the lawyers and the judges, and the Senators and the Representatives, even Presidents, have done and will continue to do with impunity. [Applause.]

Mr. CLANCY. Will the gentleman yield?

Mr. KARCH. I yield.

Mr. CLANCY. The gentleman has heard the wet Members of the House denounced in unmeasured terms to-day by some dry Members. Does the gentleman not think that same bitter criticism of the dry Members applies to the American Legion, the American Federation of Labor, the American Bar Association, the American Medical Association, the American Bankers Association, and other patriotic and professional organizations which are just as wet as the wet Members of this House and which have declared emphatically against the eighteenth amendment?

Mr. KARCH. It applies to 85 per cent of the people of the United States. [Applause.]

Mr. LINTHICUM. Mr. Chairman, I yield three minutes to the gentleman from Ohio [Mr. SWEENEY].

Mr. SWEENEY. Mr. Chairman, when I first came to this Congress in December I made the statement that I thought the paramount issue before this assembly was Federal relief to the unemployed of this country. I am still of that conviction.

I read the very able and comprehensive survey of the liberal Senator from Wisconsin, Senator ROBERT LA FOLLETTE,

Jr., a survey that, in my opinion, indicts this Congress; a survey that, in my opinion, indicts the President of the United States unless we take action to relieve misery and distress. This survey discloses that there are children dying to-day because of the lack of proper food. Many are suffering from tuberculosis because of malnutrition and undernourishment. Thousands of men, women, and children are emaciated because of present conditions. Eight million three hundred thousand human beings are out of employment; 16,600,000 arms are reaching out in supplication, looking for relief.

To-day we are confronted with the spectacle of an appropriation bill asking for millions of dollars to enforce a law that, in my opinion, can not be enforced. This money to be expended in wire tapping, snooping, the hiring of the youth of the land to act as decoys in the purchase of liquor to obtain convictions. The other day a young girl 17 years of age in Akron, Ohio, accused a prohibition agent of hiring her to go out as a decoy and purchase liquor to be used as evidence. He received a year in the penitentiary, according to the dispatch from the Cleveland Press, which I hold in my hand. Let us be honest about this proposition; let us look to the real agency behind the attempt to enforce prohibition legislation.

Ex-Governor Cox, of Ohio, the former standard bearer of the Democratic Party in 1920, expressed a great deal of courage at the Jackson Day dinner at the Mayflower Hotel in this city last month when he said, "Drive back the political ecclesiastics to their pulpits." Of course our friends, the dry Members of this Congress, criticize Governor Cox, but his sentiment is sweeping the land.

I hold in my hand a clipping from the Washington Herald of to-day, dated Sacramento, Calif., February 22, charging the Sacramento Church Federation devotes one-half of its meetings to prohibition. Rev. Lawrence Wilson, pastor of the Memorial Congregational Church, took it severely to task when he said, "I do not believe the church should be made an agency for the enforcement of the laws."

That is the sentiment of all honest-to-God preachers to-day. I will not vote for any appropriation bill carrying with it the expenditure of public money to further attempt to enforce this law.

[Here the gavel fell.]

Mr. BECK. Mr. Chairman, I yield three minutes to the gentleman from Wisconsin [Mr. SCHAFER]. [Applause.]

Mr. SCHAFER. Mr. Chairman, in three minutes I can but barely scratch the surface of this fundamental question. I listened to the speech of our distinguished friend from Michigan. He comes from a State which raises about \$2,000,000 a year under an excise tax levied on brewers wort which the racketeers use to make wild-cat beer, having an alcoholic content of over 9 per cent in alley breweries. It is well known that brewers wort can only be used to manufacture beer. His argument was that under the eighteenth amendment of the Constitution an individual citizen could not even advocate a change in the amendment.

One listening to his speech and the speech made by the dry gentleman from Nebraska [Mr. SIMMONS] would come to a conclusion that the eighteenth amendment specified one-half of 1 per cent as the maximum, the holy of holies, and that the exact amount carried in this appropriation bill must be appropriated for the enforcement of prohibition or we would nullify the eighteenth amendment and our Constitution.

To my Democratic friends on this side of the House who talk much in favor of law enforcement and much in opposition to nullification let me say that I well remember your votes on the census and apportionment bill. When the gentleman from Massachusetts [Mr. TINKHAM] offered an amendment which would enforce the fourteenth amendment to the Constitution, an amendment which, if enforced, would reduce the number of drys in this House by about 30, you stood up practically en masse and voted against it. You did not care about the Constitution then. You forgot all of your opposition to nullification.

The fourth and fifth amendments to the Constitution, which affect the rights and liberties of the American people,

were embodied in the Constitution many years before the eighteenth amendment.

The fourth amendment to our Constitution resulted from two abuses practiced by the British Government—the use of general warrants and the use of writs of assistance, authorized under the British Parliament act of 1767. The use of these writs soon led to great opposition, particularly in the Commonwealth of Massachusetts and, the abuses being fresh in the minds of our colonial statesmen, resulted in the fourth amendment to the Constitution. The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches as provided in the fourth amendment and the right that they shall not be compelled in any criminal case to be a witness against themselves as provided in the fifth amendment is absolutely ignored when we permit Federal law enforcement agents to tap telephone and telegraph wires. Under the practice of tapping these wires, the very sanctity of the home is destroyed, and the person and his house invaded secretly and without warning, subjecting the very privacies of the lives and households of our people to public scrutiny and permitting the testimony of our citizens, obtained in this manner, to be used against them in criminal cases. Twenty-nine States of the Union wrote into their statutes provisions making it a misdemeanor or felony to tap telephone or telegraph wires, and they did not include in such legislation invisible language exempting from the provisions of the prohibitory statutes Federal law enforcement agents, be they engaged in enforcing the prohibition or any other Federal law.

The Supreme Court decision, in the case of *Olmstead v. United States* (277 U. S.), was rendered not on the question of wire tapping being lawful or unlawful, as the order granting certiorari confined the hearing to the question whether the use in evidence of private telephone conversations intercepted by means of wire tapping violated the fourth and fifth amendments to the Constitution. The decision of the court on this question was a 5-to-4 decision. In delivering the majority opinion, Chief Justice Taft stated:

Whether the State of Washington may prosecute or punish Federal officers violating this law and those whose messages were intercepted may sue them civilly is not before us.

I submit to my Democratic colleagues, particularly those who have been opposing the pending amendment, for your thought and consideration the words of an eminent American citizen, the last paragraph of the dissenting opinion of Justice Brandeis in the wire-tapping case of *Olmstead* against the United States, which reads as follows:

Decency, security, and liberty alike demand that Government officials shall be subjected to the same rules of conduct that are commands to the citizens. In a government of laws, existence of the government will be imperiled if it fails to observe the law scrupulously. Our Government is the potent, the omnipresent teacher. For good or for ill, it teaches the whole people by its example. Crime is contagious. If the Government becomes a lawbreaker, it breeds contempt for law; it invites every man to become a law unto himself; it invites anarchy. To declare that in the administration of the criminal law the end justifies the means—to declare that the Government may commit crimes in order to secure the conviction of a private criminal—would bring terrible retribution. Against that pernicious doctrine this court should resolutely set its face.

I wish I had the time to read the entire opinion of this noble American. [Applause.]

[Here the gavel fell.]

Mr. SCHAFER. Mr. Chairman, I ask unanimous consent, in view of the limited time, to extend my remarks in the RECORD by incorporating that really true American democratic principle as expressed by Justice Brandeis in that dissenting opinion.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SHREVE. Mr. Chairman, I yield six minutes to the gentleman from Illinois [Mr. ADKINS]. [Applause.]

Mr. ADKINS. Mr. Chairman, owing to the limited time I shall not yield for any questions. I have as a general rule followed the recommendations of committees with reference to items for law enforcement. I know the chairman of the

subcommittee and also the ranking member of it. I know the care with which they look into the necessary appropriations which they bring before this House, and I have generally found their judgment mighty good. I find that it takes more money to enforce some of these laws than it takes to enforce others, and with the multitudinous other duties I have to perform I am willing to take their recommendations in connection with these bills and in connection with the enforcement of these various laws. I am willing to believe that they have recommended the necessary appropriations to properly execute such laws.

This seems to be a sort of general field day on prohibition. One gentleman gets up and boasts, by implication, of the courage he had in voting wet. Well, if my district were as wet as his district is, I do not think it would take any courage to vote that way. Then he talks about the lack of courage on the part of the man who fails to vote as he votes. Let me say to that gentleman that if his district were as dry as my district is, he would not have the courage to stand up here and make the speeches he makes, because if he did he would not come to Congress.

I take it that other men here in Congress are striving to represent the sentiment in their districts as honestly as I am on this question.

Another gentleman spoke about the large number of people who are unemployed and how the making of beer would provide a market for our grains. My God, friends, back in the nineties, when we were passing through this sort of a time, I was overseer of the poor in my home township. We had a saloon on every corner and I failed to see those who were on charity drink themselves rich at that time. [Applause.] Nor did I see the farmer get rich in selling his grain out of which to make booze. Corn sold for 18 and 20 cents per bushel. It was my business to look after the poor children.

I never let a child stay out of school for want of clothes or of shoes. I would see their weak fathers go to the corner saloon, tank up during the summer time, and then we would have to take care of his child during the winter in order to keep it in school, keep it warm, and all that sort of thing.

I have lived through those times, and I remember very well the difficulties of enforcement. If the gentleman from Pennsylvania will go back and look up the record, he will see the great complaint that the saloonkeepers themselves made of the lack of enforcement of the law in the city of Philadelphia. The speak-easies were so numerous that they interfered with the legitimate saloon men. Take Pittsburgh or any other large city, and you would find that the law-breaking element that interfered with the legitimate saloon business at that time was just as prevalent as it is to-day.

They talk about how bad a thing it is to have a respectable citizen brought into court because he has violated the liquor law. They say what a terrible thing that is; but just stop and think about it. We have just as stringent laws against gambling, and we have some right good fellows that like to play poker and like to gamble a little. Of course, it is humiliating when you bring in one of those fellows and make him pay a fine.

In our town, I think, we enforce the liquor law and the antigambling law as well as in any other city of 60,000 people, but about every month we find somebody in some loft running a gambling house and they break it up and fine the fellows—and there are some pretty good fellows, mind you, that play poker; do not forget that. It is just as humiliating to fine those fellows as it is to fine the man who is caught with a little booze in his hand whom they bring in and fine for violating the prohibition law, but, nevertheless, we do it.

There is not anybody here that gets up and says that we ought to abolish the law against gambling. We want to keep the violation down and we want to hold it in check so that we can live with it, the same as the liquor traffic, but I do not care how you handle the liquor traffic, you are going to have trouble with it, and its enforcement is going to be distasteful to some people.

Now, they talk about voting on the question. I was in the legislature when we were in the minority, and we farmers used to ask them to let us say whether we should have a saloon in every township where they would get our hired men drunk and then send them to our homes, where they would puke all over the place, and, of course, our wives would not stand for that and we would have to discharge them, and they would say, "Oh, no; we are not going to let you have a vote. We have got you where we want you and we are going to force this onto you."

We farmers got very tired in those days of having our homes used for an inebriates asylum for the towns which had saloons, and especially those of us who had our help sent home to us drunk sometimes. The best we can do is to keep these liquor violations, gambling, and some other vices down where we can live with them, because we will always have some of them.

So do not come here and make that kind of argument to me. I do not care anything about a vote, so far as I am concerned, and I do not think it requires any courage for me to stand up here and vote dry when every county in my district is dry. But I am not here saying anything about how courageous I am to vote dry. I am not going to embarrass my fellow Member here, who has a very evenly divided district, and I think it ill becomes a man who lives in an overwhelmingly wet district to come here and bullyrag the fellow that lives in a close district when there is nothing to be accomplished by it, because he does not want to go on record with respect to the liquor traffic. [Applause.]

[Here the gavel fell.]

Mr. LINTHICUM. Mr. Chairman, I yield three minutes to the gentleman from Oregon [Mr. MARTIN].

Mr. MARTIN of Oregon. Mr. Chairman, I am not going to deliver a speech here on Ten Nights in a Barroom. We all know, and there is no use deceiving ourselves that no constitutional amendment nor supporting law can be enforced which does not have public sentiment behind it, and we know that there are large sections of this country where the sentiment against the eighteenth amendment and its supporting laws is almost unanimously against them.

I was very much interested in hearing my Republican friend from Wisconsin talk to my Democratic friends. As their friend I want to drop this remark to them.

Some 45 or 50 years ago in recurring discussions in this House and in the Senate there was an attempt made to enforce the fourteenth amendment in the Southern States—the so-called force bill. You resisted that because you felt it would have been an infamous and outrageous thing to have turned you over to the negroes, but that measure was kept up here year after year until at last some liberal Republicans from the Northern States joined with you and together you forever killed that measure in this House.

Now, we in the North who come from the liberal sections of the North are just as earnest and as much opposed to prohibition as you were to being ruled by negroes, and we ask that you show the same liberality to us and join with us to put this eighteenth amendment in limbo to-day as is the fourteenth amendment.

Fortunately, I can be very brave on this question, because I came here after a test on the matter in my district.

This Congress and the country for some time have been ruled by the Anti-Saloon League. Its rule has had the effect in all the Northern States of breaking down minority parties because, like Gould's old Erie Railroad in New York, in Democratic States the Anti-Saloon League is Democratic, in Republican States it is Republican, but it is always Anti-Saloon League. In my State of Oregon each candidate who ran for office there submitted to its tyranny—every one—Democrats and Republicans alike. The other Democrats were so gullible they did not know that they were being led right into a trap; but I defied them, and here I am.

[Here the gavel fell.]

Mr. MAAS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MAAS. The gentleman from Nebraska spoke about the violation of the Constitution, and I would like to ask the Chair if it is any violation of the Constitution to refuse to vote for any specific appropriation?

The CHAIRMAN. The Chair does not think that is a parliamentary inquiry.

Mr. MAAS. Neither did I. [Laughter.]

Mr. LINTHICUM. Mr. Chairman, I yield four minutes to the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, the story I will tell you briefly is a twice-told tale, but I am sure it will bear repetition. It is about a stranger coming into Washington. He asks the police officer, "Where can I get something to drink?" The police officer says, "Walk down two blocks, turn to the right, and there you will see a barber shop. That is the only place in town where you can't get it." [Laughter.]

That reflects the sentiment that exists over the land in every village and every hamlet and every town and city in this country, because people are not in favor of the legislation, because it has no public sanction, and that is why you can not enforce it. It is an attempt to enforce something that is unenforceable.

I remember in the early days when we had this question before us, Wayne B. Wheeler and others said that it was going to reduce crime, that we could empty the jails. But we get no peep of that sort now from the Anti-Saloon League and its cohorts, because crime has increased since prohibition. We are making prisoners faster than we can make jails to harbor them.

We have passed bills in this House increasing the number of Federal prisons all during the time of prohibition, and many States have been compelled to increase their penal institutions. Crime, instead of decreasing, has increased. There is a crime commission appointed in well-nigh every State to study methods to bring about a curtailment of crime. In England, where there is no prohibition, several jails and prisons have been closed for lack of business. What a different story to tell in this country.

Prohibition is called a noble experiment. I ask you this, What right has an experiment in the Constitution? The Constitution is the place to embed well-tried, age-worn doctrines, fundamental principles, sound and enduring theories of government; but what right has an experiment in the Constitution?

I am opposed to prohibition because of its besetting sins. It has brought in its train evils far worse than the very vice it sought to cure. It has brought the informers, the snoopers, the undercover men; and what about the use of school children as spies, college girls and boys as stool pigeons? What about the legal recognition of bootleggers by taking an income tax from them? What about the "dirty business" of wire tapping? The famous wire-tapping case is *Olmsted v. United States* (277 U. S. 438). The brief minority opinion of Justice Holmes is often quoted, but there is also a fine minority opinion of Justice Brandeis. He, too, vigorously opposed wire tapping, and, among other things, he said:

"We must never forget," said Mr. Chief Justice Marshall, in *McCulloch v. Maryland* (4 Wheat. 316, 407), "that it is a constitution we are expounding." Since then this court has repeatedly sustained the exercise of power by Congress under various clauses of that instrument over objects of which the fathers could not have dreamed. * * * Time works changes, brings into existence new conditions and purposes. Therefore a principle to be vital must be capable of wider application than the mischief which gave it birth. * * * In the application of a Constitution, therefore, our contemplation can not be only of what has been but of what may be. * * * Protection against such invasion of "the sanctities of a man's home and the privacies of life" was provided in the fourth and fifth amendments by specific language. But "time works changes, brings into existence new conditions and purposes." Subtler and more far-reaching means of invading privacy have become available to the Government. Discovery and invention have made it possible for the Government, by means far more effective than stretching upon the rack, to obtain disclosure in court of what is whispered in the closet. * * * The progress of science in furnishing the Government with means of espionage is not likely to stop with wire tapping. Ways may

some day be developed by which the Government, without removing papers from secret drawers, can reproduce them in court and by which it will be enabled to expose to a jury the most intimate occurrences of the home. * * * As a means of espionage writs of assistance and general warrants are but puny instruments of tyranny and oppression when compared with wire tapping.

Do you wish to place your liberty in the hands of every petty officer, every prohibition agent? I shall vote in favor of the amendment to be offered to-day excluding the use of any money for purposes of wire tapping. No officer can open or tamper with my mail. That would be an invasion of my personal security and privacy. Why should they have the right to tamper or tap or intermeddle with my telephone? When they tap my wire they also interfere with your rights, because they intercept not only my messages but every message that you may care to send to me over the wires. Indeed, the telephone is just as much a part of my home as my room or my private desk, and the agents can not open my desk nor search my room, under the fourth and fifth amendments, without a search warrant. [Applause.]

Mr. LINTHICUM. Mr. Chairman, I yield to myself the balance of the time, and I would like to know how much time it is.

The CHAIRMAN. The gentleman is recognized for three minutes.

Mr. LINTHICUM. Can the gentleman from Alabama give me two minutes more?

Mr. OLIVER of Alabama. I can not; but I will give the gentleman one minute.

Mr. LINTHICUM. Mr. Chairman and Members of the committee, you can readily recognize that there is not much one can say in three minutes, even if he has an additional minute.

I want to call the attention of the House to what the gentleman from Oregon has said, that you can not enforce a law which is against the will of the people. You can not enforce a law against the sentiment of the people. If you will look at the Literary Digest, you will find that in some places the sentiment of the people is 10 to 1 against the law. Other places, 5 to 1; other places, 3 to 1. It is demonstrated that the great, overwhelming majority of the people of the United States are against this law.

The gentleman from New York [Mr. LA GUARDIA] announced some time ago that he was going to favor all of the appropriations that were proposed, because he wanted to demonstrate that although you have all the money you need or say you need, you can not enforce this law. That has been easily demonstrated. You have had all the money that you needed, and things are getting "easier" than they ever were. Look at the map of the city of Washington as it is dotted with places where speak-easies exist. It looks as though it had innumerable flyspecks upon it—hundreds of speak-easies. The gentleman from Georgia the other day said that he was in favor of this law, when he knew himself that there are more speak-easies in the State of Georgia than in any other State in the whole Union. All of you gentlemen know that although the saloon has passed away, there are more speak-easies in the country to-day than there were saloons at any time. The drink bill of this country is \$28,000,000,000, whereas in years gone by it did not assume any such amount.

All kinds of speeches are made. The gentleman from Arkansas [Mr. RAGON] said that the Immigration Bureau had not been cut down. I find that, according to the report filed hereon, it has been cut down \$14,700,000. He said the antitrust enforcement had not been cut down. I find that it has been cut \$10,300,000. Of the 82 items, there is not one that has not been cut except that for the enforcement of prohibition. I am not complaining, because I know that if we gave you all the money in the Union, unless we could stop the fermentation of grapes, unless we could stop the fermentation of rye and corn, you could not enforce prohibition. It is a matter which nature is going to take care of and which you can not stop.

As I say, you can not enforce a law which is against the sentiment and will of the people. Since January, 1920, to July 30, 1931, in your endeavor to do so, you have arrested

nearly 700,000 people; you have convicted 500,000; you have seized liquor, mash, and so forth, to the extent of over 266,000,000 gallons; collected fines of \$60,000,000; and seized property of \$231,000,000.

You have employed and employed men to enforce the law until you have dropped from the service over 12,000, because they were unfit or because they themselves had violated the law. It is a great travesty upon justice this prohibition amendment and Volstead Act.

We are now suffering from a deficit of more than two billions, and yet we have expended in that time three hundred and seventy millions for enforcement, have lost revenue of \$10,984,000,000, and yet the drink bill of the country is over twenty-eight billions of dollars. That is not the worst of it. It has debased the morals of our people and made hypocrites of many of the best of society. No one regards this law as they do other statutes. No one blames others for drinking; to get good liquor has become a game in which all are interested except a very small number.

I am as strongly opposed to saloons returning as any man, and would not have them come back for any consideration; if I thought they could come back, I should sooner renounce my opposition to prohibition, but I know the American people will never allow them to appear again. The Anti-Saloon League was organized to eliminate saloons. They have done so. Why can not they help us out by the passage of proper legislation, help us eliminate speak-easies, which are far worse.

On Thursday of this week we shall offer an opportunity for those opposed to the eighteenth amendment to sign a petition to discharge the Judiciary Committee. I sincerely trust we shall have enough people interested in bringing our country back to its senses to sign this petition. This is not a war for a day nor for a year; it is a war until the American people, through their own efforts, can throw off the shackles of fanaticism and regain their liberties assured them under the Constitution of the United States.

We do not seek to violate the Constitution but do seek to so amend it that it will not be violated as it is to-day. [Applause.]

The CHAIRMAN. The time of the gentleman from Maryland has expired.

Mr. BECK. Mr. Chairman, I yield one minute to the gentleman from Michigan [Mr. CLANCY].

Mr. CLANCY. Mr. Chairman, I rise merely for the purpose of referring to the attitude of my colleague from Michigan [Mr. KETCHAM]. He attempted to severely tongue lash the wets of the House to-day, and particularly our eminent constitutional lawyer and leader, the gentleman from Pennsylvania [Mr. BECK]. The gentleman from Michigan has been badly worried lately by the fact that many of the Michigan delegation in the House seem to be going wet. Nine or ten out of the thirteen Members from Michigan may vote for a referendum or resubmission of the eighteenth amendment. Probably the gentleman is also much shaken and is made almost hysterical by the disappearance from this body of two of the great Anti-Saloon League leaders on the Republican side, Mr. Hudson and Mr. Cramton, both from Michigan, who formerly lectured us wets vehemently on our prohibition stand, and who were defeated mainly because of their scoldings. Gentlemen excitedly quoted the Constitution to us wets and presumed to tell us what our oaths of office are, but I have always found it a sufficient answer to this gentleman and to others of the 100 per cent dry type to ask them if they are in favor of the enforcement of the fourteenth and fifteenth amendments, and particularly of that clause of the Constitution which orders a reapportionment. I have found that because the wets gain by this enforcement most dries oppose reapportionment.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. BECK. Mr. Chairman, I yield the remainder of my time to the gentleman from Wisconsin [Mr. STAFFORD].

Mr. STAFFORD. Mr. Chairman, the will of the people is the law of the land. That is a political axiom that reflects the hope of democracies. State after State has been passing, by referendum votes, laws to forbid State enforcement

of prohibition. District after district, in recent congressional elections, has been turning out dries as Members of this House, and supplanting them with wets. I challenge any dry to cite one instance in the history of recent congressional elections, where the issue was wet and dry, where the wet was defeated and the dry was successful. Take the sixth, the seventh, and the eighth districts of Michigan. They all went wet—and the sixth district was represented in this House by Mr. Louis Cramton, the official voice of the Anti-Saloon League on this floor in the last Congress. Every one of those dry Members has been superseded by a wet. I ask the gentleman from Arkansas [Mr. RAGON] whether he will say that the people of the first New Hampshire district belied their high purpose in expressing their will at the election by electing that distinguished Democrat, Mr. ROGERS, on the main issue of wet over dry? Have not the people of this country a right in this controversy to express their views?

Oh, it is easy for you dry apologists to appeal to the superintendents of schools who are here from dry districts, but if the superintendents of schools from wet industrial districts are sincere they will recall that to-day students are carrying flasks and are entering into illegitimate trade in the purchase of gin, which was not the case in any instance when you and I went to high school, long before the days of prohibition. The youth of the land is being debauched by this unenforceable law. It is not the illicit-liquor interests that are changing the complexion of this House. It ill becomes a Democrat to chide an electorate for turning out a dry Republican and putting in a wet Democrat, thus condemning the will of the people on that issue.

The liberals of this House, both Republican and Democratic, will presently submit to you, through the discharge rule, an amendment that will recognize the dry sentiment where it is dry and the wet sentiment where it is wet, and shortly after a modification bill permitting the manufacture and sale of 2¾ per cent beer, that will recognize also the same principle of State rights and local option.

The time is here when the people will no longer tolerate the present intolerable conditions. They demand immediate rectification of the evils consequent on the unregulated liquor traffic. The people will have their way regardless of constitutional impediments.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. OLIVER of Alabama. Mr. Chairman, I value the friendship and respect the views of my colleagues on both sides of the aisle who entertain very different opinions as to the prohibition law from those held by me. I will purposely avoid discussing matters to which allusions have been made and which are not pertinent to the issue now before the House. I am always willing, when time permits, to discuss pertinent issues very frankly with my friends, but when we come to consider an appropriation item for law enforcement I think the discussion should be confined to those matters that are pertinent thereto. Is this law being well administered; are the funds appropriated being efficiently expended? These are pertinent inquiries.

What are the results of the efforts of the officers charged with the administration of this appropriation. Do they show progress? I say to you that no man can read the hearings on this bill and not be satisfied, first, that there is a capable man at the head of this service; that he is seeking to enforce it impartially and fairly in every way and in every section. He seeks only to discharge honestly and fearlessly the high duties devolving on him in his important official position. [Applause.] He is doing it, my friends, in a decent way. Nothing perhaps could illustrate it more clearly than a letter recently written to his agents. I speak, of course, of Mr. Woodcock. This is a letter which he wrote to his agents after there had been some just criticism called to his attention with reference to the employment of women to purchase liquor. Said he:

The use of any Federal funds to pay women for services in the purchase of liquor, directly or indirectly, is forbidden.

No Federal funds will be used, directly or indirectly, to purchase liquor for women.

Agents when seeking to purchase liquor for use as evidence will not be accompanied by women.

This order should not be taken as a check upon initiative. It is issued to prevent abuses that have brought discredit upon the bureau and trouble to individual agents in the past. Intelligent effort upon a higher plane is bound to produce better results in the long run. I do not believe there is any problem in enforcement which you can not solve within these restrictions. If there is such a problem, bring it to my attention by letter.

I ask your cheerful and hearty compliance with the letter and spirit of this order.

That is indicative of the decent way the law is being administered.

Some reference has been made to the fact that in the gallery may be many leaders of the youth of our land. I want them to carry back to their homes this message: Carry to the youth of the land that this law is being enforced. [Applause.] Its enforcement is progressing steadily and better in every section of the country, and this year you will see, my friends, an educational campaign inaugurated that will arouse the patriotism and the love of both old and young for this country of ours as never before, and there will be evidenced a higher type of loyalty to the flag and to the Constitution than we have witnessed in many years. [Applause.]

I say to my learned friend from Pennsylvania, whom I greatly respect and admire, that he is wrong in concluding that this law can not be enforced. Why do I say the gentleman is wrong? Doubt is not a student, and he is. Doubt is not a dreamer, and he is. Doubt is not a worker, yet he is. Doubt is not a builder. I hope he will prove to be. [Applause.] Doubt is the first cousin of ignorance, and is the deadly enemy of knowledge and of faith and of courage, and I acquit him of ignorance. [Applause.]

My friends, I was surprised to find that not a speaker who spoke for what we term the wet cause had read the hearings, because they are men who would not intentionally misquote the record, and their failure to read the record, to read the report, led to inaccuracies in some of their statements, like my friend, the gentleman from Maryland, who made bold to declare that we had reduced all law enforcement measures but one, namely, the prohibition amendment. We made no reduction in the antitrust appropriation, as recommended by the Budget, even though it appeared there would be an unexpended balance at the end of the year of from twenty to thirty thousand dollars. We made no reduction in the enforcement of the immigration law, and yet were told that at the end of the present fiscal year there would be an unexpended balance of \$60,000 or more. The committee felt that here were three outstanding laws—prohibition, antitrust, and immigration—and even though there might be some few who did not want to see these laws enforced and might favor no appropriation whatever therefor, yet the people of America, my friends, we knew stood for the enforcement of all three of those laws. [Applause.]

Your committee was but voicing the sentiment of America in carrying full funds for the enforcement of these laws. It is my belief they will be efficiently enforced.

I have no desire to discuss in making appropriations for the enforcement of the prohibition law questions as to whether prohibition is right or wrong. There may be—yes, will be, I assume—a proper time to discuss that, and I trust it can be discussed without the loss or estrangement of friendships. It should be discussed on a dignified plane in such way as to carry a real constructive message to the 120,000,000 people whom we represent. Appeals to prejudice and hate win no arguments. It is only when you rise above selfishness, above greed, above appetite, above the hope of reward or the fear of punishment that you find the road to the human soul. [Applause.]

I hope that that will be the character of arguments we may later hear from distinguished Members of the House on both sides of the aisle in reference to all controversial questions that lay at the base of law enforcement. [Applause.]

Mr. CONNERY. Will the gentleman yield?

The CHAIRMAN. The time of the gentleman from Alabama has expired.

All time has expired.

Mr. LINTHICUM. Mr. Chairman, I am informed that a bill prohibiting wire tapping has been introduced by my colleague the gentleman from Wisconsin [Mr. SCHAFER].

The CHAIRMAN. All time has expired. The bill is open for amendment.

Mr. BOYLAN. Mr. Chairman, I have offered an amendment, which has been read for information.

The CHAIRMAN. The gentleman from New York [Mr. BOYLAN] offers an amendment, which the Clerk will report.

The Clerk again reported the Boylan amendment.

Mr. BOYLAN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BOYLAN. As I have offered this amendment, I believe I am entitled to five minutes in support of it?

The CHAIRMAN. All debate on this section and all amendments thereto was closed by unanimous agreement in the House.

Mr. BOYLAN. This is the only amendment pending, and I think I should explain the amendment to the committee.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 74, noes 133.

So the amendment was rejected.

Mr. SCHAFER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SCHAFER: On page 38, in line 3, after the word "Columbia," strike out the period, insert a colon, and add the following: "Provided, That no part of this appropriation shall be used for the tapping of telephone or telegraph wires."

Mr. BANKHEAD. Mr. Chairman, I make the point of order against the amendment that it is not germane to the section of the bill to which it is offered.

Mr. SCHAFER. Mr. Chairman, it is merely a limitation.

The CHAIRMAN. Does the gentleman from Alabama desire to be heard on the point of order?

Mr. BANKHEAD. No.

The CHAIRMAN (Mr. McREYNOLDS). The Chair holds that the amendment is a limitation and is in order. Therefore the point of order is overruled. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken; and on a division (demanded by Mr. SCHAFER) there were—ayes 95, noes 137.

Mr. SCHAFER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. SCHAFER and Mr. OLIVER of Alabama.

The committee again divided, and the tellers reported that there were—ayes 103, noes 132.

So the amendment was rejected.

Mr. TIERNEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Connecticut offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. TIERNEY: On page 38, line 3, strike out the period, insert a colon, and add the following: "Provided, That no moneys appropriated in this act for the enforcement of the prohibition amendment shall be expended in any State the legislature of which declines to directly appropriate a sum equal to the amount appropriated of the Federal appropriation estimated to be expended in said State for the enforcement of the prohibition amendment and laws applicable thereto."

Mr. BLANTON. Mr. Chairman, I make the point of order that the amendment is not germane either to the section to which it is offered or to the bill. It is legislation on an appropriation bill not authorized by law and is a change of existing law.

Mr. TIERNEY. Mr. Chairman, I believe my amendment is a limitation of the appropriation bill. I believe it falls into the category of the amendment that was placed on the Army appropriation bill of last year, which provided that no money should be expended for Army purchases unless the goods were made in America. I think it also comes within the precedent created in connection with the act for public roads of this year, which provided that no Federal money should be spent on Federal roads in any State of the

Union which uses convict labor. I think they are two good precedents for the support of this amendment, and I think the amendment is a limitation of an appropriation and not legislation so called.

Mr. LaGUARDIA. Mr. Chairman, this same amendment was offered to a previous appropriation bill. I offered it, and at that time a point of order was raised but it was overruled.

Mr. BLANTON. Mr. Chairman, this amendment interferes with the discretion of the executive power that expends this appropriation. It requires the executive to go out and gain information, which is always improper, with respect to limitations. It will require the eliciting of information as to what legislatures have done in every State, and in that way it interferes with the executive power.

The CHAIRMAN. The Chair is ready to rule. The Chair holds that the point of order is not well taken; that the amendment is germane and is a limitation. Therefore the Chair overrules the point of order.

The question is on the amendment offered by the gentleman from Connecticut.

Mr. TIERNEY. Mr. Chairman, this amendment refers to and is a limitation on the proposed \$11,000,000 appropriation to the Department of Justice for prohibition enforcement, which, by the way, is the only one of the administration's appropriation bills that has not been cut in the interests of savings and helping the poor.

In view of the Wickersham-report information and what seems to me to be the strong sentiment of the country at large against prohibition enforcement, I think we are just about throwing away \$11,000,000 of taxpayers' money if we vote this appropriation.

However, if the majority of the House vote for it, I will not be one of them. Let us apply such enforcement as we pretend to have only to such States who will meet the Government's portion of the appropriation allocated to such States by a like amount from their own coffers duly voted by their legislatures.

If a State does not want to pay, either because they do not believe in liquor enforcement by the Government or because they do not want to stand their fair share of this alleged protection, then, on the old doctrine of State rights, they do not obtain enforcement through the channels of that rare type of public official known as prohibition director and enforcement agent.

May I state that as far as my own State of Connecticut is concerned there is little likelihood of our legislature voting any such funds. We have never approved the eighteenth amendment and by a very large majority we look forward to the day when we can vote to wipe it off the statute books.

Mr. Chairman, I like the views of Matthew Woll, chairman of our 2,000,000 Federation of Labor modification group.

That Congress, in the adoption of prohibition, or the Volstead Act, indicated by the language used the belief that the question is one where the Nation and the States would use concurrent power in the enforcement of the law.

That if that be true, then the States of the Union, especially those States the Senators and Representatives of which in Congress believe in the continued attempt to enforce this law, which every fair-minded American must admit has been proven after 12 years of bitter experience to be unenforceable, should not appropriate any more of the American taxpayers' money unless their own States indicated their interest in the continuance of this law by the States themselves appropriating public funds to attempt at least to enforce this unenforceable law.

We understand that of late years there are 31 States represented in the Senate by 32 of the 47 Democratic Members and 29 of the 48 Republican Members, in addition to the 1 representative of the Farmer-Labor Party, and 148 of the 212 Republican Members of the House and 140 of the Democratic Members of the House, in addition to the 1 Farmer-Labor Member, which 31 States do not appropriate any money for the enforcement of this dishonest law.

This being true, should the Congress of the United States, in these days when economy is supposedly the watchword, appropriate any more funds to be spent in those States

wherein the State legislatures, who are real close to the wishes and the wants of the people, refuse to appropriate any of their taxpayers' money to enforce this law?

Incidentally it might be well to call attention to the fact that in 31 States, according to the tabulation of votes as shown on page 241 of the Congressional Directory issued December, 1931, a total of more than 17,000,000 American citizens exercised their suffrage rights. This vote in the majority of cases refers to the votes cast in what is termed "an off year."

The total vote cast in the last national election was 36,724,823.

The following-named constitute the 31 States I have referred to which either do not or will not contribute to Federal enforcement directly: Arizona, Arkansas, California, Connecticut, Delaware, Florida, Georgia, Illinois, Iowa, Kentucky, Louisiana, Maine, Maryland, Mississippi, Minnesota, New Jersey, New York, North Carolina, North Dakota, Oklahoma, Pennsylvania, Wyoming, Massachusetts, Missouri, Montana, Nebraska, Nevada, Rhode Island, South Dakota, Utah, Wisconsin.

This amendment, if carried, would settle the whole enforcement question and restore to the States their full constitutional rights.

The question was taken; and on a division (demanded by Mr. TIERNEY) there were—ayes 79, noes 176.

So the amendment was rejected.

Mr. FINLEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Kentucky offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. FINLEY: Strike out the period after the word "Columbia" in line 3, insert a colon and the following words: "No plan for, or method of, obtaining evidence against violators of the prohibition laws shall be put in force or followed by the Department of Justice unless and until approved by a convention of bootleggers and moonshiners."

[Laughter.]

Mr. STAFFORD. Mr. Chairman, I make the point of order that the amendment is special legislation, as more applicable to the gentleman's district than any other district in the country, and the further point of order that it is legislation on an appropriation bill.

Mr. FINLEY. Mr. Chairman, I withdraw the amendment.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

The Clerk read as follows:

To enable the Secretary of Labor to foster, promote, and develop the welfare of the wage earners of the United States, including juniors legally employed, to improve their working conditions, to advance their opportunities for profitable employment by regularly collecting, furnishing, and publishing employment information as to opportunities for employment; maintaining a system for clearing labor between the several States; cooperating with the Veterans' Administration to secure employment for veterans; cooperating with and coordinating the public employment offices throughout the country, including personal services in the District of Columbia and elsewhere; traveling expenses, including expenses of attendance at meetings concerned with the work of the Employment Service when specifically authorized by the Secretary of Labor; supplies and equipment, telegraph and telephone service, and miscellaneous expenses, \$802,500; of which amount not to exceed \$54,930 may be expended for personal services in the District of Columbia: *Provided further*, That no part of this appropriation shall be expended for the establishment or maintenance of any employment office unless suitable space therefor is furnished free of rent by State, county, or local authority, or by individuals or organizations: *Provided further*, That no part of this appropriation shall be used to pay any salary in any field employment office at an annual rate in excess of \$2,000.

The CHAIRMAN. Under the agreement entered into in the House, debate on this paragraph is limited to one hour, one-half to be controlled by the gentleman from Alabama [Mr. OLIVER] and one-half to be controlled by the gentleman from Pennsylvania [Mr. SHREVE].

Mr. OLIVER of Alabama. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. OLIVER of Alabama: On page 122, line 1, after the word "by," insert the word "Federal."

The amendment was agreed to.

Mr. OLIVER of Alabama. Mr. Chairman, I offer another amendment.

The Clerk read as follows:

Amendment offered by Mr. OLIVER of Alabama: On page 121, line 21, strike out "\$802,500" and insert in lieu thereof "\$383,780."

The amendment was agreed to.

Mr. OLIVER of Alabama. Mr. Chairman, I yield 15 minutes to the gentleman from Massachusetts [Mr. CONNERY].

Mr. CONNERY. Mr. Chairman, I have three amendments which I ask the Clerk to report.

The CHAIRMAN. Without objection, the Clerk will report the amendments for information.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. CONNERY: Page 121, line 21, after the word "expenses," strike out "\$802,500" and insert in lieu thereof "\$820,000."

Mr. OLIVER of Alabama. Mr. Chairman, I reserve a point of order on that amendment.

The CHAIRMAN. The gentleman from Alabama reserves a point of order on the amendment when offered by the gentleman from Massachusetts.

Mr. CONNERY. Mr. Chairman, may I have the other two amendments reported?

The Clerk read as follows:

Second amendment offered by Mr. CONNERY: Page 121, line 23, after the word "Columbia," strike out all of lines 23, 24, and 25, and on page 122, strike out all of line 1 and in line 2 the words "by individuals, or organizations."

Third amendment offered by Mr. CONNERY: Page 122, line 2, after the word "organizations," strike out all of lines 2, 3, 4, and 5.

Mr. LAGUARDIA. Mr. Chairman, there was so much confusion in the Chamber that we could not hear. Did the gentleman from Alabama offer an amendment reducing the amount of \$802,500, on page 121, to \$383,000?

Mr. OLIVER of Alabama. Yes.

Mr. LAGUARDIA. Well, we did not know what was going on.

Mr. SWING. Would not that make it impossible now to do the very thing that the unanimous consent was given us yesterday to do?

Mr. OLIVER of Alabama. I will ask unanimous consent that the vote by which the amendment which I sent to the desk was adopted be vacated. I understand that a number of the Members were not aware of what the amendment was. [Applause.]

The CHAIRMAN. Without objection, the proceedings by which the amendment was adopted will be vacated.

There was no objection.

Mr. CONNERY. Mr. Chairman, the membership of the House is, I believe, entirely cognizant of what my amendments call for. In the confusion I did not understand the amendment offered by the gentleman from Alabama, the proceedings in adopting which have just been vacated. The Bureau of the Budget recommended \$820,000, and by taking out \$17,500 it cuts down the Employment Service. My first amendment restores the appropriation to \$820,000.

The second amendment provides for striking out the proviso that "no part of this appropriation shall be expended for the establishment or maintenance of any employment office unless suitable space therefor is furnished free of rent by the State, county, or local authority, or by individuals or organizations."

Mr. LAGUARDIA. Will the gentleman yield?

Mr. CONNERY. Yes.

Mr. LAGUARDIA. The gentleman will see that the amendment of the gentleman from Alabama cuts out \$500,000 more.

Mr. CONNERY. Yes; the amendment would cut \$500,000 from the \$802,000. I hope that amendment will be defeated.

Now, what we want to do is to restore the amount recommended by the Bureau of the Budget. Then we want to strike out the provision demanding that the offices seek free rent, and strike out the provision that no employee in the employment offices shall receive more than \$2,000 a year.

This affects every employment office in the United States under the Department of Labor and forbids them paying more than \$2,000 for salaries. It affects the 48 States in the Union. Some of these men get \$4,000, some between two thousand and four thousand, and it would cut them all down to \$2,000.

I could well stop at this time, because I think it is entirely clear to the House what my amendment will do. As I say, we want to put the \$17,500 back, and make the sum \$820,000, as recommended by the Bureau of the Budget. Secondly, we want to strike out that provision which would make the United States Government act as beggars, asking free rent for a Government office, and third, we want to strike out that provision restricting the salaries to \$2,000.

Mr. KVALE. And hardly any of these directors get over \$2,400.

Mr. CONNERY. That is true; and this will cut them down \$400.

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

Mr. CONNERY. Yes.

Mr. TABER. Am I to understand that the way this bill stands at the present time it provides a cut in the pay that is now being paid to men who are working in these employment offices?

Mr. CONNERY. Yes.

Mr. TABER. How much of a cut does it provide?

Mr. CONNERY. It cuts anywhere from \$400 to \$800 or \$900 on some salaries and from a thousand to two thousand dollars on other salaries.

Mr. TABER. Does the gentleman think there is a difference between cutting an individual's salary in an individual place and a general cut that will be applied proportionately to everybody?

Mr. CONNERY. This affects every State director.

Mr. TABER. It affects only those under this particular bureau?

Mr. CONNERY. Yes.

Mr. TABER. It does not affect those under the other bureaus?

Mr. CONNERY. No; they did this only to the Department of Labor, but not to the other departments, and that in a time of unemployment. In such a time are we going to cut out the service that will at least help people to get work?

Mr. ARENTZ. And the reason the gentleman is trying to get this provision changed is because he wants these men kept there on the job?

Mr. CONNERY. Yes.

Mr. LANHAM. Mr. Chairman, will the gentleman yield?

Mr. CONNERY. Yes.

Mr. LANHAM. Personally it seems to me that in this time of unemployment it is unwise to restrict employment agencies. In the present financial and economic condition of the country, are not States and cities and counties less likely to be able to furnish quarters free than heretofore? In addition to that, when so many men are seeking employment agencies, would it not be unwise, where they have been established in centers and long operated, to change the place of operation?

Mr. CONNERY. Yes. In answer to the gentleman's first question, it seems to me it would be unwise to restrict the employment agency. Besides, there are 22 of these offices whose sole duty is to get jobs for unemployed service men, and this is going to cut them down.

Mrs. ROGERS. Mr. Chairman, will the gentleman yield?

Mr. CONNERY. Yes; I yield to my distinguished colleague the lady from Massachusetts.

Mrs. ROGERS. A good many veterans are employed in these offices, are they not?

Mr. CONNERY. I think there are at least 22. I think the director of every veterans' employment service is a veteran.

Mrs. ROGERS. Of course, the work the American Legion is now doing does not in the least take the place of these offices, because these are permanent offices.

Mr. CONNERY. Yes.

Mrs. ROGERS. Whereas the Legion work is temporary, an emergency measure. It is a splendid movement, but fine as it is, legionnaires can not give the necessary time to permanent work of this kind.

Mr. CONNERY. No. And these are permanent offices. I do not desire to take up any further time, because I want to yield to some of my colleagues. I think the membership understands what we are trying to do. We are trying to put back \$17,500, recommended by the Bureau of the Budget, and not have the Government go out looking for rent-free places.

I think it is a disgrace to ask the Government to do that. In the next place, we do not want to have cuts in these salaries. The House will remember that I asked the distinguished chairman of the Committee on Appropriations before Christmas, when they brought in this supplementary provision for \$120,000 for additional offices, if this cut in the salaries at that time would affect the permanent offices, and he said by no means.

Mr. BLANTON. The gentleman will remember that last week I put into the RECORD certain places where rent is now being paid?

Mr. CONNERY. Yes.

Mr. BLANTON. And the contract in respect to which will expire July 1. There are only a few of those. Does the gentleman think that provision could not be made in those places, in the chambers of commerce or in the Federal building, for rent-free offices?

Mr. CONNERY. I do not think the United States Government, when running an Employment Service, should be running around to mayors and chambers of commerce and asking them to find a rent-free place for it.

Mr. BLANTON. In my own State the offices are furnished free.

Mr. CONNERY. But the Government is running its own Employment Service and ought not to go begging around the States and cities for quarters. If we are as cheap as that, it would be better to abolish the whole thing. I yield three minutes to the gentleman from Illinois [Mr. KELLER].

Mr. KELLER. Mr. Chairman, first I call attention to what the object of this bill really is.

I quote from the bill itself to see what its object is and to ask the committee to consider its own official statement of the object. I quote:

EMPLOYMENT SERVICE

To enable the Secretary of Labor to foster, promote, and develop the welfare of the wage earners of the United States, including juniors legally employed, to improve their working conditions, to advance their opportunities for profitable employment by regularly collecting, furnishing, and publishing employment information as to opportunities for employment; maintaining a system for clearing labor between the several States; cooperating with the Veterans' Administration to secure employment for veterans.

Yet the chairman of this committee, and this committee, come here and ask that we take all the power away from the Secretary of Labor to carry out the very object of the bill which they have themselves brought in. There are 8,000,000 idle men in America, and this Congress so far has not turned its hand to help these idle men. How can we answer, as we will be compelled to, when we go out and face the voters in our districts when they put the question to us? We had better be able to answer. I do not mean that as a threat, but as an inspiration and appeal to humanity that we give the idle men of America a chance to get work, to get employment, to do something, to serve, and no longer to starve.

I am not able to understand how the chairman of this committee, or any member of it, could stand for such an amendment as the chairman has offered to this bill, much less one that he will propose later on, to cut half a million dollars from the appropriation, because if that is done, it would completely and entirely nullify the very object that is declared for this bill.

Eight million men are standing out in the open asking for jobs, and yet we come here attempting to save \$17,500 by the amendment under consideration, to keep them from getting jobs. We can not answer a man that is idle by denying him the only opportunity now in reach. I warn you now that 8,000,000 idle men in America are not going to remain idle, and it is the duty of this Congress to see that they do not remain idle. [Applause.]

[Here the gavel fell.]

Mr. BLANTON. Mr. Chairman, I ask unanimous consent to revise and extend my remarks, and to insert some excerpts to which I wish to refer.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BLANTON. Mr. Chairman, I have asked the privilege of extending my remarks in the RECORD, and to insert in connection therewith excerpts from evidence brought before our subcommittee of the Committee on Appropriations, presided over by our distinguished colleague from Missouri [Mr. CANNON], to show just how the rights of the people are handled by the Public Utilities Commission of the District of Columbia.

On January 6, 1932, the gentleman from Tennessee [Mr. BYRNS] passed in the House of Representatives without a single vote against it the following resolution:

[House Resolution 90, Seventy-second Congress, first session]

In the House of Representatives, January 6, 1932. Mr. BYRNS submitted the following resolution; which was agreed to.

Resolution

Resolved, That it is the sense of the House of Representatives, unanimously expressed, that Commissioner Patrick, of the Public Utilities Commission, should rescind immediately his order requiring taxicabs in the District of Columbia to be placed upon a meter basis, it being the intention that visitors coming to the Nation's Capital during 1932 shall have taxicab service at the very lowest rate possible.

The passage of the above Resolution No. 90 by the House of Representatives appears on page 1398 of the daily CONGRESSIONAL RECORD for January 6, 1932. It was passed unanimously. It would be well for Gen. Mason M. Patrick, chairman of the Public Utilities Commission of the District of Columbia, to familiarize himself with the expressions voiced from the floor by different Members against the order, which without rhyme or reason, he has attempted to put into effect, to run all independent taxicabs in Washington out of business by establishing meters. Everyone knows that the organized taxicab monopolies here are behind this proposed meter proposition for two purposes, the first to destroy all competition, and the second to rob and mulct the public with charges of 90 cents to \$1.50 for the same service independents are now rendering for 20 cents. He will find some of these expressions on pages 1386 and 1387 of the RECORD for said January 6, 1932.

When General Patrick was before our committee the other day he admitted that not a Member of Congress had attended his so-called hearing, and that few citizens, who are busy daily about their business, had been heard. He attempted to support his order attempting to require meters by claiming that hundreds of independent taxi drivers, wholly disconnected with the "Whites and Blacks," the "Yellows," the "Diamonds," and other monopolies, had filed with him their indorsement of requiring meters. When we pinned him down for their names and addresses the following list is that which he filed with our committee, and I am informed that this list is propaganda, pure and simple, and that most of the names on this list are not independent taxi drivers wholly disconnected from said monopolies. That the real independents may know just how their interests have been propagandized before the Public Utilities Commission, I am giving these names and addresses herewith, to wit:

TAXICAB DRIVERS IN FAVOR OF PUBLIC UTILITIES COMMISSION ORDER 956

William F. Martu, 1120 Trinidad; Robert I. Tiller, 1113 Harvard NW.; George F. Kyle, 4118 Gault Street NE.; W. S. Jenkins, 1105 Ninth Street NW.; H. T. Hoff, 244 Fourteenth Street SE.; A. W. Garrison, 218 Eighth Street NE.; Alfred B. Pierotte, 316 Fourteenth Place NE.; Charles Fred Hines, 826 L Street NE.;

S. W. Murray, 616 Third Street NW.; M. Atchison, 779 Twentieth NE.; W. J. Chesser, 765 Twentieth Street NE.; H. L. Blackman, 500 Sixth SE., No. 304; H. S. Sweeney, 1272 New Hampshire Avenue NW.; Robert A. Dugan, 1726 Wisconsin Avenue NW.; Joseph E. Kelly, East Falls Church; W. E. Shipley, 3538 Alton Place; F. M. Owen, 1444 Harvard Street; O. S. Gibbs, 3827 Thirty-first Street NE. (Botts (Inc.)); C. B. Cole, 816 Connecticut Avenue; David I. Muschlitz, 1321 Belmont; R. O. Fletch, 1215 Tenth Street NW.; W. E. Guard, 115 I Street NW.; William Southern, 3715 Macomb Street; Arthur Gibson, 703 Tenth Street NE.; H. S. Kaylor, 1320 Harvard Street NW.; William A. Frye, 3301 Du Bois Place SE.; C. M. Jessie, 622 I Street SE.; B. B. Picono, 808 1/2 Twelfth Street NW.; A. Castro, 1104 Eighteenth Street NW.; August Grabis, 805 Massachusetts Avenue NE.; John O. Behnke, 625 Florida Avenue NE.; J. H. Schiller, 2913 M Street NW.; A. B. Dean, 1321 Eleventh Street NW.; R. L. Allen, 615 Seventh Street SW.; Dane Sitnick, 909 Decatur Street NW.; E. A. Riley, 2404 Pennsylvania Avenue NW.; George Zuil, 1013 East Capitol Street; Theodore W. Carlson, Capitol Heights, Md.; Ben A. Inman, 35 Anacostia Road NE.; Louis H. Parker, 508 B Street SE.; L. P. Hettenkemer, 413 Oglethorpe Street NW.; Fr. Urban, 924 Tenth Street SE.; G. H. Hottle, 113 Rock Creek Church Road; G. M. Ashton, 1110 Quinn Street NE.; J. E. Norton, 655 F Street NE.; James F. Horan, 1116 First Street SE.; Joseph Toland, 1203 Eleventh Street NW.; Gus R. Day, 1617 Seventeenth Street NW.; Donald H. Merrill, 1135 New Hampshire Avenue NW.; Norman C. Turner, 1405 Good Hope Road; Willie Brown, Berwyn, Md.; P. C. Murphy, 1415 D Street NE.; L. A. White, 1417 East Capitol Street; Louis A. Harris, 216 Spruce Avenue, Takoma Park, Md.; Arthur Jacobson, 1434 Geranium NW.; Ralph W. Knight, 1024 Eighth Street NW.; Joseph H. Fowler, 820 E Street SE.; C. T. Carpenter, 2435 Eighteenth Street NW.; W. P. Peterson, 2209 Eye Street; Joe Dobbs, 607 Fourth Street NW.; Douglass A. Hall, 1334 Vermont Avenue; Harry W. Wolfe, 3303 Seventeenth Street NE.; Eugene F. Thraikill, 1421 Twelfth Street NW.; John Pahinale, 1354 Eleventh Street SE.; D. A. Boatwright, Seat Pleasant, Md.; H. T. Dixon, 814 Eighth Street NE.; J. L. Smith, Northbrooke Courts; J. H. Faust, 1449 Rhode Island Avenue NW.; E. E. Naud, Riverdale, Md.; L. D. Bradbury, 1017 Seventeenth Place NE.; M. S. Blair, 731 Second Street NE.; James P. Brumbaugh, 104 Maryland Avenue, University Park, Md.; R. C. Baker, 210 Eighth Street NE.; Oden Catherten, 637 S Street SE.; I. C. Simons, 312 Ninth Street SE.; Nathan Edelman, 4723 Eighth Street NW.; Walter Jackson, 1115 East Capitol Street; John L. Berno, 1321 Belmont Street NW.; F. D. Stone, 425 Sixteenth Street SE.; D. J. Smith, 1107 Irving Street NW.; E. Barnall, 906 Irving Street NE.; R. H. Gerhardt, 3153 Mount Pleasant Street NW.; E. L. Martin, 5112 Connecticut Avenue; R. P. Myers, 1735 Fourteenth Street NW.; James F. Reingruber, 18 Klondyke Street, Rosslyn, Va.; R. F. Messersmith, 828 Longfellow Street NW.; Charles J. Bury, 1109 B Street NE.; M. H. Snyder, 920 Grant Place NW.; Charles H. Deskin, 1660a Avon Street; John E. Fletcher, 5508 Colorado Avenue; C. O. McInturff, Hume Springs, Va.; H. J. Cunningham, 1227 Eleventh Street NW.; George Hall, 48 B Street SW.; Roy L. Brown, 915 North Carolina Avenue SE.; B. A. Thomas, 3008 Thirteenth Street NW.; T. J. Levitt, 713 C Street NE.; Joseph Lamonto, 123 C Street NW.; Charles A. Fauest, 334 Fourteenth Place NE.; Atho M. Hammon, 806 Eye Street NW.; P. M. Cross, 133 Pennsylvania Avenue NW.; T. F. Betts, 523 Third Street NE.; R. King, 810 K Street SE.; S. R. Bayne, 1356 Quincy Street NW.; H. H. Coleman, 716 F Street NE.; D. Sullivan, 1328 Harvard; G. H. Pennell, 1324 Eighteenth Street NW.; B. Adelman, 1618 Nineteenth Street NW.; G. Williams, 69 L Street NE.; W. C. Needlinger, 204 Leyton, Silver Spring, Md.; Karl Maske, 1215 L Street NW.; Charles K. Beavers, 1310 L Street NW.; T. G. Talbert, 207 Bates Street NW.; James R. Porter, 1448 Girard Street NW.; R. A. Scroggs, 524 Varnum Street NW.; W. H. Turner, 1014 North Carolina Avenue SE.; Edw. Hines, 409 B Street NE.; A. R. Phillips, 441 Newton Place NW.; R. L. Edwards, 3409 Holmead Place NW.; James Alexander, 303 C Street SE.; Roy S. Coffman, 619 New Jersey Avenue NW.; Rowland E. Darling, 614 D Street SE.; J. Koelkebeck, 323 Kentucky Avenue; W. E. Campbell, 718 Sixth Street SW.; W. H. Jones, 454 Third Street, Clarendon, Va.; Sam Adelman, 1618 Nineteenth Street NW.; L. P. Menter, 1238 Rhode Island Avenue NE.; Max Sommerville, 3614 Connecticut Avenue NW.; O. W. Rison, 60 Eye Street NW.; M. E. Feltenberger, 442 Emerson Street NW.; A. Finlayson, 801 B Street SE.; F. G. Oliver, 1641 R Street NW., apartment 3; Hanely Tinsley Shelton, 128 Eleventh Street SE.; Frank F. Ready, 1134 Twenty-fifth Street NW.; M. E. Genbault, 1333 Belmont Street NW.; J. Patoka, 1525 S Street SE.; G. W. Singleton, 4 Schley Avenue, Hyattsville, Md.; A. E. Summers, 1461 Rhode Island Avenue NW.; W. L. Tippet, 1330 Four-and-a-half Street SW.; John B. Pearsall, 2900 Connecticut Avenue; Claud O. Weaver, 1629 West Virginia Avenue NE.; A. B. Green, 319 W Street NE.; H. F. Graf, Twenty-fifth and Altamount Place SE.; Earl J. Pathsor, 640 Eleventh Street NE., apartment 4; J. M. Sult, 412 Seventh Street SW.; F. C. Walters, 1700 Lyman Street NE.; A. T. McAllister, 14a Bates Street NW.; Charles S. Hunt, 1240 Evarts Street NE.; Fred S. Taylor, 220 Pedant Avenue, Highland, Va.; W. A. Van Winkle, 109 V Street NW.; E. E. Bell, 1736 Columbia Road NW.; S. D. Rawden, 3217 N Street NW.; E. D. Douslen, 1311 Emerson Street NE.; S. H. Greenberg, 300 New York Avenue NW.; J. Bowers, 1420 R Street NW.; Lewis Mulligan, 1544 Thirty-third Street NW.; John Aranti, 1230 Thirty-sixth Street NW.; E. L. Cook, 3035 Vista Street NE.; C. M. Foltz, 416 Wilkes Street, Alexandria, Va.; J. H. Prillaman, 1228 Pennsylvania Avenue SE.; Sam Harrat, 610 Lincoln Road; Louis E. Wood, 334 Fourteenth Street NE.; C. O. Palmer, 4020 Garrison Street NW.; E. J. Youmans, 426 Fif-

teenth Street NE.; E. Dixon, 1436 Foxall Road; Furney Lough, 103 Second Street NE.; L. B. Daniel, 1026 D Street NE.; Bernard L. Henning, 907 E Street SE.; William I. Griggs, 1352 Longfellow Street NW.; Philip Mixsell, 5111 Thirteenth Street NW.; Fred W. Jones, 1004 Twelfth Street SE.; John W. Alexander, 303 C Street SE.; D. R. Mason, 118 Fifth Street SE.; William F. Hanmer, 2017 Thirteenth Street SE.; Charles Scandove, 1231 North Capitol Street; J. L. Griffith, 1701 L Street NE.; Ralph A. Wall, 775 Twentieth Street NE.; Lester Phillips, 611 Eighth Street NE.; B. B. Newton, 1008 Will Place NE.; C. W. Sampson, 910 Lawrence Street NE.; C. W. Offenbacher, 5 Quincy Place NE.; George F. Eimer, 233 Kentucky Avenue SE., No. 2; F. H. Johnson, 1524 Thirty-fourth Street NW.; P. F. Crabill, 1116 Staples Street NE.; J. W. Goodman, 1203 Eye Street SE.; Harry Dobkin, 1414 V Street NW.; S. Racoosin, 701 N Street NW.; A. G. Hixon, 1133 Twelfth Street NW.; Fred J. Doshier, 1742 L Street NE.; C. A. Kensingler, Rosslyn, Va.; R. B. Smith, 220 Cromwell Terrace NE.; Edgar A. Baker, 1748 L Street NE.; Leroy H. Suhl, 324 Pennsylvania Avenue SE.; John D. Mellick, 1925 Eye Street; B. S. Gould, People's Service Station; I. L. Armentrout, 2006 Fourth Street NE.; James Charles Rollins, 1600 E Street SE.; K. L. Hoffman, 4899 Potomac NW.; E. G. Hunter, 2439 Monroe Street NE.; R. L. Robey, 1748 L Street NE.; Leo Y. Love, Hyattsville, Md., R. F. D. No. 1; Morris W. Askin, 1794 Columbia Road; George H. Shaw, 3317 M Street NW.; S. A. Wilkinson, 309 Whalon Avenue, Clarendon, Va.; E. M. Snakenberg; C. F. Hughes, 711 Thirty-second Street SE.; J. G. Dobson, 2924 Twelfth Street NE.; Nelson Howell, 711 Fifth Street NW.; R. E. Pope, 116 Eleventh Street NE.; R. Murray, 4027 Kansas Avenue; Chester G. Green, 118 Carroll Street SE.; A. Davis, 119 Penn Street NE.; George McVay, 37 L Street NE.; K. O. Grempler, 102 Fourteenth Street NE.; Albert F. Ilse, 1454 Newton Street NW.; John M. Tholl, 807 Tuckerman Street NW.; R. A. Evans, 3315 Seventeenth Street NW.; M. Miller, 1116 Fourth Street SE.; N. M. Campbell, 1336 Emerson Street NE.; G. F. Wright, 2305 Nicholson Street SE.; Thomas F. Lynch, 1007 Fourteenth Street SE.; B. R. Salter, 1018 Eye Street SE.; L. Dean, 4161 Alabama Avenue SE.; G. M. Oliver, 706 A Street SE.; Carter R. Crooke, 631 North Carolina Avenue SE.; Joseph W. Williams, 1695 Gales Street NE.; C. C. Harp, 310 Fifth Street NE.; F. C. Roberts, 818 C Street NE.; E. G. Stanley, 824 Upshur; W. Wilsman, 733 E Street SE., No. 1; Joseph R. Slovensky, 824 Delafield Place NW.; V. G. Mulhoan, 209 F Street NE.; James M. Brown, 218a Bates Street NW.; W. C. Ball, 1002 K Street NW.; Samuel Gordon, 1304 Monroe Street NW.; J. E. Fowler, 1762 Pennsylvania Avenue NW.; Raymond Shackelford, 1334 Four and one-half Street SW.; Young, 735 Third Street NW.; Fr. H. Hanson, 612 Eighth Street SW.; J. G. Bromley, 1919 Thirty-fifth Place NW.; Harry A. Winters, 1619 E Street SE.; James L. Patton, 1011 Fourth Street NE.; Forrest W. Harler, 1918 Eighteenth Street NW.; B. F. Lambert, 2005 First Street NW.; R. A. Carter, 1417 Massachusetts Avenue SE.; J. E. Young, 129 Webster Street NW.; Warren A. Gorrell, 1250 Jackson Street NE.; William R. Ackerman, 1300 F Street NE.; James Oliver Johnson, 626 Ninth Street NE.; Victor Smith, 828 Twelfth Street NW.; W. E. Payne, 322 Raleigh Street SE.; O. J. Wood, 1352 K Street SE.; J. B. Graybral, 1043 Quebec Place NW.; J. E. Garner, 1413 Girard Street NW.; C. V. Johnson, 5219 Kansas Avenue NW.; C. L. Bancroft, 5015 Seventh Street NW.; P. V. Nelson, 1458 Columbia Road NW.; William A. Grumwald, 529 Lamont Street SW.; C. S. Johnson, 307 I Street NE.; C. K. Andress, 502 E Street NE.; C. A. Hinkle, 1470 Clifton Street NW.; E. Collins, 1406 Good Hope Road SE.; Joseph A. Martin, 1425 West Virginia Avenue NE.; Luther H. Hancock, 1945 Calvert Street; E. A. Long, 614 Franklin Street NE.; Charles E. Cashion, 500 E Street NW.; R. W. Kirk, 1328 E Street NE.; F. Pucci, 540 Irving Street NW.; M. W. Bryant, 738 Fifth Street NE.; F. A. Allen, 1210 Wilson Boulevard, Clarendon, Va.; M. J. Jenkins, 1205 Thirtieth Street NW., No. 300; M. G. Long, 1368 Irving; William T. Dugan, 1217 Kennedy Street NW.; Harold T. Pyke, 1223 M Street NW.; B. P. Moss, 1321 Rhode Island Avenue; P. J. Deegan, 1217 Kennedy Street NW.; C. V. Castle, 1332 Harvard Street NW.; J. T. Harty, 1418 W Street; F. S. Colman, 1811 Lawrence NE.; John Coyle, 3241 Second Street; Lewis E. Mudd, 1205 I Street SE.; James E. Wood, 1007 Eleventh Street SE.; Carroll E. Newman, 140 C Street SE.; R. M. Stollings, 111 Second Street NW.; H. E. Bell, 315 H Street NW.; B. G. Potter, 3561 Eleventh Street NW.; N. H. Wiggs, 702 Third Street NW. (Bell); J. W. West, 844 Jefferson Street NW. (City); Robert A. Shackelford, 1118 Fourth Street SE.; Leroy M. Hanback, 625 Sixth Street SW.; William A. Nimmo, Capitol Heights, Md.; L. W. Noell, 108 Rircker Place, Alexandria, Va.; F. Pfeifer, 409 Fourth Street NE.; M. Tippet, 1208 First Street SE.; C. L. Gross, 1208 Holbrook Street NE.; W. C. Wheeler, 1343 H Street NE.; R. M. Biggs, 1917 K Street NW.; C. J. Morris, 515 L Street NW. (Irwin); C. W. Crawford, 1728 L Street SE.; C. B. Canaday, 1347 G Street SE.; M. L. Everhart, 1322 Twelfth Street NW.; J. S. Woods, R. F. D. No. 1, Vienna, Va.; L. E. Simons, 454 Second Street SW.; E. T. Corry, 1128 Fourth Street SE.; J. C. Precour, 647 B Street NE.; C. B. Klopfer, 231 C Street NE.; A. Clift, 1205 K Street NW.; Eddie Fox, 138 Sixth Street NE.; W. C. Adams, 611 Seventh Street SW.; Cod Thonn, 3 Goodman Avenue, Hyattsville, Md.; G. H. Young, 1470 Clifton; H. E. Clunier, 1023 Pennsylvania Avenue NW.; E. H. Chilson, Takoma Park, D. C.; J. Cockrill Poole, G Street NW.; R. C. Detwiler, 2145 N Street; Joseph Simms, 1638 Massachusetts Avenue SE.; Charles P. Kales, 1226 Ingraham Street; W. S. Conner, McLean, Va.; R. J. Rooney, 418 B Street

NE.; Henry F. Hinckley, 201 Anacostia Road NE.; H. E. Elliott, 2413 Second Street NE.; James E. Heavner, 1215 L Street NW.; J. A. Heflin, 531 Fifth Street SE.; Otis Fist, 2500 Third Street NE.; Daniel Spalding, 614 L Street SW.; W. W. Cunningham, 1227 Eleventh Street NW.; J. D. McPherson, 1735 Fourteenth Street NW.; Joseph W. Cryer, 219 A Street NE.; C. E. Mettler, 909 G Street NE.; H. R. Carr, 2121 H Street NW.; V. P. Kitchen, 1315 Belmont Street; Benjamin Greenfield, 4916 Seventh Street NW.; A. E. Bunn, 1332 Belmont Street NW.; D. C. Judas, 1411 T Street SE.; R. K. James, 445 Irving Street NW.; Paul C. Sullivan, 1307 Twelfth Street NW.; Charles Leonberger, 1735 Fourteenth Street NW.; B. F. Comer, 2141 K Street NW.; D. W. Winters, 434 Sixteenth Street SE.; A. E. Pacheco, 629 F Street NE.; James Foley, 9 H Street NW.; James A. Barnes, 1735 Fourteenth Street NW.; Charles E. Patterson, 264 Sixteenth Street SE.; D. B. Wright, 3008½ R Street NW.; J. A. Fonoroff, 402 G Street SE.; S. A. McManus, 1341 Montague; O. Ottenberg, 1138 Seventh Street NW.; W. G. Cooksey, 1342 D Street SE.; Louis B. Cross, 5511 Thirteenth Street NW.; J. C. Presnell, 307 East Allen Avenue; Roife M. Leedy; Leonard Carrigan, 1729 D Street SE.; Edward Flagg, 1349 C Street SE.; R. G. Meyer, 1212 Staples Street NE.; Thomas Ruppert, 1825 Hamlin Street NE.; H. W. Parsons, R. F. D. 5, Alexandria, Va.; William Padgett, 216 E Street NW.; George A. Robinson, 1143 Third Street NE.; L. O. Sullivan, 1303 Fairmont Street NW.; G. S. Ewell, 500 Virginia Avenue SE.; William P. Flaherty, 200 Massachusetts Avenue NW.; C. M. Dudge, 493 E Street SW.; J. W. Forwell, 3940 Thirty-fourth Street NE.; H. Winters, 1619 E Street SE.; W. B. Collier, 1236 New Hampshire Avenue; W. G. King, 3022 Wisconsin Avenue, No. 27; J. W. Bradley, 121 Thirteenth Street NE.; W. C. Coleman, 2435 Eighteenth Street; W. H. May, 1610 Sixteenth Street NW.; H. P. Altwine, 1332 Eye Street NW., No. 615; H. E. Wilkins, 2035 H Street NW.; C. E. Reich, 1862 Ontario Place NW.; M. N. Webster, 1209 Thirtieth Street NW.; F. C. Holtzclau, 920 Seventh Street NE.; E. J. McCormack, 1602 Sixteenth Street NW.; H. S. Clark, 1908 N Street; Q. E. Smith, 1908 N Street; R. E. Bradley, 121 Thirtieth Street NE.; C. Lerner, Maryland Park, Md.; G. Hale, 701 Fourth Street NW.; N. F. Simpson, 3040 R Street; H. C. Mason, 1221 Twelfth Street NW.; N. W. Sweeney, 471 Eye Street SW.; John J. Turner, 1241 Potomac Street; Edward L. Kneessi, jr., 3221 Connecticut Avenue; S. N. Bauman, Clarendon, Va.; R. Mercurrott, jr., 502 ———; J. C. Price, 1729 B Street SE.; G. E. Lee, Falls Church, Va.; M. H. Williams, 1820 Kalorama Road NW.; Charles A. Columbus, 3249 N Street; Elmer A. Dwyer, Bon Air, Va.; Paul P. Dwyer, Bon Air, Va.; Earl Richardson, 2416 G Street NW.; Russell Phelps, 2523 Fourteenth Street NW.; James Oliver, 1641 R Street NW.; R. Page, 1210 K Street NW.; L. F. Redmon, 2820 N Street NW.; William Waters, Cabin John, Md.; H. D. Williams, 30 Sixth Street SE.; K. L. Allen, 1402 Fifteenth Street NW.; Horace A. Reardon, 2618 L Street NW.; William Fisher, 125 South Walnut Street, Lyon Park, Va.; M. D. McCormick, 3919 Forty-fourth Street NW.; A. T. Hall, 4118 Gault Place NE.; J. C. Mason, 4505 Wisconsin Avenue NW.; E. F. Bokman, 1143 New Hampshire Avenue; Alexander W. Horne, 922 Twenty-third Street NW.; R. H. Hanson, 411 Second Street NW.; G. S. Ruder, 2101 New Hampshire Avenue NW.; C. Case, 2 Logan Circle; R. V. Wheeler, 105 Colorado Avenue, East Riverdale, Md.; W. A. Thompson, 3346 Prospect Avenue, NW.; J. C. Davis, 923 Fourteenth Street, NW., No. 1; A. G. Doyle, 248 Eighth Street SE.; M. R. Hutchinsin, 112 Fourth Street SE.; L. E. Sponer, 750 Third Street; A. Pagliocchini, 610 Maryland Avenue SW.; R. D. Walker, East Falls Church, Va.; L. G. Ruark, 317 Second Street SE.; R. H. Elliott, 110 Fourth Street NE.; G. W. Keesee, 1009 Eye Street NE.; William H. Coursen, 629 Allison Street NW.; Daniel B. Gallatin, 1811 Fairlawn Avenue SE.; M. Jackowski, Route 1, Benning, D. C.; C. W. Derryberry, 605 Twenty-first Street NW.; H. Glenn, jr., The Portner, Fifteenth and You Streets NW.; J. L. Luyster, 3714 Thirty-first Place NE.; Joseph L. Cansey, 952 Shepherd Street NW.; Jack Kitts, 225 T Street NE.; S. Howell, 1108 Orren Street NE.; John G. Behvin, 217 F Street NW.; H. J. Knott, 700 Sixth Street SE.; and W. E. Marshall, 1418 Ames Place NE.

Mr. Chairman, it does not mean so much to General Patrick whether there is a 20-cent taxi rate or whether the monopolies may charge the people 90 cents to \$1.50 under meters for the same service. He is paid \$7,500 salary as chairman of the Public Utilities Commission and, in addition, he receives retirement pay of \$6,000 per annum as a retired general, and he is permitted to buy everything carried from Army stores at Government cost, and he is furnished free an automobile, and he is also furnished a chauffeur paid for by the Government.

But as little as it means to General Patrick, it does mean everything to the 500,000 people living in Washington, and to the hundreds of thousands of our constituents who are to visit Washington this year, and whom we are not going to permit to be robbed by heartless taxicab monopolies. I would like for each one of the drivers whose names are given above who are not in favor of meters to advise my office in writing, and whether or not he is an ex-service man, and what is his average daily net income.

Mr. LaGUARDIA. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LaGUARDIA. I understand we are now proceeding under unanimous consent for one hour, and it was my understanding that one-half the time should be controlled by those opposed to the present provision and one-half to those in favor of the bill.

Mr. OLIVER of Alabama. Mr. Chairman, I think it would be better for me to make a statement about this at this time, and I will yield five minutes to myself.

The CHAIRMAN (Mr. BANKHEAD). Permit the Chair to make a statement. As the present occupant of the chair understood the unanimous-consent agreement, it was that there should be one hour debate upon this section, one-half to be controlled by the gentleman from Alabama [Mr. OLIVER] and one-half to be controlled by the ranking minority member of the committee, with the understanding that the gentleman from Alabama [Mr. OLIVER] should yield to the gentleman from Massachusetts control of 15 minutes of the one-half hour.

Mr. OLIVER of Alabama. And the gentleman from Pennsylvania [Mr. SHREVE] would yield 15 minutes of his time to some one on that side who might be opposed to the recommendation of the committee.

Mr. LaGUARDIA. The statement made by the gentleman from Alabama is satisfactory if we can have it carried out.

Mr. OLIVER of Alabama. Mr. Chairman, this is a far-reaching amendment, and I want the House to understand that your subcommittee was perfectly frank and fair in presenting it for your determination. In the report it was stated that while it was felt that reductions could be here made, yet in view of the fact that the House just before the holiday voted an additional \$120,000 for this service, the committee did not feel justified in taking any action of its own accord, but felt that the matter should be simply reported by way of suggestion to the House so that the House might feel free to exercise its own judgment without reference to any action by the committee. In other words, you are the sovereigns. Your committee wishes only to suggest how, in its judgment, you can provide for a substantial saving without real hurt to this service. If I felt you were accomplishing with the appropriation what my good friend from Massachusetts [Mr. CONNERY] feels is being accomplished with it, I would not vote for reduction nor for a single additional limitation.

The appropriation that was recommended by the Bureau of the Budget was approximately \$820,000. We have not reduced that. We have brought it back for you to determine whether it should be reduced. We imposed upon that appropriation two conditions.

Mr. CONNERY. Will the gentleman yield?

Mr. OLIVER of Alabama. I yield.

Mr. CONNERY. The gentleman's committee did reduce it from \$820,000 to \$802,000.

Mr. OLIVER of Alabama. That was only because of the rent limitation which I will now mention. We reduced it some seventeen thousand-odd dollars because of the attached proviso that there should be no rent paid after July 1 next. The rent now being paid is about \$17,000, which was deducted from the Budget estimate.

Then we provided a further limitation, that after July 1 no salary should be paid in excess of \$2,000. The reason we put those limitations on was that we felt we were justified from the action taken in the House just before the holidays. You established 54 offices with the \$120,000 carried in the deficiency bill, and in authorizing those offices to be established you provided that no rent should be paid at a single office and no salary in excess of \$2,000 should be paid at any of the 54 offices. The position of the committee was that if the House denied to the 54 offices, authorized to be established between December 27 and July 1, 1932, any rentals, and limited the maximum salary to \$2,000, that might be paid to any office manager, the committee was doing no violence to the attitude of the House by suggesting like limitations after July 1 next. The limitation you placed, it is proper to say,

did not limit the salaries prior to that time, but only salaries at the new offices to be established under the \$120,000 appropriation.

Mr. LEAVITT. Will the gentleman yield?

Mr. OLIVER of Alabama. I yield.

Mr. LEAVITT. Does the gentleman recall that when the temporary bill, to which the gentleman has referred, was before the House, containing this \$2,000 limitation, I offered an amendment to strike out that limitation, and the gentleman said at that time, as I recall, that that had to do only with the temporary matter?

Mr. OLIVER of Alabama. I have just stated that to the House.

[Here the gavel fell.]

Mr. LEAVITT. But that could not be considered then as establishing a precedent by the House?

Mr. OLIVER of Alabama. Mr. Chairman, I reserve the balance of my time.

Mrs. ROGERS. Is there not a difference? In the first place, the temporary offices come under the new provision.

Mr. OLIVER of Alabama. I recognize that the lady feels that there is a difference, but I will later suggest reasons for your consideration as to whether the reasons are sound.

Mrs. ROGERS. You are wiping out existing offices—offices that have been in existence for several years.

Mr. OLIVER of Alabama. The lady is probably correct in her statement.

Mrs. ROGERS. And I think it is unfair to do that, particularly in these times.

Mr. HOPKINS. Will the gentleman yield?

Mr. OLIVER of Alabama. Yes.

Mr. HOPKINS. Should this \$500,000 reduction be made, how many employment offices now in existence would have to be cut out?

Mr. OLIVER of Alabama. It is very probable none will be cut out unless the appropriation is reduced.

Mr. HOPKINS. The gentleman has offered an amendment to reduce the amount by \$500,000.

Mr. OLIVER of Alabama. I reduce it to the amount carried in the regular appropriation bill for the present fiscal year.

[Here the gavel fell.]

Mr. SHREVE. Mr. Chairman, I yield 15 minutes to the gentleman from New York [Mr. LaGUARDIA].

Mr. LaGUARDIA. Mr. Chairman, I yield myself two minutes for the present. I want to call the attention of the committee to the parliamentary situation. First, we have the bill before us calling for an appropriation of \$802,500. The gentleman from Massachusetts [Mr. CONNERY] gave notice to the committee that he would move to raise this amount to \$820,000, the amount recommended by the Bureau of the Budget on the estimates of the Secretary of Labor. Now, much to our surprise, there is an amendment pending offered by the distinguished gentleman from Alabama reducing the \$802,000 to a little over \$300,000. So let us not be confused. We have, first, the proposition of the chairman of the committee itself reducing the amount recommended by the Appropriations Committee. I am sure that all Members of the committee are not in accord with that. Let me say that the Committee on Appropriations had already reduced the amount recommended by the Bureau of the Budget. I want to clarify the situation, because the amendment was offered at a time when everybody was going out of the Chamber and excited about the prohibition debate. The gentleman from Alabama, always fair, moved to rescind that vote, so the amendment is now pending.

Now, Mr. Chairman, we all must know that in these times of stress private employment agencies are exploiting the misery of the unemployed. Not only are exorbitant fees demanded but private employment agencies are the means of unduly reducing wages. The private employment agency secures the good will of employers by constantly offering new workers for less wages. The agency profits come from fees collected. The employee and not the employers pay the fee. The United States Department of Labor is endeavoring to establish a permanent Employment Service throughout the

United States. It will take time, of course, to perfect such an organization. Good, active, competent, and conscientious men and women are required for this service. The department should not be limited at this time by a further reduction of appropriations. It is manifestly unfair to reduce salaries in this service. I will reserve the balance of my time and I sincerely hope the gentleman from Alabama [Mr. OLIVER] will reconsider the matter and withdraw his amendment.

[Here the gavel fell.]

Mr. CONNERY. Mr. Chairman, I yield two minutes to the gentleman from Minnesota [Mr. KVALE].

Mr. KVALE. Mr. Chairman, in line with the argument developed by the gentleman from New York, these are times of stress. We need this Employment Service more than ever before. A few minutes ago we acted favorably upon a proposal to hold the appropriation for the Prohibition Bureau to the amount of the Budget recommendation. I supported that motion. It seems to me the least we can do in this instance is to hold these employment figures to this same level, and everyone who supported the former proposal should support this amendment.

Now, here you have two groups of men, the directors of this Employment Service and managers of the veterans' employment service. They are not only clerical employees, they do not only receive applications for employment, but they are also responsible for the more important work of the finding of jobs for these desperate men. They have got to go out and cooperate with industrial employment managers; they must go out and cooperate with employers themselves; they have to speak to Lions Clubs, Kiwanis Clubs, and other social, civic, and luncheon clubs; they must necessarily give their positions a consecration and devotion which certainly can not be measured in the terms of the salaries they receive, and we can not expect these men to continue the unselfish work they are doing if we cripple those agencies in the way it is proposed to do.

Mr. SHREVE. Mr. Chairman, I yield two minutes to the gentleman from Kentucky [Mr. THATCHER].

Mr. THATCHER. Mr. Chairman, I very much dislike to disagree with the subcommittee on these items, and as a member of the Appropriations Committee I feel a good deal of diffidence in interposing any objection to the program which they have proposed. I commend them for the admirable work they have done on this bill, but I do believe that these items of authorized expenditure, under the conditions which obtain in the country, ought to be preserved and that these provisos should be stricken out.

I fail to understand why in all the lines of employment under the Labor Bureau and the other departments embraced by this bill, this particular branch of the service is singled out for the paring knife.

I want to emphasize what has been said in regard to this subject, that if there is any branch of the service of the Government that ought to be maintained to its full capacity at this time, it is that of this Employment Service. You can not get the type of men to carry on this work, in my judgment, if you restrict them to mere clerk's salaries. It will be money wasted to make the arbitrary restrictions proposed by the subcommittee, and I for one would rather strike the whole item out of the appropriation bill than to carry on this work in a crippled and haphazard way. For that reason I favor the amendments offered by the gentleman from Massachusetts. [Applause.]

Mr. SHREVE. Mr. Chairman, I feel it my duty at this time to say a word. We must remember that this committee has handled the appropriations for the Department of Labor for the last 10 or 12 years. We started in a very small way, and we have gone on until last year we increased their appropriations about \$1,000,000.

I feel this committee is competent to judge their needs and requirements, inasmuch as not a single representative of the Department of Labor has been to see me or said a word about it to any member of the committee that I had the honor of being chairman of so long. They are perfectly satisfied, so far as I know, with the bill as it is, and I say

the bill should remain intact and should go out of this House just as we brought it in. This means there should not be any increases and there should not be any reductions.

As far as the salaries are concerned, you must remember that salaries are being reduced all over the United States in various ways in every manufacturing plant, and \$2,000 is a very fair salary, and so far as I know there has been no complaint to me or to any other member of the committee regarding it.

Mr. KELLER. Will the gentleman yield?

Mr. SHREVE. Yes.

Mr. KELLER. I would like to know what would have been the gentleman's report if a lot of the men affected had been coming before his committee and asking that this be not disturbed. What report would the gentleman then have made?

Mr. SHREVE. We had the Department of Labor before our committee for a week.

Mr. KELLER. And the gentleman found nobody asking more than they are getting here?

Mr. SHREVE. We found in some cases they wanted more money, but we came to this agreement.

Mr. KELLER. Who came to the agreement?

Mr. SHREVE. The committee.

Mr. KELLER. Yes; the gentleman's committee.

Mr. SHREVE. Yes; we have handled this job long enough to know something about it, I may say to the gentleman.

Mr. KELLER. I hope the gentleman does.

Mr. OLIVER of Alabama. Will the gentleman yield?

Mr. SHREVE. I yield.

Mr. OLIVER of Alabama. In order that the House may have an absolutely fair opportunity of voting on the amendment of the gentleman from Massachusetts [Mr. CONNERY], I may say that I shall withdraw the amendment seeking to decrease the amount.

Mr. SHREVE. That is certainly fair.

Mr. OLIVER of Alabama. Then there can be no misunderstanding.

Mr. CONNERY. Will the gentleman yield?

Mr. SHREVE. Yes.

Mr. CONNERY. The gentleman speaks about the \$2,000 salary. We did not do that on any other appropriation bill. We just picked out the Department of Labor to put in that proviso.

Mr. SHREVE. This is a new proposition.

Mr. CONNERY. What is good for one department should be good for another.

Mr. SHREVE. The gentleman will recall that last year I went to the Director of the Budget and got an increase recommended to take care of this Department of Labor.

Mr. KELLER. How many idle men did we have last year?

Mr. SHREVE. We had about as many as we have now.

Mr. KELLER. I understand the increase to be two or three million.

Mr. BLANTON. Will the gentleman yield?

Mr. SHREVE. Yes.

Mr. BLANTON. May I suggest to the chairman of the subcommittee that he limit the \$2,000 to all except State directors?

Mr. OLIVER of Alabama. The gentleman means one State director in each State?

Mr. BLANTON. Yes; and exclude those positions of State directors from the \$2,000 provision. Then State directors may draw over \$2,000 after July 1. I understand, then, the gentleman from New York will go along with the committee?

The CHAIRMAN. May the Chair address an inquiry to the gentleman from Alabama [Mr. OLIVER]? In the confusion the Chair could not hear what the gentleman stated. Does the Chair understand the gentleman wishes to withdraw the amendment which he offered and which is now pending at the Clerk's desk?

Mr. OLIVER of Alabama. The amendment reducing the amount of the appropriation.

The CHAIRMAN. Does the gentleman desire to submit that request at this time?

Mr. OLIVER of Alabama. Yes; I make that request, Mr. Chairman.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that the pending amendment proposed by him be withdrawn. Is there objection?

There was no objection.

Mr. SHREVE. Mr. Chairman, I yield five minutes to the gentleman from Washington [Mr. JOHNSON], former chairman of the Committee on Immigration.

Mr. JOHNSON of Washington. Mr. Chairman, I am pleased to learn that an adjustment is taking place in the Committee of the Whole House by which nearly everyone will be satisfied. I am glad that the hard-working gentleman from Alabama [Mr. OLIVER] proposes to withdraw his principal amendment that would still further reduce this item. In the meantime, I believe that an amendment by which the State directors may continue to have the pay of an executive director will be fair, and that it will be accepted.

I want to go along as far as possible with all these committees in an effort to reduce Federal expenditures, but I believe we will all agree that it is a mistake to make a key point of reduction of appropriations for the Department of Labor at one of the smallest and weakest places.

When we get back to our various districts this summer and fall Members from all parts of the country are going to be met with the charge of Federal extravagance and with a tremendous demand that all bureaus and all Federal departments be reduced and curtailed. Well, how did they happen to grow so large? Why this ever-increasing Federal activity? Why, the answer is that the income-tax system paved the way. All Congresses since the income-tax enactment have gone along encouraging larger and larger Federal activities and the necessary appropriations to make the activities function. How would the bills be paid? Why, by the income tax. And now we suddenly find that there is not so much left in that pot of gold at the rainbow's end; in fact, we find a shortage, a deficit of nearly four billions of dollars, and painfully we realize that every billion is one thousand million.

This is one of the problems you are going to have to discuss when you get home, but in the general discussion, inasmuch as we are trying to assist business to recover, I think it would be poor policy to try to trim a few thousand dollars at the very point of contact for unemployed labor, a large number of whom are itinerants, depending on these agencies which we have heretofore set up.

Mr. KVALE. Will not the gentleman then try to prevail upon the chairman and the committee to accept the increase of \$18,000, yield on this point, as it is late in the afternoon? Few Members are present, and I say frankly that more should be here unless this is done.

Mr. JOHNSON of Washington. Yes. I think that will be done. Now, a word to the committee. The chairman and the former chairman are hard-working members. This bill deals with appropriations for four great departments, and of all the departments that come before the committee, the Labor Department comes with the cleanest hands asking for the fewest increases. The gentleman from Pennsylvania says they asked an increase of a million dollars for immigration recently, but that was on account of the then new immigration laws, and that increase was met in a large measure by the increased immigration fees.

Mr. TILSON. Will the gentleman yield?

Mr. JOHNSON of Washington. Certainly.

Mr. TILSON. Is it not a fact that, with the withdrawal of the amendment offered by the gentleman from Alabama, there is now only about \$17,000 involved, and that this is merely a question of rent? Even as to this it is a question of fact whether it is needed or not. If it is needed, the amount should be in the bill and if it is not needed, it should come out.

Mr. JOHNSON of Washington. I presume that if a city is large enough to have a Federal employment agency, there are enough vacant places, so that the city could give one of these offices free rent.

Mr. CONNERY. That is all right, but why have in the bill a provision that requires the Government to go out and ask for free rent?

Mr. JOHNSON of Washington. Well, every bureau or organization or city that gets Federal aid of any kind never wants to yield a nickel's worth of it.

Mr. CONNERY. There are employment agencies where they could not find a place for an office.

Mr. JOHNSON of Washington. Well, I do not care, but I hope we have not reached the stage where we begin to trim by picking on a chance to even slightly help the great army of the unemployed. [Applause.]

Mr. LaGUARDIA. Mr. Chairman, I yield five minutes to the gentleman from California [Mr. SWING].

Mr. SWING. Mr. Chairman, the distinguished gentleman from Washington said that when we went home we would be charged by our constituents with Federal extravagance. If such a charge is made by any person it will be made by some uninformed person who has not read what has been going on in Congress. We have cut deep on every item of every appropriation bill.

But an economy program can be abused as well as used. You can have destructive economy as well as constructive economy.

I am one of those in the House who has advocated since this session began that organized society, of which the Federal Government is a part, should as far as possible help provide jobs for the unemployed; that the Federal Government ought, by expanding the public-building program, to give employment to the unemployed and stimulate flagging business.

We have not been able to get any response to that proposition. Every public-building item has been cut. The Budget has smothered the request of the Treasury Department for \$100,000,000 to carry on the public-building program. The appropriation for public roads has been cut. Every item for construction has been cut. The Federal Government has actually contributed to the existing unemployment.

Since we have denied men opportunity to work where we could have offered it by an enlarged Federal construction program, since we ourselves have refused our citizens chances to work by not speeding up jobs which we are going to do anyway in the next five or six years, we should not here cut down an item which is intended to furnish a clearing house for the unemployed, where they may go to seek employment. It is proposed to make a cut in this item below what the Budget has recommended and hamper the Federal employment agency with other provisions. I think the least that Congress can do, the least that the Federal Government can do, if it is not going to expand its building plans, is to furnish a clearing house, a Federal employment service, where the unemployed can be brought into contact with opportunities for work. We ought not to cripple in any way this proposal to continue the Federal Employment Service.

Mr. CONNERY. Mr. Chairman, I yield two minutes to the gentleman from Montana [Mr. LEAVITT].

Mr. LaGUARDIA. Mr. Chairman, I yield three minutes to the gentleman from Montana [Mr. LEAVITT].

Mr. LEAVITT. Mr. Chairman, I shall approach this subject not only from the standpoint of the emergency in respect to unemployment, which has been so well established in the debate and in our own knowledge of the situation, but also from the standpoint of the value of a permanent service such as existed in fine form during the war period and which was then allowed to go by the board. The importance of it was not recognized for a number of years because we were in a period of such prosperity that there was no great difficulty on the part of laboring men in finding employment. But there is a permanent value to this employment service from the standpoint of the Federal Government.

I am opposed to the proposal which says that these employment offices shall be established nowhere except where through local or State funds quarters shall be furnished. That is one of the mistakes we ought not to make at this time.

During the period of the war one of the tasks assigned to me was the organization and conduct in the State of Montana of a war emergency employment service. I organ-

ized and directed 13 offices in various parts of that State to handle men during the period of war emergency, and I discovered something of the value of this kind of service being conducted by the Federal Government. Take the itinerant laborers, for example, two or three million of them, who move back and forth across this country more or less continually, for harvest work and for work in lumber camps, going from place to place, establishing no residence, being entirely at the mercy of what they can find as they go from one community to another. What touch do they have with their Government? Ordinarily the touch they have is that whenever they go into a community they are told by some policeman to move on to the next place. If they are put in jail because they do not move, what do they find?

They look out of the window and they see the Government operating for every other class of people. They see it operating for the protection of our homes, for the protection of our business. They see it operating in every way for the benefit of other people, but for themselves they have had no contact with the Federal Government which has been beneficial to them. Here was a service built up as a result of the war emergency, meant to take care of their problem, which was the problem of employment, under conditions reasonable and fair to them. I saw men who came into the employment offices in the State of Montana as I went from one place to another in my capacity as director, who came in without any pride in themselves or in their appearance, looking for a job. We treated those men well. We had people in charge of those offices who were capable of a conception of the difficulties under which those men lived and who understood the place that that sort of service ought to take in our national life. They saw to it that when those men were placed in employment they were given a square deal. I have seen those same men, who had first come into the office in an unkempt condition, return wearing a necktie, having their hair cut, and taking pride in themselves and in their appearance. They were glad to come into the office of the Government that was operating for their benefit, just as other branches of the Government were operating for the benefit of other people. That service had a marked and valuable effect during the brief period of its existence upon the state of mind of the working people of the country who had to depend upon that kind of service to get a square deal. We now have an opportunity during another emergency to establish that sort of service.

When we do get it established, I appeal to you, let us establish it in such a way that it may continue to render the sort of service it is capable of rendering, putting into the minds of these men a new conception and appreciation of their Government.

I am also opposed to the idea of limiting the salaries to be paid to any of the field men to \$2,000. That is not a matter of economy. That is a mere proposition of making it certain that in some of the key places you will not be able to get men who have a proper conception of their duty. There should be no such limitation as that written into this bill. Further, there should be no limitation that there shall be no office except where the rent is given free. I think we should support every amendment of the gentleman from Massachusetts [Mr. CONNERY]. [Applause.]

Mr. OLIVER of Alabama. Mr. Chairman, I yield one minute to the gentleman from Massachusetts [Mr. CONNERY].

Mr. CONNERY. Mr. Chairman, I merely want to state, before the gentleman from Alabama concludes, that I hope the House will vote for the three amendments which I have offered. I made it clear what they stand for. I hope the House will vote in favor of those three amendments and stop putting these employment offices out of existence, practically, because that is what it will do the way the bill stands now. In other words, bring back the appropriation to \$820,000 as the Bureau of the Budget wanted it. Do not make us go around looking for rent-free offices. I ask the membership to vote for these three amendments.

Mr. LaGUARDIA. Mr. Chairman, it is my understanding that an agreement would be reached, and, therefore, I did not want to take the time of the committee.

Mr. OLIVER of Alabama. Mr. Chairman, I have withdrawn my amendment, and I am willing that the bill carry the \$820,000. [Applause.] I will insist on the \$2,000 limitation as to all except 1 manager in every State and 23 employment managers. I will offer also the rent amendment.

Mr. SCHNEIDER. Will the gentleman yield?

Mr. OLIVER of Alabama. I yield.

Mr. SCHNEIDER. Are there not two directors in some States, one who has charge of veterans' employment?

Mr. KVALE. If the gentleman will permit me; yes. The veterans' employment service managers are paid \$2,400. The others are from three to four thousand.

Mr. SCHNEIDER. I just wanted to get that clear.

Mr. OLIVER of Alabama. I have just stated that I thought 1 director in each State and 23 employment-service managers will be excepted from the \$2,000 limitation.

Mr. TABER. Will the gentleman yield for a question?

Mr. OLIVER of Alabama. I yield.

Mr. TABER. How many will that affect in the offices that are now established? How many will it reduce and to what extent?

Mr. OLIVER of Alabama. I would say, perhaps, 40.

Mr. TABER. And where are they located, largely?

Mr. OLIVER of Alabama. I am sorry not to be able to give you that information without examining the tables further, which appear in the hearing.

Mr. TABER. Would it be in the larger centers?

Mr. OLIVER of Alabama. Yes.

Mr. LaGUARDIA. Mr. Chairman, there seems to be a disagreement as to the policy of this bureau between the gentleman from Massachusetts and the distinguished chairman of the committee, the gentleman from Alabama, in charge of the subcommittee having the bill under consideration. If we are agreed on the amount, I submit in all fairness that it is hardly just at this time to bring in a limitation on salaries in the one bureau of all the departments of the Government.

Permit me to say there are private employment agencies at this time that are exploiting the unemployed. I called the attention of the House several weeks ago to a recent decision of the United States Court for the Southern District of New York, wherein our State law was held unconstitutional. That law compelled a private employment agency to return the fee if employment was not found. Now, just think of that! A man in dire need of employment, with a family in want, applying to an employment agency, with a promise of work, paid a registration and service fee, under duress of necessity and perhaps hunger, only to learn that there is no job available. Under our State law the private agency was compelled to return the fee if no employment was actually provided. That protection under our State law to get that fee back if employment was not furnished is now declared void, and applicants in search of work are at the mercy of such private agencies. That law has now been declared unconstitutional, and unscrupulous private employment agencies thrive on the exploitation of the unemployed. There is great need of a free service furnished by the Government.

We have established Federal employment agencies. Let us provide for them properly. I know it is difficult for the service at this time to find employment when there is no employment, but as we get out of this crisis employment will start, and the offices are now establishing their contact so that men and women can find employment without paying fees.

I submit that in States like New York, where there are one or two branch offices, we can not afford to say that the man in charge of the employment office shall receive no more than \$2,000. It may be a good investment to have a man who is big enough to compete with the private employment office in charge of this work in order to protect

men and women requiring such service. I hope the gentleman from Alabama will not insist upon his amendment.

At this time, Mr. Chairman, many contractors enjoying the benefits of Government work are attempting to disregard the provisions of the prevailing rate law. It can easily be imagined the pressure of wage reduction to which workers are now subjected. I am quite sure that there are people in this country who are so greedy and selfish as to hope that poverty and need will create such competition in the labor market as to greatly reduce standards of wages and the American standard of living. A good, efficient national employment service is needed in this country more now than ever before.

If the gentleman from Alabama has generously consented to restore the amount to \$820,000, I hope he will go the whole way and remove all the unsatisfactory provisions now in the section. [Applause.]

Mr. CONNERY. If the gentleman will permit me, I want to clarify this situation as far as I am concerned. I appreciate the concessions that the gentleman from Alabama is trying to make, but I want to ask this House to vote on these three amendments that I have offered. I can not see any reason why any limitation should be put on the Labor Department that does not apply in the Commerce, Agriculture, Justice, and every other department in this bill and other appropriation bills.

Mr. LAGUARDIA. As to the rent, that is a matter of administration. In many instances it may be possible to find a suitable office in a suitable place. For instance, in New York City we found a place for the main office in the Government building on Washington Street. For a branch office I was successful through the generous cooperation of Mr. August Hecksher, founder of the Hecksher Foundation, to give the service space in their splendid building uptown. It is in this building where the foundation carries on its activities, such as family relief, care of children, and social work, and it is an ideal and suitable place for our Employment Service branch office. But the Members can readily see that many offers of space may not be suitable. For instance, suppose there is an industry having labor trouble; surely we would not want them to offer space to the United States Employment Service or an offer of space by any large employer of labor known to be unfair to labor; surely we would not want our office in such a place.

With that I hope the gentleman from Alabama will withdraw his objection to the amendments. I submit the matter to the House.

Mr. OLIVER of Alabama. Mr. Chairman, the House has been very kind about this matter. I want the House to understand that the subcommittee did not bring this in with any view of asking that the House vote either for the provisos or for any cut in the appropriation, unless in the opinion of the House it could be done without hurt to the worthy purposes sought to be accomplished.

I have a tentative understanding with some Members to this effect: That I will amend the limitation as to \$2,000 so as to exclude therefrom one manager in each State, whose salary shall not exceed \$3,000, and 23 employment managers, whose salaries shall not exceed \$2,400.

Mr. CONNERY. The gentleman is not addressing his remarks to me, but to the gentleman behind me, the gentleman from Minnesota.

Mr. OLIVER of Alabama. I will offer that amendment as soon as I finish.

Now, gentlemen, let us see what we have? The Secretary of Labor, when he asked for a deficiency appropriation in December, made this statement:

I have been pretty hard-boiled on that rent proposition all the way through. If the communities are not interested enough to furnish this space rent free, I doubt the propriety of putting any office in such a place.

Then again he said:

I think the local community should furnish quarters rent free, and if they do not furnish them I question the propriety of establishing an office in such a place.

If you will read the hearings you will find that was the feeling of the committee and that was the way this House felt when it favored the \$120,000 appropriation, because you placed a limitation on that expenditure to this effect, that no part of this appropriation shall be used to pay any rent. And what were you seeking to do? You were seeking to establish 54 new offices, and you likewise placed a limitation on all salaries of, to wit, \$2,000, that could be paid out of the \$120,000 thus appropriated.

I have excepted from the limitation as to salaries one manager in every State, whose salary will not exceed \$3,000, and 23 employment managers, whose salaries shall not exceed \$2,400.

In view of the statements made by the Secretary, and in view of the action taken by the House as to the 54 offices that have been established with funds appropriated in December, I can see no sound reason why after July 1 next we should continue to pay rent anywhere. What sound reason can be offered why at any office, after the beginning of the next fiscal year, higher salaries should be paid than you fixed for the 54 new offices between January 1, and July 1, 1932?

I do not believe that one place should be favored over another.

Mr. CONNERY. Will the gentleman yield?

Mr. OLIVER of Alabama. Yes.

Mr. CONNERY. The gentleman will remember—though he may not have been present—that when that matter came before the House I asked the gentleman from Tennessee [Mr. BYRNS] about this matter, and I said, "Now, positively you do not intend that this shall apply to the permanent offices?" And he said, "Absolutely not."

Mr. OLIVER of Alabama. I have just made that statement. The gentleman has evidently not caught the line of my reasoning, or perhaps I may not have convinced him. I know my friend from Massachusetts has one of the biggest hearts in the world. He would vote all of the money in the Treasury to some poor, suffering man, if in his judgment the man's needs required it.

Mr. CONNERY. To some unfortunate, broken-down man; yes.

Mr. OLIVER of Alabama. That is a beautiful and fine spirit, but we can not afford, when we are representing 120,000,000 people, to manifest such liberality, since—well let us in a spirit of charity say, because like liberality could not be shown to all who are in need.

Now, frankly, this is the trouble: The gentleman is insisting that the offices he happens to know of should not be affected in the slightest; he insists that his acquaintances must not be reduced, oh, no; but as to the 54 offices we created since January 1 last, it is all right to declare limitations as to both rent and salaries. All right to limit the salary to \$2,000 at such offices. All right that no rent be paid by the 54 offices, but let such rent limitation be applied at no other office. Now, gentlemen, when you come to appropriate and expend money on that kind of a basis it is favoritism. I believe that every place after July 1 should be placed on exactly the same basis as to rent. If you are going to pay rent at one place, pay it everywhere. However, I do not think we should pay it anywhere, and that is the proposition that will be submitted to the committee.

Now, let us come to the real crux of this question. What has happened? The Legion, if you have been listening in on the radio, has organized a force, not of paid men and women, but of volunteers, a force made up of business men, legionnaires, members of the Federation of Labor, members of church and civic organizations, and what are they doing? First they seek no money from the Federal Government nor from any State or city, nor from any other source. They have volunteered their services to make a survey of their own cities and towns, just as was done in Rochester, N. Y., and as other cities and communities throughout the Nation are now being organized to do. The slogan in these places is, "We propose that in our city, in our county, in

our State, to see that jobs are found for our unemployed." It is a self-reliant, a real American doctrine, and the Legion is the proper organization to direct a great national volunteer movement like that. If you had heard that wonderful message from the director of these volunteer forces on Sunday night last you would know that it started first with a group of about 20, but it has now swollen to a force of more than 1,000,000 strong. Within less than 60 days, we are told, there will be 6,000,000 volunteers engaged in this work. They tell us that jobs in less than six days have been found for 66,000 of the unemployed.

They further declare there will be no let-up until jobs have been found for more than a million.

You tell me then that the Government should continue to expend large sums of money to rent offices and pay large salaries after July 1. Gentlemen, it is not right. It is not in keeping with the spirit of self-reliance that the Legion is striving to inspire in our people, not in keeping with the unpaid, unselfish service of these citizen volunteers. We are living in a day and time when we value human service, and now that communities are aroused to the importance of following the Legion's leadership, why should a limited few demand pay while a million volunteers ask only for the privilege to serve. If you could witness right now that wonderful picture, The Man Who Played God, and catch therefrom the spirit of the Legion, my belief is there would be few votes recorded against the limitations for rent and salaries.

Gentlemen, if we are to meet the Budget, we must make some sacrifices. Why should we select a few who are not in the classified service, men gathered here and there, and say, "We will give you a pay job while millions work, without pay, as volunteers."

Mr. Alpine, the head of this service is an excellent gentleman, most sympathetic, and I have no criticism to make of him. It is the plan and the policy, based on the idea of pay for a humane social service to our fellows, that I complain of.

The CHAIRMAN (Mr. McREYNOLDS). The time of the gentleman from Alabama has expired.

Mr. OLIVER of Alabama. Mr. Chairman, I accept the amendment of the gentleman increasing the amount to \$820,000, which is the amount the Budget recommended.

The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

Amendment offered by Mr. CONNERY: On page 121, line 21, strike out "\$802,500" and insert in lieu thereof "\$820,000."

The amendment was agreed to.

Mr. OLIVER of Alabama. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. OLIVER of Alabama: On page 122, line 5, after the amount "\$2,000" insert a comma and the following: "Except one director in each State, whose salary shall not exceed \$3,000, and 23 managers of the Veterans' Employment Service, whose salary shall not exceed \$2,400."

Mr. CONNERY. Mr. Chairman, a parliamentary inquiry. Would my amendment, which affects that same section, go on as a substitute amendment or as an amendment to the amendment? I have an amendment to strike out that provision.

Mr. LaGUARDIA. The gentleman will accomplish his purpose by voting down the amendment and then pressing his amendment.

Mr. CONNERY. But can I not offer my amendment as an amendment to the amendment?

Mr. Chairman, a parliamentary inquiry. The amendment of the gentleman from Alabama must go as an amendment to my amendment which I have already offered. Is not the amendment of the gentleman from Alabama a substitute for my amendment?

The CHAIRMAN. The amendment of the gentleman from Massachusetts [Mr. CONNERY] was read for information.

Mr. CONNERY. When I asked that the amendment be read I intended that as an offer of the amendment. That was my intention at the time.

Mr. OLIVER of Alabama. Mr. Chairman, my amendment is a perfecting amendment.

Mr. STAFFORD. Mr. Chairman, under the rules of the House, if the Chair will permit, there can be only one amendment pending at one time. The amendments of the gentleman from Massachusetts were offered and read for information.

The CHAIRMAN. The only amendment pending is the amendment of the gentleman from Alabama [Mr. OLIVER]. The question is on the amendment offered by the gentleman from Alabama.

Mr. CONNERY. Then I offer my amendment as a substitute amendment for the amendment of the gentleman from Alabama and ask that it be reported.

The Clerk read as follows:

Amendment offered by Mr. CONNERY as a substitute for the amendment offered by Mr. OLIVER of Alabama: On page 122, line 2, after the word "organizations," strike out all of lines 2, 3, 4, and 5.

Mr. STAFFORD. Mr. Chairman, I make the point of order the amendment is not a substitute.

The CHAIRMAN. The Chair sustains the point of order.

Mr. CONNERY. I offer it as an amendment to the amendment, or a substitute.

The CHAIRMAN. The gentleman's amendment is a motion to strike out certain words of the bill, and can not be offered as a substitute.

Mr. CONNERY. If the amendment of the gentleman from Alabama is voted down, it will be in order for me to offer the amendment to strike out.

The CHAIRMAN. Yes. The question is on the amendment offered by the gentleman from Alabama.

The question was taken; and on a division (demanded by Mr. CONNERY) there were 78 ayes and 50 noes.

So the amendment was agreed to.

Mr. CONNERY. Now, Mr. Chairman, I offer my amendment.

The Clerk read as follows:

Page 122, line 2, after the word "organization," strike out the remainder of line 2 and all of lines 3, 4, and 5.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The question was taken; and on a division (demanded by Mr. OLIVER of Alabama) there were 73 ayes and 51 noes.

So the amendment was agreed to.

Mr. LaGUARDIA. Mr. Chairman, I ask unanimous consent to return to page 47 for the purpose of offering an amendment. There was a misunderstanding on my part that all sections of the Department of Labor would be taken up to-day.

Mr. OLIVER of Alabama. I prefer to finish the bill, and then I shall have no objection to returning to page 47, as the gentleman suggests.

The Clerk proceeding with the reading of the bill, read as follows:

SEC. 2. No appropriation under the Departments of State, Justice, Commerce, and Labor, and the Judiciary, available during the fiscal years 1932 and/or 1933 shall be used after the date of the approval of this act (1) to increase the compensation of any position within the grade to which such position has been allocated under the classification act of 1923, as amended, (2) to increase the compensation of any position in the field service the pay of which is adjustable to correspond so far as may be practicable to the rates established by such act as amended for the departmental service in the District of Columbia, (3) to increase the compensation of any position under such act through reallocation, (4) to increase the compensation of any person in any grade under such act through advancement to another position in the same grade or to a position in a higher grade at a rate in excess of the minimum rate of such higher grade unless such minimum rate would require an actual reduction in compensation, or (5) to increase the compensation of any other position of the Federal Government under such departments and the Judiciary, other than commissioned officers of the Coast and Geodetic Survey; and so much of the acts of February 23, 1931 (U. S. C., Supp. V, title 22, sec. 3a), and February 21, 1931 (U. S. C., Supp. V, title 8, sec. 109), as

provides automatic increases of salary, respectively, for Foreign Service officers and immigrant inspectors shall not be operative during the period between the date of the approval of this act and June 30, 1933: *Provided*, That no additional credits for service shall be allowed to any commissioned officer in the Coast and Geodetic Survey for purposes of base or period pay, or for longevity pay before July 1, 1933; any increase of base or period pay for length of service, or longevity pay, which would have been authorized under existing law before that date, shall become effective July 1, 1933, and not earlier, notwithstanding the provisions of any other act. The appropriations or portions of appropriations unexpended by the operation of this section shall not be used for any other purposes but shall be impounded and returned to the Treasury, and a report of the amounts so impounded for the period between the date of the approval of this act and October 31, 1932, shall be submitted to Congress on the first day of the next regular session.

Mr. OLIVER of Alabama. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 124, line 23, strike out the period after the word "act," insert a colon and the following: "*Provided further*, That from the date of this act, including June 30, 1933, payment for personal services made in accordance herewith shall constitute payment in full for such services."

The question was taken, and the amendment was agreed to.

Mr. LA GUARDIA. Now, Mr. Chairman, I move to strike out all of section 2.

The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

Amendment by Mr. LA GUARDIA: Beginning on page 123, line 14, strike out all of section 2.

Mr. LA GUARDIA. Mr. Chairman, this is the amendment that I have offered on every appropriation bill, and shall continue to do so for the reason that I believe the provision is unfair, unjust, and unnecessary, and does not carry out any economy at all. I believe that the efficiency of the service will be so impaired if this provision is carried out as to offset any apparent saving. In addition to that, there is in this provision automatic increases, the same as applies to the Post Office, to the Army and the Navy, where the pay is fixed by law with automatic yearly increases, particularly in respect to the Coast and Geodetic Survey. I am going to leave that part of the section to the gentleman from Michigan [Mr. MAPES]. Added to the section in this bill makes the limitation even more objectionable. If by this method we are going to cut off salaries fixed by law, it will be manifestly unfair to all of these employees who are entitled to these yearly increases. It is part of their pay. I have been voted down on this amendment in every other bill, but by no means is this provision yet accepted by the Congress. Another body has to act upon it and a committee of that body has already stricken out this limitation from the agricultural appropriation bill.

Mr. McCORMACK. May I say to the gentleman he is not alone in this proposition; that I am with him?

Mr. LA GUARDIA. Yes; and I hope the gentleman and others who are with me will not be discouraged. The method employed is not right and we must continue the fight.

Mr. KVALE. Mr. Chairman, will the gentleman yield?

Mr. LA GUARDIA. Yes.

Mr. KVALE. If I understood the amendment that was shoved across so quickly a moment or two ago, I believe its effect will be to automatically eliminate any appeal that might be made later. In other words, I think the amendment stated that all payments made to the end of the next fiscal year would be in full for services, and that automatically stopped an appeal later on.

Mr. LA GUARDIA. If we strike out the whole section, as my amendment provides, of course that vicious amendment will go out also. Here is something fixed by law, something that is a solemn contract, establishing the salaries of these employees, with yearly automatic fixations. It is an attempt not only to cut them off but to take away their legal rights.

Mr. FITZPATRICK. And those employees are looking forward to these increases.

Mr. LA GUARDIA. Yes; these increases are a part of their pay. Let us vote the section out of the bill and carry out what the Senate Committee on Agriculture has done.

Mr. MAPES. Mr. Chairman, I move to strike out the last word and should like to have the attention of the chairman of the committee for a moment. I direct the attention of the committee to the language on page 124, line 16, after the word "*Provided*," down to and including the word "act" in line 23, particularly to that part which reads, in line 16, after the word "*Provided*," as follows:

That no additional credits for service shall be allowed to any commissioned officer in the Coast and Geodetic Survey for purposes of base pay, or period pay, or for longevity pay before July 1, 1933; any increase of base or period pay for length of service or longevity pay, which would have been authorized under existing law before that date, shall become effective July 1, 1933.

Of course this increase on account of longevity was provided for in the so-called pay act of the different services passed in 1922. As I understand it, the Coast and Geodetic Survey is the first of those services to be affected by any appropriation thus far passed by the Committee on Appropriations. Has the full Committee on Appropriations taken a vote or adopted what may be termed a "policy" to have this rule apply to all of the other services as the appropriation bills come in?

Mr. OLIVER of Alabama. Yes. This amendment will apply to the other services to which the gentleman has referred, to wit, the Public Health Service, the Army, the Navy, the Marine Corps, and the Coast Guard. It is not the purpose of the committee to have any limitation carried in one bill that does not apply to all other similar services.

Mr. MAPES. I thank the gentleman for the information. I desire, however, to call the attention of the committee to just what this limitation does so far as the Coast and Geodetic Survey is concerned. It is in language which apparently covers the entire service, but I am told by members of the Coast and Geodetic Survey that it really touches only 42 per cent of the officer personnel of the Coast and Geodetic Survey. I am also told that the principal saving to be effected by this limitation will be borne by the men in the junior grades, the men who receive the least compensation. The 58 per cent not affected by this provision have been promoted, according to their longevity, from time to time before this, and it is now proposed to withhold promotions from those who would otherwise be entitled to it between now and July 1, 1933, or at least during the fiscal year beginning July 1, 1932, and ending June 30, 1933. The entire saving, as I am told, would amount to \$11,276 for the fiscal year 1933. Over one-half of this amount will be borne by those who can least afford it, and over one-third will be borne by the officers who at present are drawing the lowest pay in the service, namely, \$1,719 per year, and the amount which will be taken from each one of those officers will be \$239 per year.

Mr. BYRNS. Will the gentleman yield?

Mr. MAPES. I yield.

Mr. BYRNS. Conceding that the amount saved by this particular provision is not particularly large, does the gentleman think that any discrimination should be shown in the passage of these bills with reference to the compensation between the various services of the Government?

Mr. MAPES. Personally I have never understood just how these advances were made in the civilian service, but it seems to me that there must be some distinction between those and the officer personnel in the Army, the Navy, and the Coast and Geodetic Survey.

Mr. BYRNS. I will say to the gentleman that the same provisions of law apply to all of the various military and semimilitary services, and I am sure the gentleman does not want to discriminate in favor of one and against the other.

[Here the gavel fell.]

Mr. MAPES. Mr. Chairman, I ask unanimous consent to proceed for three additional minutes.

Mr. OLIVER of Alabama. Mr. Chairman, I move that all debate on this section and all amendments thereto close in five minutes. I will ask for half of the time, and will yield to the gentleman from Michigan one-half of the time.

The motion was agreed to.

Mr. OLIVER of Alabama. Mr. Chairman, I yield to the gentleman from Michigan two minutes.

Mr. MAPES. Mr. Chairman, I simply want to emphasize what I have already said, that the bulk of this saving will be borne by the men in the service who receive the least compensation, and I would like to call the attention of the committee to this point, in addition to what I have already said, that the pay act of 1922 authorized readjustments of the allowance for quarters and rations by the President or by some official of the Government, according to the commodity price indices, and that these same officers will also undoubtedly have to suffer a decrease in the allowance in this respect.

[Here the gavel fell.]

Mr. OLIVER of Alabama. Mr. Chairman, the gentleman has correctly stated the law. The law provides for an automatic increase, because of longevity pay, in the six services mentioned; but, as the chairman of the committee, Mr. BYRNS, stated, this amendment will apply to all of the other services, and it would be unfair to except the Coast and Geodetic Survey or any other service, since this limitation has already been imposed on the classified employees. They, under existing law, are given seasonal increases, but their increases have been suspended. So it is but proper and consistent that we adopt this amendment in line with what we have heretofore done.

Let me say, further, in this bill an amendment was previously adopted in reference to the Immigration Service. The inspectors get an automatic increase, and the amendment which the committee adopted denied to them \$113,000 increase. That action has already been taken. It would be altogether unfair, if we are to adopt a rule that no one shall have an increase, to except a certain class.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

All time has expired.

Mr. MAAS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MAAS: On page 124, line 16, strike out all of lines 16, 17, 18, 19, 20, 21, 22, and through the word "act" in line 23.

Mr. MAAS. Mr. Chairman, a parliamentary inquiry.

Mr. LaGUARDIA. Mr. Chairman, there is an amendment pending to strike out the entire section.

Mr. TILSON. The amendment offered by the gentleman from Minnesota is an amendment to the text, which would have to be acted upon before the amendment offered by the gentleman from New York.

The CHAIRMAN. The Chair thinks that the amendment offered by the gentleman from Minnesota [Mr. MAAS] is a perfecting amendment and should be acted upon first.

Mr. MAAS. Mr. Chairman, a parliamentary inquiry. The debate was limited to five minutes. I understand only four minutes have been used.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Minnesota.

The amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York, which the Clerk will report.

The Clerk again reported the LaGuardia amendment.

The amendment was rejected.

Mr. OLIVER of Alabama. Mr. Chairman, the Clerk seems to have made a mistake with reference to certain amendments offered by the gentleman from Massachusetts [Mr. CONNERY] and myself, and the gentleman from Massachusetts and I have reached an agreement looking to the correc-

tion of the same, so I will ask unanimous consent that the vote by which the amendment offered by the gentleman from Massachusetts carried be vacated.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. CONNERY. Mr. Chairman, the Clerk unintentionally mixed the two amendments, and the result would be exactly different from what the House desired by its vote.

So, in order to straighten out the record, I ask unanimous consent that the proceedings agreeing to the amendment, on page 122, that on line 2, after the word "organizations," we strike out all of lines 2, 3, 4, and 5, be vacated.

I also ask unanimous consent that the following amendment be considered as being agreed to in accordance with the will of the committee: On page 121, line 23, after the word "Columbia," strike out all of lines 23, 24, and 25, and on page 122, strike out all of line 1, and in line 2 the words "by individuals or organizations."

The CHAIRMAN. Without objection, the gentleman's request will be agreed to.

There was no objection.

The Clerk read as follows:

Sec. 3. No appropriation under the Departments of State, Justice, Commerce, and Labor, and the judiciary available during the fiscal years 1932 and/or 1933 shall be used after the date of the approval of this act to pay the compensation of an incumbent appointed to any position under the Federal Government which is vacant on the date of the approval of this act or to any such position which may become vacant after such date: *Provided*, That this inhibition shall not apply to absolutely essential positions the filling of which may be approved in writing by the President of the United States. The appropriations or portions of appropriations unexpended by the operation of this section shall not be used for any other purposes but shall be impounded and returned to the Treasury, and a report of all such vacancies, the number thereof filled, and the amounts unexpended, for the period between the date of the approval of this act and October 31, 1932, shall be submitted to Congress on the first day of the next regular session.

Mr. OLIVER of Alabama. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Alabama offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. OLIVER of Alabama: On page 125, line 16, strike out the period after the word "States" and insert a comma and the following: "or, in the case of the positions of officers paid out of the appropriations for the Supreme Court of the United States, by the Chief Justice of the United States."

The amendment was agreed to.

The Clerk read as follows:

Sec. 4. No part of any money appropriated by this act shall be used for purchasing any motor-propelled passenger-carrying vehicle (except busses, station wagons, and ambulances) at a cost, delivered and completely equipped for operation, in excess of \$750, including the value of a vehicle exchanged where exchange is involved; nor shall any money appropriated herein be used for maintaining, driving, or operating any Government-owned motor-propelled passenger-carrying vehicle not used exclusively for official purposes, and "official purposes" shall not include the transportation of officers and employees between their domiciles and places of employment except in cases of officers and employees engaged in field work the character of whose duties makes such transportation necessary, and then only when the same is approved by the head of the department. This section shall not apply to any motor vehicles for official use of the Secretary of State, the Attorney General, the Secretary of Commerce, and the Secretary of Labor.

Mr. McCORMACK. Mr. Chairman, I move to strike out the last word. I rise to express what I feel is in the minds of all members of the committee, a feeling of admiration for the very able and gentlemanly manner in which the gentleman from Alabama [Mr. OLIVER] has handled and engineered the passage of this bill through the committee. [Applause.] His conduct has been gentlemanly in the most trying circumstances, and I feel my brief statement reflects the collective opinion of the entire membership of the committee. [Applause.]

I want to say to the gentleman that the people in his district should be congratulated upon having such an able Representative. [Applause.]

Mr. JOHNSON of Texas. I am sure the gentleman would be glad to include the Chairman of the Committee of the Whole.

Mr. McCORMACK. Yes. I compliment Judge McREYNOLDS for the very able manner in which he has presided over the committee during the consideration of this bill.

Mr. OLIVER of Alabama. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Alabama offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. OLIVER of Alabama: On page 126, after line 16, insert a new section, as follows:

"Sec. 5. No part of any appropriation made by this act shall be used to pay the actual expenses of subsistence in excess of \$6 each for any one calendar day or per diem allowance for subsistence in excess of the rate of \$5 for any one calendar day to any officer or employee of the United States, and payments accordingly shall be in full, notwithstanding any other statutory provision."

Mr. STAFFORD. Mr. Chairman, a point of order. The gentleman from Michigan [Mr. PERSON] desires to offer a perfecting amendment to section 4.

Mr. LAGUARDIA. Mr. Chairman, I make a point of order against the amendment offered by the gentleman from Alabama.

Mr. OLIVER of Alabama. Mr. Chairman, I offer this as a new amendment.

Mr. STAFFORD. But the gentleman from Michigan wishes to offer his amendment to section 4.

Mr. OLIVER of Alabama. Then, Mr. Chairman, I will ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Without objection, the amendment will be withdrawn.

There was no objection.

Mr. PERSON. Mr. Chairman, I move to strike out section 4.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. PERSON: Beginning on page 125, line 24, strike out all of section 4.

Mr. PERSON. Mr. Chairman, I realize that nothing I can say at this time will change your predetermination in reference to this automobile amendment as is provided in section 4. However, I feel I would be neglecting my community if I did not call your attention to some of the things that this section seems to involve.

The section would seem to limit the expenditure of any money as provided by this bill for automobiles to \$750 per car. I have here Automobile Topics, a trade authority, of January 30, 1932, which gives, on pages 1024 and 1025, the prices of the lowest and the highest of all the automobiles manufactured in the United States, and I desire that this be presented and printed in the RECORD by unanimous consent, so that I will not be compelled to read it, and I now submit that request.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. PERSON. It will be noted that the American Austin can be bought for \$330, the Ford for \$490, the Chevrolet for \$545, the Plymouth for \$575, the Rockne 65 for \$585, the Willys-Overland 6-90 for \$615, the DeVaux 80 for \$685, the DeSoto Six for \$695, the Pontiac for \$695, the Essex for \$705, the Rockne 75 for \$735, and the Graham Six for \$765.

Mr. GOSS. Will the gentleman yield?

Mr. PERSON. Yes.

Mr. GOSS. Are those prices f. o. b. the factory?

Mr. PERSON. These prices are f. o. b. the factory.

Mr. GOSS. And has the gentleman any information about freight rates to the various sections of the country?

Mr. PERSON. The freight rates to the various sections I can not give the gentleman, but I can say that there are several sections in the United States, having in mind this price, to which no car but the Austin can be delivered for the price included in this provision.

Then let us see further what kind of automobiles this bill we are now discussing provides for the use of. Page 7 of the bill states that automobiles shall be purchased for the embassies and the legations. It tells the amount of money that shall be spent for automobiles for the embassies and the legations, and then you amend it by saying you can not have an automobile that costs more than \$750. No American automobile, not even the Austin, with the freight added, can be bought in any foreign legation or embassy for the money provided by this provision.

Then the next section provides for automobiles for the consulates. No American automobile, not even the Austin, can be bought in any of the consulates, except possibly in Canada and Mexico, for the amount provided by this amendment; and do you expect to provide your embassies, your legations, and your consulates with Austins and Ford cars under this amendment?

Mr. OLIVER of Alabama. Will the gentleman yield?

Mr. PERSON. No; not just now.

Then a later section provides for automobiles for the International Waterways Commission between the United States and Mexico, and a later section provides for the purchase of automobiles for the use of the International Joint Commission between the United States and Great Britain. Are these cars to be only Austins or Fords? A later section provides for the purchase of cars for the Department of Justice and under the heading "For detection of crime."

[Here the gavel fell.]

Mr. SNELL. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for two additional minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. PERSON. Under the heading "For the detection of crime and the protection of the President of the United States," the bill provides for the purchase of automobiles, and then provides the limitation as to price of \$750. I wonder how you are going to detect crime and protect the President of the United States in Fords and Austins.

Then a later paragraph provides cars for the Bureau of Prohibition. In our State of Michigan, if you are going to use Austin and Ford cars to chase the racketeers and the bootleggers between Detroit and Chicago, your success will be about what it has been in the past. [Laughter.]

Then a later paragraph provides, among other things, for equipment for the carrying out of the immigration law, and makes an appropriation for automobiles. As in the enforcement of the liquor laws the enforcement of the immigration laws requires large and powerful cars.

Now, I want to say that this provision is a political gesture. When I took a stand on the liquor question I decided to face the facts, and I intend to face them on any other question that comes along.

I submit that to leave no discretion in anybody as to the particular car to purchase for a particular purpose is an effort at economy which in the end may prove to be costly. It is "penny-wise and pound foolish."

I realize that this section was not in the bill as originally drawn, but was added to it by the committee, and as I review the enormous amounts carried by this bill as appropriations for various purposes, including the appropriation for the enforcement of the liquor laws, the immigration laws, and various other regulatory provisions, and then see this pica-yune provision as to automobiles, I concluded that the committee may have "strained at a gnat and swallowed a camel."

It will be noted that the bill under consideration makes appropriations for the purchase by the various departments of almost everything from newspapers to airplanes, and in no place does it make a limitation on the amount to be expended for an individual item except in the case of automobiles.

It will be further noted that the provision in reference to automobiles is intended to save, and actually does save, no money, for the reason that the gross amount of the appro-

proportion is not cut and has not been cut. By decreasing the amount to be expended for each individual car you but increase the number of cars that can be bought with the total appropriation.

I realize that there is no intention of enforcing this provision. It is assumed that there will be chicanery to get around it, but I think we ought to face it squarely.

If employees are misusing their privileges in reference to automobiles and are defrauding the Government by their misuse and abuse, then the rules of the civil-service regulations ought to cover the case, and one of two things ought

to happen: Either the employee ought to be let out by the head of his department, or if the head of the department refuses or neglects to discipline the employee, then he, the head of the department, ought to go.

A devious device like this in question surely leads to evasion and secret violation like many others of similar nature. I advise that the situation be met and solved by other means than subterfuge.

(Herewith are added pages 1024 and 1025 of the publication above referred to, and printed herewith by unanimous consent.)

Automobile Topics' table of passenger-car selling points [From Automobile Topics, January 30, 1932]

Table with columns: 5-passenger closed car, Price, Wheelbase, Make, Size and number of cylinders, Compression ratio, Displacement, cu. in., Displacement, 100 lbs., Taxable h. p., Maximum h. p., @ P. P. mi., H. p. cu. in., Revs., mile, Valve arrangement, Cam drive, Piston make, No. main bearings, Crankshaft counterbalance, Vibration damper, Relief valve open, lbs., Oil cleaner, Carburetor, Air cleaner, Gas filter, Gas feed, type, and tank capacity.

Automobile Topics' table of passenger-car selling points—Continued

5-passenger closed car	Price	Wheelbase	Make	Engine																				
				Size and number of cylinders	Compression ratio	Displacement, cu. in.	Displacement, 100 lbs.	Taxable h. p.	Maximum h. p. @ r. p. m.	H. p., cu. in.	Revs., mile	Valve arrangement	Cam drive	Piston make	No. main bearings	Crankshaft counterbalance	Vibration damper	Relief valve open, lbs.	Oil cleaner	Carburetor	Air cleaner	Gas filter	Gas feed, type, and tank capacity	
Stutz "DV-32"	\$3,695	145	O	3 1/2 x 4 1/2	-8	5.00	522.0	6.19	36.4	156-3,000	.484	2,900	h	b	B	9	N	N	50	Mi	Sc	AC	St	SW-p 20
Ford "Twin Six"	3,745	145	O	3 1/2 x 3 1/2	-12	5.00	320.0	-----	54.6	150-3,600	-----	-----	l	l	B	9	N	N	50	Mi	AC	St	SW-V 30	
Packard "Arrow '52"	3,995	145	O	3 1/2 x 4	-12	5.05	429.0	-----	54.6	150-3,200	.349	-----	h	w	B	9	N	N	60	Mi	St	Un	AC	AC-p 30
Lincoln "12"	4,400	145	O	3 1/2 x 4 1/2	-12	5.25	448.0	8.45	50.7	150-3,400	.335	2,797	h	h	O	7	N	N	14	N	St	AC	AC	AC-p 28
Cadillac "V-16"	4,595	145	O	3 x 4	-16	6.35	452.0	7.88	57.5	165-3,400	.365	2,830	h	h	O	5	N	N	40	AC	St	O	Ba	SW-V 25
Marmon "16"	5,700	145	O	3 1/2 x 4	-16	6.00	490.8	10.2	62.4	200-3,400	.407	2,312	h	d	R	5	N	N	40	Fo	St	AC	AC	AC-p 29
Cunningham	9,600	142	O	3 1/2 x 5	-8	5.00	442.0	8.50	45.0	140-2,800	.317	2,510	l	e	D	2	N	N	30	Cu	St	Am	N	SW-V 24

5-passenger closed car	Engine										Transmission					Chassis									
	Radiator	Radiator shutter	Temperature control	Engine mounting	Electrical system	Battery and capacity	Clutch and number of plates	Gear set and number of speeds	Type of gears	Synchronizing clutches	Free wheeling		Universal joint	Axle and type	Spring lengths		Shackles	Brakes, type, per cent on rear	Brake diameter	Parking brake location	Steering gear	Type and number of turns, full swing	Chassis lubrication and type		
											Make and type	Location and number of speeds			Front	Rear									
American Austin†	Hr	N	Th	Ri	AL	US 43	O 1	O 3	Sr	---	---	S	Sa	1/2 28 3/4	22 3/4	O	zi 50	8	X	O	Ww	1 1/2	Ap		
Ford	O	N	N	N	Sp	O 80	O 0	2 1/2 3	Sr	---	---	O	O	1/2 34	Tr	O	zi 60	11	X	K	Ws	2 1/2	Ap		
Chevrolet	Ha	N	Th	Fr	DR	90	O 0	2 1/2 3	Hi	Y	OR Bg3	O	O	1/2 36	54	O	zi 60	11 1/2	T	O	Wm	---	Ag		
Plymouth	Mc	N	Th	Fr	DR	Wi 84	O 3	3	Hi	---	OR Bg3	O	O	1/2 35 1/2	53 3/4	Mb	Hi 50	11	T	---	---	---	Ap		
Rockne "65"	Mc	N	Th	Fr	AL	Wi 102	BB 3	O 3	Hi	Y	OR Bg3	v	S	1/2 35 1/2	54	t	zi 50	11	X	Z	Cr	---	Ap		
Durant "621"	Mc	N	Th	Rr	AL	US 100	BB 2	WP 3	Hi	---	---	v	S	1/2 36	55	t	zi 50	11	X	O	Ws	3	Ap		
Willys Overland "6-90"	Fe	N	Th	Fr	AL	US 102	O 1	O 3	Sr	---	WGR Bg3	S	O	1/2 36 1/2	51	t	zi 55	12	X	O	Wm	2 1/2	Ag		
De Vaux "80"	Fe	N	Th	Fr	AL	Pr 119	BB 1	WP 3	Hi	---	WP Bg3	S	Ad	1/2 36	54 1/2	e	zi 50	11	X	WP	Ws	4 1/2	Ap		
De Soto "6"	Ha	N	Th	Fr	DR	Wi 84	O 1	O 3	Hi	---	OR Bg3	v	O	1/2 35 1/2	53 3/4	Mb	Hi 50	11	T	---	Ws	---	Ap		
Pontiac	Ha	N	Th	Rr	DR	De 86	O 1	O 3	Sr	Y	OR Bg3	v	O	1/2 36	54	e	zi 60	12	X	Ss	Ws	3 1/2	Ap		
Durant "622"	Fe	N	Th	Rr	AL	US 106	BB 2	WP 3	Hi	---	OR Bg3	v	Ad	1/2 36	55	t	zi 50	11	X	O	Ws	3	Ap		
Essex	Ha	N	Th	Rr	AL	Ex 105	O 1	O 3	Hi	Y	WGR Bg3	v	O	1/2 36	54 1/2	O	zi 50	11	X	O	Ws	2 1/2	Ap		
Rockne "75"	Lo	N	Th	Fr	AL	Wi 102	Lo 3	O 3	Hi	Y	OR Bg3	v	O	1/2 36	54	t	zi 50	12	X	Z	Cr	2 1/2	Ap		
Graham Six	Lo	N	Th	Ri	DR	Wi 84	Lo 1	WG 3	Sr	---	WGR Bg3	v	O	1/2 36	54	e	Hi 50	12	T	X	Cr	3	Ag		
Nash "960"	Mc	N	Th	Fr	AL	US 105	BB 1	O 3	Hi	Y	DER Bg3	O	O	1/2 36	50 1/2	Mb	zi 50	12	X	Z	Cr	2 1/2	Ag		
Dodge "6"	Mc	N	Th	Fr	DR	W 84	O 3	O 3	Hi	---	OR Bg3	v	O	1/2 35 1/2	54 1/2	Mb	Hi 50	12	T	K	Ws	2 1/2	Ap		
Pontiac "V8"	Ha	f	Th	Rr	DR	De 100	O 1	Mu 3	Hi	Y	OR Bg3	v	O	1/2 36	54 1/2	e	zi 60	13	X	Ss	Ws	4 1/2	Ap		
Willys Knight "95"	Fe	f	Th	Fr	AL	US 127	O 1	O 3	Sr	---	WGR Bg3	v	O	1/2 36 1/2	51	t	zi 50	12	X	K	Ws	2 1/2	Ap		
Oldsmobile "F-32"	Ha	O	N	Fr	DR	De 86	BB 3	Mu 3	Hi	Y	OR Bg3	S	O	1/2 35 1/2	54 1/2	t	zi 50	12	X	Ss	Wz	4	Ag		
Studebaker Six "55"	Mc	N	Th	Fr	DR	Wi 102	Lo 3	O 3	Hi	Y	OR Bg3	S	O	1/2 36	54	t	zi 50	12 1/2	X	Z	Cr	2 1/2	Ag		
Auburn "8-100"	Ja	N	Th	Rr	DR	US 104	Lo 2	DE 3	Hi	Y	LSJ Bg3	U	Co	1/2 37	56 1/2	O	zi 50	13	X	Z	Cr	3 1/2	BI		
Chrysler "6"	N	Th	Fr	DR	Wi 100	Lo 3	O 3	Hi	---	OR Bg3	O	O	1/2 35 1/2	53 3/4	Mb	Hi 50	12	T	---	Ws	---	Ap			
Willys Overland "8-88"	Fe	N	Th	Fr	AL	US 148	BB 1	O 3	Sr	---	WGR Bg3	S	O	1/2 39	56	t	zi 55	13	X	Z	Cr	2 1/2	Ag		
Nash "970"	Mc	N	Th	Fr	AL	US 120	BB 1	O 3	Hi	Y	DER Bg3	S	O	1/2 36	50 1/2	e	zi 50	12	X	Z	Cr	2 1/2	Ag		
Oldsmobile "L-32"	Ha	O	N	Fr	DR	De 98	BB 3	Mu 3	Hi	Y	OR Bg3	S	O	1/2 35 1/2	54 1/2	t	zi 50	12	X	Ss	Wz	4	Ag		
Buick "50"	Ha	Ha	As	Fr	DR	De 100	O 2	O 3	Hi	Y	OR OBV 3	S	O	1/2 35	56	O	zi 50	12	X	Ss	Ws	3 1/2	Ap		
Hupmobile "216"	Mc	N	Th	Rr	AL	Wi 121	BB 1	WG 3	Hi	Y	WGR Ig3	v	S	1/2 36 1/2	53	t	zi 50	12	X	Z	Cr	---	Ap		
Reo Flying Cloud "6-21"	Ha	N	Th	Rr	DR	Wi 110	Lo 2	O 3	Hb	---	---	DE	O	1/2 37 1/4	55 1/2	t	Hi 50	14	T	Z	Cr	2 1/2	Ap		
Hudson "8"	Ha	N	Th	Rr	AL	Ex 105	O 1	O 3	Hi	Y	WGR Bg3	S	O	1/2 36	54 1/2	O	zi 50	12	X	K	Ws	2 1/2	Ag		
Studebaker "Dictator 62"	Lo	N	Th	Fr	DR	Wi 102	Lo 2	O 3	Hi	Y	OR Bg3	S	O	1/2 36	54	t	zi 45	12 1/2	X	Z	Cr	2 1/2	Ag		
Graham "Blue Streak 8"	Lo	N	Th	Rr	DR	Wi 100	Lo 1	WG 3	Hi	Y	WGR Bg3	S	Sa	1/2 36	54	Ea	Hi 50	13	T	Z	Cr	3 1/2	Ag		
Dodge "8"	Y	Th	Fr	DR	Wi 117	O 3	O 3	Hi	---	OR Bg3	---	---	O	1/2 35 1/2	55	Mb	Hi 50	13	T	K	Ws	3 1/2	Ap		
Reo Flying Cloud "8-21"	Ha	N	Th	Rr	DR	Wi 110	Lo 2	O 3	Hb	---	---	S	O	1/2 37 1/4	55 1/2	t	Hi 50	14	T	Z	Cr	2 1/2	Ap		
Hupmobile "222"	Mc	N	Th	Fr	AL	Wi 121	BB 1	WG 3	Hi	Y	WGR Ig3	U	O	1/2 40	57 1/2	e	zi 50	14	X	K	Wz	---	Ap		
Nash Twin Ignition "980"	Mc	N	Th	Fr	AL	US 120	BB 1	O 3	Hi	Y	DER Bg3	O	O	1/2 38	55	Rr	zi 50	13	X	X	Wz	3	BI		
Buick "60"	Ha	Ha	As	Fr	DR	De 120	O 1	O 3	Hi	Y	OR OBV 3	O	O	1/2 36 1/2	55 1/2	O	zi 50	14	X	Ss	Wz	3	Ap		
Studebaker "Commander 71"	Lo	N	Th	Fr	DR	Wi 136	Lo 2	O 3	Hi	Y	OR Bg3	S	O	1/2 36	56	x	zi 45	13 1/2	X	Z	Cr	3 1/2	Ap		
Auburn "12-160"	Ja	N	Th	Fr	DR	US 121	Lo 3	DE 3	Hi	Y	LSJ Bg3	U	Co	1/2 37	56 1/2	O	zi 50	14	X	Z	Cr	3 1/2	BI		
Marmon "125"	Fe	N	Th	Rr	DR	--- 140	---	WG 3	Sr	---	LSJ Ig2	S	S	1/2 38	57	t	zi 50	14	X	Z	Cr	3 1/2	Ap		
Willys Knight "66-D"	Fe	f	Th	Fr	AL	US 170	RF 1	O 3	Sr	---	WGR Bg3	S	O	1/2 39	56	t	zi 55	13	X	Z	Cr	2 1/2	Ag		
Chrysler "8"	Y	Th	Fr	DR	Wi 117	BB 3	O 4	4	Sr	---	---	---	O	1/2 38 1/4	54 1/2	Mb	Hi 50	13	T	K	Wz	---	Ap		
Nash Twin Ignition "990"	Mc	N	Th	Fr	AL	Ex 152	BB 1	O 3	Hi	Y	DER Bg3	O	O	1/2 39 1/2	57 1/2	Rr	zi 50	16	X	K	Wz	3 1/2	BI		
Reo Flying Cloud "8-25"	Ha	N	Th	Rr	DR	Wi 111	Lo 2	O 3	Hb	---	---	S	O	1/2 37 1/4	55 1/2	O	Hi 50	14	T	Z	Cr	2 1/2	Ap		
Hupmobile "226"	Mc	N	Th	Rr	AL	Wi 121	Lo 1	DE 3	Hi	Y	DER Ig3	U	O	1/2 40	57 1/2	e	zi 50	14	X	K	Wz	3	Ap		
Stutz "LAA"	Pe	f	As	Rr	AL	Pr 145	BB 3	DE 4	Sr	---	---	U	Sa	1/2 38	60	j	Hi 50	14	T	K	Wz	3 1/2	Ap		
Studebaker "President 91"	Lo	N	Th	Fr	DR	Wi 136	BB 3	O 3	Hi	Y	OR Bg3	S	O	1/2 38	60	O	zi 50	15 1/2	X	Z	Cr	---	Ap		
Packard "Light 8"	Mc	O	Th	Fr	Dy	Pr 152	Lo 3	O 4	Hi	Y	OBV 3	v	O	1/2 40	56	O	zi 50	15	X	O	Ws	3 1/2	BI		
Buick "90"	Ha	Ha	As	Fr	DR	De 135	O 5	O 3	Hi	Y	OBV 3	O	O	1/2 37 1/2	58 1/2	O	zi 50	15	X	Ss	Wz	3 1/2	Ap		
Franklin	Al	Gl	As	Ri	DR	Na 135	BL 2	WG 4	Hi	---	---	S	O	1/2 36	42	N	Hi 50	14	T	K	Wz	3 1/2	Ap		
Jordan "80"	Ja	f	As	Rr	AL	Wi 105	Lo 3	WG 3	Sr	---	---	c	Co	1/2 3											

Automobile Topics' table of passenger-car selling points—Continued

Table with columns: Radiator, Engine, Transmission, Chassis. Rows include models like Cord, Reo Royale, LaSalle, Pierce-Arrow, Packard, Stutz, Cadillac, Peerless, Lincoln, Franklin, Packard, Pierce-Arrow, Cadillac, Stutz, Packard, Pierce-Arrow, Lincoln, Cadillac, Marmon, Cunningham.

KEY TO SYMBOLS

- A—Aluminum Co. a—Celeron
AC—AC Spark Plug Ad—Adams
AG—Alemite Gun Al—Air Cooled
AL—Electric Auto Lite Al—Allen
Am—Air Maze Ap—Alemite Push Type System
As—Automatic Shutter
At—Automatic Shutter and Thermostat
B—Bohn Aluminum b—Link Belt
Ba—Bassick BB—Borg & Beck
Bb—Ball & Ball Bc—Bijur Central Station
Bg—Behind Gear Box Bi—Bijur Automatic
BV—Bendix Vacuum Clutch Control
C—Continental c—Cleveland
Ca—Carter Co—Columbia
Cr—Cam and lever Cu—Cuneo
d—Diamond DE—Detroit
DER—Detroit Roller De—Delco
Dy—Dyneto E—Dole
Ea—Eaton e—Rubber Shock Insulators
Ex—Exide F—Fulton syphon f—Pines
Fa—Farval Fe—Feddors
Fo—Float-O Fr—Rubber Front and Rear
G—Gravity g—General Electric-Textolite
Gl—Globe H—Hydraulic
h—Valve in Head Ha—Harrison
Hb—Herringbone Gears Ho—Handy Cleaner
Hi—Helical Gears Hr—Hexcel
Hs—Hand Shutter I—External
Ig—Inside Gear Box I—Internal
J—Spring j—Standard Spring Steel
Ja—Jamestown Jo—Johnson
K—Gemmer k—Formica
Kn—Kingston L—Lyeoming
I—Valve at Side Lo—Long
LS—L-G-S. LSJ—L-G-S. Spring
M—Bishop & Babcock m—Morse
Ma—Marvel Me—McCord
Mb—Metal bushings; all frame joints rubber bushed
Mi—Motor Improvements-Purolator
Mo—Modine
Mu—Muncie N—None
Na—National NP—New Process
O—Own OR—Own Roller
o—O-N Spring P—Aluminum Industries
P—Mechanical Pump-Pressure Pe—Perflex
Q—Clifford r—Horizontal Valve
R—Roller Rf—Rockford
Rr—Rigid R—Rubber Rear
S—Spicer s—Sleeve Valve
Sa—Salisbury Sc—Schebler
Se—Special Sk—Skinner
Sp—Springs Sr—Spur Gears
St—Stromberg SW—Stewart-Warner
T—Transmission td—Timken Detroit
te—North East Ignition and Delco Remy Lighting
Th—Thermostat TI—Tillotson
U—Universal Products
Un—U. S. Air Compressor US—U. S. L.
V—Vacuum v—Mechanics Machina
Va—Van Sicklen W—Belflex
w—Whitney Wa—Brandenburg
WG—Warner Gear WGR—Warner Gear Roller
Wm—Worm and Gear Wn—Worm and Nut
Wp—Warner Ws—Worm and Sector
Wr—Worm and Roller
Ww—Worm and Wheel X—Wheels
x—Fafnir Y—Yes
Z—Ross z—Mechanical
Ze—Zenith †2—15 Rear 12 Front
1/2—1/2 or Semi Floating 3/4—3/4 Floating
2/2—Full Floating °—Various
*—Front Drive
†—For Wheelbase see Section 1
‡—Lowest price in the line

Mr. OLIVER of Alabama. Mr. Chairman, I ask permission to speak for two minutes. The gentleman from Michigan was unfortunate in his mention of the Prohibition Unit, for the reason that the provision in the bill provides for the purchase of cheap cars for the Prohibition Unit. The Director of Prohibition insisted that he wanted the cheap-class cars. He said they were more economical to operate and met the needs of his service. This amendment is in line with the amendment heretofore adopted, except that we have liberalized it. It was never intended that it should apply to Cabinet officers, and they have been excepted, and we provide that the department heads may permit field officers to go from their homes to their field work in Government cars.

Mr. MAAS. Does that include the freight?
Mr. OLIVER of Alabama. There is nothing said about freight. They can pay the freight out of contingent expenses if found to be necessary.

The CHAIRMAN. The Clerk will read the amendment offered by the gentleman from Michigan.
The Clerk read as follows:

Beginning on page 125, line 24, strike out all of section 4.

The CHAIRMAN. The question is on the amendment. The question was taken, and the amendment was rejected.
Mr. OLIVER of Alabama. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:
Page 126, after line 11, insert:
"Sec. 5. No part of any appropriation made by this act shall be used to pay actual expenses of subsistence in excess of \$6 for any one calendar day, or per diem allowance for subsistence in excess of the rate of \$5 in any one calendar day to any officer

or employee of the United States, and payment accordingly shall be in full, notwithstanding any other statutory provision."

The amendment was agreed to.
The Clerk read as follows:

Amendment proposed by Mr. OLIVER of Alabama: Page 54, line 25, after the colon, insert the following: "Provided further, That no part of the appropriation herein made shall be used to pay any probation officer a salary in excess of \$2,600 per annum."

The CHAIRMAN. Is there objection?
There was no objection.

Mr. OLIVER of Alabama. Mr. Chairman, I offer that amendment.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. LaGUARDIA. Mr. Chairman, I ask unanimous consent to return to page 47 for the purpose of offering an amendment. It was through a misunderstanding as to the program to-day that the amendment was not offered when the section was reached.

The CHAIRMAN. Is there objection?
There was no objection.

Mr. LaGUARDIA. Mr. Chairman, I offer the following amendment, which I send to the desk:

The Clerk read as follows:
Amendment offered by Mr. LaGUARDIA: Page 47, line 17, at the end of the section strike out the period, insert a colon, and add the following: "Provided, That no money herein appropriated shall be used to operate or maintain in operation any automatic filling machine or any labor-saving machine in any factory conducted in any Federal penal institution where convicts are assigned to work."

Mr. LAGUARDIA. Mr. Chairman, it seems almost unbelievable in this period when all industry and labor is disturbed with labor-saving machines that we would find labor-saving machines in the penitentiaries. The theory of operating factories in connection with our penal institutions is to give work to the inmates and teach them a trade, to keep them busy, and not to operate an industry for profit in competition with legitimate business and free labor. We authorized and appropriated for a brush factory in the penal institution at Leavenworth, and it was operating successfully in keeping with our theory of institutional care and vocational training. They have now installed labor-saving devices in the brush factory in the penitentiary at Leavenworth.

They have installed there automatic filling machines which fill the tufts in the brush. I have here a brush that is made by hand. The filling in of the tuft is by hand and takes time. The automatic machine will do the work of about 16 men. The brush with the red back which I now exhibit is a machine-filled brush.

Mr. OLIVER of Alabama. The brush the gentleman has just exhibited is made by hand. The only brush that we make by machine is a paint brush.

Mr. LAGUARDIA. The one with the white back that I have here is a brush made by manual labor filled by hand labor. The other is made on an automatic brush machine, with a solid block, which I have described, with a staple board and filled with the same machine.

Mr. OLIVER of Alabama. Are those brushes the gentleman has exhibited made in the penitentiary?

Mr. LAGUARDIA. That is my information.

Mr. OLIVER of Alabama. I have this statement from the director, which I know is correct:

In making those floor sweeps like Mr. LAGUARDIA has on the table, we do not use one single bit of machinery. All of our floor sweeps are wire-drawn by hand. Each tuft is set individually. Outside concerns use machinery on this brush entirely.

Mr. LAGUARDIA. If they do not use machines, then there is no objection to my amendment.

Mr. OLIVER of Alabama. I want to make a statement about that amendment.

Mr. LAGUARDIA. I say that it is a ridiculous situation to have a Federal penal institution at Leavenworth making brushes by machines, and it can not be denied that they are using machines and filling those tufts and competing against industry employing free labor. The American Brush Manufacturers' Association informs me that it is impossible for them to compete with any Federal department in selling their brushes, when they have to compete not only with the convict-made brushes, but with convict machine-made brushes. It is manifestly unfair. If we are going to employ prisoners let them pass their time by filling in these things by hand, but by no means permit the use of these labor-saving devices.

Mr. CONNERY. And this is the evil that we tried to correct when we passed the convict labor law.

Mr. LAGUARDIA. Exactly, and we had assurances then that the work would be so conducted as not to compete with free labor. Convict-made brushes in Leavenworth have a preference in the Federal departments, but I submit in all fairness to free labor that it should not be met with competition by convict-made machine brushes. I ask the committee to support my amendment.

Mr. CONNERY. And one of the propositions put out of business was the blind people who made brooms.

Mr. LAGUARDIA. That is true.

Mr. OLIVER of Alabama. Mr. Chairman, the bill under which the Bureau of Prisons installed the few machines they have is a bill that was passed; I am informed, with the full approval of the Federation of Labor.

I will not have time to read from the hearings further than a few excerpts with reference to the brush machine of which the gentleman has spoken.

I think every Member of Congress has received letters with reference to brushes made in the Federal prisons. When the gentleman from New York exhibited the samples on the table, I asked the Director of Prisons whether brushes

of that kind were made by hand or by machinery in the Federal prisons. He said they were made by hand in the Federal prisons, and that only two kinds of brushes are made in the Federal prisons by machinery. They are required to make these by machinery because there is no market value for handmade brushes of this type.

I would like you to understand the number of prisoners employed. There are 90 engaged in making brushes and only 60 of these are assigned to the machines.

I read from the hearings:

We have manufactured wherever possible a type of brush which will utilize to the maximum hand labor. Of our total production of \$159,028.94, we produced \$63,614.40 worth of what is known as wire-drawn and pitch-set brushes, which are made entirely by hand. The brush maker in manufacturing a wire-drawn brush weaves each tuft of hair into the block by hand. * * *

In manufacturing paint and varnish brushes it is necessary to mix the different kinds and lengths of hair which go into the brush in such a manner that the different lengths of bristles will be evenly distributed.

Those are the only two types. In other words, neither the Navy nor the Army could use these brushes unless manufactured by machinery. It is impossible to make the proper inset of hair by hand in paint and varnish brushes. That is why they are required to use the machines in making the limited quantity of these brushes which are manufactured in the prisons.

I do not think you will find anyone who has visited the Federal prisons who will not state that under the direction of Mr. Bates they have followed strictly the spirit of the agreement had with the committee at the time these bills were reported and unanimously passed by the Congress. They have well distributed the industries at the prisons so as not to bring prison goods in competition in any large way with the trade. They sell nothing on the outside, and they meet Government market prices. These bills had the approval of the American Federation of Labor, because it was recognized that it was absolutely essential to provide some work for our prison population.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. OLIVER of Alabama. I yield.

Mr. LAGUARDIA. Certainly it was never contemplated that in giving employment to these inmates we should install machines in the brush factory at Leavenworth?

Mr. OLIVER of Alabama. Oh, there were some machines there for making shoes that everyone understood had been installed some time ago, but the amount they turn out is limited.

The prison labor is more in competition with that of farmers than anybody else. Prisons have dairies; they raise fine hogs; they raise everything to eat. Still you never hear complaints from the farmers, because they recognize that the cost of maintaining our prisons comes out of the Federal Treasury; that it is absolutely essential to provide work for prisoners, and, as pointed out, we now have a system whereby we pay to the personnel a small amount, and if the prisoner has a dependent family, a part of his pay is sent to his family, and this practice is in keeping with the spirit of the Hawes and Cooper bill. I think Members may have read the statement recently published by Senator HAWES and Congressman COOPER, analyzing the underlying principles and purposes of this bill, which soon becomes effective.

Mr. DYER. Will the gentleman yield?

Mr. OLIVER of Alabama. I yield.

Mr. DYER. The purpose of the legislation to provide for the making of the things which are made in the prisons was primarily to give employment to the inmates?

Mr. OLIVER of Alabama. Yes.

Mr. DYER. Of course, I take it there is not any more machinery being installed than is absolutely necessary?

Mr. OLIVER of Alabama. No.

Mr. DYER. I would not favor it, because a big majority of the prisoners have no employment whatever.

Mr. OLIVER of Alabama. I am very glad the gentleman from Missouri interrupted me, because the gentleman was acting chairman of the committee at the time these bills were considered.

I was very much interested less than two weeks ago in reading the statement by Mr. HAWES and Mr. COOPER as to the purpose of that legislation.

[Here the gavel fell.]

The CHAIRMAN. The Clerk will report the amendment. The Clerk again reported the LaGuardia amendment.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York [Mr. LaGuardia].

The amendment was rejected.

Mr. OLIVER of Alabama. Mr. Chairman, I ask unanimous consent that the Clerk be allowed to make any necessary changes in totals and to correct any typographical errors.

The CHAIRMAN. Without objection, it is so ordered. There was no objection.

Mr. OLIVER of Alabama. Mr. Chairman, I ask unanimous consent that all Members who spoke on the bill have five legislative days in which to extend their remarks.

The CHAIRMAN. Is there objection? There was no objection.

Mr. MAAS. Mr. Chairman, I ask unanimous consent to extend my remarks on the amendment I offered.

The CHAIRMAN. Is there objection? There was no objection.

Mr. MAAS. Mr. Speaker, I moved to amend House bill 9349—State, Justice, Commerce, and Labor appropriation bill—by striking out the following proviso:

That no additional credits for service shall be allowed to any commissioned officer in the Coast and Geodetic Survey for purposes of base or period pay, or for longevity pay, before July 1, 1933; any increase of base or period pay for length of service, or longevity pay, which would have been authorized under existing law before that date, shall become effective July 1, 1933, and not earlier, notwithstanding the provisions of any other act.

The effect of the above provision is to freeze pay of commissioned officers of the Coast and Geodetic Survey in so far as any increase in pay based on length of service is concerned. Since the Coast and Geodetic Survey is paid under the pay act of 1922, which also applies to the Army, Navy, Marine Corps, Public Health Service, and Coast Guard, similar provisions, no doubt, will be included in the appropriation bills pertaining to each of these services. Consequently, each of these services is vitally interested in securing the elimination of the provision in House bill 9349 as the line of departure in the fight to keep it out or eliminate it from the other appropriation bills which pertain to these services which are still to be reported.

Among the objectionable features of the provision may be enumerated the following:

First. It infringes upon the prerogatives of the legislative committee concerned. In effect, it holds in abeyance a portion of the provision of the pay act of 1922 until July 1, 1933.

Second. The savings effected are comparatively trifling, amounting for the Coast and Geodetic Survey to about \$12,000 in pay and \$3,000 or \$4,000 in allowances. If this amount were spread over the entire commissioned personnel of the Coast and Geodetic Survey, namely, 171 officers, in proportion to the pay and allowances they are now receiving, the injustice of the provision would be limited to singling out one group for pay reduction. But as now proposed its effect is much worse. The entire burden of the saving is borne by a minority of 73 out of 171 officers. And among these 73 officers the maximum portion of the burden is borne by those in the lower grades; in other words, by those least able to shoulder it, as evidenced by the following tabulation of those affected:

Grade	Number	Amount of loss
Commander.....	1	\$193
Lieutenant commanders.....	8	1,214
Lieutenants.....	38	3,826
Lieutenants, junior grade.....	26	6,283
Total.....	73	11,516

Thirty-seven officers lose less than \$100; 24 officers lose between \$100 and \$200; 2 officers lose between \$200 and \$300.

All of these are junior officers: Four officers lose between \$300 and \$400; 2 officers lose between \$500 and \$600; 2 officers lose between \$600 and \$700; 1 officer loses \$1,168; 1 officer loses \$1,263.

Ten officers at the bottom will lose a total of \$5,000.

Third. In the other services involved the injustice is even greater. In the Army, for example, the total saving effected will not exceed \$600,000, or less than one-half of 1 per cent of the appropriation for pay. This loss, for it is a loss, is borne by the following:

Grade	Number	Amount of loss
Second lieutenants.....	215	\$160,000
Do.....	253	12,000
First lieutenants.....	94	43,240
Do.....	65	14,720
Do.....	180	6,840
Captains and majors.....	200	55,815
Lieutenant colonels.....	142	1,917
Generals and colonels.....		Nothing.
Nurses.....		54,156
Longevity pay.....		250,759

¹ Estimated.
The last item (longevity pay) affects less than one-third of the officers, and only those below lieutenant colonels of 30 years' service.

From the foregoing it clearly appears that—

Only a comparatively trifling saving is effected, less than one-half of 1 per cent.

The glaring injustice is that about \$400,000 of the \$600,000 saving, or more than 65 per cent, will be borne by lieutenants and nurses, and about \$300,000 of this \$400,000, or one-half of the whole \$600,000, is borne by about 400 lieutenants and the nurses.

Fourth. To further illustrate this injustice in the Army, the effect of the provision would be to single out certain Military Academy classes and deny to them what all other classes get and what the law plainly held out to them they likewise would get. The class of 1927 (174 second lieutenants), who graduated on June 14, 1927, under the law would pass into the second pay period on June 14, 1932; that is, upon completion of five years' service. Since the appropriation bill no doubt will be approved prior to June 14, 1932, this class alone of all classes since 1922 would be denied this advance, which is the most vital advance in their Army career. These young men now range in age from 26 to 30, the normal time in life to enter the marital state. Many of them, relying upon the promise of the Government that they would receive this advance, have married and incurred proper and natural obligations, which they could have cared for if the situation remained as they were entitled to believe it would remain. Now to find themselves faced with these obligations and denied the means to take care of them is a blow the consequences of which reach most serious proportions.

Of like effect, with only slightly less serious results, is the application of the provision to the class of 1922 and the officers appointed from other sources in that year, who will reach the third pay period on 10 years' services in 1932.

Fifth. An additional injustice is imposed on 215 second lieutenants, who compose the Military Academy class of 1927 and appointments from civil life on dates near the time of graduation of this class, in that the 1927 Naval Academy class, due to the system of promotion in the Navy, were promoted three years after graduation, or in June, 1930, and upon such promotion went into the second pay period, thus attaining the advance which the provision being discussed would deny these 215 second lieutenants after five years' service.

It can not be believed, after being informed of the actual results of this provision and the serious injustices which it visits upon such a relatively small number, and that small number made up almost entirely of junior officers and nurses, that Congress will want to accomplish the comparatively small saving in the manner proposed.

Another feature is that since the various appropriation bills will be approved on different dates, and these provisions for freezing pay will become effective on approval, there results a further inequality as between the services. It would seem that a matter of this kind should be included in one bill, if submitted at all, and considered by the legislative committees and not included in the different appropriation bills. While the Pou resolution probably authorizes this, it is believed that Congress considered that this freezing process would be spread proportionately throughout the services involved. Such a spread is far from the facts. A very limited number of juniors stand practically the entire burden.

We are dealing with a temporary condition, and the amount saved is more political than economic. But the serious effect will be more permanent. It will discourage the highest type of young men from entering the military and semimilitary services, and in the end decreased efficiency will more than offset any trifling saving in pay or allowances now.

Mr. OLIVER of Alabama. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. McREYNOLDS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 9349) making appropriations for the Departments of State and Justice and for the Judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1933, and for other purposes, and had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. OLIVER of Alabama. Mr. Speaker, I move the previous question on the bill to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. CANNON. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. CANNON. I am, in its present form.

Mr. LINTHICUM. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LINTHICUM. Is that sufficient opposition to a bill, that the gentleman is opposed to it as it stands?

The SPEAKER. The gentleman says he is opposed to the bill.

The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. CANNON moves to recommit the bill to the Committee on Appropriations, with instructions to report the same back forthwith with the following amendment: On page 52, at line 16, strike out the figures "\$775,000" and insert in lieu thereof the figures "\$1,050,000."

Mr. OLIVER of Alabama. Mr. Speaker, I would like to ask that the House adjourn, and take the vote on the motion to recommit to-morrow. I gave some assurance to Members that if there was to be a roll call the vote would not be taken this afternoon.

The SPEAKER. Let the Chair state to the gentleman from Alabama that if the previous question is ordered the vote on the motion to recommit would come on next Thursday. It would be the unfinished business on Thursday. Tomorrow is Calendar Wednesday.

Mr. OLIVER of Alabama. Mr. Speaker, I withdraw the request.

Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The question was taken; and on a division (demanded by Mr. SCHAFER) there were—ayes 1, noes 198.

Mr. SCHAFER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SCHAFER. Is this procedure correct? The gentleman from Missouri, a member of the Appropriations Committee, made a motion to recommit and thereby prevented other Members who had bona fide motions to recommit from offering them.

My parliamentary inquiry is whether the spirit and the letter of the rules are complied with by denying a Member who is not a member of the Appropriations Committee and who has a motion to recommit—who is opposed to the bill in its present form and will vote for his motion to recommit—the right to do so?

The SPEAKER. The gentleman from Wisconsin propounds a parliamentary inquiry. The gentleman from Missouri [Mr. CANNON] is a member of the Committee on Appropriations. The gentleman stated he is opposed to the bill. The gentleman has preference, under the custom and rules of the House, to make the motion to recommit.

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

The SPEAKER. The gentleman from Wisconsin makes the point of order there is not a quorum present. The Chair will count. [After counting.] One hundred and ninety-seven Members present; not a quorum.

ADJOURNMENT

Mr. OLIVER of Alabama. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 18 minutes p. m.) the House adjourned until to-morrow, Wednesday, February 24, 1932, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. RAINEY submitted the following tentative list of committee hearings scheduled for Wednesday, February 24, 1932, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON IMMIGRATION AND NATURALIZATION

(10.30 a. m.)

To clarify the contract-labor provisions of the immigration laws to actors (H. R. 8377).

COMMITTEE ON PATENTS

(9.30 a. m.)

Motion pictures.

COMMITTEE ON MERCHANT MARINE, RADIO, AND FISHERIES

(10 a. m.)

Alaskan fisheries (H. R. 6483).

General inquiry into the American Merchant Marine, the United States Shipping Board, and Merchant Fleet Corporation affairs.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

(10 a. m.)

Railroad holding companies (H. R. 9059).

COMMITTEE ON NAVAL AFFAIRS

(10.30 a. m.)

Postgraduate school of the United States Naval Academy.

EXECUTIVE COMMUNICATIONS, ETC.

452. Under clause 2 of Rule XXIV, a letter from the Secretary of the Interior, transmitting a report of the investigation made in accordance with the act of June 14, 1930 (46 Stat. 588) (H. Doc. No. 258), was taken from the Speaker's table, referred to the Committee on the Public Lands, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. GREENWOOD: Committee on Rules. H. Res. 150. Resolution amending clause 3 of Rule XIII and clause 6 of Rule XXIV of the Rules of the House of Representatives;

without amendment (Rept. No. 592). Referred to the House Calendar.

Mr. LEAVITT: Committee on the Public Lands. H. R. 4752. A bill for establishment of the Waterton-Glacier international peace park; with amendment (Rept. No. 593). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. BLACK: Committee on Claims. H. R. 8343. A bill for the relief of Norman C. Brady; without amendment (Rept. No. 594). Referred to the Committee of the Whole House.

Mr. BLACK: Committee on Claims. H. R. 9599. A bill for the relief of Ben D. Showalter; without amendment (Rept. No. 595). 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. SWEENEY: A bill (H. R. 9636) to authorize the Postmaster General to permit railroad and electric car companies to provide mail transportation by motor vehicle in lieu of service by train; to the Committee on the Post Office and Post Roads.

By Mr. BOILEAU: A bill (H. R. 9637) to amend section 114 of the Judicial Code, to provide for terms of District Court for the Western District of Wisconsin to be held at Wausau, Wis., and for other purposes; to the Committee on the Judiciary.

By Mr. HAWLEY: A bill (H. R. 9638) to reduce international double taxation; to the Committee on Ways and Means.

Also, a bill (H. R. 9639) to afford permanent protection to the watershed and water supply of the city of Coquille, Coos County, Oreg.; to the Committee on the Public Lands.

By Mr. CABLE: A bill (H. R. 9640) relative to the citizenship of minor children, and for other purposes; to the Committee on Immigration and Naturalization.

By Mr. LEWIS: A bill (H. R. 9641) to provide for the restoration of the first monument erected in memory of George Washington; to the Committee on Military Affairs.

By Mr. ALMON: A bill (H. R. 9642) to authorize supplemental appropriations for emergency highway construction with a view to increasing employment; to the Committee on Roads.

By Mr. DOXEY: A bill (H. R. 9643) to amend the Judicial Code to provide that jurors shall be returned from the division wherein the term of the court is held; to the Committee on the Judiciary.

By Mr. COOKE: A bill (H. R. 9644) extending the classified civil service to include special-delivery messengers; to the Committee on the Civil Service.

By Mr. DOXEY: A bill (H. R. 9645) to amend the Judicial Code to provide that presentments, indictments, and trials of crimes and offenses shall be in the division wherein such crimes and offenses were committed; to the Committee on the Judiciary.

By Mr. SUTPHIN: A bill (H. R. 9646) to amend the act entitled "An act for the relief of soldiers who were discharged from the Army during the World War because of misrepresentation of age," approved March 2, 1929; to the Committee on Military Affairs.

By Mr. CARTER of California: A bill (H. R. 9647) for the relief of the State of California; to the Committee on the Judiciary.

By Mr. PATTERSON: A bill (H. R. 9648) to amend paragraph "b" of section 502 of the World War adjusted compensation act, and to provide for payment of adjusted-service certificates immediately upon issuance, and for other purposes; to the Committee on Ways and Means.

By Mr. SUTPHIN: Resolution (H. Res. 159) authorizing the issuance of a special stamp commemorative of the one

hundred and fiftieth anniversary of the Block House Battle at Toms River, N. J.; to the Committee on the Post Office and Post Roads.

By Mr. EVANS of Montana: Joint resolution (H. J. Res. 314) to provide for levying and collecting an import duty upon copper in various forms, copper ores, and concentrates, alloys, or combinations of copper, and other copper products; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. ADKINS: A bill (H. R. 9649) granting a pension to Mary Elizabeth Hubbard; to the Committee on Invalid Pensions.

By Mr. BARTON: A bill (H. R. 9650) granting a pension to Mary Ann Eskew; to the Committee on Invalid Pensions.

By Mr. BUCKBEE: A bill (H. R. 9651) granting an increase of pension to Hattie K. Weir; to the Committee on Invalid Pensions.

By Mr. BOLTON: A bill (H. R. 9652) for the relief of Rose Burke; to the Committee on Claims.

By Mr. DRIVER: A bill (H. R. 9653) for the relief of Grace P. Stark; to the Committee on Claims.

By Mr. CABLE: A bill (H. R. 9654) for the relief of Charles Herring; to the Committee on Military Affairs.

By Mr. COCHRAN of Missouri: A bill (H. R. 9655) for the relief of Julius Wurzburger; to the Committee on Military Affairs.

Also, a bill (H. R. 9656) granting a pension to Sarah Stephenson; to the Committee on Invalid Pensions.

By Mr. CROSSER: A bill (H. R. 9657) for the relief of the Champion Rivet Co., Cleveland, Ohio; to the Committee on Claims.

By Mr. FINLEY: A bill (H. R. 9658) for the relief of Willis F. Spradlin; to the Committee on Military Affairs.

By Mr. GILBERT: A bill (H. R. 9659) granting an increase of pension to Frederick J. Conn; to the Committee on Pensions.

Also, a bill (H. R. 9660) granting an increase of pension to Roscoe Tarter; to the Committee on Pensions.

Also, a bill (H. R. 9661) granting a pension to Emily Cecil; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9662) granting an increase of pension to Margaret Hubble; to the Committee on Pensions.

By Mr. HAWLEY: A bill (H. R. 9663) granting a pension to Harrison Mosenkosket; to the Committee on Pensions.

By Mr. HESS: A bill (H. R. 9664) granting a pension to Florence Tebbenhoff; to the Committee on Pensions.

By Mr. HOPKINS: A bill (H. R. 9665) granting a pension to Mollie Lynch; to the Committee on Invalid Pensions.

By Mr. JEFFERS: A bill (H. R. 9666) for the relief of St. Paul's Episcopal Church, Selma, Ala.; to the Committee on War Claims.

By Mr. JENKINS: A bill (H. R. 9667) granting an increase of pension to Mary Ann McClellan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9668) granting a pension to Merrill T. Bryant; to the Committee on Pensions.

By Mr. LINTHICUM: A bill (H. R. 9669) for the relief of Horacio de Jesus Castillo; to the Committee on Foreign Affairs.

By Mr. McFADDEN: A bill (H. R. 9670) granting a pension to Margaret A. Richardson; to the Committee on Invalid Pensions.

By Mr. McSWAIN: A bill (H. R. 9671) to direct the removal of the body of First Lieut. William Butler Bonham to Arlington National Cemetery; to the Committee on Military Affairs.

By Mr. MITCHELL: A bill (H. R. 9672) for the relief of James R. Mansfield; to the Committee on Claims.

By Mr. MOORE of Kentucky: A bill (H. R. 9673) granting a pension to Annie Lewis; to the Committee on Invalid Pensions.

By Mr. MOORE of Ohio: A bill (H. R. 9674) granting a pension to Fannie Wiseman; to the Committee on Pensions.

By Mr. NELSON of Wisconsin: A bill (H. R. 9675) granting an increase of pension to Mary E. Anthony; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9676) granting an increase of pension to Susan F. Atwater; to the Committee on Invalid Pensions.

By Mr. PARKER of Georgia: A bill (H. R. 9677) for the relief of Margaret Doyle, administratrix of the estate of James Doyle, deceased; to the Committee on Claims.

By Mr. PRALL: A bill (H. R. 9678) for the relief of Edward C. Burke; to the Committee on Claims.

Also, a bill (H. R. 9679) granting a pension to Grace C. Marvin; to the Committee on Pensions.

By Mr. SCHAFER: A bill (H. R. 9680) granting a pension to Christopher F. Sheehan; to the Committee on Pensions.

By Mr. SHREVE: A bill (H. R. 9681) granting an increase of pension to Mary Schmidt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9682) granting an increase of pension to Phoebe M. Lamphier; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9683) granting an increase of pension to Sarah Jane Ash; to the Committee on Invalid Pensions.

By Mr. STRONG of Pennsylvania: A bill (H. R. 9684) granting an increase of pension to Susannah Patterson; to the Committee on Invalid Pensions.

By Mr. SWANK: A bill (H. R. 9685) granting a pension to Minnie Cantlon; to the Committee on Pensions.

By Mr. SWICK: A bill (H. R. 9686) granting an increase of pension to Rose A. Robinson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9687) granting an increase of pension to Ada L. Vance; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 9688) granting a pension to Hannah Low; to the Committee on Invalid Pensions.

By Mr. WEST: A bill (H. R. 9689) granting an increase of pension to Adelaide Thacker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9690) granting an increase of pension to Mary E. Harris; to the Committee on Invalid Pensions.

By Mr. WHITLEY: A bill (H. R. 9691) granting an increase of pension to Martha Bostwick; 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:

2602. By Mr. ALDRICH: Resolutions adopted by Point Judith Sunday school, Narragansett; Quidnessett Grange, No. 44, North Kingstown; and Narragansett Parent-Teacher Unit, Narragansett, all of the State of Rhode Island, opposing resubmission of eighteenth amendment and favoring adequate appropriations for law enforcement and for education in law observance; to the Committee on the Judiciary.

2603. By Mr. ANDREWS of New York: Resolution adopted by Buffalo Paint, Oil and Varnish Club, indorsing the early passage of House bill 6090; to the Committee on Banking and Currency.

2604. Also, petition of Division 4, Ancient Order of Hibernians, urging support for passage of legislation granting to States the power to control the manufacture and sale of liquor within their borders; to the Committee on the Judiciary.

2605. Also, resolution adopted by 150 people of the Wilson Baptist Church, protesting against the repeal of the prohibition law; to the Committee on the Judiciary.

2606. Also, resolution adopted by 450 people of the Lyndonville Methodist Episcopal Church, protesting against the repeal of the prohibition law; to the Committee on the Judiciary.

2607. Also, petition of the Warrens Corners Thursday Study Club, supporting the prohibition law; to the Committee on the Judiciary.

2608. Also, petition of John C. Johnston, secretary of Central Labor Council of Buffalo and vicinity, urging support of Connery bill, H. R. 7926; to the Committee on Labor.

2609. By Mr. BACHARACH: Petition of sundry citizens of Cape May County, N. J., protesting against the repeal, resubmission, or modification of the eighteenth amendment to the Constitution; to the Committee on the Judiciary.

2610. By Mr. BACON: Petition of members of Moriches (N. Y.) Woman's Christian Temperance Union, opposing the resubmission of the eighteenth amendment, and urging adequate appropriations for law enforcement; to the Committee on the Judiciary.

2611. Also, petition of Smithtown Branch (N. Y.) Woman's Christian Temperance Union, opposing resubmission of the eighteenth amendment; to the Committee on the Judiciary.

2612. Also, petition of Mrs. George C. Relyea, president of the New York County Woman's Christian Temperance Union, opposing the resubmission of the eighteenth amendment; to the Committee on the Judiciary.

2613. Also petition of Woman's Foreign Missionary Society of the Methodist Episcopal Church, Port Jefferson, N. Y., opposing the resubmission of the eighteenth amendment; to the Committee on the Judiciary.

2614. Also, petition of What-so-Ever Club of the Baptist Church, Port Jefferson, N. Y., opposing resubmission of the eighteenth amendment; to the Committee on the Judiciary.

2615. By Mr. BEAM: Memorial of Group No. 1689, National Polish Alliance, memorializing Congress to enact House Joint Resolution 144 directing the President to proclaim October 11 of each year as General Pulaski's memorial day; to the Committee on the Judiciary.

2616. By Mr. BOYLAN: Letter from the New York State Nurses' Association, New York City, N. Y., favoring the Bankhead bill, H. R. 7525, for the reestablishment of Federal aid for maternity and infancy work in States under the Children's Bureau; to the Committee on Labor.

2617. By Mr. BRIGGS: Petition of citizens of Chambers County, Tex., urging enactment of farmers' relief bill; to the Committee on Banking and Currency.

2618. By Mr. BRUNNER: Petition of religious, civic, and educational organizations in the communities of Far Rockaway, Inwood, Lawrence, Cedarhurst, Woodmere, and Hewlett, Long Island, N. Y., to the Congress of the United States for limitation of armaments; to the Committee on Foreign Affairs.

2619. By Mr. BUCKBEE: Petition of Mrs. O. G. Wolfrum, 1302 East State Street, Rockford, Ill., president Central Union Woman's Christian Temperance Union, protesting against the resubmission, repeal, or modification of the eighteenth amendment to the Constitution of the United States; to the Committee on the Judiciary.

2620. By Mr. CAMPBELL of Iowa: Petition of 21 voters of Sac County, Iowa, favoring the passage of House bill 1, providing for the payment of the adjusted-compensation certificates; to the Committee on World War Veterans' Legislation.

2621. By Mr. CLARKE of New York: Petition of 41 members of the Methodist Brotherhood Class, Sidney, N. Y., protesting against the repeal, resubmission, or modification of the eighteenth amendment; to the Committee on the Judiciary.

2622. Also, petition of 38 members of the Woman's Christian Temperance Union, Sidney, N. Y., protesting against the repeal, resubmission, or modification of the eighteenth amendment; to the Committee on the Judiciary.

2623. Also, petition of Mrs. C. Christensen and 25 residents of Laurens, N. Y., protesting against the repeal, resubmission, or modification of the eighteenth amendment; to the Committee on the Judiciary.

2624. Also, petition of 40 members of the Ladies' Aid Society and 20 members of the Woman's Christian Temperance Union, Springfield Center, N. Y., protesting against the repeal, resubmission, or modification of the eighteenth amendment; to the Committee on the Judiciary.

2625. Also, petition of Harriet English and 25 residents of Springfield Center, N. Y., protesting against the repeal, resubmission, or modification of the eighteenth amendment; to the Committee on the Judiciary.

2626. By Mr. CURRY: Petition of California Highway Commission, urging passage of Senate bill 36 and House bill 4716, relating to Federal aid to highways; to the Committee on Roads.

2627. Also, petition of citizens of California, supporting the maintenance of the prohibition law and of its enforcement; to the Committee on the Judiciary.

2628. By Mr. DE PRIEST: Petition signed by employees of Chicago branch United States Radiator Corporation; C. M. Baumgardner, 602 Michigan Avenue, Chicago, Ill.; and 13 other citizens of Illinois, protesting against the burden of present and proposed Federal taxation; to the Committee on Expenditures in the Executive Departments.

2629. By Mr. DRANE: Petition of citizens of Charlotte County, Fla., protesting against the resubmission of the eighteenth amendment; to the Committee on the Judiciary.

2630. By Mr. EATON of Colorado: Resolution of the Colorado Gasoline Tax Evasion Committee, Denver, Colo., protesting against the imposition of a Federal tax upon the sale of gasoline; to the Committee on Ways and Means.

2631. By Mr. FULBRIGHT: Memorial of Presbyterian Sabbath school, Crane, Mo., opposing resubmission of the eighteenth amendment; to the Committee on the Judiciary.

2632. Also, memorial of Oak Ridge Baptist Church, Oak Ridge, Mo., opposing resubmission of the eighteenth amendment; to the Committee on the Judiciary.

2633. By Mr. GIBSON: Petition of the Woman's Christian Temperance Union of Newfane, Vt.; to the Committee on the Judiciary.

2634. Also, petition of Marsena E. Roberts and certain other World War veterans, urging passage of legislation providing payment of adjusted-service compensation certificates issued to World War veterans; to the Committee on the Judiciary.

2635. By Mr. HILL of Washington: Petition of Women's Club of the Presbyterian Church of Davenport, Wash., opposing repeal, resubmission to the States, or modification of the eighteenth amendment; to the Committee on the Judiciary.

2636. Also, petition of English Congregational Church of Odessa, Wash., opposing repeal, modification, or resubmission to the States of the prohibition question; to the Committee on the Judiciary.

2637. Also, petition of Nettie B. Lilly and 75 other citizens of Bridgeport, Wash., opposing repeal, modification, or resubmission to the States of the eighteenth amendment; to the Committee on the Judiciary.

2638. By Mr. JOHNSON of Texas: Petition of J. G. Burr, director of Texas Education and Research, Game, Fish, and Oyster Commission, Austin, Tex., indorsing House Concurrent Resolution 10; to the Committee on the Judiciary.

2639. Also, petition of W. S. and S. G. Orr and E. J. Brown, of Hillsboro, Tex., opposing repeal of Federal farm marketing act; to the Committee on Agriculture.

2640. By Mr. KELLER: Petition of citizens of Coulterville, Ill., supporting and voting for the Patman bill (H. R. 1); to the Committee on Ways and Means.

2641. Also, petition of the citizens and legal voters of Franklin County, Ill., urging the payment of the adjusted-service certificates; to the Committee on Ways and Means.

2642. Also, petition of the national legislative committee of the American Legion, Washington, D. C., favoring the appropriation for the national rifle matches and the small arms firing school to be contained in the current Army appropriation bill; to the Committee on Appropriations.

2643. Also, petition of United Mine Workers of America, Local Union No. 303, Orient, Ill., demanding the repeal of all criminal syndicalist laws; to the Committee on the Judiciary.

2644. Also, petition of the Illinois State Senate of the Fifty-seventh General Assembly, at the first special session thereof, the house of representatives concurring therein, that the President of the United States and the Senate and House of Representatives of the present Congress be memorialized to enact legislation repealing the recapture provisions of the 920 transportation act, ab initio, and returning

the sum of such recapture fund already collected from the railroads to its contributors; to the Committee on Interstate and Foreign Commerce.

2645. Also, petition of Perry County Council of the American Legion, Illinois, favoring the conducting of the citizens' military training camps throughout the year 1932; to the Committee on Appropriations.

2646. By Mr. KVALE: Petition of Farmers' Union, Local No. 99, Renville, Minn., urging enactment of House bill 7797; to the Committee on Agriculture.

2647. Also, petition of Farmers' Union, Local No. 99, Renville, Minn., urging enactment of Senate bill 2487; to the Committee on Agriculture.

2648. Also, petition of Farmers' Union, Local No. 99, Renville, Minn., urging enactment of Senate bill 1197; to the Committee on Banking and Currency.

2649. Also, petition of Litchfield Creamery Co., Litchfield, Minn., urging unfettered trade relations between this and other nations; to the Committee on Interstate and Foreign Commerce.

2650. Also, petition of the board of directors of the Junior Chamber of Commerce of Duluth, Minn., approving the national defense budget for 1932-33 as recommended by President Hoover; to the Committee on Appropriations.

2651. Also, petition of Carl A. Hanson Post, No. 321, American Legion, Elbow Lake, Minn., urging enactment of insurance plan of benefits for ex-soldiers; to the Committee on World War Veterans' Legislation.

2652. Also, petition of city council of Minneapolis, Minn., expressing appreciation to Corps of Army Engineers, and opposing the subordination of this organization to any department; to the Committee on Military Affairs.

2653. Also, petition of Minnesota Bird Club, Minneapolis, Minn., urging enactment of House bill 5063; to the Committee on the Public Lands.

2654. By Mr. LAMBERTSON: Resolution of the Tonganoxie public schools, of Tonganoxie, Kans., representing 400 pupils and 18 teachers, opposing any measure of resubmission to the States of the eighteenth amendment, and urging adequate appropriations for law enforcement and for education in law observance; to the Committee on the Judiciary.

2655. Also, petition of Wilson R. Meyers and 42 other ex-service men of Tonganoxie, Kans., urging the passage of the bill for the full payment of the veterans' adjusted-compensation certificates; to the Committee on Ways and Means.

2656. Also, petition of Ella Williamson and 51 other people of Denison, Mayetta, Valley Falls, and Holton, Kans., urging the maintenance of the prohibition law and its enforcement, and opposing any measure of repeal, modification, or resubmission to the States; to the Committee on the Judiciary.

2657. By Mr. MEAD: Petition of Polish National Alliance, Group No. 412, urging passage of House Joint Resolution 144; to the Committee on the Judiciary.

2658. Also, petition of the Woman's Christian Temperance Union of Eden, N. Y., opposing the repeal of the eighteenth amendment; to the Committee on the Judiciary.

2659. By Mr. MICHENER: Petition of sundry citizens of Ann Arbor, Mich., favoring the prohibition law and its enforcement, etc.; to the Committee on the Judiciary.

2660. By Mr. NIEDRINGHAUS: Petition of J. Mahon and 20 other citizens of St. Louis, Mo., asking support for House bills 4719 and 5110, substitute relief measures for postal employees; to the Committee on the Post Office and Post Roads.

2661. Also, petition of J. M. Lobmaster and nine other citizens of St. Louis, Mo., asking support for House bills 4719 and 5110, substitute relief measures for postal employees; to the Committee on the Post Office and Post Roads.

2662. By Mr. PARKER of Georgia: Petition of Nina Anderson Pape and 19 other citizens, of Savannah, Ga., urging the passage of House bill 5063, providing for the establishment of Everglades national park in Florida; to the Committee on the Public Lands.

2663. By Mr. RAMSEYER: Petition of voters and bona fide farmers of Jasper and other counties of Iowa, urging the passage of House bills 128 and 7797 and Senate bills 1197 and 2487; to the Committee on Agriculture.

2664. By Mr. RICH: Petition of residents of Carter Camp, Pa., opposing Senate bill 1202; to the Committee on the District of Columbia.

2665. By Mr. ROBINSON: Petition signed by Mrs. H. B. Hunt, president, and Ethel Davis, secretary, of the Ladies' Auxiliary of Friends Church, New Providence, Iowa, adopted by the Providence Township Farm Bureau, representing about 100 people, on February 16, 1932, and signed by Wilson H. Hadley, president, and Paul M. Walter, secretary, opposing the resubmission of the eighteenth amendment to be ratified by State conventions or by State legislatures, and urging that Congress vote against any such resolution and vote for adequate appropriations for law enforcement and for education in law observance; to the Committee on the Judiciary.

2666. Also, resolution sent in by Delmar D. Latham, secretary of the Dunbar Consolidated School Board, which resolution was adopted by the Dunbar Parent-Teacher Association, representing 250 people, on February 17, 1932, opposing the resubmission of the eighteenth amendment to be ratified by State conventions or by State legislatures, and urging that Congress vote against any such resolution and vote for adequate appropriations for law enforcement and for education in law observance; to the Committee on the Judiciary.

2667. Also, petition of A. R. Miller and 17 other members of Farmers' Union No. 2165, of Janesville, Iowa, urging the passage of legislation helpful to the farmers of the Middle West and agriculture generally, and stating that the present situation calls for immediate relief and the passage of legislation to accomplish this purpose; to the Committee on Agriculture.

2668. By Mr. ROMJUE: Petition of Allied Postal Employees of St. Louis and vicinity, opposing any action at this time to reduce the wages of Government employees; to the Committee on Ways and Means.

2669. By Mr. SHREVE: Petition of the Hydetown Woman's Christian Temperance Union, representing 100 members, of Hydetown, Pa., opposing the resubmission of the eighteenth amendment to be ratified by State conventions or by State legislatures; to the Committee on the Judiciary.

2670. By Mr. SUMNERS of Texas: Petition of several hundred citizens of California, urging support and maintenance of the prohibition laws; to the Committee on the Judiciary.

2671. By Mr. SUTPHIN: Petition presented by Star Council, No. 56, Sons and Daughters of Liberty, supporting House bill 1967; to the Committee on Immigration and Naturalization.

2672. By Mr. SWICK: Petition of Central Union Woman's Christian Temperance Union, New Castle, Lawrence County, Pa., opposing the resubmission of the eighteenth amendment to the State legislatures or conventions for repeal; to the Committee on the Judiciary.

2673. Also, petition of Neshannock Presbyterian Church, New Wilmington, Lawrence County, Pa., Rev. W. F. Byers, pastor, opposing the resubmission of the eighteenth amendment to the State legislatures or conventions for repeal; to the Committee on the Judiciary.

2674. By Mr. SWING: Petition of citizens of Santa Ana, Calif., protesting against the repeal, resubmission, or modification of the eighteenth amendment to the Constitution; to the Committee on the Judiciary.

2675. Also, petition of 69 residents of Colton, Calif., protesting against compulsory Sunday observance and the passage of Senate bill 1202; to the Committee on the District of Columbia.

2676. By Mr. TABER: Petition of Sara M. Harrington, of Victor, N. Y., and others, opposing the resubmission or modification of the eighteenth amendment; to the Committee on the Judiciary.

2677. Also, petition of Mrs. John E. Bennett, of Holcomb, N. Y., and others, opposing resubmission or modification of the eighteenth amendment; to the Committee on the Judiciary.

2678. By Mr. TEMPLE: Petitions of Woman's Christian Temperance Union, Monongahela, and the First Baptist Church of Cannonsburg, Pa., supporting the eighteenth amendment and protesting against the submission of an amendment to the States repealing the eighteenth amendment; to the Committee on the Judiciary.

2679. By Mr. WARREN: Petition of the Woman's Christian Temperance Union of Elizabeth City, N. C., protesting against the repeal of the eighteenth amendment; to the Committee on the Judiciary.

2680. By Mr. WATSON: Resolution of the Slatington Chamber, No. 6, Order Knights of Friendship, favoring House bill 8921 for the erection of a veterans' hospital in the vicinity of Slatington, Pa.; to the Committee on World War Veterans' Legislation.

2681. By Mr. WEST: Petition of 84 World War veterans of Richland County, Ohio, favoring payment of the bonus certificates; to the Committee on Ways and Means.

2682. By Mr. WHITLEY: Petition of citizens of Rochester, N. Y., favoring maintenance of the prohibition law and its enforcement; to the Committee on the Judiciary.

2683. By Mr. WHITTINGTON: Petition of Woman's Bible Class, Capitol Street Methodist Church, Jackson, Miss., opposing the resubmission of the eighteenth amendment; to the Committee on the Judiciary.

2684. Also, petition of the Character Builder Class, Capitol Street Methodist Church, Jackson, Miss., opposing the resubmission of the eighteenth amendment; to the Committee on the Judiciary.

2685. Also, petition of Wesley Adult Class, No. 3, Capitol Street Methodist Church, Jackson, Miss., opposing the resubmission of the eighteenth amendment; to the Committee on the Judiciary.

2686. Also, petition of Men's Bible Class, Capitol Street Methodist Church, Jackson, Miss., opposing the resubmission of the eighteenth amendment; to the Committee on the Judiciary.

SENATE

WEDNESDAY, FEBRUARY 24, 1932

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

O Eternal One, by whose Spirit we are made sons and heirs of the living God; grant us by the same Spirit to hear Thy voice speaking within us, in the sense of duty, in the ideals of righteousness, in the principle of love opposing selfishness, in the nobler thought disturbing our contentment with that which is unworthy. Abide with us this day, and when we seem to fail, suffer the burden of our weakness to remain till we touch, not the dust and ashes of despair but the healing waters of repentance, that by Thy mercy we may be lifted into realms of new resolve and greater endeavor in the service of our country and our God. We ask it through Jesus Christ our Lord. Amen.

THE JOURNAL

The Chief Clerk proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. FESS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

CALL OF THE ROLL

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

The VICE PRESIDENT. The clerk will call the roll.

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

Ashurst	Brookhart	Costigan	George
Austin	Broussard	Couzens	Glass
Bailey	Bulow	Cutting	Glenn
Bankhead	Byrnes	Dale	Goldsbrough
Barbour	Capper	Davis	Gore
Bingham	Caraway	Dickinson	Hale
Black	Carey	Dill	Harrison
Blaine	Connally	Fess	Hastings
Borah	Coolidge	Fletcher	Hatfield
Bratton	Copeland	Frazier	Hawes