

# Congressional Record

## SEVENTY-FOURTH CONGRESS, SECOND SESSION

### SENATE

MONDAY, JUNE 8, 1936

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

Almighty and everlasting God, in whom we live and move and have our being, whom the very heaven of heavens cannot contain, though Thou findest sanctuary in the contrite heart of man; shine with Thy light through the clouds that dim our vision and open our eyes that we may read Thy thoughts in sun and star, in field and flower.

Remove from us all foolish fears, all sinful discontent, and with one throb of Thy almighty heart, flood the nations of the world with the sunshine of Thy love and bring them back from the wilderness of strife into the fold of peace.

So shall we build a highway for our God over which blessings and prayers shall pass and repass with confident golden feet forever.

We ask it for the sake of Him who is our Peace, Jesus Christ, Thy Son, our Lord. Amen.

#### THE JOURNAL

On request of Mr. ROBINSON, and by unanimous consent, the reading of the Journal of the proceedings of Saturday, June 6, 1936, was dispensed with, and the Journal was approved.

#### CALL OF THE ROLL

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

The VICE PRESIDENT. The clerk will call the roll.

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

Adams	Duffy	Lonergan	Radcliffe
Ashurst	Fletcher	Long	Reynolds
Barkley	Frazier	McAdoo	Robinson
Bilbo	George	McGill	Schwellenbach
Black	Gerry	McKellar	Sheppard
Bone	Gibson	McNary	Shipstead
Brown	Glass	Maloney	Thomas, Okla.
Bulow	Guffey	Minton	Thomas, Utah
Burke	Hale	Murray	Van Nuys
Caraway	Hatch	Neely	Wagner
Chavez	Hayden	Norris	Walsh
Connally	Keyes	O'Mahoney	Wheeler
Coolidge	King	Overton	
Couzens	La Follette	Pittman	
Dieterich	Lewis	Pope	

Mr. LEWIS. I announce that the Senator from Alabama [Mr. BANKHEAD], the Senator from Colorado [Mr. COSTIGAN], the Senator from Mississippi [Mr. HARRISON], and the Senator from Nevada [Mr. McCARRAN] are absent because of illness; and that the Senator from Tennessee [Mr. BACHMAN], the Senator from North Carolina [Mr. BAILEY], the Senator from Minnesota [Mr. BENSON], the Senator from Virginia [Mr. BYRD], the junior Senator from South Carolina [Mr. BYRNE], the senior Senator from Missouri [Mr. CLARK], the Senator from New York [Mr. COPELAND], the Senator from Ohio [Mr. DONAHEY], the Senator from Oklahoma [Mr. GORE], the Senator from West Virginia [Mr. HOLT], the Senator from Florida [Mr. LOFTIN], the Senator from Kentucky [Mr. LOGAN], the Senator from New Jersey [Mr. MOORE], the Senator from Iowa [Mr. MURPHY], the Senator from Georgia [Mr. RUSSELL], the senior Senator from South Carolina [Mr. SMITH], and the junior Senator from Missouri [Mr. TRUMAN] are unavoidably detained from the Senate.

Mr. McNARY. I announce that the Senator from Vermont [Mr. AUSTIN], the Senator from New Jersey [Mr. BARBOUR], the Senator from Iowa [Mr. DICKINSON], the senior Senator from Delaware [Mr. HASTINGS], the Senator from Rhode Island [Mr. METCALF], the Senator from Michigan [Mr. VANDENBERG], the Senator from Kansas [Mr. CAPPER], the Senator from Wyoming [Mr. CAREY], the Senator from Pennsylvania [Mr. DAVIS], the Senator from Oregon [Mr. STEIWER], the junior Senator from Delaware [Mr. TOWNSEND], and the Senator from Maine [Mr. WHITE] are necessarily absent from the Senate.

Mr. FRAZIER. I announce that my colleague the junior Senator from North Dakota [Mr. NYE] is necessarily absent.

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

#### MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries, who also announced that the President had approved and signed the following acts:

On June 5, 1936:

S. 2243. An act relating to the allocation of radio facilities;

S. 2303. An act to amend the act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, as amended and supplemented;

S. 3043. An act for the relief of the State of Maine;

S. 3477. An act relating to the jurisdiction of the judge for the northern and middle districts of Alabama;

S. 3885. An act to further extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Garrison, N. Dak.;

S. 3945. An act to extend the times for commencing and completing the construction of certain free highway bridges across the Red River from Moorhead, Minn., to Fargo, N. Dak.;

S. 4230. An act to amend section 28 of the enabling act for the State of Arizona, approved June 20, 1910;

S. 4326. An act granting the consent of Congress to the Department of Public Works of Massachusetts to construct, maintain, and operate a free highway bridge across the Connecticut River at or near Northampton, Mass.;

S. 4340. An act to authorize the President to designate an Acting High Commissioner to the Philippine Islands;

S. 4549. An act authorizing the State Highway Board of the State of Georgia to replace, reconstruct, or repair the free highway bridge across the Savannah River at or near the city of Augusta, Ga.; and

S. 4655. An act relative to limitation of shipowners' liability.

#### RESIDENCE REQUIREMENTS UNDER NATURALIZATION LAWS—WITHDRAWAL OF OBJECTION

Mr. REYNOLDS. Mr. President, last Saturday when the calendar was called and Order of Business No. 2269 was reached, being the bill (H. R. 4900) to amend the naturalization laws in respect of residence requirements, and for other purposes, I objected to the consideration of the bill and requested that it go over. At the time I entered my objection I had not been fully advised of the intent of the bill, but since then I have conferred with Representative Sol BLOOM, of New York, author of the measure, who has

informed me in reference to it. I wish now to withdraw my objection entered on Saturday.

CLAIMS BY GOVERNMENT OF FINLAND REGARDING CERTAIN SAILING VESSELS

The VICE PRESIDENT laid before the Senate a message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations, as follows:

*To the Congress of the United States:*

I transmit herewith a report of the Secretary of State in regard to claims presented to the Department of State by the Government of Finland in behalf of the owners of certain Finnish sailing vessels which are alleged to have been unlawfully detained in ports of the United States in 1918.

I recommend that, as proposed by the Secretary of State, the necessary legislation be enacted to permit the owners of the vessels to present their claims to the Court of Claims. A draft of a bill suitable for that purpose accompanies the Secretary's report.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 8, 1936.

(Enclosures: Report. Draft of bill.)

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate resolutions adopted by Local Union No. 600, United Mine Workers of America, of Nu Mine, Pa.; the mayor and Council of the City of Macon, Ga.; and the Common Council of the City of East Chicago, Ind., favoring the prompt enactment of Senate bill 4424, known as the Wagner-Ellenbogen low-cost housing bill, which were ordered to lie on the table.

Mr. ROBINSON. On behalf of the Senator from Minnesota [Mr. BENSON], who is necessarily absent, I present and ask that there be printed in the RECORD and appropriately referred a resolution adopted by the City Council of the City of Minneapolis memorializing Congress to extend the 9-foot channel of the Mississippi River to the northerly limits of the city of Minneapolis.

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

Resolution memorializing Congress to extend the 9-foot channel in the Mississippi River to the northerly limits of the city of Minneapolis

Whereas the city of Minneapolis and the northwest portion of the United States, particularly since the building and operation of the Panama Canal, have suffered an unjust and unreasonable discrimination in freight rates to and from this section of the country, which discrimination has forced many extensive and valuable industries to move to the East; and

Whereas the Minneapolis City Council, in an attempt to remove this discrimination and build up new industries for this city and the Northwest, in the year 1909 initiated a move to obtain cheaper freight rates by the establishing of canals in the upper Mississippi; and

Whereas this movement has resulted in the 9-foot channel which is to be completed to the easterly portion of the city of Minneapolis by the end of the year 1937; and

Whereas the citizens of Minneapolis are grateful to the five Presidents of the United States and the Members of Congress and the War Department for the excellent service they have rendered this city in the establishment of the 9-foot channel from the inception of this project to the present date; and

Whereas there still remains a missing link in the upper channel of said river which must be supplied if the city of Minneapolis is to realize to the fullest extent the benefit of waterway transportation; and

Whereas in order that Minneapolis may realize to the fullest extent the benefit of waterway transportation, it is necessary that the 9-foot channel be extended to the northerly limits of said city of Minneapolis. Now, therefore, be it

*Resolved* by the City Council of the City of Minneapolis, Minn., That it extend to the President of the United States and the Members of Congress from the northwestern portion of the United States the sincere thanks of said city for their efforts in establishing said 9-foot channel; and be it further

*Resolved*, That the city council of said city earnestly request that the President of the United States and the Members of Congress of the United States continue their efforts to the end that the channel be extended to the northerly limits of the city of Minneapolis, thus insuring to the people the full measure of benefit which the said 9-foot channel in the upper Mississippi will bring to them; and be it further

*Resolved*, That copies of this resolution be transmitted by the clerk of the city of Minneapolis to the President of the United States, to the presiding officers of the Senate and House of Representatives of the United States, to each Member thereof from the States of North and South Dakota, Wisconsin, Iowa, Montana, and Minnesota, to the Chief Engineer of the War Department, to the Secretary of War, and to each member of the Board of Engineers of the War Department.

Passed May 29, 1936.

DANIEL F. O'BRIEN,  
President of the Council.

Approved June 2, 1936.

THOMAS E. LATIMER, Mayor.

Attest:

CHAS. C. SWANSON,  
City Clerk.

REPORTS OF COMMITTEES

Mr. BURKE, from the Committee on Irrigation and Reclamation, to which was referred the bill (H. R. 11538) for the relief of the Orland reclamation project, California, reported it without amendment and submitted a report (No. 2321) thereon.

He also, from the Committee on Claims, to which was referred the bill (H. R. 12144) for the relief of the Federal Enameling & Stamping Co., reported it without amendment and submitted a report (No. 2326) thereon.

Mr. GERRY, from the Committee on Finance, to which was referred the bill (H. R. 12556) to create the Treasury Agency Service, to provide for the more adequate protection of the revenue and a more effective enforcement of the revenue and other laws administered by the Treasury Department, and for other purposes, reported it without amendment and submitted a report (No. 2322) thereon.

Mr. WAGNER, from the Committee on Public Lands and Surveys, to which was referred the bill (S. 1339) to establish the Pipestone Indian Shrine in the State of Minnesota, reported it without amendment and submitted a report (No. 2323) thereon.

Mr. McGILL, from the Committee on Pensions, to which was referred the bill (S. 4752) to increase the pension to certain veterans of the Regular Establishment on the rolls March 19, 1933, reported it without amendment and submitted a report (No. 2324) thereon.

Mr. GEORGE, from the Committee on Finance, to which were referred the following bill and joint resolution, reported them each with amendments and submitted a report as indicated:

H. R. 12869. A bill to liberalize the provisions of Public Law No. 484, Seventy-third Congress, to effect uniform provisions in laws administered by the Veterans' Administration, to extend the Employees' Compensation Act with limitations to certain World War veterans and other persons, and for other purposes (Rept. No. 2325); and

S. J. Res. 278. Joint resolution to modify and extend the act entitled "An act to include sugar beets and sugar cane as basic agricultural commodities under the Agricultural Adjustment Act, and for other purposes", approved May 9, 1934, as amended, and for other purposes.

Mr. GIBSON, from the Committee on Claims, to which was referred the bill (S. 670) for the relief of Eliza Boykin, reported it with an amendment and submitted a report (No. 2327) thereon.

Mr. SCHWELLENBACH, from the Committee on Claims, to which was referred the bill (S. 2402) for the relief of Josephine M. Scott, reported it with amendments and submitted a report (No. 2328) thereon.

He also, from the same committee, to which was referred the bill (S. 2827) for the relief of Margaret Scott Bayley, reported it without amendment and submitted a report (No. 2329) thereon.

Mr. SCHWELLENBACH (for Mr. BENSON), from the Committee on Claims, to which was referred the bill (S. 3458) for the relief of George Smith and Ketha Smith, reported it with an amendment and submitted a report (No. 2334) thereon.

He also, from the same committee, to which was referred the bill (S. 390) for the relief of Orson Thomas, reported it with amendments and submitted a report (No. 2335) thereon.

PRISON INDUSTRIES  
REORGANIZATION ADM.

E. R. A. — EXP. 1935-37

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

H. R. 9313. A bill for the relief of the estate of Hans Dittmann, deceased (Rept. No. 2330);

H. R. 9314. A bill for the relief of the estate of Henry Copple, deceased (Rept. No. 2331);

H. R. 9315. A bill for the relief of the estate of Fred Wilkins, deceased (Rept. No. 2332); and

H. R. 10044. A bill for the relief of Lt. Col. Fernand H. Gouaux (Rept. No. 2333).

Mr. BARKLEY, from the Committee on Interstate Commerce, to which was referred the bill (S. 1562) to amend section 62, chapter 3, title 45, of the Code of Laws of the United States of America, reported it with amendments and submitted a report (No. 2336) thereon.

**TAXATION OF WAR PROFITS—AUTHORITY FOR FINANCE COMMITTEE TO FILE A REPORT**

Mr. CONNALLY. On behalf of the Committee on Finance, I desire to state that this morning it ordered reported to the Senate, House bill 5529, known as the war-profits bill; but the report cannot be submitted today. I ask unanimous consent that the Secretary of the Senate be authorized to receive the report and file it during the recess of the Senate, so that it may be printed on the calendar for the consideration of the Senate.

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

Mr. CONNALLY subsequently said: Mr. President, I realize that the Senate is very busily engaged, and I do not desire to detain it unduly, but I wish to call the attention of Senators to the fact that today the Senate Finance Committee ordered reported to the Senate the so-called war-profits bill.

It will be recalled that for a great many years there has been an insistent demand throughout the country for legislation to take out of war whatever profits have heretofore been realized by reason of the existence of a state of war.

The munitions committee reported to the Senate some time ago a comprehensive measure covering the drafting of industry in one title, Federal taxation in another title, and some military provisions in still another title. That portion of the bill relating to taxation was referred to the Senate Committee on Finance. The junior Senator from Texas had the honor to serve as chairman of the subcommittee of the Finance Committee dealing with the taxation feature. After a study of some 6 or 8 weeks, and with the advice and counsel and active aid of experts from the Joint Committee on Taxation, from the Treasury Department, and other departments of the Government, the title on taxation was entirely rewritten and the Finance Committee reports a complete substitute for the section of the war-profits bill relating to Federal taxation.

It was the purpose of the committee so to draft the measure as not entirely to destroy the profit motive in time of war, because it seemed desirable that industrial plants and others supplying war materials might continue to function with their regular organizations; but it has been our purpose so to levy the rates of taxation as to take out of their profits that particular factor which is attributable to a state of war and to allow them only normal and ordinary returns.

The rates of taxes in the case of individuals have also been revised. The exemptions have been reduced in the case of single individuals to \$800 and to married persons to \$1,600, and the rates of individual income taxes have been revised, starting at \$40 on an income of \$2,000 for married persons and graduated up to \$880,510 on persons having incomes of a million dollars, and graduated proportionately in the other brackets. It is estimated that on individual incomes alone this bill will produce \$7,866,000,000 annually and produce a very large increase in corporate taxes. There is one aspect of the measure, however, that probably will have to be modified, as the bill in its relation to corporations has been drawn on the principles of the tax bill as passed by the other House. It was thought that when the Congress finally acts on the pending revenue bill the war-

profits bill will be amended in accordance with the principle then adopted, it being highly desirable from an administrative standpoint that the general methods of taxation shall continue in time of war just as they are in time of peace, so as not entirely to disrupt the administrative agencies for handling taxation.

Mr. President, the war-munitions bill, as a whole, including the taxation features, undertakes in time of war to muster money along with men; it undertakes to call to the colors a great industrial army just as it proposes to call to the colors the manhood and the youth of the land. We believe that the bill embodies sound principles and carries out the insistent demand of the country that in time of war no one shall be able to reap a rich harvest of inordinate profits, while others have to lay down their implements of civil activity and grasp in their hands—untried hands, frequently—the implements of war; that the man who stays at home shall not profit from the blood and sacrifice of his fellows.

I commend the bill to the consideration of Members of the Senate. We hope to have it on the calendar, and we are very anxious, if possible, to secure action on it at the earliest possible moment.

Mr. PITTMAN. Mr. President, I suggest to the Senator from Texas that this is such an important matter, and the possibility that it will not be acted upon immediately is so apparent, it would be of benefit to Congress if the bill were printed in the RECORD as a part of his remarks.

Mr. CONNALLY. I will say to the Senator from Nevada that I thank him for the suggestion, but it is quite a voluminous bill and would consume a great deal of the RECORD. I have no objection to having the bill printed in the RECORD, but I do not want to urge it upon the Senate.

Mr. PITTMAN. Very well. I will leave the matter to the judgment of the Senator from Texas.

Mr. CONNALLY. There will be a report filed which will be rather comprehensive and illuminating, but I think, under the rules of the Senate, it would be necessary to obtain the consent of the Committee on Printing, and I should not want to urge the matter on my own responsibility. However, I thank the Senator from Nevada.

**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. SCHWELLENBACH:**

A bill (S. 4757) for the relief of Mr. and Mrs. Victor Mills; to the Committee on Indian Affairs.

**By Mr. ROBINSON (for Mr. BULKLEY):**

A bill (S. 4758) granting a pension to Mary Ida Cox;

A bill (S. 4759) granting a pension to Mary C. Smith;

A bill (S. 4760) granting an increase of pension to Letha C. Durflinger;

A bill (S. 4761) granting an increase of pension to Rachel Heizeman;

A bill (S. 4762) granting an increase of pension to Alice V. Keeler;

A bill (S. 4763) granting an increase of pension to Margaret Jane Loar;

A bill (S. 4764) granting an increase of pension to Polly Fuller;

A bill (S. 4765) granting an increase of pension to Lucy Montgomery;

A bill (S. 4766) granting an increase of pension to Anna Robinson;

A bill (S. 4767) granting a pension to Catherine Ott;

A bill (S. 4768) granting an increase of pension to Amelia Shultz;

A bill (S. 4769) granting a pension to Florella Roe; and

A bill (S. 4770) granting a pension to Lenora Easterday; to the Committee on Pensions.

(Mr. ASHURST introduced S. J. Res. 285, which was referred to the Committee on the Judiciary and appears under a separate heading.)

## INVESTIGATION OF THE BLACK LEGION AND SIMILAR ORGANIZATIONS

Mr. ROBINSON. On behalf of the Senator from Minnesota [Mr. BENSON], I submit a concurrent resolution and ask that it be referred to the Committee on the Judiciary.

The VICE PRESIDENT. The resolution will be received and referred, as requested by the Senator from Arkansas.

The concurrent resolution (S. Con. Res. 41), submitted by Mr. ROBINSON (for Mr. BENSON), was referred to the Committee on the Judiciary, as follows:

*Resolved by the Senate (the House of Representatives concurring),* That a special committee consisting of four Senators and four Representatives be, and is hereby, authorized to be appointed by the President of the Senate and by the Speaker of the House of Representatives, respectively, for the purpose of conducting an investigation of (1) the character, objects, extent of operations, roster of officers and membership, all sources of revenue, purpose and methods of distribution of finances of the Black Legion; (2) the activities and source of revenue of any organizations which may be found spreading similar un-American propaganda of religious, racial, or subversive political prejudices which tend to incite to force and violence in the promotion of their program of activities; and (3) all other questions in relation thereto which would assist Congress in the enactment of necessary remedial Federal legislation, including necessary amendments to the postal laws. Such special committee is authorized to hold hearings at any or all points within the United States at any time, whether or not Congress shall be in session, and to call upon the administrative head of any executive department of the United States Government for assistance by its investigating personnel. Such special committee shall select one of its members to serve as chairman.

SEC. 2. Such special committee shall have full power and authority to subp<sup>ea</sup>na witnesses and take testimony; to summon any and all books, records, documents, communications, and other papers of such organizations and their officers or members; and to compel attendance under the provisions and penalties provided by section 102 of the Revised Statutes of the United States, as amended.

SEC. 3. The special committee shall be authorized to expend a sum not in excess of \$100,000, one-half of which shall be paid from the contingent fund of the Senate and one-half to be paid from the contingent fund of the House of Representatives; and to employ necessary clerical and other help.

SEC. 4. A report shall be prepared by such special committee not later than March 1, 1937, and presented to the President of the Senate and the Speaker of the House of Representatives during the month of March 1937, but nothing in this section shall prevent the making of partial reports at any time the special committee may deem advisable or in the public interest.

DAISY CLARK

Mr. McNARY submitted the following resolution (S. Res. 321), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved,* That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate to Daisy Clark, daughter of Noble M. Clark, late a special employee of the Senate under supervision of the Sergeant at Arms, a sum equal to 6 months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

MISSOURI RIVER BRIDGE, OMAHA, NEBR.

Mr. WALSH. I enter a motion for the reconsideration of the vote whereby the Senate on Saturday last passed Senate bill 4376, providing for the construction of a bridge across the Missouri River.

The VICE PRESIDENT. The motion will be entered.

## DIVISION OF STREAM-POLLUTION CONTROL

Mr. LONERGAN. Mr. President, I enter a motion to reconsider the vote by which Senate bill 4627, being Calendar No. 2316, to create a division of stream-pollution control in the Bureau of the Public Health Service, and for other purposes, was passed on Saturday last.

The VICE PRESIDENT. The motion will be entered.

## AIR CORPS OF THE ARMY—CONFERENCE REPORT

Mr. SHEPPARD submitted the following report, which was ordered to lie on the table:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 11140) to provide more effectively for the national defense by further increasing the effectiveness and efficiency of the Air Corps of the Army of the United States, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: Strike out the word "immediately" in the matter inserted by said amendment, and the Senate agree to the same.

MORRIS SHEPPARD,  
DUNCAN U. FLETCHER,  
ROBERT D. CAREY,

Managers on the part of the Senate.

JOHN J. McSWAIN,  
LISTER HILL,  
WILLIAM N. ROGERS,  
DONALD H. MCLEAN,  
CHARLES A. PLUMLEY.

Managers on the part of the House.

## DEPORTATION OF ALIEN CRIMINALS

Mr. REYNOLDS. Mr. President, I should like to have unanimous consent to print in the CONGRESSIONAL RECORD extracts from speeches I have made upon the floor of the Senate in opposition to the Kerr-Coolidge bill.

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

[Extracts from the debate on S. 2969 (Kerr-Coolidge bill) in the Senate Friday, Apr. 3, 1936 (legislative day of Monday, Feb. 24, 1936)]

## DEPORTATION OF ALIEN CRIMINALS

Mr. ROBINSON. Mr. President, pursuant to the statement which was made yesterday, I ask unanimous consent that the unfinished business be temporarily laid aside, and that the Senate proceed to the consideration of Senate bill 2969, being the so-called alien deportation bill.

There being no objection, the Senate proceeded to consider the bill (S. 2969) to authorize the deportation of criminals, to guard against the separation from their families of aliens of the non-criminal classes, to provide for legalizing the residence in the United States of certain classes of aliens, and for other purposes.

Mr. REYNOLDS. I would have it understood as my opinion that the Kerr-Coolidge bill would break down and destroy the barriers of immigration that have heretofore been raised, would make two holes where one now exists, and would encourage aliens to come here in violation of the laws of our country.

Mr. President, I believe that any high-school boy after reading section 3 of the Kerr-Coolidge bill, would unquestionably and unhesitatingly say that the bill and that section in particular would bring aliens in, instead of put them out; that it is an importation bill rather than a deportation bill.

Mr. BARKLEY. \* \* \* I understand it would deal with those who are here illegally.

Mr. REYNOLDS. The Senator does not understand how it would let them in, instead of put them out?

Mr. BARKLEY. I do not.

Mr. REYNOLDS. That is where the nigger is in the wood pile.

[Laughter.]

The bill seeks to make lawful by an enactment of the Congress that which for years has been illegal and unlawful. The bill would encourage those beyond our shores to come to America. It would encourage aliens from all over the world to violate the immigration laws of the United States.

If we legalize that which is now illegal, if we permit to stay in this country aliens who are here illegally, who have violated the law every day they have remained here illegally, then we will encourage immigrants from every part of the world to say, "What do we care about the laws of America? We can go there and slip in and kill anybody we want to or kidnap anybody we want to and get away with it. America has already said it is all right for anybody to steal into the country, to perjure himself into the country, or to enter the country in any other illegal manner, such as by the purchase of passports, and the like.

Mr. President, I cannot make it too plain to my colleagues of the Senate and to the world that I am opposing the Kerr-Coolidge bill, because, I assert, if enacted, it will break down the immigration barriers, encourage violation of the law; make two holes in the cheese where there is now but one, and wreck all the laws which your forefathers and your predecessors for years and years, since Washington was President of our country up to the present time, have enacted and wanted obeyed. I am fighting the bill because I stand for Americans in preference to foreigners; and the time has come when the Members of the United States Senate, as well as the people of the whole United States of America, must make it plain whether we and they are standing by the people of our own country or whether we are standing by the people of foreign nations.

There is just one issue: Are we for America for Americans, or are we for America for foreigners? It is a question that one may not side-step. It is a question on which one must get on one side of the fence or on the other.

I said that millions of Americans are against the bill—millions upon millions—and in that connection I wish to read just a simple little post card which was sent to me by some man of whom I never heard, one of the hundreds upon hundreds of post cards and letters and telegrams I have received from all over the United States. This simple little post card will reveal to the Members of this body the sentiment that is deeply rooted in the hearts of Americans.

"DEAR SENATOR: Reynolds-Starnes immigration restriction and alien deportation-registration bill urgently needed, and I trust will become law at once. Unfair to American citizens"—

Listen! He is right. He is using good old common horse sense.

"Unfair to American citizens and taxpayers. Social Security Act makes no distinction between American citizens and aliens. Aliens holding jobs in our country should be taxed 25 percent of funds they send to their homelands.

"Unfair that Americans be taxed to keep aliens on relief rolls."

That is true. This fellow has good common sense—good old horse sense.

"Unfair that Americans be taxed to keep aliens on relief rolls; when they had jobs they sent money out of the country."

I recently read in the Saturday Evening Post a series of extremely interesting articles written by Mr. Raymond Carroll, a former newspaper correspondent of our Capital City, to the effect that, since the depression, the aliens on the relief in this country and aliens holding American jobs had sent to their respective fatherlands, by way of international money orders, more than \$250,000,000—your dollars, the dollars of the American people, sent to their respective countries every year.

He says further:

"When they had jobs they sent money out of the country; now they should not be carried on relief rolls, but they should be deported for charity of their home government.

"Be sure and enact into law your important bill."

I know now that this man has sense. [Laughter.]

"Fingerprint all aliens in United States annually, tax them 25 percent of money they send home to keep their own home folks. Buy American, employ American, travel American, think American.

"Faithfully,

"C. O. SAGE."

A bill is before the Senate which the American people oppose. The American people are speaking to us through their representatives, the American Federation of Labor, the American Legion, the Veterans of Foreign Wars, the Disabled Veterans of the World War, the Daughters of the American Revolution, the Sons of the American Revolution, the Junior Order of United American Mechanics, the Order of Sons and Daughters of Liberty, the Fraternal Patriotic Americans, the Commandery General, and 110 other patriotic organizations.

They tell us that the laws are not adequate to enable the Government to deport aliens; yet, at the same time, they are trying to get this bill through Congress to permit 2,862 deportable aliens to stay in the country. Yet we are told that the effort is to enact a law to enable the aliens to be put out. I say that before we pass such a law we should execute the laws which are already on the statute books, which mandatorily provide that these aliens shall be deported.

Someone might say, "Well, Senator, the 2,862 cases you have mentioned are hardship cases. You ought not to be so cruel, Senator. You ought to think about these poor people." I am as soft-hearted as any man I ever saw in my life. I do not hate a living creature upon the face of the earth.

Mr. ASHURST. I did not seek to interrupt the Senator; but I wish to ask him this question: For every job of work held in this country by an alien is not a citizen displaced?

Mr. REYNOLDS. Absolutely. I thank the Senator from Arizona for his excellent contribution.

I had not intended to mention these hardship cases now, because I wish to take a couple of days in discussing those cases.

The Labor Department, through Commissioner MacCormack, has not given the full facts. I should not make a statement like that unless I knew what I was talking about. It would not be right for me to do so. As a United States Senator, it would be quite improper for me to say that I believed that Commissioner MacCormack, of the Labor Department, who is the head of the Immigration and Naturalization Service, would deceive my colleagues unless I knew what I was talking about.

An effort is being made to ram this bill down the throat of Congress. To do what? To leave in this country 2,862 people who Commissioner MacCormack has said are people of good character.

Mr. DAVIS. Has the Senator discussed this matter with the Commissioner General of Immigration and Naturalization?

Mr. REYNOLDS. Yes.

Mr. DAVIS. Has the Senator seen this list of 2,800 persons, or whatever the number is, whom it is desired to admit under the provisions of the bill?

Mr. REYNOLDS. Yes.

What about those 2,862 aliens? Senators have heard about them. Oh, it is too bad to put them out of the country—those hardship cases. I now issue a challenge to anyone who is sponsoring the Kerr-Coolidge bill to bring into this body any 100 of the cases for which they are trying to create sympathy in this body, and let us try those cases on the floor of the Senate in order that we may know the truth about them.

Mr. DAVIS. Is any appeal provided from the interdepartmental committee's recommendations, or from the recommendations of the officers who make up the interdepartmental committee?

Mr. REYNOLDS. None.

Mr. DAVIS. Is any appeal to the courts provided?

Mr. REYNOLDS. None whatsoever.

I state, Senators, that Commissioner MacCormack has deceived my friends, and I cannot leave that subject until I prove that to Senators; and in proving that in one case I am putting my friends on guard, because I do not want to become involved in a discussion of these cases without telling them what I have done.

I had heard about these hardship cases; I had heard that this bill was being written around those cases; I had heard that it was desired to keep the 2,862 aliens in this country; I had heard most pathetic stories, stories which almost brought tears to my own eyes. So when I heard about some of these dreadful separations, when I heard how saintly these aliens were, when I heard Commissioner MacCormack talking about the poor people involved in these hardship cases, and I heard statements as to what a crime it would be to deport them, I almost burst into tears.

I am going to examine just a few of those so-called hardship cases.

I took 2 or 3 days off here and went to the Labor Department with a stenographer, and I said to the gentlemen in charge: "Just pick out at random any cases you have." The 2,862 cases are classified into one, two, three, and four categories—four classes, four shelves. No. 1 is the lily white; no. 2 is not quite so white; no. 3 is a little darker; and no. 4 is just a little grayish color.

I said to the gentleman in charge: "I wish you would favor me by just picking out any cases you want to", but "I want more lily-white cases than any other kind." They picked out cases at random. Now, let me read one of the cases. Here is the case of Goldborn Branch. He is one of those whom, it is said, it would be a hardship to deport and that he ought to be permitted to remain in this country. This alien is almost a lily-white case; he is in class 2. The purest, unadulterated, the whitest, the best are in class 1, but those in class 2 are just about as good as those in class 1. As a matter of fact, it is difficult, really, to draw any distinction between class 1 and class 2 because they are both about in the same category; and, mind you, Mr. President, the case in class 3 and class 4, as well as those in classes 1 and 2, were picked out, and it was said the individuals concerned ought not to be deported, and they have been kept here for about 3 years in violation of the laws of this country. The Department of Labor would not deport them, although the Congress, which makes the laws of the country, made it mandatory upon the Department to deport those people. Those administering the law have violated the law; they have snubbed Congress and said, "No; we are going to do what we want to do about it; we are going to change the law because we think the law is wrong, and we are going to help in those cases in which we are interested."

I have here the records, Senators, that were provided by Commissioner MacCormack. It was the duty of Commissioner MacCormack to provide the Senate with a summary of every one of those 2,862 cases. The Department made out 2,862 summaries. Commissioner MacCormack was called upon to relate the facts to the United States Congress—the facts were called for by the other House of the Congress—he made a summary of every one of the 2,862 cases, sent it down, and had them put under lock and key under the direction of Mr. DICKSTEIN, who is chairman of the Committee on Immigration and Naturalization of the House of Representatives, a committee of which the Honorable JOE STARNES, of Alabama, is also a member and co-author of the Reynolds-Starnes bill.

Well, this man's name is Goldborn Branch; age, 34. Here is the information that Commissioner MacCormack provided:

"File No. 55725-261.

"District No. 3118, 265.

"Date last entry, October 15, 1933.

"Whether previously in United States."

When he was asked that question he said:

"Yes; originally entered in 1910. Remained here until 1914, when he went to Canada. Reentered in August of 1924."

So we know he came into this country twice and remained here permanently since that time, except for short visits to Canada, returning from there last on the above date.

"Dependent relatives in (relationship) United States?"

His answer was: "Beatrice Branch and Edith, wife and daughter."

That is all right. He must be a pretty good man, judging from Commissioner MacCormack's report.

"Have you any relatives in the United States?" "No; I have no relatives in the United States." He just has a wife and daughter.

"Any relations abroad?" "No; I have no relations abroad."

"What is your occupation?" "I am just a laborer."

"Self-supporting?" "Oh, yes; I am self-supporting." "Have you ever been on relief?" "Yes; I was on relief 1 year."

"Public charge?" "No sir; I am all right; no public charge against me."

"Any unfavorable factors on report?" Commissioner MacCormack said: "No; no unfavorable factors at all."

I have marked that in red ink so I would be sure to emphasize "none" because the Department of Labor has stated in the report where they were supposed to give all the facts and be frank and fair and honest with the Members of this body that there were no unfavorable factors.

No. 13. Favorable factors or reports: Citizenship of wife and daughter.

14. Reason for stay: Deportation would involve hardship.

15. Date stayed: March 12, 1934.

They stayed the deportation because it would be a hardship to deport him.

There is no evidence in Commissioner MacCormack's report that he entered this country illegally. There is no evidence in the report that the man had ever been arrested for any offense. Commissioner MacCormack's report says there is no public charge against him. There is no evidence in the report except that this

man is a hard-working laboring man who earns his living by the sweat of his brow, and fortunately he has a good wife and daughter who are self-supporting, and therefore it would be no hardship upon them if they supported him.

Mind you, Mr. President and Senators—and let those who read the Record take notice also—the Labor Department has asked us not to deport Goldborn Branch and 2,861 others on the information that Commissioner MacCormack provides us. Let us see whether or not Commissioner MacCormack has been fair with this body.

Let us see whether or not deception has been practiced upon the Members of this legislative body. The lawyers of the Senate, particularly, will agree with me that deception sometimes may be practiced more cunningly by withholding the facts than by distorting the facts, and I say deception has been more cunningly practiced in all these cases by withholding the facts than by distorting the facts.

Goldborn Branch, 109 Walnut Street, Buffalo, N. Y.: Let us see if this gentleman is so lily white.

He is a West Indian Negro. He came here illegally by way of Canada. Commissioner MacCormack did not tell us that he came into the country illegally. He was married in Canada. He does not know where his wife is. Commissioner MacCormack did not tell us that this man had deserted his wife, or his wife had deserted him. I am inclined to believe it was the latter, from the record that will follow. This is the lily-white gentleman who was painted so gloriously in raiment of white and placed upon a pedestal of ivory by Commissioner MacCormack and his associates.

Goldborn Branch has a common-law wife. You all know what a common-law wife is—a woman with whom a man lives without being legally wedded to her. He has a common-law wife to whom an illegitimate child was born. The record does not show the word "illegitimate", but I use that in preference to another word. He is living with his common-law wife and brought her into this country illegally. Listen to that, Senators! Not only did he himself come into the country illegally, in violation of our laws, but he brought this woman into the country in violation of our laws—the woman with whom he was living, his common-law wife—from Canada, for what purpose? For immoral purposes.

Commissioner MacCormack did not tell us that this man's legal and lawful wife had been deserted by him, or she had deserted him. Commissioner MacCormack did not tell us that this man slipped into our country in violation of our laws, and had been here for 15 years in violation of those laws. Commissioner MacCormack did not tell the Senate that this man had a common-law wife, a mistress with whom he is living, by whom he had begotten an illegitimate child. Commissioner MacCormack did not tell us that this sweet-smelling violet had had the audacity and the disrespect for the laws of your country and my country and our country to slip his mistress across the border in violation of our laws. It shows what disrespect foreigners have for the immigration laws of this country.

Goldborn Branch was arrested once on complaint of his common-law wife for beating her. She slipped into the country in violation of the law; and after Goldborn Branch got her over here and kept her here in violation of the law, and lived in adultery with her, what did he do? He beat her; and that is how the immigration authorities got in touch with him.

That is one of these hardship cases. That is a lily-white one. I again challenge those who sponsor this bill to go to the Labor Department and seek out any one of the 2,862 cases of persons whom Commissioner MacCormack has said ought not to be deported and bring it into this Chamber and let us discuss it on the floor of the Senate. I therefore, at this hour, have brought to your attention a "lily white" case; and later it will be my pleasure and my duty to show up the real facts and to reveal the truth about other cases.

Mr. MCKELLAR. I wish to ask the Senator whether Colonel MacCormack reported the facts the Senator first read concerning this immigrant.

Mr. REYNOLDS. The House wished to ascertain who these 2,862 men were and, by resolution, requested that Commissioner MacCormack, the head of the Immigration and Naturalization Service, make up a summary, a digest of each and every one of those 2,862 cases, and provide the House with the facts, the truth, the whole truth, and nothing but the truth about each case, so that the gentlemen over there, who were just as much interested as we are, could ascertain whether or not these were what some persons have been pleased to term and classify as "hardship" cases.

So, in answer to the Senator's inquiry, I will say that the first report I read, which painted Goldborn Branch as such an angel and a fine, law-abiding citizen, an American citizen from all reports, is what Commissioner MacCormack sent over here; and the second report I read is what the Department's own records show. I know that is the case, because I went there and looked at the records with my own eyes.

Mr. MCKELLAR. May I ask the Senator if that is an isolated case, or are there other cases in which the facts were not as reported?

Mr. REYNOLDS. I say to the Senator, by no means is that an isolated case.

It is beyond my comprehension, it is beyond my sense of fair play, how under heaven a man holding the responsible position which is occupied by Commissioner MacCormack would permit a thing like this to be brought to the attention of the public; would permit a summons to come calling for the truth, the whole truth, and nothing but the truth, and the plain facts, and they have such a distorted report sent in.

Mr. MCKELLAR. Is there any reason why the Department cannot furnish the Senate or the House, or both, the exact facts about each and every one of the 2,862 cases?

Mr. REYNOLDS. There must be a reason, because a resolution was introduced in the lower House of Congress asking for the facts; and instead of getting the bald-faced truth, instead of getting the facts desired, those from whom the facts were required deceived us by eliminating the facts and distorting the facts in this particular case.

Mr. WHEELER. The Senator from Tennessee [Mr. MCKELLAR] a while ago asked how many of the cases are similar to those specifically mentioned. I wish to call attention to the fact that every one of the 2,862 individuals referred to is in this country in violation of some law.

Mr. MCKELLAR. All the 2,862 persons who are being kept here by the authorities are kept here in violation of the law? Is that what the Senator means?

Mr. WHEELER. Yes; they are here in violation of the law. The present law gives the Department no discretion to keep them in the country. In my judgment we ought not to do that. If aliens violate a law, they ought to be deported. If they come here illegally, we are not responsible for that. If they are here illegally, it may work some hardship to deport them, but we are not responsible for it. It is their responsibility; and when they come to this country under those circumstances, in violation of law, they ought to be sent back to the country from which they came.

Mr. AUSTIN. Before the Senator leaves the subject of the House Resolution 350, of August 23, 1935, I wish to call to his attention House Document No. 392, which purports to contain a letter from the Secretary of Labor, as follows:

DEPARTMENT OF LABOR,  
OFFICE OF THE SECRETARY,  
Washington, January 15, 1936.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES,

Washington, D. C.

MY DEAR MR. SPEAKER: In accordance with the resolution of the House of Representatives on August 23, 1935, I have the honor to submit—

- (a) List of all cases by number and name in which deportation has been stayed up to and including December 31, 1935.
- (b) Complete file on each case.
- (c) Summary of file and report on each case.
- (d) Report of the Commissioner of Immigration and Naturalization.

Very truly yours,

FRANCES PERKINS.

Did the Senator from North Carolina find that this statement, "(b) complete file on each case", was an inaccurate statement?

Mr. REYNOLDS. I absolutely did not find a complete statement as to the cases.

Mr. AUSTIN. Did the Senator find a complete file on each case?

Mr. REYNOLDS. I did not.

Mr. AUSTIN. I thank the Senator.

Mr. REYNOLDS. Mr. President, let me take up another case picked at random, as I picked them at the Bureau.

This gentleman's name is George G. Grenier, aged 38, a young man. He entered this country July 21, 1926. In answer to an inquiry he said he had been in the United States before; a total period in the United States of 9 years and 3 months. Mind you, Mr. President, I am reading from a record provided the Members of this body and the House of Representatives by the Commissioner of Immigration.

The address of this man is 1213 East Fifty-third Street, Chicago, Ill. He comes from the home town of the senior Senator from Illinois [Mr. LEWIS]—a fine city.

"Dependent relatives in the United States." "Yes; a wife and son." "Any other relatives in the United States?" "No."

Says George:

"I have no relatives abroad."

"What is your occupation?" "I am a painting contractor."

"Are you self-supporting?" "Oh, yes, indeed."

Says George:

"I am self-supporting."

"Have you ever been on relief?" "No, sir; never."

George must be a good man. He has a wife and child, and there is no evidence that he got into this country illegally; no evidence of his doing anything that was contrary to good morals or good citizenship.

"Have you ever been a public charge?" "No, sir," says George.

Here is the Commissioner's statement as to the grounds for deportation: That he is in the United States in violation of the Immigration Act of 1924. There we do find he violated the law. The Commissioner further says that at the time of his entry he was not in possession of unexpired immigration visa.

What are the unfavorable factors of the report? Commissioner MacCormack says the unfavorable factors are that this man has a bad moral record. There must be some mistake here, because a man with a bad moral record who has violated the law in slipping into the country has been held here. That is all the Commissioner says, that he has a bad moral record; that he admitted he is the father of an illegitimate child whom he later adopted. That is the only redeeming feature I can see about him; but if he was man enough to adopt his illegitimate child, I have more respect for him than I otherwise would have.

His statements as to birth and military service are ridiculous.

That is what the Immigration Service says. Despite that, the Immigration Service says this alien is a fine man. He will con-

tribute to the future generations of America. He will help us build up America and continue her as the greatest nation on earth. We must keep him here to help us do it.

Here are the favorable factors:

"United States citizenship of wife and child.

"Reason for stay."

That is, the reason the Department of Labor has for staying the man's deportation; that is to say, for keeping him here when the law says he must be put out. They say:

"To permit voluntary departure, to prevent separation of family."

So, according to Colonel MacCormack's report, this man is a pretty good fellow.

Let us see what the record shows. Let us see whether or not Colonel MacCormack has given us the facts. Let us see what the facts are.

Mr. George Gaston Grenier; he has a good name.

Mr. SCHWELLENBACH. Mr. President, what is the Senator reading?

Mr. REYNOLDS. What I have read is the record provided this body and the other House of Congress by Commissioner MacCormack and the Immigration and Naturalization Service. Upon that record, I say to the Senator from Washington and his colleague, Commissioner MacCormack would have this body of lawmakers pass upon the question as to whether or not that man should be deported; and if Senators should pass upon the question from this report of Commissioner MacCormack, being big-hearted men, as they are, they probably would say, "Well, let the poor fellow stay." But it has been my duty—my sworn duty as a Member of this body—to reveal the truth and to bring the truth to the attention of my colleagues.

Let us see about George Gaston Grenier. Here are the facts:

The files of the Immigration and Naturalization Service show that Grenier entered the country illegally in 1926.

The records show that he was a deserter. That is as bad as being a perjuror—worse than being a perjuror in time of war, when his country is in peril. George Grenier, bearing that good name, was a deserter from the French Army.

How much respect have you for a deserter from the American Army?

The records show that Grenier stole an airplane. He deserted from the Army, and stole an airplane. He is not only a deserter but he is a thief.

The records show that he gave false testimony in applying for United States citizenship.

A deserter. Was that mentioned in Commissioner MacCormack's report? It was not. A thief, who stole an airplane. Was that mentioned in Commissioner MacCormack's report? It was not.

The records show that Grenier gave false testimony in applying for United States citizenship. He is a perjuror and a liar. Was that mentioned in Commissioner MacCormack's report? It was not. Commissioner MacCormack was called upon by a resolution of the House of Representatives to give to the men who make the laws of this great country the facts, the truth, the whole truth, and nothing but the truth; and he has practiced deception upon my friends here and my friends in the other body by withholding the truth, which is sometimes worse than distorting the truth.

I hope that is all about George. I do not see how he could be any worse. He deserted his army; he deserted his country; he stole an airplane; he committed perjury; he lied.

The records show that he was convicted of a bastardy charge, and that he admits certain relations with various and sundry other people. I am not going to read all about that; it is too bad.

The Department kept this thief, this perjuror, this deserter here. They say he ought not to be deported. The only reason in the world why we ever let immigrants into this country, Senators, is for the benefit of the country. We do not admit aliens for the benefit of the aliens, but the idea is to let immigrants into the country to benefit the country. How is it going to benefit the country to let a man like that stay here? Nobody would dare say that man should be left here because he would contribute to the moral uplift, or the physical development, or the inspiration of the younger people who are coming on—a deserter, a thief, a perjuror.

This is what the Department's records say—I copied this information out of the records:

"The decision in the case of Grenier, judging by the files of the Department, rests to a great extent upon a report submitted by the Immigrant's Protective League."

Overnight I hope Senators will find out something about the Immigrant's Protective League. If you do not find out, I shall make it my business to tell you something about them; but it is easy for you to look them up and see what they are doing. They have recommended that there be kept in this country, as an inspiration for the present youth of the land and those who are to follow, a man who is a perjuror, a deserter, and a thief.

Why, here is something more about George.

Grenier, according to the records, made two illegal entries. He not only slipped in here once in violation of law, but he slipped in here twice, his first arrival being dated back in 1919. At that time he came into the country—why, listen to this, Senators—he did not just slip over the border. He did not just jump ship. He did worse than that. Listen to what he did: At that time he came into the country under false papers which he had purchased.

Senators, are you going to say that a man who turned his back on the country of his birth, under whose flag he had enjoyed protection; a man who stole an airplane, who is a perjuror and a thief; a man who went so far as to purchase false papers to get

into this country; and a man who, in addition to that, violated the laws the second time to get into this country, is a man whom you want here as an example for your sons and daughters and the younger generation who are growing up, looking for inspiration from the legislators of the country?

Mr. MCKELLAR. I am curious to know the present status of these 2,862 aliens. Are they detained? Are they in jail? Are they out on bond?

Mr. REYNOLDS. Some of them have been released on their own recognizance; that is to say, without bond. Some of them have been required to give a very small bond, which they can skip. I dare say that if there were an effort made to round them all up tomorrow not half of them could be found, because experience has shown that to be the case.

George and Goldborn and these other fellows are waiting for us here to pass a law saying that they are people of good character and that their presence here will contribute something to the United States. Let us see if there is anything else about George.

Mr. DAVIS. I may say, if the Senator from North Carolina will yield, that if I should go to the town in which I was born I would not be in that town 15 minutes before I would be notified that I must appear before one of the agents of the minister of labor in order that he might ascertain how long I intended to be there, and whether I intended to seek work; and if I were fortunate enough to secure work, I would not get my coat off before the minister of labor would come and tell me that I had better be going back to the country of which I was a citizen.

Mr. REYNOLDS. Mr. President, I shall be very happy to defer my argument, in accord with the suggestion made to me, with the understanding that I may have the floor tomorrow.

[In the Senate, Saturday, Apr. 4, 1936 (legislative day of Monday, Feb. 24, 1936)]

The Senate resumed the consideration of the bill (S. 2969) to authorize the deportation of criminals, to guard against the separation from their families of aliens of the noncriminal classes, to provide for legalizing the residence in the United States of certain classes of aliens, and for other purposes.

The VICE PRESIDENT. The Senator from North Carolina [Mr. REYNOLDS] had the floor yesterday when the Senate recessed and gave notice that he would like to have the floor this morning. The Chair recognizes the Senator from North Carolina.

Mr. REYNOLDS. Mr. President, I am indeed very happy to have the opportunity of continuing my address in regard to a question which holds the interest of the people of every one of the 48 States of the Union.

Senators, yesterday afternoon, during a period of more than an hour, having been advised that officials of the Immigration Service would claim to the Members of the Senate and to the Members of the lower House of Congress that those 2,862 persons were persons of good character, I brought to the attention of the Senate transcripts of the records filed in the office of the Commissioner of Immigration and Naturalization, and I showed by the Department's own records that the aliens whom the officials would not deport, whom they themselves have violated the law in not deporting, were persons of bad character.

I wish to say that I have brought this matter to the attention of the Senate for two reasons. The first reason is that my good friend who reported this measure stated that we were trying to deport 2,862 people of good character, and I am bringing the matter before the Senate to show him the facts about the character of one of these 2,862 cases. I today stand upon the floor of the Senate and lay down again unhesitatingly, unblushingly, and unafraid the challenge I made on yesterday, when I said that any man in this body is at liberty to take from the files of the Commissioner of Immigration and bring one case or a hundred cases to the floor of the Senate, and at the same time bring the briefs that were prepared by the Immigration and Naturalization Service which have deceived Senators.

At this point I wish to remind the Members of this body that we are under no obligation to let anyone into this country; that the only reason why we have ever permitted any immigrants at all to come into this country was that they might be a benefit to the country. Our immigration laws are not made for the purpose of benefiting immigrants but they are designed and passed for the purpose of benefiting our own country.

I now ask Senators, Is this man George Grenier beneficially contributing to the blood strain, to the upbuilding, to the development of their beloved America? I say "no"; I am in sympathy with him. I am in sympathy with every man who is in trouble. I am in sympathy with every person whose tears reach his cheeks; but, Senators, I am personally—I have greater sympathy—for those of my own fireside, and those of my own home, and those of my beloved America. I am for America first and last and all the time, after which I can permit my heart to beat faster and my tears to flow for those of different nations who are beyond the seas.

I address myself to the coauthor of the Reynolds-Starnes bill. Will Representative Joe Starnes be good enough to let me have the book at which he is looking? I am delighted to see in the Chamber this morning Hon. JOE STARNES, Representative from the State of Alabama, coauthor of the Reynolds-Starnes bill. I am glad to find that he is just as much interested in the American people as I am. I take this opportunity publicly to congratulate him upon the time and the energy he has given to the American people; and I desire further to say that I hope his interest will never wane or weaken and that he will in all cases, as he has in this case, give sympathy first to those of his fireside, to those of his household, to those of his congressional district, to those of

his State, and to those of the Nation, before he gives sympathy to and sheds tears over those who are from shores beyond.

I again congratulate Representative STARNES. I know he is worthy of his constituency, and from all I have heard from his State, I believe his constituents appreciate his efforts.

Mr. AUSTIN. Mr. President—

The PRESIDING OFFICER (Mr. MINTON in the chair). Does the Senator from North Carolina yield to the Senator from Vermont?

Mr. REYNOLDS. I yield.

Mr. AUSTIN. I call the attention of the Senator from North Carolina to something which corroborates his impression that Commissioner MacCormack did willfully misstate about these cases. I read from page 203 of part IV of the hearings:

"I do not suppose that I personally have passed on more than 20 or 30 of them"—

Meaning these 2,862 cases—

"and everyone which they have put up to me I rejected with one exception. They were all border-line cases."

Mr. REYNOLDS. Mr. President, will the Senator be good enough to mark the portion he read, and give it to a page, so that I may see it?

Mr. AUSTIN. Yes. I should like to call attention also to something else testified to by Commissioner MacCormack which appears on page 201 of the same hearings:

"Senator KING. Those 2,800 deported are not habitual criminals, and are not tainted with any acts of conduct which would make them unfit for citizenship?

"Mr. MACCORMACK. Absolutely not."

Again, on page 202, Mr. MacCormack, testifying, says:

"Every stayed case has been repeatedly reviewed. In the first 2,000 about a dozen bad ones were found.

"They came in to us from the field and had all the superficial evidences of being within the class which we are proposing to stay, but when they were reviewed we found a number of bad ones.

Senator AUSTIN. Just what do you mean by 'bad ones'?

Mr. MACCORMACK. Criminals. Each case, however, has been reviewed several times. In the first 2,000 we found a dozen really bad ones, including criminals. These and hundreds of others have since been rejected because they did not meet the conditions stated in the bill, or even if they met these conditions stated in the bill, because it did not appear in the public interest that the stay be granted. For example, a man might be of good character, no criminal record, have lived here a long time, with his wife and children, but yet be no use to his family, not support them. A case like that is rejected.

Senator KING. He would be deportable?

Mr. MACCORMACK. We have done that in hundreds of cases. We have only stayed cases that to a careful administrator, looking out for the interests of the United States, seemed to warrant a stay. There has been no sentiment about it. The cases have been scrutinized by Shaughnessy here and his hard-boiled board of review, and there is darned little sentiment entering into the decisions."

I ask the Senator to consider that testimony with reference to the facts he has already disclosed and is about to disclose regarding these cases.

Mr. REYNOLDS. With the Senator's permission, I will underline the words "hard-boiled board of review"; and I wish to take this opportunity to thank my distinguished colleague from the State of Vermont for his worthy and commendable contribution to this argument.

Senators, I have read the record as provided by Commissioner MacCormack; and my good friend the Senator from Vermont has brought to my attention the fact that Senators must believe the record which was sent here by Commissioner MacCormack, because Commissioner MacCormack said: "We went over the cases time after time." I can see the Commissioner right now sitting over there with all his aides gathered around him, like an old hen surrounded by her little chickens, crackling and apuffing and ablowng—I can see them all straining and sweating in an effort to get these records correct—the old hen just straining and puffing and blowing to see that everything is right. [Laughter.] These records are right, because Commissioner MacCormack knows that he has been called upon to give the truth, the whole truth, and nothing but the truth about these cases, and he wants to provide the Senate and Representative STARNES, of Alabama, and his colleagues in the House with the facts so that the Congress may pass upon the question intelligently and conscientiously.

Mr. COOLIDGE. It is evident from the facts that if he had been deported the Government would have been compelled to take care of his dependents—some children and his wife—I imagine; also, if he had been deported he would have been brought before a court martial, and I think we will agree that that might have resulted in his being stood before a firing squad. I do not know how far the Senator's reports go in that respect, and I myself have never looked into any of the 2,862 cases. I am hoping the Senator is not picking out the worst one of the whole 2,862?

Mr. REYNOLDS. No; I am glad the Senator mentioned that, because this is but one case as to which I am overanxious to be fair with my opponents, because in this case I have "got the goods"; I have the facts. I have the evidence, and I want to reveal all the facts and all the evidence. That is the reason why I flung down the gauntlet; why I threw down the challenge to any Member of this body to go to the Labor Department and pick out at random or have Commissioner MacCormack or anybody else pick out cases, a hundred of them, and bring them here and try them; and if this body thinks the persons involved in those cases ought to remain in this country, of course, they are going to stay; but I

know that the Members of this body are interested in American citizens first, and then their sympathies can extend to the foreigners.

Before I leave the point in regard to which my good friend asked me, namely, if I picked out just the good ones, I want to say, as I stated yesterday, that I went to the Department with a stenographer. There were two or three cases that I wanted to examine. The only reason I wanted to see them was because each morning when I arrived at my office at 7 o'clock, as I usually do—and I will make the confession now that I am saying that for the benefit of my constituents in North Carolina; I want to be fair about everything, so I am going to be fair about everything in this argument—I found a little paper there called the American Citizen, and it had the names of two foreigners—aliens, anarchists, revolutionists—on the front page. So when I was conversing with Commissioner MacCormack I asked him kindly to give me a report upon those two men. Finally he condescendingly sent me a letter, and I am going to take that up when I review all these cases. After looking at those cases—I was working on some other cases in the library—and asked a gentleman, whose name I have forgotten, and I do not see him in the gallery today, though he has been here virtually every day, I assume, looking after the interest of the Department of Labor, kindly to go in and pick out 20 or 30 cases and bring them in. He said, "Certainly; what kind of cases do you want?" I said, "Bring in the lily-white cases." That is classification no. 1. It represents the perfumed ones, the best they have. So he brought them in. I have them here, and I am going to read them; and as soon as I read them I am going to ask Representative STARNES to pick me out a no. 1 case.

Mr. REYNOLDS. Mr. President, I could never agree to permit the passage of sections 3, 4, and 5 of the pending bill, because those three sections really make this an importation bill and not a deportation bill. I made that statement yesterday on the floor of the Senate; and, since the Senator has been good enough to mention that aspect of the matter, I wish to go further in explanation and state to the Members of this body that if sections 3, 4, and 5 of the bill are enacted into law they will make the bill an importation bill instead of a deportation bill. Those sections really provide for bringing in aliens instead of deporting them. If this bill is passed as now proposed, it will keep here all those who are here; and all those whose stay is legalized under sections 3, 4, and 5—and the bill legalizes their stay here—will have the right and privilege, under the immigration laws of the country, of bringing in the members of their families who now are abroad. So, instead of closing the floodgates of immigration, we shall be opening them up; and if we pass the bill there will be such a flood of immigrants that the recent physical floods cannot be compared with the thousands upon thousands who will be permitted legally to come into this country.

Unfortunately, very few persons understand anything about the Kerr-Coolidge bill. Most persons think it is an immigration bill. A great many persons think that all the individuals we are talking about here are persons of excellent character, as stated in the report in today's newspaper.

Mr. COOLIDGE. Is this the same George?

Mr. REYNOLDS. This is the same George. We will never forget George. Further, he stole an airplane. In the first place, he violated the immigration laws of our country by coming into the country. In the second place, he deserted from the army of his country.

We permit immigration into this country only for the purpose of adding to the strength of our country, benefiting our country, improving our country. There is no reason on earth why we should permit anyone to come into this country unless we want him, and the only reason why immigration is permitted is for the purpose of helping our country; it is not for the purpose of helping the alien.

What good would this man be to our country? If he did not have enough love and respect for the country of his birth, what do we want with him?

Mr. DAVIS. Mr. President, did I understand the Senator to say that he stole an airplane?

Mr. REYNOLDS. He stole an airplane.

Mr. DAVIS. Could he operate the plane himself?

Mr. REYNOLDS. Evidently.

Mr. DAVIS. Did he take it from one field and fly to another?

Mr. REYNOLDS. The record charges him with stealing an airplane.

Mr. COOLIDGE. Did he land in this country in an airplane?

Mr. REYNOLDS. He evidently landed safely.

Mr. COOLIDGE. Did he land in this country in an airplane?

Mr. REYNOLDS. He must have done so, according to Commissioner MacCormack, because he was painted so lily-white that he must have dropped out of the skies. That must have been how he got into this country. I never thought of that before. Commissioner MacCormack painted him so lily-white, perfumed like the lovely white rose in the springtime garden, that I can understand now how he got into this country. The Commissioner painted him so lily-white and perfumed so deliciously that I could not imagine the man slipping across the border. Now, I see how he got into the country. He must have flown over here and dropped down in a parachute from the skies.

Now, I desire to state something else about this man:

That he gave false testimony in applying for United States citizenship.

He perjured himself.

That he was convicted of a bastardy charge.

The Senator from Utah is a member of the Committee on Immigration, and that time, as I recall, he was sitting with the chairman of the Committee on Immigration, the Senator from Massachusetts [Mr. COOLIDGE]. The Senator from Utah asked the question:

"Those 2,800 deported are not habitual criminals and are not tainted with any acts of conduct which would make them unfit for citizenship?"

Commissioner MacCormack, who was on the stand, answered under oath:

"Absolutely not."

What in the world did Commissioner MacCormack mean? Commissioner MacCormack was before the Senate Committee on Immigration. Commissioner MacCormack, I assume, had been sworn. I assume Commissioner MacCormack was testifying under oath. If he was not under oath, at least he was testifying; and, regardless of whether or not the oath had been administered to him, he was supposed to tell the truth, the whole truth, and nothing but the truth, because the Senate Committee on Immigration was sitting as a body for the purpose of getting sufficient information on which intelligently to pass upon this most important legislation.

Commissioner MacCormack answered:

"Absolutely not."

He said "absolutely not." That is what he told the Senate committee. He said none of them were tainted.

Mr. BARKLEY. What is the Senator's theory as to those who ought to pass upon the cases and decide whether or not they should remain here? Congress cannot do it.

Mr. REYNOLDS. Oh, yes, we can, Senator.

Mr. BARKLEY. We cannot take up every individual case and pass an act concerning that case. We never could do that.

Mr. REYNOLDS. There are a number of bills pending before Congress now, known as private bills, giving relief to such individuals. Further, I wish to say to the Senator that I could not trust, and I do not believe anybody else could trust, the Immigration and Naturalization Service to pass upon these cases after Commissioner MacCormack testified before the committee of the Senate that they were all lily white, that there was nothing in the world wrong about them, that there was nothing about them that would not make them good citizens.

Perhaps we can come to some conclusion concerning a commission or a committee to pass upon such cases. One could go through a hundred of those cases in the Department every day and get the facts, if one were willing to work 8 or 10 hours a day, and pass upon these cases, and present a bill covering each case. But what is asked to be done in the pending bill is to blanket into this country 2,862 criminal aliens, 98 percent of whom have violated the criminal laws of this country, as admitted by Commissioner MacCormack; and it might mean, with respect to a million such cases in the next 3 years, that the same Department of Labor shall be given power to say whether or not the aliens shall be permitted to violate the laws of this country.

Listen to what Commissioner MacCormack says. On page 202—and this was brought to the attention of the Senate a moment ago by the Senator from Vermont [Mr. AUSTIN]—

"Every stayed case has been repeatedly reviewed."

He testified to that before the committee.

He says that "in the first 2,000 cases about a dozen bad ones were found."

Mr. President, continuing with the suggestion made by way of reference to the hearings before the Senate committee, Commissioner MacCormack said:

"Every stayed case has been repeatedly reviewed. In the first 2,000 about a dozen bad ones were found."

"They came in to us from the field and had all the superficial evidences of being within the class which we are proposing to stay, but when they were reviewed we found a number of bad ones."

In other words, they took out the bad ones and left the 2,862.

Senator AUSTIN. Just what do you mean by 'bad ones'?

Mr. MACCORMACK. Criminals. Each case, however, has been reviewed several times. In the first 2,000 we found a dozen really bad ones, including criminals. These and hundreds of others have since been rejected because they did not meet the conditions stated in the bill, or even if they met the conditions stated in the bill, because it did not appear in the public interest that the stay be granted. For example, a man might be of good character, no criminal record, have lived here a long time, with his wife and children, but yet be no use to his family, not support them. A case like that is rejected.

Senator KING. He would be deportable?

Mr. MACCORMACK. We have done that in hundreds of cases. We have only stayed cases that to a careful administrator, looking out for the interests of the United States, seemed to warrant a stay. There has been no sentiment about it. The cases have been scrutinized by Shaughnessy here and his hard-boiled board of review, and there is darned little sentiment entering into the decisions."

I wonder what came over that "hard-boiled" board of review when they let George G. Grenier stay on the list of 2,862.

Mr. ROBINSON. Mr. President, will the Senator from North Carolina yield to me to enable me to call up another matter?

Mr. REYNOLDS. I am delighted to yield to my good friend from Arkansas for that purpose.

#### RIGHTS OF COMMUNITIES—ADDRESS BY DAVID E. LILIENTHAL

Mr. NORRIS. Mr. President, I ask unanimous consent to have inserted in the RECORD a speech delivered by Mr. David

E. Lilienthal, Director of the Tennessee Valley Authority, before a joint meeting of the civic clubs of Florence, Sheffield, and Tuscumbia, Ala., on March 9, 1936, entitled "The Community Also Have Rights."

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

#### THE COMMUNITY ALSO HAVE RIGHTS—A REVIEW OF THE EFFORTS OF THE CITIES OF FLORENCE, SHEFFIELD, AND TUSCUMBIA, ALA., TO SECURE POWER FROM WILSON DAM

A hundred years ago there presided over the Supreme Court as its Chief Justice a man who, prior to his elevation, had fought against odds to free the Nation from a monopoly over money, the powerful Bank of the United States. As Andrew Jackson's Secretary of the Treasury, Roger Brooke Taney saw this banking monopoly ride roughshod over the public welfare, not hesitating to buy public officials and newspaper opinion. Taney did not forget that experience when he succeeded John Marshall and became the Nation's Chief Justice. And in one of the first public utility decisions in the Supreme Court, Chief Justice Taney wrote these words, which I command to you:

"While the rights of private property are sacredly guarded, we must not forget that the community also have rights, and that the happiness and well-being of every citizen depends on their faithful preservation" (*Charles River Bridge v. Warren Bridge*, 11 Pet. (U. S.), 419, 547).

I want to take that statement as the starting point of my remarks to you tonight, for here in the tri-cities we have a modern illustration of the same conflict between private monopoly and the rights of a community that roused Andrew Jackson in his fight on the Bank of the United States a century ago.

The cities located here in the Muscle Shoals area, within sight and sound of Wilson Dam, have clearly and emphatically expressed their desire to supply their citizenry with electricity through facilities owned by the communities themselves and with power generated from the falling water of the Tennessee River. Your long effort to supply yourselves with this essential commodity is more than a local issue. This story is a matter of moment to every community, wherever situated. The whole country has its eyes on you, for in a spirit of moderation and fairness to private investment you have had forced upon you an issue of national concern: Does an American community still possess the right to serve itself with electricity, a necessity of life?

It is important for us to review the facts in this situation. What you do here to assert this community right will be the subject of wide public discussion. From past experience we know that an effort will be made to misrepresent the facts and confuse the public mind. The country should know the facts, so that this issue of the essential rights of a community may be appraised by every community through the country in the light of the truth. Let us review the situation together:

(1) The people in these communities, by a well-nigh unanimous vote, at elections provided for by State law, have expressed themselves as desiring to acquire municipal distribution systems, to go into the business of distributing power to the citizens of these communities, and to secure that power from Wilson Dam.

The right of these cities to engage in the power business, to issue securities for the purchase and construction of distribution systems, and to contract with the Tennessee Valley Authority for a supply of power was expressly conferred by an act of the Alabama Legislature, and the validity of that enactment has been sustained by the Supreme Court of Alabama.

(2) The franchises of the Alabama Power Co., serving these three cities, have expired. The communities have definitely declined to renew or extend those franchises and the company is now operating without a franchise. The Alabama Power Co. purchased the distribution facilities in these communities with full knowledge that the franchises had but a few years yet to run. These facts were, of course, known to the Alabama Power Co., and presumably known to the investors in that company for a period of years.

(3) These cities have repeatedly sought to purchase the property of the Alabama Power Co. and to pay a fair price to the power company and its investors for those facilities. Florence, for example, engaged competent engineers to determine the value of the power company's property. These engineers concluded that \$120,000 was the maximum present value of the property in the city of Florence. At one time this same property was offered to the Tennessee Valley Authority for \$160,000, but the only price and the lowest price at which this property was ever offered to Florence was \$195,000.

Let it be clearly understood that these communities have repeatedly and persistently sought to purchase the property of the power companies in the tri-cities. The investors in the senior securities of this company should bear this fact in mind. As recently as February 27, and for several months prior thereto, the city of Florence has attempted to reopen negotiations with the Alabama Power Co. for the purchase of its local system. The city of Florence has been unsuccessful even in obtaining a conference for that purpose.

(4) The service in the tri-cities is unsatisfactory and inadequate. I am authoritatively advised that the system in Florence, for example, is overloaded throughout the city; that there are numerous sections of the town in which citizens are unable to secure a supply of electricity for appliances, such as ranges and heaters; that the Florence hospital is unable to install a sterilizer because the power lines in that area are overloaded; that there are numerous sections

of Florence and its environs in which new homes have been constructed in recent years which have been refused service entirely unless the total cost of the new installation is paid by the consumer and paid for in cash. This condition is a matter of common knowledge to you who live in the tri-cities.

(5) The profit being made by the Alabama Power Co. in the tri-cities is spectacular.

In a proceeding before the Alabama Public Service Commission recently, the Alabama Power Co. estimated that the people of Florence in 1934 would pay it \$172,570 for electric service. This means that in a single year the company would receive \$52,000 more in gross revenues than the present value of the distribution facilities here, as estimated by your engineers, and \$12,000 more in a year than the price at which they offered to sell the property to T. V. A. The power resold to you comes from Wilson Dam, at your gates, and is purchased by the power company at T. V. A. wholesale rates. The company estimated that in 1 year, 1934, there would be \$127,474 available after expenses, for interest, depreciation, and profit on property valued by them at that time at \$240,000, and offered to T. V. A. at \$160,000. In 1935 the revenues on this investment were even more remarkable, the people of Florence paying \$186,591 during the year for electric service.

(6) At every step in your efforts to assert your rights as a community, you have had to contend with litigation. Suits were filed testing the State law and the T. V. A. contract, and this suit was carried to the Supreme Court of the State of Alabama. Suits were filed in a State court against Sheffield and Tuscumbia which were decided in favor of those cities. Injunctions were issued against all three cities in the District Court of the District of Columbia; these suits have not yet come to trial. The tri-cities were enjoined by Judge Grubb in the Ashwander case, which has just been decided by the United States Supreme Court in favor of the cities.

All through the Tennessee Valley—at Knoxville, Decatur, Bessemer, Tarrant City, Paris, and many other places—law suits have been the consistent practice. This resort to a labyrinth of litigation is a matter of great public moment. For it is well known that such litigation is attended by delays and by great expense. During the delay the power company continues in possession of the field, in spite of its lack of a franchise, as in the tri-cities, and in spite of the expressed wishes of the community to the contrary. As a result of the expense, the cities are hard put to it, pitted against a powerful opponent which can charge the great cost of this maze of law suits in its rates, against almost every home in the State of Alabama. Even you here must help pay the lawyers of the Alabama Power Co. to defeat your own solemnly expressed wishes.

No one should forget for a moment the nature of the business of supplying electricity, for it is the essentially public character of electricity that is at the heart of your effort over these years to provide this service for your citizens. Electricity is not like any ordinary business. It has long been recognized—in the courts, in the legislatures, and by public opinion—that electricity is a public business, whether that service is rendered by a private corporation or by a public agency. As the United States Supreme Court said many years ago, speaking of a public utility: "Though the corporation was private, its work was public, as much so as if it were constructed by the State" (*Pine Grove Township v. Talcott*, 19 Wall. (U. S.) 666, 676). "Such a corporation was created for public purposes. It performs a function of the State" (*Smyth v. Ames*, 169 U. S. 466, 544).

Occasionally an effort is made to frighten the business of supplying electricity, by the same token it may also go into the business of selling groceries or dry goods, and that therefore a broad issue of private versus public enterprise is involved. Nothing could be further from the truth. Let me repeat: for a hundred years public-utility service, of which electricity is a modern example, has been recognized as a public business to be sharply distinguished from the ordinary competitive private businesses of buying and selling goods and merchandise.

Now, in securing this community necessity the people of a city clearly can supply it through their own public agencies (and many cities have done so) or the community can delegate this public activity to a private corporation. Here in the tri-cities, and in most cities of the country, the people have delegated to their servant, a private corporation, the rendering of this public service. Can it possibly be that the servant can become more powerful than the master? Can it be that the community can be prevented by its agent from resuming this public service?

This is precisely the situation in which you in the tri-cities find yourselves. In good faith you have delegated this public service, which you might have done yourself, to a private agent. The term of service of that agent has expired, and you have said to the agent: "This community now wants directly to perform a public service to our citizens which years ago we delegated to you. We want to perform that service ourselves because we want to keep the profits here at home; because we want lower rates; because we are not satisfied with the service. We are ready to buy you out at a fair price." And now you find that your agent, the Alabama Power Co., declines to accept the almost unanimous directions of the people from whom it derives all of its powers and authority and is engaged in fighting the community itself.

The people of the tri-cities are determined to be fair about this matter. I am convinced that they believe, as I do, that the rights of private property, as Chief Justice Taney said, are to be "sacredly guarded." But it is apparent from the record that you also believe that the community has rights, and that the very preservation

of private property requires the subordination of private interests to the community's well-being.

Whether electricity shall be supplied by private corporations or by public agencies is a matter for each community to decide for itself. It certainly is no concern of the Tennessee Valley Authority or any other agency outside the community. That has been the T. V. A. policy from the outset, as you know. But when the policy of the community has been determined at the ballot box by an overwhelming vote, and when the community in good faith has offered to purchase the property of the private utility at a fair price, can any private agent of a community and, specifically, can the Alabama Power Co. properly continue to oppose and obstruct the expressed desires of the community? There is a serious question which will have to be determined not only here in the tri-cities, but wherever the same issue has been raised under comparable circumstances.

#### ATTITUDE OF JAPAN TOWARD THE PHILIPPINES

Mr. GIBSON. Mr. President, when the congressional party, under the leadership of the Vice President, visited the Philippines to participate in the establishment of the Commonwealth government, it was accompanied by some of the able newspapermen of the country, among them being Mr. James G. Wingo, an American-born Filipino, representative of the Philippines Free Press here in Washington. He has written for that newspaper an interesting article entitled "Japan Shatters Independence Hope." I ask unanimous consent that this article may be inserted in the CONGRESSIONAL RECORD.

In presenting this, and other statements of a similar nature, it is not my purpose to be critical of the Philippine Commonwealth, for my best wishes go out for its success with the hope that there may be built in the Orient a substantial government that may rest on a safe and enduring foundation, and that a government may be reared in the east as a monument to the genius of America and an outstanding example to other nations of unselfishness in keeping a promise.

Such a government will further a policy in the Orient based on our own democracy as a safeguard to future peace in that quarter of the world.

In presenting this article, and others, it is my purpose to warn the Filipinos of the dangers that confront them so that they may guard against those forces which mean ruin to the hopes and aspirations they have nurtured for more than half a century.

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

[From the Philippines Free Press]

#### JAPAN SHATTERS INDEPENDENCE HOPE

(By James G. Wingo, Free Press Correspondent in Washington)

Most likely it was not the intention of Eiji "Eye Deny" Amau, Japan's foreign office spokesman, to do so, but when he said the other day to foreign correspondents that his country would be averse to any pact guaranteeing the neutrality of the Philippines, he shattered one of the strongest hopes, if not the strongest, of an independent Philippines.

Significantly the spokesman said: "The Japanese Government renounces the idea of great powers concluding agreements guaranteeing the freedom, integrity, or neutrality of other nations."

Upon Japan's willingness to a pact among Pacific powers guaranteeing the independence of the Philippines have liberty-loving Filipinos long relied unquestioningly. Upon it have banked also the United States Senators and Congressmen who voted for the Philippine independence act, including those who did so with ulterior and entirely selfish motives.

#### PERPETUAL NEUTRALIZATION

To help insure the independence of the Philippines and to allay apprehensions of a dark future, Congress inserted in the McDuffie-Tydings Act a provision requesting the President of the United States, "at the earliest practicable date, to enter into negotiations with foreign powers with a view to the conclusion of a treaty for the perpetual neutralization of the Philippine Islands, if and when Philippine independence shall have been attained."

Concerning this proposed treaty, The United States in World Affairs in 1934-35, an up-to-the-minute record of international events, written by Whitney H. Shepardson in collaboration with William O. Scroggs and published recently by Harper & Bros., New York, says pointedly:

"It was assumed that a pact of this nature would meet with the hearty approval of all European powers having colonial possessions in the Pacific, since they were already concerned over Japanese territorial expansion and commercial aggressiveness. It was further assumed that Japan could not hold aloof from such an agreement without placing herself in a difficult position before the world. But critics cited the failure of the Nine Power Treaty to safeguard the

territorial integrity of China as proof both of the inadequacy of the method and of the insensibility of Japan.

"COMPLEX SITUATION

"According to their argument, events in the Far East since 1931 had shown the United States and European powers either could not or would not enforce treaties to which they had subscribed. There appeared no valid reason for adding another such agreement to the list. In lieu of a multilateral pact, therefore, it was suggested that the United States negotiate directly with Japan and try to reach a satisfactory solution not only of the Philippine question but of other related issues which involved dangers of economic warfare, naval rivalry, and possibly an eventual struggle for domination in the Pacific. Meanwhile, during most of 1935, American opinion, looking forward, was apprehensive concerning the consequences of the Independence Act. Looking backward and trying to understand what had come to pass, it found no clear answer. Was the act just another concession to the demands of organized farmers and organized labor analogous to domestic legislation sponsored by the New Deal administration? Or was it primarily a demonstration of the policy of the 'good neighbor' extended beyond Latin America to the Pacific area? Or was it chiefly motivated by the desire to remove one source of friction with Japan? Whatever its motive, it had not simplified a complex situation, and it had created the possibility of plenty of trouble."

The pronunciamento of the Japan foreign office was given out on the eve of the Japanese delegation's walking out of the London Naval Conference. Commenting on the Japanese determination to build up a navy regardless of ratios, the Washington Star said editorially:

"Insofar as this plain-speaking applies to Japan, it means that the western nations see in her ambition to become more powerful at sea nothing but an intention to assure her mastery of Asia and diminish the possibility that it can ever be challenged. Current Japanese activities in North China are fresh notice to the world of Japana's program for Far Eastern supremacy. Nor is her refusal to join in a guaranty of Philippine independence exactly a reassurance of the innocence of her purposes. \* \* \*

"The Japanese have elected to go their own way. That Britain and America will be guided accordingly with respect to their own naval policies and their legitimate interests in the East is a foregone conclusion."

On the same drastic step taken by Japan, the Newark Evening News, whose Walter Karig, one of the newspapermen brought to Manila to attend President Quezon's inauguration, has been writing articles on the Philippines, commented:

"Japan's withdrawal at London was face-saving to this group, which must have known in advance that her aspirations to treaty parity would not be accepted.

"American naval policy inevitably will be affected by what the Japanese do or refrain from doing. Ostensibly we are out of the Philippines. In a decade, unless plans miscarry, we shall be actually, and well out, of them. It is no secret, however, that Japan, whose present plans for expansion are directed to North China, covets our erstwhile island possessions. If, as now seems probable, they are unable to maintain their independence unaided, the United States as a Pacific power will be concerned as to their future, and so, by the same token, will the British. That eventuality will be kept in mind in any American naval program."

Under the McDuffie-Tydings Act the Commonwealth of the Philippines will not be completely on its own before July 4, 1946. The Japan foreign office's declaration forestalled any effort President Roosevelt might have made toward entering into negotiations with Japan on Philippine neutrality.

However, it is barely possible that the President may make agreements with other Pacific powers, like Great Britain, France, the Netherlands, and Russia, regarding Philippine independence, the conditional granting of which last year Franklin D. Roosevelt considers as one of his administration's greatest achievements. In fact, in December, when he accepted an honorary doctor of laws degree from Notre Dame University, in a special convocation commemorating the establishment of the Commonwealth of the Philippines, he said:

"I consider it one of the happiest events of my office as President of the United States to have signed, in the name of the United States, the instrument which will give national freedom to the Philippine people."

The Japanese would consider the granting of Philippine independence also among the happiest events in the Far East. Japanese imperialists consider the Philippines a part of that great Japanese Empire they dream of and fight for all the time. Even the administrations of American Governors General were unable to prevent the establishment of a Japanese colony in Mindanao, which dominates the hemp industry in the Philippines, and the falling of practically the entire Philippine fishing industry into the hands of the Japanese. As everyone knows, they are also steadily replacing the Chinese as the leading retail merchants of the Philippines.

DEPEND ON MAC ARTHUR

The Japanese spokesman's statement added much weight to the grave fears of many observers that Japan will move into the Philippines as soon as the United States gets out.

In the elaborate National Defense Act there is no mention of a Philippine navy, which should seem important to the archipelago, considering the Philippines is composed of 7,091 islands. The defense planners have elicited the opinion that the establishment of a navy is untimely, that the country cannot afford it, and that

the lack of it "emphasizes the defensive character of our Military Establishment."

Under the Philippine Independence Act the United States can retain all her naval bases, if she so desires, when the islands get their final freedom papers. In the light of recent events this provision of the independence act becomes very important.

Members of Congress expect General MacArthur to make a thorough study of the strategic situation of the Philippines. They expect him to be able to tell them whether or not he honestly believes an independent Philippines can withstand aggression of a major power like Japan.

In fact, when asked to comment on Roy Howard's statement last month that "the Filipino dream of independence is fading fast", some Senators and Congressmen pointed out that MacArthur's findings and recommendations would have tremendous influence on Congress in making any changes in the McDuffie-Tydings Act.

Florida's Park Trammell, chairman of the Senate Naval Affairs Committee, and one of the Senators who attended the inauguration of the Commonwealth of the Philippines, favoring building the Navy to treaty limits as rapidly as possible and advancing beyond those limits if the other powers lead the way, declared the other day:

"Steps should be taken at once to build up the naval establishment at Manila."

What do these recent events and recent declarations indicate? Just a year ago almost every Member of Congress thought the Philippine question was solved for all time as far as the United States was concerned. And now the gentlemen on Capitol hill are thinking of strengthening the naval fortifications of the islands. Did General MacArthur and the other defense planners have advance knowledge of all this? If they did, that would explain why they did not provide for the establishment of a Philippine navy.

A MIGHTY BLOW

Types of dependencies are divided into spheres of influence, protectorates, colonies, self-governing dominions, and mandates. The commonwealth of the Philippines is a self-governing dominion of the United States; Japan considers the islands within her sphere of influence.

When the congressional party invited to attend the inauguration of President Manuel L. Quezon was passing through Japan, the local newspapers published statements considering the Philippines already independent. Typical was that of Baron Sakatani, who gave this gratuitous advice:

"In order to safeguard the future welfare of the new republic, two things should be observed. First, the United States should consistently abide by the high motives which led to the grant of independence. It should no longer act in a motherly fashion toward the Filipinos, meddling in their affairs, and causing trouble. Second, the Philippines should always be grateful toward the United States. In their foreign relations they should adhere to the policy of the open door and equal opportunity, scrupulously avoiding any behavior which might create international trouble, and they should keep internal peace, giving no room for a rise in internal discontent."

A great Japanese excuse for breaking the Nine Power Treaty, concluded in Washington in 1922, to guarantee the independence and territorial integrity of China, is the extermination of bandits. To perform similar service for the islands, Japan would not hesitate to break any Philippine neutrality treaty. However, such treaties sometimes do cramp Japan's style. With unusual frankness, Japan's spokesman said the other day, "Such agreements are humiliating to the nation they are supposed to benefit."

To Filipinos long eager for independence, the Japanese spokesman's frank words were a mighty blow. Only a fortnight before the spokesman's pronouncement Senator KEY PITTMAN, who was one of the strongest advocates of Philippine independence in Congress, declared that Japan now plans to seize the Philippines. "What are we to do if they grab the Philippines, which is almost sure to come?" Senator PITTMAN asked rhetorically.

"The League of Nations has turned out a terrible failure, particularly in dealing with Japan", added the Senator, who had long supported that international body. The Filipinos had long since given up hope in the League of Nations for their future security, but they were unprepared to learn that Japan was averse to any neutrality pact.

THE PHILIPPINES—THEIR POSITION AND POSSIBILITIES

Mr. GIBSON. Mr. President, I ask unanimous consent to have inserted in the RECORD an illuminating statement on the Philippines published in the Cincinnati Enquirer of May 25, 1936, and prepared by a distinguished American lawyer and leading businessman in the Philippines, Hon. John W. Haussermann, former Government official and Army volunteer officer, and the leading gold miner in the Philippines.

Judge Haussermann's statement reveals his friendliness and admiration for the Filipino people; discusses the political and legal status of the Philippine Commonwealth, as well as the international situation in the Far East; pleads for a square deal for the Filipinos and for the liberalization of the economic provisions of the Tydings-McDuffie Act; points to

the mutual interests of the Philippines and the United States; and sets forth the present and potential economic and strategic importance of the Philippines.

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

[From the Cincinnati Enquirer of May 25, 1936]

**HOME FOLKS KNOW LITTLE OF "GOLD KING"; GREAT INDUSTRIALIST TELLS OF PHILIPPINES**

Despite the fact that one of the world's great industrialists is living within a "stone's throw" of Cincinnati, probably less is known about him in this section of the country than is the case in the great business centers and political capitals of the world.

He is John W. Haussermann, affectionately called the "gold king of the Philippines", who is now in New Richmond, Ohio, on a periodic visit to his ancestral home. With him there are his wife and younger son, the latter a musical composer of note. His elder son is in Manila serving as general manager of his mining properties.

The amazing career of Judge Haussermann—he is "judge" by virtue of his service as Attorney General of the Philippines—has been the subject of widespread attention in magazines and newspapers over all the world. Some months ago the magazine, *Fortune*, described his life in a lengthy article. Under the title "From Romance to Gold", the *Wall Street Journal* devoted a full page to Judge Haussermann's career in the Philippines. He has been interviewed by leading newspapers in Washington and New York.

Three weeks ago an article in the *Enquirer* told of his plan to rebuild his ancestral home near New Richmond.

Yesterday, in an interview, Judge Haussermann, reluctant to talk much about himself, was more than willing to talk about the islands in the Pacific, which he loves and respects and which he regards as his "second home."

After being graduated from the Cincinnati Law School in the early nineties, Judge Haussermann went to Kansas, where he practiced law and dabbled in Republican politics. When the Spanish-American War broke out he responded to President McKinley's call for volunteers, and landed in the Philippines in 1898 as an officer of the Twentieth Kansas Infantry.

Soon after he was assigned to the legal department of the Army, later became city attorney of Manila, then Assistant Attorney General. After a few years he entered private practice. Since 1915 he has been engaged in the mining business.

At present he heads and controls two gold mining companies in the Philippines which are conservatively valued at about \$65,000,000. Recently he started to mine chromite, the "coming metal", according to industrialists and metallurgists, on account of its industrial and strategic importance.

Judge Haussermann is sanguine about the future of chromite. The United States consumed last year 260,000 tons, of which only about 500 tons were produced here. It is the general belief that consumption will increase substantially and diversified uses developed as soon as it is known that there is an available supply under the American flag, he said.

In the Philippines Haussermann is interested in at least two deposits, one of 300,000 tons of high-grade ore and another of 10,000,000 tons of a lower grade, but said to be higher than that produced in Cuba, which is now utilized satisfactorily in refractory materials like brick and cement. The most important use of chromite is an alloy to make steel stainless. It is used also in the dyeing, tanning, and pigment industries.

The discovery of chromite in the Philippines has produced worldwide repercussions, Judge Haussermann said, but the Japanese are most eager of all to obtain financial control of the industry, as well as the gold mines, manganese, and the half billion tons of iron ore deposits in the southern part of the islands.

He also stated that the Japanese are already about to control the Philippine hemp industry, and they have their eyes on other agricultural products which still remain undeveloped, such as rubber, quinine, camphor, and forest products. The Japanese are fast displacing the Chinese as distributors and shopkeepers, and, through inadequate protection, Japanese goods are driving American goods from the islands, Judge Haussermann declared. The Filipinos, he said, must be given credit for their readiness to protect American goods effectively, but they were blocked in Washington, probably through a misunderstanding.

Stressing the fact that he is not anti-Japanese but only a loyal American and sympathetic to the Philippines, Judge Haussermann declared that "if Japan should some day control and develop the Philippine agricultural, metallurgical, and hydroelectric resources it would mean the formidable strengthening of Japan's economic might and hence her military power." The misguided pacifist, he said, would sneer at this statement as jingoistic, but every level-headed American would take it as common sense in the interest of self-defense and self-preservation for America.

Asked about the new Philippine Commonwealth, he said that it is functioning satisfactorily under President Manuel Quezon, who, he said, is cleaning up the government, putting it on an efficient basis, and making it serve the best interests of the people. He mentioned that High Commissioner Frank Murphy is the right man in the right place, adding that "all of us are pulling together to make the Philippine Commonwealth a success."

Contrary to general belief, he went on, the Philippines is not yet an independent nation and the United States has still "complete, absolute, and plenary sovereignty over the Philippines",

which will obtain until complete independence is granted in the future.

He explained that the new organic law has not given the Philippines "an international juridical personality" but effected only certain structural changes, such as an elective chief executive, complete Filipinization of government personnel, and unhampered local self-government, thus placing the responsibility for the success of the government on Filipino shoulders.

At this point Haussermann expressed the opinion that under the present Philippine set-up America has authority commensurate to its responsibility. He explained that the President of the United States, through the high commissioner at Manila, has the power to annul laws, suspend executive orders and contracts, administer the customs in case of default, forestall government bankruptcy, protect the currency reserves from depletion, and prevent involvement in international complications. "Experience in the coming years shall be the guide in making adjustments in this connection when found necessary," he emphasized.

Asserting that he is genuinely interested in the welfare of the Filipino people, he said he hoped Congress will in the near future liberalize the economic provisions of the new organic law, especially considering that the 14,000,000 Filipinos are the only people under the American flag who do not receive any aid from the Federal relief and rehabilitation funds. "Imagine," he exclaimed, "that Puerto Rico, with one-tenth of the Philippine population, has received \$45,000,000 from those funds and not a dollar has gone to the Philippines."

The Filipinos, Haussermann affirmed, are loyal, friendly, and grateful to America, and "they have responded magnificently to our policy of square deal, equal opportunity, political democracy, economic upbuilding, and social amelioration." He went on to say that "America's treatment of the Filipinos is a proud monument to our honor and generosity as a nation."

The Philippines are an asset to the United States in every way, economically, politically, and strategically, he said. He called particular attention to the fact that the new Philippine army which Gen. Douglas MacArthur is whipping into shape will make the Philippines a positive military asset. On the other hand, the protection of the United States, both economic and political, is a priceless boon to the Filipino people, he pointed out.

"As a token of my affection for the Philippines, born out of 37 years of work and struggle there, I am helping in every way I can in the promotion of the best interests of the Filipino people, and my ideas and hopes as to their future are dictated solely by the considerations of their real welfare and contentment", he said as he reminisced of the day long ago when he set sail for the Philippines.

His belief is that the mutual, vital interests of the United States and the Philippines dictate their remaining together as partners under one flag with the Philippine Commonwealth standard symbolizing Filipino local self-government. He contended that the Filipino people as well as the American people will have to assume that coequal relationship voluntarily in order to give it both validity and stability.

Judge Haussermann pointed out that between the two countries an economic arrangement could be devised easily that would make their economic interests complement each other to their mutual advantage, stressing that the United States is a temperate country and the Philippines a tropical one which can produce a substantial portion of the tropical raw materials which America now imports from foreign sources.

In ending the interview Judge Haussermann said that the presence of the American flag in the Philippines exerts a stabilizing influence in the Far East; that Japan will not go to war with America over the Philippines; and that the oriental peoples, numbering more than 1,000,000,000, look to America's Philippine accomplishment as an object lesson of human progress. He also stated that the Anglo-American cooperation in far eastern affairs which exists today is a guaranty of tranquillity in the Pacific.

**THE SILVER POLICY AND FOREIGN TRADE—ARTICLE FROM WASHINGTON POST**

**Mr. PITTMAN.** Mr. President, I ask unanimous consent to have printed in the RECORD an article published in the Washington Post of Sunday June 7, 1936, entitled "Silver Policy as Aiding Foreign Trade." I call attention to the fact that the article is based upon a report from the Alexander Hamilton Institute.

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

**SILVER POLICY SEEN AS AIDING FOREIGN TRADE—DIRECT BUYING REPLACES ACTIVE BIDDING IN WORLD MARKETS**

**NEW YORK, June 6.**—The new agreement for the purchase of silver from China recently announced by Secretary Morgenthau marks the final stage of the development of the Treasury's new silver markets, as it did for about a year and a half after the passage of the Silver Purchase Act of 1934. The Treasury is now seeking to expand its silver stocks chiefly by direct purchases from foreign governments.

This new buying policy has two distinct advantages over the old method of competitive bidding in the international silver markets, according to the Alexander Hamilton Institute. In the first place, it avoids sharp fluctuations in market prices which result

from large-scale purchases and the resulting speculative activity. Thus the pronounced rise in silver prices in the London market prior to April 1935 caused by the operations of the Treasury proved a great boon to speculators.

More important, however, is the fact that direct negotiations with foreign governments enable the Treasury to bargain for economic and financial advantages. Thus the willingness of the Treasury to buy large amounts of Chinese silver is probably the principal reason that the Chinese Government has not pegged its currency to the pound sterling as many observers expected after the silver standard was abandoned. The Japanese were also interested in having the Chinese dollar pegged to the yen, since the existence of a stable currency relationship would facilitate trade and financial relations with China.

#### CHINA'S CURRENCY

However, the Chinese Government has announced that it intends to maintain "an independent currency system not linked to any foreign monetary unit." It is very doubtful whether it would have been able to undertake this policy but for the sale of silver to the United States. In order to operate a managed-currency system it must have gold and foreign balances and these are being provided by the United States Treasury in payment for Chinese silver.

The fact that China intends to use the proceeds of its silver sales for currency management is evidenced by the opening of a branch of the Bank of China in New York. Thus, insofar as the Treasury has prevented Great Britain or Japan from obtaining an advantage in trade with China, it has accomplished something for the benefit of American foreign trade.

#### POWER OF STATES TO PASS WELFARE LEGISLATION

Mr. BONE. Mr. President, a recent decision of the Supreme Court of the United States dealing with the welfare legislation enacted in the State of New York has created some very practical and very difficult problems for every legislative body in the United States. In connection with this decision, I ask to have printed in the RECORD an editorial appearing in the Tacoma Times, one of the outstanding Scripps newspapers of the West.

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

[From the Tacoma (Wash.) Times of June 3, 1936]

#### TIME WE ADOPTED REMEDY

Creation of a "no man's land" where obviously needed legislation cannot be legally enacted under the Federal Constitution offers a concrete problem to the Nation that should be tackled without further ado. Decision of the United States Supreme Court nullifying the New York State measure fixing minimum wage laws for women only intensifies the necessity for getting around the technicalities that tie up the Court. True enough, the 5-to-4 decision is close, but even so, steps should be taken to avoid such unofficial approval of a "twilight zone" for popularly accepted social legislation.

The net result of the appellate court's decision is to take away from States power to legislate for economic welfare of its citizens. The Court holds Congress has no such power, either, so where do we get off? We have reached an impasse; paralyzed by a ruling that even conservatives do not defend. What of the 16 States, including Washington, that have minimum-wage laws for women? These statutes have operated well in those States. But they need to go further. And now comes the Supreme Court to say, "No; you cannot enact such legislation in favor of women." The judges might have added, "nor in favor of any downtrodden men, women, or children."

Apparently the only way out is an amendment to the Federal Constitution specifically empowering Congress to permit States to enact such wise, humanitarian laws as the minimum wage for women. Otherwise, we will get nowhere and achieve nothing but strife in our efforts to improve the social welfare of our citizenship. It is high time constructive action was taken to overcome this "twilight zone" created by legalistic dictates of reactionary jurists.

#### TAXATION OF GASOLINE

Mr. COOLIDGE. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial from the Tulsa (Okla.) World of May 21, 1936, entitled "Sensing the Enormity of Gasoline Taxation", and also an editorial from the Daily Oklahoman of April 30, 1936, under the heading "Gasoline and Senator GORE."

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

[From the Tulsa World of May 21, 1936]

#### SENSING THE ENORMITY OF GASOLINE TAXATION

Visual incitement against the overtaxing of gasoline is a feature of the International Petroleum Exposition. There is increasing consciousness of overloading, both within the oil industry and among the users of gasoline. On the grounds are the overloaded family car and various illustrations of the remarkably deep cut government takes from a great commodity. The eagerness with

which people sign the petition for omission of the Federal 1-cent tax has definite meaning for the taxing powers. That an uprising of motorists is likely is generally sensed, and the uprising is measurably speeded by every new note of realization.

That gasoline taxes can be reduced is plain. New York State has just accomplished what many people have supinely agreed could not be accomplished. By legislation there was a reduction of 1 cent a gallon, and that 1 cent was an item of diversion. New York motorists had been paying \$14,000,000 a year under a 1-cent emergency levy. A few elections occurred recently and gasoline tax was the issue; the men opposed to the tax were elected. This is a plain hint to Oklahoma voters. Most of our legislature is to be elected this year.

An additional crumb of comfort was afforded by a high New York court, which held that State gasoline tax must be excluded in computing the amount of a general State tax. The State had been levying its sales tax both on the cost of motor fuel and Federal and State gasoline taxes. All such taxation is being forced into the open.

That the fight upon the Federal gasoline tax can be made successful is certain. It is a matter of the people keeping their minds upon the subject. As an emergency tax it was bearable, but as a standard revenue tax it is not bearable. All gasoline taxes turned into general revenues or applied to anything besides road improvement is simply taxing one class of people for funds the whole public ought to pay. The manifest unfairness of the scheme can be realized by anyone. Persons realizing that unfairness can easily make their wishes known to legislators. Downright, hard-headed attention on the part of victims is needed whether the victims suffer from grossly overdone taxes, State or Federal.

The issue of diversion will not down. That is a principal evil of the whole gasoline taxation system. In Oklahoma the violation of the motorists' rights was flagrant. The people were paying a heavy gasoline tax to get the roads and then the State dipped heavily into the funds to get more money to fill the holes made by political raids.

The New York Legislature was confronted by the fact that gasoline, an essential commodity, was bearing a 35-percent tax. Diversion was stopped and the State taxes were reduced to 3 cents a gallon. That can be done in almost any State. The action in New York was partly based upon a showing that in a decade gasoline taxes had risen alarmingly and that, if continued at the same rate for another 10 years, would reach an average of \$400 a motor car. That sort of logic is behind the current movement now in evidence at the exposition grounds and now taking hold of the public consciousness.

First, let there be realization of the enormity of specially taxing motorists for general revenue purposes. Diversion is the natural first point of attack. Stopping of diversion leaves the way open for actual use of money on roads, and the amount of taxes hereafter can be determined by the state of the roads. Realization of the general burden and the special abuses will quickly lead to action.

People should not say that taxes cannot be reduced. For the first time since the depression started a major tax has been reduced, and the operation should be repeated many times. The people who pay the gasoline taxes are the ones to throw off the burden; the politicians who impose the burdens will, if un molested, add to them. United in action, the abused gasoline-tax payers will rather easily put many gasoline-tax schemes in the junk pile.

[From the Daily Oklahoman of Apr. 30, 1936]

#### GASOLINE AND SENATOR GORE

There is considerably more than a mere political side remark in Senator Gore's assertion that increasing prosperity should be accompanied by a corresponding reduction in taxation, and his suggestion that a reduction of the gasoline tax would mark an appropriate beginning.

Gasoline admittedly is the most highly taxed of all American commodities. Of the \$10,000,000,000 collected in taxes in 1935, gasoline bore one-twelfth of the total burden. The Federal tax alone is equivalent to a sales tax of 20 percent of the average refinery price of gasoline. The Oklahoma tax is tantamount to an additional 80-percent sales tax. But curiously enough, people pay this 100-percent sales tax on every gallon of gasoline they purchase and make no protest, although they give a fair imitation of the antics of "Hell's hot angels" when forced to pay a State sales tax of only 1 percent.

Although the State tax on gasoline is four times as great as the Federal tax, there is little chance that the State tax will be reduced. The need for highway improvements and the need for gasoline revenues to maintain the State's financial structure make it extremely improbable that the tax will be reduced. But the Federal tax should be repealed utterly. Gasoline should not be required to pay one-twelfth of the total cost of Government. This 20-percent Federal sales tax on gasoline should be suspended, just as Senator Gore suggests.

In the aggregate this Federal tax on gasoline exacts a burdensome tribute from Oklahoma. It took \$3,200,000 from the gasoline purchasers of Oklahoma in 1935. It took \$910,000 from the farmers of Oklahoma. It even took \$211,000 from Oklahoma farmers as a tax on the tractor and engine gasoline that is exempt from the State tax entirely. In combination with other taxes on gasoline it subtracted from the wages of every oil field worker, from the price received by every farmer who sold a lease, from the receipts of every royalty owner, and from the profits of every refinery and

filling station. Oklahoma would profit many millions of dollars annually from the repeal of the Federal gasoline tax law.

Senator GORE has opposed the imposition of a Federal tax on gasoline from the day such a law was first proposed. He fought the tax to death in a Senate caucus of Democrats as long ago as 1913. He fought the tax and voted against it when it finally became a law. He has opposed every extension of it. It is the natural thing for him to think of this injustice to a major Oklahoma commodity when he mentions taxes that should be reduced or repealed.

Curiously enough, two of Senator GORE's opponents in the present senatorial race have voted for this imposition of a 20-percent Federal sales tax upon gasoline. They were not representing the best interests of Oklahoma when they voted for this tax. In view of the large and important part played by petroleum and its products in the business life of the State it is passing strange that any Oklahoman would add to the burdens of a business that pays one-twelfth the total cost of all Government operations in America. It was Senator GORE who represented the welfare of Oklahoma when this Federal tax raid was under consideration.

#### DEPORTATION OF ALIEN CRIMINALS

Mr. COOLIDGE. Mr. President, I desire to have printed in the RECORD an article appearing in the Washington Daily News of Friday, May 29, 1936, entitled "Labor Withdraws Its Opposition to Kerr-Coolidge Bill."

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

[From the Washington Daily News of May 29, 1936]

LABOR WITHDRAWS ITS OPPOSITION TO KERR-COOLIDGE BILL—GREEN'S ADVOCACY OF MEASURE, AFTER SUGGESTING CHANGES, MAY LEAD TO PASSAGE

The American Federation of Labor has withdrawn its opposition to the Kerr-Coolidge deportation bill.

In a letter to Senator COOLIDGE, Democrat, of Massachusetts, chairman of the Senate Immigration Committee, President William Green, of the A. F. of L., suggests a number of amendments to the bill and urges that Congress pass it with these changes.

The Labor Department has no objection to amendments proposed by Green. He wants a limit of 8,000 or 10,000 placed on the number of "hardship" cases in which deportation may be stayed. He also wants a declaration that after 3 years "no further legislative relief shall be given in delaying the deportation of all persons who shall have entered the United States illegally or otherwise subjected themselves to deportation."

Green would add to the bill a section providing that no stay of deportation shall be granted except on showing "of great and unusual hardship", and that in no case shall the stay cover more than a year.

He points out that the first two sections of the bill, providing for deportation of alien criminals, "add strength to the present deportation law."

#### ORDER OF BUSINESS—RETIREMENT OF ALASKA RAILROAD EMPLOYEES

Mr. ROBINSON. Mr. President, the Senate meets today under somewhat unusual conditions. As all Senators understand, a concurrent resolution has been adopted to the effect that when the two Houses shall conclude their sessions today they will stand in adjournment for 1 week. The object, of course, is to permit Senators on the other side of the Chamber and such other misguided persons as might desire to do so to attend the Republican National Convention. [Laughter.] Under the circumstances I do not feel that the Senate should transact legislative business except by unanimous consent. There are many matters that may be disposed of today under that limitation. There has been no agreement on the subject, but the body at the other end of the Capitol will only receive conference reports and appoint conferees and send messages to the Senate concerning such action. Under those circumstances I feel that today the consideration of legislation should not be forced.

There is a bill on the calendar to which I call the attention of the Senator from Oregon [Mr. McNARY]. It is Calendar No. 2272, Senate bill 2293. A similar bill is pending in the body at the other end of the Capitol, and probably may be reported today. This bill provides for the retirement of employees of the Alaska Railroad, Territory of Alaska, who are citizens of the United States. Under the law as it now exists, while employees of the Panama Railroad who are citizens of the United States are entitled to retirement, and while employees of private railroad companies both in the United States and in Alaska are entitled to retirement privileges, there is no provision of law authorizing the retirement of the employees of the Alaska Railroad, which is a Government institution or corporation.

The bill to which I refer, introduced by the Senator from Washington [Mr. BONE], providing for the retirement of employees of the Alaska Railroad, has been unanimously reported by the Senator from South Dakota [Mr. BULOW], chairman of the Committee on Civil Service; and, as is already indicated by this statement, is pending on the calendar as No. 2272.

The committee has recommended amendments which make distinctions between the employees of the Alaska Railroad and the Panama Railroad employees, namely: Under the Panama Railroad Act employees are entitled to retirement at the age of 55, while under the proposed Alaskan measure they would be entitled to retirement at the age of 62.

Thinking that the measure would not be objected to when briefly explained as I have attempted, I ask unanimous consent for its present consideration.

The VICE PRESIDENT. Is there objection to the request of the Senate from Arkansas?

Mr. McNARY. Mr. President, the statement of the Senator from Arkansas with respect to general legislation is very fair. I sincerely appreciate his attitude that the Senate should act only under unanimous consent. Conversations were had last week, and it was the general understanding that the adjournment of the Senate on Saturday last would mark the end of the legislative session until next Monday, June 15. It would not be fair to Members on the Republican side, after this courtesy has been extended to them, to take up general legislation. I am advised there are 16 absenteers on this side today; that 9 Senators are in the city, one of whom is ill, so it seems only 6 or 7 Republican Senators are really available today. I again express appreciation to the Senator from Arkansas and other Democratic Senators for their kindness and consideration in adjourning the session until the Republican Members may be present next week.

Monday next will present a very different situation. Everyone has been advised that the Senate would resume its activities a week from today, at which time I expect there will come before the body the conference reports on the tax bill and on the work-relief or deficiency bill, probably on the Robinson-Patman bill, and other matters of a similar character. Every Senator on this side of the Chamber and Democratic Senators as well have been advised of the session at that time for the consideration of general measures which it is hoped may be concluded within 2 or 3 days, so that then the Congress may finally adjourn.

As to the proposal made by the Senator from Arkansas, I am very much in favor of the measure to which he has made reference. If the bill should be considered by unanimous consent, I wonder what other proposal may be made today? I am in a peculiar position. I must see that the interests of absenteers are protected. I do not know how they feel toward the measure. I myself am in complete accord with it. But if this measure should be considered and passed, what would prevent any other Member present asking for the same consideration and employing this as a precedent for the consideration of other orders of business on the calendar? I submit that inquiry to the Senator from Arkansas.

Mr. ROBINSON. Of course any Senator obtaining recognition may ask unanimous consent for the consideration of a measure. It is not my intention to force or attempt to force the consideration of legislation today for the reason I have attempted to state clearly. It would seem that the adoption of the resolution to which reference has been made would imply that we would not take advantage of the absence of Senators.

The bill which I have asked the Senate to consider by unanimous consent was called Saturday on the call of the calendar and went over at the instance of a Senator on this side of the Chamber who had not had an opportunity to consider the proposed legislation. I have attempted to explain in a general way the terms of the measure. I do not believe there is or will be any objection to it. The reason for asking its consideration today grows out of the fact that it is not expected the Senate will long remain in session when it convenes again on the 15th of June, although there is no

limitation as yet on the length of time the session shall continue.

This measure being meritorious from the standpoint of everyone, it having been unanimously reported, it being manifestly discriminatory not to accord retirement privileges to the employees of the Government concerned, my thought is that we might dispose of the measure today by unanimous consent.

Mr. McNARY. Mr. President, I am in complete accord with the Senator from Arkansas with regard to the particular measure, but I cannot conceive of any factor that might enter the situation which would injuriously affect employees of the Alaska Railroad between now and next Monday. Am I correct in that suggestion?

Mr. ROBINSON. The Senator has missed the point of my last statement. If the legislation is to be enacted during this session it is desirable to dispose of it today.

The attention of the Senator from Oregon is invited to the fact that any Senator who feels aggrieved by the action I propose shall be taken will have an opportunity of moving reconsideration. Manifestly the Congress would not wish to remain in session indefinitely to pass this bill. As the Senator from Oregon has stated, it is not particularly an emergency measure, and yet there are circumstances which I think would strongly appeal to anyone who has listened to me.

Alaska, as everyone knows, has a very severe climate. The employees of the Government in Washington, where conditions are highly favorable, and throughout continental United States, enjoy the privileges and benefits of retirement, but in the extreme climate of Alaska citizens of the United States who are employed by the Government in connection with the railroads are discriminated against. Employees of private railroad companies in continental United States enjoy retirement privileges, and the same thing is true as to employees of private railroads in Alaska. Why should we longer delay extending consideration to the Alaska employees of the Government who work on railroads, and why should we impose on private railroad companies obligations respecting retirement that we do not impose on the United States?

As I have pointed out, if the bill is to pass during this session it is desirable, not to say imperative, that it be passed by the Senate today. If any Senator desires to do so, he can later tie the matter up by entering a motion to reconsider the vote by which the bill is passed, and that motion would be on the table for consideration when the Senate reconvenes 1 week from today.

Under these circumstances I feel justified in requesting consideration of the bill at this time.

Mr. McNARY. Mr. President, the Senator from Oregon did not miss his mark. His inquiry was addressed to the question, Does an emergency situation exist which justifies action on this proposed legislation today? The Senator from Arkansas says there is no emergency. His appeal is based upon the theory that we should pass the bill today. I am willing to cooperate with the Senator next Monday; and if, next Monday, the Senator has the same zeal that he manifests today, we shall pass the bill before 1 o'clock. That is a sufficient answer to that proposal.

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

Mr. McNARY. I am glad to yield.

Mr. ROBINSON. The Senator realizes that, of course, the bill must pass both Houses before it can go to the President.

Mr. McNARY. Yes; and both Houses will be in session. I further realize that passing the bill here today would not bring about its passage in the House. We should not have proceeded one inch forward by taking the action which is proposed. I was told today that the House would act upon no legislation today.

Mr. President, I have two very delightful colleagues who live just across the Columbia River from my home in Oregon. They are deeply interested in the ratification of a treaty which is now on the calendar involving the sockeye salmon. The treaty has been executed between Canada and the United States. There is no one in this body to whom

I hesitate to say "no" more than to those two colleagues, the Senators from Washington [Mr. BONE and Mr. SCHWELLENBACH]. I also am interested in that treaty. My friend from Kentucky [Mr. BARKLEY] has a small bill from the Secretary of the Treasury, and spoke to me this morning about taking up that measure.

Even as a farmer, I know that much of life is based upon precedent; and the splendid lawyer from Arkansas [Mr. ROBINSON] has won many a lawsuit on the strength of a precedent. If I grant to him a thing that I must deny to my colleagues across the river, the Senator from Kentucky, and half a dozen other Senators, I shall be playing favorites, and that role I never play. I shall object.

VESSEL FOR RESEARCH WORK IN THE PACIFIC OCEAN FISHERIES—  
VETO MESSAGE (S. DOC. NO. 269)

The VICE PRESIDENT. The Chair wishes to cooperate with the Senate with reference to what is apparently a gentlemen's agreement; but there is on the desk a message from the President vetoing a bill. If there is no objection from the Senate, the Chair will lay it before the Senate.

Mr. ROBINSON. Mr. President, I call the attention of the Chair to the fact that there is no agreement. I am yielding the right to insist upon legislation today, because I believe it is the fair thing to do.

The VICE PRESIDENT. Then the Chair lays before the Senate a message from the President of the United States, which will be read.

The Chief Clerk read the message, which, with the accompanying bill, was referred to the Committee on Commerce and ordered to be printed, as follows:

*To the Senate:*

I return herewith, without my approval, S. 3989, an act to provide for the construction and operation of a vessel for use in research work with respect to Pacific Ocean fisheries.

This bill provides that the Secretary of Commerce is authorized and directed to cause plans and specifications to be prepared for the construction and equipment of a vessel for use in such research work with respect to Pacific Ocean fisheries as the Secretary finds will be useful to persons engaged in the fishing industry; to contract for the construction and equipment of such vessel, and authorizes appropriation of \$500,000 for these purposes.

The annual cost of maintaining and operating the vessel contemplated by this bill would be not less than \$50,000.

This is a wholly unnecessary expense so far as it relates to constructing a special vessel. The Bureau of Fisheries can take some out-of-date naval or Coast Guard ship, such as an old Coast Guard cutter, fit her out at very low cost, and maintain her usefully for many years to come.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 8, 1936.

STRUCTURES ALONG RIVERS AND HARBORS

Mr. SHIPSTEAD. Mr. President, on last Saturday I gave notice that I should move a reconsideration of the action of the Senate in adopting the conference report on Senate bill 3071, providing for the placing of improvements on the areas between the shore and bulkhead lines in rivers and harbors. At the request of the author of the bill, the Senator from New York [Mr. COPELAND], I promised that I should make the motion at the earliest possible moment; and I now make the motion. I am ready, if necessary, to be heard on the motion. I do not like to discuss it when the Senator from New York is not here.

The VICE PRESIDENT. The Chair understands that the Senator from Minnesota enters a motion to reconsider the vote by which the conference report on the bill referred to by him was agreed to. The motion will be entered.

Mr. SHIPSTEAD. I ask unanimous consent that the action of the Senate in adopting the report be reconsidered.

The VICE PRESIDENT. Does the Senator desire to call up the motion at this time?

Mr. SHIPSTEAD. I wish to consult the Senator from Arkansas [Mr. ROBINSON] and the Senator from Oregon [Mr.

McNARY] regarding that. I shall not insist on action at this time.

Mr. ROBINSON. I suggest that the Senator let the matter go over until next Monday.

Mr. SHIPSTEAD. Very well.

The VICE PRESIDENT. The Chair understood the Senator from Oregon [Mr. McNARY] to say that so far as he could prevent it, he did not intend to have the Senate act upon any proposed legislation today. Is that correct?

Mr. McNARY. That is absolutely correct. I suggest to the Senator from Minnesota that he might enter his motion now.

The VICE PRESIDENT. The Chair is now advised that the motion was entered on Saturday. It is now pending.

Mr. SHIPSTEAD. Mr. President, I thought that on Saturday there was only a notice of intention to enter the motion.

The VICE PRESIDENT. The Journal shows that the Senator entered the motion on Saturday.

#### ELIMINATION OF GRADE CROSSINGS

Mr. MCKELLAR. Mr. President, the Senator from Iowa [Mr. DICKINSON], in the course of his speech in the Senate on May 18, made the following statement:

We all remember, I hope, how he [Mr. Hopkins] was planning to eliminate all the dangerous grade crossings. Even the President talked extravagantly about the proposal following a frightful accident at Rockville, Md., in which 14 school children were killed. I

should like to challenge Mr. Hopkins to name a single grade crossing which has been eliminated by him since that accident and since he broadcast his plan more than a year ago.

That statement is to be found in page 7439 of the CONGRESSIONAL RECORD of May 18, 1936.

In reply to the charge of the Senator from Iowa it may be stated that 13 grade-crossing projects had been completed as of April 30, 1936; 680 more were under construction, and an additional 508 projects had been approved for construction.

Under the terms of the Emergency Relief Appropriation Act of 1935 funds for the elimination of grade-crossing hazards are apportioned by the Secretary of Agriculture to the several States in accordance with a formula prescribed by the act. The work is performed under the Bureau of Public Roads of the Department of Agriculture, not under the Works Progress Administration.

Considering the elaborate preparations which are necessary before a grade-crossing project is undertaken, this record of progress reveals real accomplishment on the part of the Bureau of Public Roads in the elimination of grade crossings.

In connection with this statement I ask unanimous consent that there may be printed in the RECORD as a part of my remarks a table showing the current status of United States works program grade-crossing projects as provided by the Emergency Relief Appropriation Act of 1935.

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

*Current status of United States works program grade-crossing projects (as provided by the Emergency Relief Appropriation Act of 1935) as of Apr. 30, 1936*  
[Bureau of Public Roads]

State	Apportion- ment	Completed			Under construction			Approved for construction			Balance of funds available for new projects		
		Estimat- ed total cost	Works program funds	Number elimin- ated by separa- tion or re- location	Estimated total cost	Works pro- gram funds	Number		Estimated total cost	Works pro- gram funds	Number		
							Elimin- ated by separa- tion or re- location	Protect- ed by signals or other- wise			Elimin- ated by separa- tion or re- location	Protect- ed by signals or other- wise	
Alabama	\$4,034,617	\$9,124	\$9,124	1	\$2,276,607	\$2,276,607	24		\$1,473,819	\$1,473,819	12	5	\$275,067
Arizona	1,256,099	47,412	47,412	1	814,319	664,815	8		158,526	158,526	1		355,346
Arkansas	3,574,060				1,057,577	1,053,890	23		1,179,707	1,177,877	22		1,342,294
California	7,486,362				6,018,361	5,774,181	35		385,220	384,122	4		1,328,059
Colorado	2,631,567				1,116,543	1,095,543	18		150,000	150,000	2		1,386,024
Connecticut	1,712,684												1,712,684
Delaware	418,239												418,239
Florida	2,827,883												1,128,248
Georgia	4,895,949												4,540,510
Idaho	1,674,479												822,388
Illinois	10,307,184												4,253,305
Indiana	5,111,096												1,599,010
Iowa	5,600,679	7,303	7,000	1	1,518,955	1,451,000	30		1,220,745	1,164,500	29		2,978,179
Kansas	5,246,258				2,182,819	2,182,819	24		2,773,990	2,773,990	29		289,450
Kentucky	3,672,387				957,612	957,612	12		1,804,573	1,279,545	9		1,435,230
Louisiana	3,213,467				48,202	48,202			1,587,938	1,291,651	17		1,873,614
Maine	1,426,861				366,936	366,603	6		295,480	295,480	8		764,779
Maryland	2,061,751				60,000	60,000	1		965,247	942,778	6		1,058,973
Massachusetts	4,210,833				956,239	956,239	6		416,981	416,981	3		2,837,613
Michigan	6,765,197	121,850	121,850	1	4,519,252	4,519,252	36		1,197,200	1,197,200	8		926,895
Minnesota	5,395,441				1,014,882	1,008,832	17		1,194,618	1,194,618	33	8	3,191,991
Mississippi	3,241,475				1,458,857	1,458,857	29		550,817	550,817	13	1	1,231,800
Missouri	6,142,153				1,409,308	1,409,308	11		3,362,170	3,348,902	20		1,883,942
Montana	2,722,327				2,165,879	2,165,879	34		441,025	441,025	3		115,424
Nebraska	3,556,441				1,502,013	1,502,013	46		622,739	622,739	20		1,431,689
Nevada	887,260	40,669	40,669	1	278,735	278,735	6		388,882	388,882	3		178,974
New Hampshire	822,484				207,624	207,624			164,763	164,763	3		450,097
New Jersey	3,983,826				685,340	685,340	4		367,714	367,714	1		2,930,771
New Mexico	1,725,286	136,191	136,191	3	378,820	378,820	5		559,674	547,503	1		662,773
New York	13,577,188				5,859,232	5,607,586	19		2,549,670	2,549,390	5		5,430,213
North Carolina	4,823,958	10,268	10,268		1,132,832	1,132,832	13		475,497	475,497	7		3,205,360
North Dakota	3,207,473				201,184	201,184	5		440,764	440,764	17		2,565,525
Ohio	8,439,897				206,498	206,498	1		828,050	818,050	7		7,415,349
Oklahoma	5,004,711				1,156,729	1,156,729	23		1,263,250	1,258,250	19		2,589,731
Oregon	2,334,204				920,425	919,886	10		1,438,537	1,314,364	9		99,954
Pennsylvania	11,483,613				912,186	880,819	16		2,502,462	2,482,596	21		8,120,198
Rhode Island	699,691				665,505	635,386	4						64,305
South Carolina	3,059,956				958,685	954,232	20		244,723	244,723	5		1,861,001
South Dakota	3,249,086	51,774	51,774	1	531,697	531,697	12		317,092	317,092	9		2,348,523
Tennessee	3,903,979				365,701	365,701	9		248,032	248,032	4	7	3,200,246
Texas	10,855,982	34,420	34,420	2	3,163,714	3,042,357	41		3,246,266	2,845,758	32		4,933,448
Utah	1,230,763				392,410	392,410	4		246,951	234,897	4		603,456
Vermont	729,857				432,826	431,467	5		75,066	75,066	4		223,323
Virginia	3,774,287				550,432	489,103	11		934,089	934,089	30		2,351,095
Washington	3,095,041				1,722,370	1,717,570	19	1	178,600	178,569	4	7	1,198,902
West Virginia	2,677,937								387,238	387,238	2		2,290,699
Wisconsin	5,022,683				2,345,175	2,336,297	20		635,807	635,807	7		2,050,579
Wyoming	1,360,841	55,366	55,365	2	112,085	112,085	1		102,599	102,598	1		1,090,703
Dist. of Columbia	410,804				166,697	166,697	2		253,264	238,616	1		5,491
Hawaii	453,703				296,218	295,333	3						158,370
Total	196,000,000	514,377	514,073	13	59,666,758	58,645,006	679	1	43,525,949	42,010,902	479	29	94,829,929

## LOW-COST HOUSING PROGRAM

Mr. WAGNER. Mr. President, on Saturday last I stated that on this day I would attempt to secure consideration of a bill which I have introduced, the so-called housing bill. Of course, in view of the agreement which has been stated by the Senator from Arkansas, with which, of course, I am in accord, and which will guide me, I am not able to secure consideration of the proposed legislation, but if the parliamentary situation permits I shall at the first opportunity a week from today attempt to secure consideration of the bill.

## INTERNAL-REVENUE TAXATION—AMENDMENT BY SENATOR M'ADOO

Mr. McADOO. On Friday last I submitted an amendment to the revenue bill on behalf of my colleague, the senior Senator from California [Mr. JOHNSON] and myself, which was adopted by the Senate. I ask unanimous consent to insert in the RECORD at a convenient time the reasons which prompted me to submit the proposal.

The VICE PRESIDENT. Is there objection? The Chair hears none, and permission is granted.

## MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House insisted upon its amendments to the bill (S. 3247) to amend title II of the National Industrial Recovery Act as amended by the Emergency Appropriation Act, fiscal year 1935, and as extended by the Emergency Relief Appropriation Act of 1935, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. THOMPSON, Mr. DINGELL, and Mr. CROWTHER were appointed managers on the part of the House at the conference.

The message also announced that the House insisted upon its amendments numbered 7, 12, 14, 16, and 44 to the bill (S. 3440) to amend certain acts relating to public printing and binding and the distribution of public documents and acts amendatory thereof, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. LAMBETH, Mr. BARRY, and Mr. RICH were appointed managers on the part of the House at the conference.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 12395) to provide revenue, equalize taxation, and for other purposes, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. DOUGHTON, Mr. SAMUEL B. HILL, Mr. CULLEN, Mr. VINSON of Kentucky, Mr. COOPER of Tennessee, Mr. TREADWAY, Mr. CROWTHER, and Mr. WOODRUFF were appointed managers on the part of the House.

## BOUNDARY LINES OF THE NAVAHO INDIAN RESERVATION

Mr. HATCH. Mr. President, for many, many years the settlement and adjustment of the boundary lines of the Navaho Indian Reservation has been a matter of concern and interest to the residents of the State of New Mexico. Many different bills relating to this more or less perplexing and troublesome problem have been introduced in the Senate and in the House of Representatives.

I would not think of taking the time of the Senate to discuss this matter had it not been that in the past few days and weeks several matters have arisen in connection with a bill which is now pending before the Indian Affairs Committee of the Senate. Merely in order that the RECORD may be kept straight, and that the record of the representatives of the State of New Mexico in the Senate may be made certain and clear on this subject, I venture at this time to occupy a few moments of the time of the Senate to give something of the history of the bill to which I refer.

In 1934 a bill was introduced fixing and settling the boundary lines of the Navaho Indian Reservation. At that time I received many objections from citizens of my State to the proposed boundaries. I objected to the bill and it did not pass at the session of 1934.

In 1935 the bill was again introduced. During the interval of time between the session of 1934 and that of 1935 much investigation had been made, not only on my part but on the

part of other representatives of the State of New Mexico, and by the Indian Bureau, by officials of the State of New Mexico, and by various citizens. A compromise was agreed upon at that time, a compromise which, I was informed and believed, dealt fairly with the situation.

I might say that it has been my opinion at all times that the boundaries should be fixed and should be definitely settled and located for the interest of all parties involved. So in the spring of 1935 I withdrew previous objection which I had made to the bill, and, in fact, offered in the Senate an amendment which embodied a substitute and a compromise agreement.

On May 28, 1935, the substitute measure was reached on a regular call of the calendar. I did not object to the passage of the bill and it passed the Senate. My colleague the junior Senator from New Mexico [Mr. CHAVEZ] had just then become a Member of this body. I believe he had been a Member but 8 days. He was out of the Chamber at the time the bill passed the Senate by unanimous consent. When he entered the Chamber he came to me and asked about the bill, and I informed him that it had been passed. He said he was not satisfied with the bill and not entirely familiar with the compromise which had been agreed upon. Thereupon, at his request, I asked the Senate, on the same day, to reconsider the vote by which the bill had been passed, and requested that it be placed on the calendar in order that my colleague should have an opportunity to familiarize himself with it.

Mr. President, that is not of importance, except to show that I did for my colleague on that occasion what I would have done for any other Senator. At any time when I am interested in a bill which passes by unanimous consent, and a Senator comes to me and tells me that he is likewise interested in the bill and desires to have an opportunity to consider it, I believe it to be my duty to accord him that courtesy and that consideration, as I did on the day referred to accord to my colleague. As I have said, that is not important. I merely mention it in passing because there has been some slight criticism of my conduct in that regard.

I might add, in that connection, that on the last calendar day before the one last Saturday a bill passed the Senate in which I was interested. I had been chairman of the sub-committee which considered the bill, and I was called from the Chamber and told that the chairman of the full committee desired to offer an amendment to the bill. I returned to the Chamber and asked that the vote by which the bill had been passed be reconsidered, and that was done.

After I had, at the request of my colleague, had the vote by which the boundary bill had been passed reconsidered, my colleague asked that the bill be recommitted to the Committee on Indian Affairs, where it was sent and where it is today.

I happen to be a member of the Committee on Indian Affairs, but I am on several other committees, and my work has been such that I have not been able to attend many meetings of the Committee on Indian Affairs during this session. I knew that my colleague, the junior Senator from New Mexico, was thoroughly familiar with the Indian question. Since he comes from the particular part of the State affected by the proposed legislation, and has lived among the Indian people and knows them, I felt that he was entirely competent to look after the boundary bill in the Committee on Indian Affairs.

Only a few days ago I received a telephone call to attend a meeting of the Committee on Indian Affairs, and I went immediately, leaving another committee meeting. Just as I arrived at the committee meeting the Secretary of the Interior, Mr. Ickes, was concluding his statement before the committee concerning the Navajo boundary bill.

I have not read the statement of the Secretary of the Interior, and I did not hear it in its detail. I did hear and I have read in the newspapers that the Secretary believes that there is danger of an Indian uprising in New Mexico if the proposed legislation shall not become a law promptly and immediately.

Mr. President, I have a very high regard for the Secretary of the Interior, and I am quite sure he believes the statement he has made, but in that respect I differ with the Secretary.

While I never like to prognosticate what will happen in the future as the result of the passage or failure to pass any proposed legislation, I cannot see how the situation differs greatly today from what it has been during the past several years, and I do not believe there is any danger of an Indian uprising in New Mexico.

At the meeting of the Committee on Indian Affairs, a sharp conflict of opinion arose between the Commissioner of Indian Affairs and the Secretary of the Interior on the one side and on the other side my colleague the junior Senator from New Mexico [Mr. CHAVEZ], who had with him that day many papers and documents from citizens in our State protesting against the passage of the bill.

Mr. CONNALLY. Mr. President—

The PRESIDENT pro tempore. Does the Senator from New Mexico yield to the Senator from Texas?

Mr. HATCH. I yield.

Mr. CONNALLY. I beg the Senator's pardon for interrupting him, but I did not hear the Senator's entire statement. Do I understand that someone appeared before the Committee on Indian Affairs predicting that unless the bill in question were passed there would be an Indian uprising; and if so, who was it?

Mr. HATCH. That remark has been attributed to the Secretary of the Interior, Mr. Ickes.

Mr. CONNALLY. Was it a warning intended to bring pressure on Congress to act?

Mr. HATCH. I have not said that.

Mr. CONNALLY. I did not mean that the Senator from New Mexico had said so; but was it a warning to Congress that unless the bill were promptly passed there would be an uprising of the Navajos?

Mr. HATCH. No, Mr. President. Let me say, in justice to the Secretary, that he was speaking very earnestly before the committee, and he is very much in earnest about the situation. I am quite sure he believes fully and emphatically in the view he expressed, and he thinks there is a most grave and a most serious crisis as regards the Navajo boundary. I think it was to impress us with his earnestness that he made the statement that blood would be shed. I believe his statement was that "blood might be shed." I have not read the Secretary's statement. I do not wish to do him an injustice. The newspapers have quoted him, however, as having said that. Perhaps my colleague [Mr. CHAVEZ], who was present when the Secretary testified, may give more enlightenment on that subject.

Mr. CHAVEZ. Mr. President, I have the same feeling about the matter as has the senior Senator from New Mexico—that the Secretary of the Interior, probably in his zealously and overenthusiasm to have the bill passed, made the statement that blood would be shed in New Mexico. I think that statement was due to lack of information regarding conditions in New Mexico.

Mr. CONNALLY. The Senator from Texas is planning a trip west this summer. He simply wishes to know what the situation is, so that he may route his journey.

Mr. CHAVEZ. I assure the Senator from Texas that he is at all times welcome to New Mexico and that no blood whatever will be shed.

Mr. HATCH. I may assure the Senator from Texas that it is entirely safe for him to make his contemplated trip through the State of New Mexico. His scalp will not be lifted.

Mr. CONNALLY. Does the Senator refer to travel by air, or what mode of travel?

Mr. HATCH. Any mode of travel the Senator chooses.

Mr. CHAVEZ. The only scalp that the Indians in New Mexico are after is the political scalp of the Commissioner of Indian Affairs.

Mr. HATCH. Mr. President, be that as it may, on the occasion when this conflict arose, the chairman of the committee asked whether or not it would be possible to pass the bill at this session; and I emphatically joined my colleague, the junior Senator, and said it would not be passed by unanimous consent. That is still the position of the delegation from New Mexico in the Senate, at least—that the bill shall

not be passed by unanimous consent at this session. I say "at this session", Mr. President, because I am just as anxious and desire just as greatly as do the Commissioner of Indian Affairs and the Secretary of the Interior to have this problem settled; but when it is settled I wish to have it settled fairly and justly, not only to the Indians of the State of New Mexico but also to all the citizens of the State of New Mexico. That is my chief concern and my chief interest in the matter.

Following that meeting, another meeting of the Committee on Indian Affairs was held the other day. I see that two members of the committee are now present, the Senator from North Dakota [Mr. FRAZIER] and the Senator from Wisconsin [Mr. LA FOLLETT]. Both were present at the time to which I now refer; and as I am speaking entirely from memory, and certainly do not wish to distort the facts in any way, if I am in error in anything I may say I trust that they and my colleague [Mr. CHAVEZ], who is also here, will correct me.

On that occasion the Senator from North Dakota [Mr. FRAZIER] handed to the chairman of our committee a statement, saying in substance that he had not read the statement, but it had been prepared by Mr. T. M. Pepperday, publisher of the Albuquerque Morning Journal, and it was desired to have it inserted in the record. As I recall, the chairman of the committee said, "Without objection, the statement will be inserted in the record." Being somewhat of a curious mind, I reached over and picked up the statement myself; and, hurriedly glancing through it—I did not even read it—I observed that the statement made by Mr. Pepperday reflected in some measure and degree upon both the Senators from New Mexico. I then said to the chairman of the committee—I think these were my words—"I do not know that the committee desires to receive this statement. There appear to be in the statement references to the Senators which are reflections on them", or words to that effect. I further added that if the statement should be received the persons referred to should have an opportunity to reply to the statement.

I did not, Mr. President, ask that the statement be rejected from the record, and I do not now ask that it not be considered by the Indian Affairs Committee. My position simply was and is that to whatever statement is before a committee or placed in the record the persons referred to in the statement should have an opportunity to reply. As I recall, the chairman of the committee then said that the statement would not be received; but then I added, having examined the statement further, that there were material things in the statement which perhaps the committee should receive and should have before it; and thereupon the chairman of the committee instructed the clerk of the committee to delete from the statement all portions reflecting on Senators.

That closed the matter so far as I was concerned and so far as I have any knowledge. I believe I have stated exactly what happened before the Indian Affairs Committee; and if not—if my memory has played me false in any detail—I should like very much to be corrected at this time.

However, Mr. President, that is not important; and the only reason whatever why I mention it is that there have been some newspaper reports, perhaps in the State of New Mexico, which have not completely and fully set forth the real facts. I am not complaining about the newspapers. I am sure they have reported the controversy with the accuracy with which they always report such cases, and give the facts only as they have been informed about them. However, as I have related the circumstance here today, it is exactly what transpired before the Committee on Indian Affairs.

Mr. President, in the statement of Mr. Pepperday it was said that the people of New Mexico were unanimous in desiring to have the Indian boundary bill pass, and that my colleague the junior Senator from New Mexico was moved by political purposes in asking that the bill be not passed at this session.

My colleague is able to speak for himself. He is here in the Chamber and may say to the Senate whatever he cares to say on that subject; but I wish to present to the Senate

a little evidence as to whether or not this question is entirely political or whether there is real disagreement in the State of New Mexico as to what should be done as to the Navajo boundary bill.

Before passing to that subject, however, I wish to say that at one of the meetings of the Indian Affairs Committee I made the suggestion that, in view of the disagreement and the conflict between the citizens of my State and the Commissioner of Indian Affairs and the Secretary of the Interior, the Indian Affairs Committee should go to New Mexico and investigate the situation for itself.

There would be ample time this summer for the committee to make the investigation and report at the next session. I was moved to make that suggestion because just at the moment it occurred to me I observed sitting at the head of the table the chairman of the committee, the Senator from Oklahoma [Mr. THOMAS], whom I had known for many years before I came to the Senate. I know he comes from a section of Oklahoma which is in the heart of the Indian country. I know he understands Indians and their problems, and I know he is able and competent to deal with this matter in every possible way and every proper way. I also observed at that time that there was present another committee member, the Senator from North Dakota [Mr. FRAZIER], who is thoroughly familiar with Indian matters, having served for a great number of years as chairman of the Indian Affairs Committee. I mentioned the two names, and suggested that those two Senators or any other Senators go as a subcommittee to New Mexico and examine this problem from every standpoint and report to the full committee and to the Senate what should be done.

Mr. President, I know that regardless of what motives might inspire the senior Senator from New Mexico, and regardless of any motives which might inspire the junior Senator from New Mexico, the Committee on Indian Affairs will not go into New Mexico and settle the boundary matter or any other matter from a political standpoint, or from any standpoint except that which is fair and just to the Indians, to the Bureau of Indian Affairs, and to the citizens of my State.

That, Mr. President, is all I ask for myself, for my colleague, or for the people of my State. I ask that the Indian Affairs Committee go into New Mexico, examine the problems in New Mexico, not only the problems of the Indians but also the problems of the State government, which have grown greater in recent years with conditions of drought, with the removal of property from the tax rolls by Federal action, and because of other factors. I only ask the committee to consider all these problems fairly, wisely, and intelligently, as the committee will do, I am sure.

Mr. President, I pass again to the question of whether or not there is any disagreement in the State of New Mexico as to an investigation of this sort or as to the boundary commission. First, on this question, I think I shall call as a witness the editor of the Albuquerque Morning Journal, the newspaper which is published and owned by Mr. Pepperday. I shall read to the Senate an editorial which appeared in that newspaper a day or two after the suggestion had been made to send the Indian Affairs Committee into New Mexico. This is what the editor of that newspaper says:

#### NAVAJO LAND INQUIRY

The conflicting reports as to conditions on the Navajo Reservation will be clarified by a thorough scrutiny of the Senate Indian Affairs Committee investigation that was ordered Friday, to be made during the summer.

The investigation should be welcomed by the Indian Bureau, by the Indians, and by the livestock interests which have been accused of fomenting trouble over land problems.

The paragraph I just read states exactly my own position, that all the various interests should welcome the investigation by the Indian Affairs Committee.

This Navajo land bill has been blocked again because of the objections raised by Senators CHAVEZ and HATCH, and no action will be had on it until after the inquiry.

Senator CHAVEZ blocked the bill once before on the pretext that it was opposed by cattlemen even before the measure had received general consideration, and the committee in its investigation should delve into reasons for his opposition because of reports

then that his stand was due in part to his efforts to enforce patronage demands upon the Department of the Interior.

I am reading exactly what the editorial says; and, I repeat, as I said awhile ago, that if the junior Senator from New Mexico or the senior Senator from New Mexico have any ulterior motives in blocking the Navajo boundary bill, let them be investigated; let the Indian Affairs Committee investigate our actions and conduct in connection with that bill to the same extent and with the same degree of intelligence and honesty that it investigates every other matter involved in this problem. I ask nothing more, and I shall, Mr. President, demand nothing less.

Continuing reading from the editorial:

Cattlemen apparently are opposed to the land bill and take vigorous exception to Secretary Ickes' statement before the Indian Affairs Committee of the danger of "disorder and bloodshed", but the Secretary would hardly lay himself open to attacks if he could not support the charges he has made. Mr. John Collier, Indian Commissioner, likewise knows the situation, and he would hardly let his superior go so far astray.

The State and Congress need enlightenment on the issues through a thorough investigation into all phases of the Indian land bill and also—

Mr. President, I call attention to this next remark, because it is of vital importance, and I am in exact accord with the editor of the Albuquerque Morning Journal when he asks to have included in the investigation—

the herd-reduction program which is said to be arousing concern among the Indians. These are vital problems to the Navahos, and it should be determined to what extent the Indians are supporting the Bureau in the programs, what the opposition is, and whether there are any sinister motives that have not been brought out.

I again join, Mr. President, with the editor of the Albuquerque Morning Journal, and ask that the investigation be made, and if there be sinister motives any place let them be revealed; let the Congress of the United States and the people of the State of New Mexico know what they are and whence they come.

I also call as a witness the editor of the Albuquerque Tribune, another newspaper of State-wide circulation. The editorial is headed "The Navajo Situation."

#### THE NAVAJO SITUATION

Secretary Ickes, we fear, indulged himself in a little unseemly sensationalism yesterday when he predicted bloodshed on the Navajo Reservation.

Commissioner John Collier, never to be outdone, predicted doings as grim as the late Apache uprising.

I digress long enough to see if the Senator from Texas is in the Chamber. I would not want him to hear that prediction.

Mr. LEWIS. Mr. President, if the Senator from New Mexico will allow me, I should like to ask him, in view of what appears to be a speech of considerable information, does the Indian Bureau under the law operate under the direction of the Secretary of the Interior?

Mr. HATCH. The Indian Bureau is a bureau within the Department of the Interior.

Mr. LEWIS. The nomination of Mr. Collier for the office which he at present fills fell to my consideration some time ago. I should like to know has he complete or sole jurisdiction in the discharge of his duties as Indian Commissioner, or is he subject to the supervision of the Secretary of the Interior?

Mr. HATCH. I should say certainly that he is subject to the supervision of the Secretary of the Interior.

Mr. LEWIS. Has he no original initiative?

Mr. HATCH. He is active and does have complete charge, I should say, but subject to the supervision and control of the Secretary of the Interior.

Mr. LEWIS. Would not the Senator from New Mexico assume that the Commissioner would know more than would others of the details concerning the matters referred to in the editorials which impute either lack of knowledge on the part of the Secretary of the Interior or misrepresentation?

Mr. HATCH. There is no conflict between the Commissioner of Indian Affairs and the Secretary of the Interior. They both made identically the same statements.

Mr. LEWIS. Does the Senator feel there was ground or foundation in the facts for their statements?

Mr. HATCH. Certainly, I should say, in answer to the question, that no Secretary of the Interior, no Commissioner of Indian Affairs would make a statement without ground therefor.

Mr. LEWIS. Have subsequent developments shown there were grounds sufficient to indicate that there might have been a terror such as indicated in the editorials?

Mr. HATCH. I do not know from what source the Secretary of the Interior and the Commissioner of Indian Affairs obtained their information. I am certain that they had information which they at least believed justified their statements. The sources of information which I have do not lead me to believe such as was expressed by the Secretary of the Interior and the Commissioner of Indian Affairs.

Mr. LEWIS. But the Senator feels that the Secretary of the Interior, Mr. Ickes, must have been informed and sincere in his fears in the matter.

Mr. HATCH. Certainly, I would not seek to create any other impression, because I am sure that otherwise the Secretary of the Interior would not have made a statement of that sort.

But continuing with the editorial from the Albuquerque Tribune:

It is always dangerously easy for those who don't know to minimize a situation, and we do not want to fall into that error. But we do doubt very seriously that conditions on the Navajo Reservation are as they were pictured at Washington yesterday. Stockmen who live on the reservation say both statements are absurd.

It is well, in view of the uncertainty, that a senatorial committee is to come out here to investigate.

Mr. Collier maintains that Navahos are being pushed from their ranges. He holds that extension of Navajo boundaries is imperative.

Many New Mexicans, including livestock men from the Northwest, say bluntly that what the Navahos need is water and training in the care of their flocks. They declare that contrary to popular report the Navaho is not a natural herdsman; they say the Indian has much to learn about utilizing the range for the maximum benefits. They say water and training should be one of the first concerns of the Indian Service.

Others opposed to Collier's Indian policy say that his herd-reduction order is the cause of discontent. They say that the Indians, having disposed of part of the flock, expect erosion control and soil conservation to transpire immediately, which of course it does not.

We confess that we do not understand the Navajo situation. We wonder if anyone does. We know positively that an understanding of reservation problems cannot be had from our own swivel chair in Albuquerque. From Washington, perhaps, yes.

Congress can separate facts from prejudices and actualities from propaganda by sending a committee of level-headed solons to the scene. The sooner it is done the better for all concerned.

Mr. President, again the editorial emphasizes my own views, views which I entertained when I asked that the committee go to New Mexico to investigate for itself, because it is quite true that such a committee could "separate facts from prejudices and actualities from propaganda." That is all the citizens of the State of New Mexico ask or desire.

Mr. President, I have in my files numerous letters, communications and newspaper comments concerning the situation. I do not want to take the time of the Senate unduly. I have already spoken longer than I had intended. However, some of these matters are very important. It is important to show, as the editorial which I have read does show, that there is a decided conflict of opinion in the State of New Mexico, that the matter is not settled, that further information is needed, and that it is desirable to have a committee go into the State and learn the facts.

The facts which I have presented, and further facts which the committee would undoubtedly learn, I submit, clearly show that the junior Senator from New Mexico [Mr. Chavez] and I were amply justified in asserting an opposition to the bill and asking that thorough investigation be had. In fact, as the matter appears to me today, I believe we would not have been faithful to our duty to the people of our State if we had permitted the bill to become a law without asking for full and complete investigation.

I ask permission to insert in the RECORD at this point several letters, newspaper clippings, and resolutions which relate to the Navajo situation.

There being no objection, the letters, newspaper clippings, and resolutions will be printed in the RECORD, as follows:

THE TAXPAYERS' ASSOCIATION OF NEW MEXICO,  
Santa Fe, N. Mex., May 4, 1935.

Hon. CARL A. HATCH,  
United States Senate Building, Washington, D. C.

MY DEAR SENATOR HATCH: With reference to the purchase of lands now in private ownership in New Mexico by the Federal Government, the Taxpayers' Association of New Mexico agrees with the contention that no further purchases should be made by the Federal Government of land to be added to Indian Reservations. Such purchases reduce taxable values for State, county, and school purposes in the State and serve as a hardship upon those who are now using land for grazing purposes.

It has been the contention of the Taxpayers' Association that there are certain areas adjacent to national forests which would receive better care and be in the public interest if owned by the Federal Government and made a part of the national forests. One example of this is found in the region near Cloudcroft. There are forest areas in that region which should not be permitted to fall into the hands of private owners for lumbering purposes. One of New Mexico's greatest assets is found in the recreational areas afforded by the national forests. These areas should be enlarged as much as possible and it is our hope that some way will be found whereby the Federal Government may, by purchase or exchange, add lands that are suitable for recreational forests to the national forests.

We join in the protest against the buying up by the Federal Government of large areas of grazing land to be added to Indian reservations or to be used for any other purpose except such as are now served by the national forests.

Very truly yours,

RUPERT F. ASPLUND, Director.

GALLUP, N. Mex., May 13, 1935.

Hon. CARL A. HATCH,  
United States Senator,  
Hon. J. J. DEMPSEY,  
Member of Congress,  
Washington, D. C.

GENTLEMEN: The Taxpayers' Association of McKinley County, of which I am president, is on record as opposed to the extension of the Navajo Indian Reservation, and that opposition has not at any time been withdrawn.

At various meetings that have been held to discuss the proposed extension the taxpayers have not been given a chance to express themselves. Recently a meeting was held in Santa Fe for the purpose of reaching an agreement, but this association had no representative there and we had not been advised of the time of the meeting. It appears that under the agreement reached at Santa Fe, San Juan County secured the elimination of several townships in that county. But McKinley County, practically unrepresented, secured nothing of value.

This county has a heavy bonded indebtedness, and to take thousands of acres of land from the tax rolls will increase the burden on the taxpayers. This is only one of several objections, but it alone is sufficient.

If this bill is likely to come up for passage again at this session, we wish to be given time in which to make our protest stronger.

Our opposition to the extension was recorded in the minutes of a meeting of the association held more than a year ago, of which the Senate committee has a copy.

We cannot conceive of anything more detrimental to the county than this proposed extension, and we wish to express our appreciation to our representatives who have protected us from what we cannot otherwise view than as a curse to the county. We are friendly to the Indians and desire to aid them in every way, but we are against the extension.

Thank you for keeping us advised, I remain,

Very truly yours,

I. H. FORD,  
President, McKinley County Taxpayers' Association.

Résumé of facts concerning Navajo Reservation extension in New Mexico:

1. All meetings have been called on too short notice, due to the fact that very few people in country have phones, a great number of them receiving mail only once a week, and that we have nothing but weekly newspapers, it has been impossible to notify more than a small percentage of the taxpayers.

2. San Juan County has at present 78 townships inside reservations and 77 outside reservations, this 77 including quite a number of Indian allotments which are nontaxable.

3. The Indian Department is at present and has been for a number of years leasing the bulk of the Jicarilla Apache Reservation and the Ute Strip Reservation to white stockmen in San Juan County. Is it fair or sensible to take this valuable land from the tax rolls of the county and give to Indians when they have a surplus of Indian lands to lease in this manner?

4. The Indians at present holding allotments on the proposed strip in San Juan County lease their allotments to white stock-

men for at least 6 months of the year, some of them leasing for a period of 5 years. This should be ample proof that they have more land than they need at the present time. Many of these Indians have no other source of livelihood except for their blanket weaving.

5. The people now using this land have at great expense built reservoirs, wells, corrals, etc., at great expense to themselves and now stand ready and willing to lease these same lands under the Taylor Grazing Act.

6. Indians now living on this strip, if they need more range (which they do not) should lease the necessary acreage under the Taylor Act, just as any other stockman. In that way each individual Indian would get just what he needed, but no surplus of nontaxable land to lease back to his white neighbors.

7. This proposed strip will take approximately 468 square miles out of San Juan County alone; also 30 linear miles and 35 square miles of stock drive which is very necessary for the delivery and moving of livestock in this country. The Government says that this stock driveway will be allowed to stand as it is, but to what use as long as it is inside the reservation.

8. The proposed purchase of 4,000 acres of land just south of Bloomfield, N. Mex., in San Juan County. This is a legitimate buy, but at the same time it removes just that much more land from the tax rolls of the county. It is proposed to water and improve this land for the benefit of the Indians. Had the Indian Department not bought this land, it would in all probability have been watered and improved for the white man. If not, it pays a nice sum in taxes to the county, as it is being used by a white stockman.

9. This county is at present unable to keep school teachers paid without Government aid, and taking this land from the tax rolls will greatly endanger our school system, of more importance to the country than the few additional miles the Indians will gain by the extension.

10. The Government representatives promise that they will build roads and telephone lines to the day schools; if and when built, will be of no benefit to the taxpayers of the country, for the reason that these lines will go from Crown Point to the day schools and be of benefit to no one except possibly the trader near the school.

11. Government representatives promise that there will be no further extensions asked for. Have these gentlemen the authority to guarantee the actions of some future Commissioner or administration?

12. We find on personal contact with the taxpayers that they are practically 100 percent opposed to this extension. We are sending Senator HATCH a petition that represents not more than 2 hours' work and is a 100-percent sign-up by those to whom presented. We feel that this is representative of the feeling all over the country. The only persons whom we have found who favor the extension bill are those few who have some personal ax to grind—mostly those who are in the Indian Department or doing some kind of work for that body.

13. If this extension is made there will be a large number of stockmen who will just have to quit, as it is a well-known fact that the public-domain grazing land is stocked to the limit; hence they will have no other place to go.

14. At the meeting held in Durango recently the Government representatives stated that there were only two sections of State school land being leased by stockmen. We have a letter from Mr. Vesley, our State land commissioner, in which he shows that there is in reality 46 sections of school land being leased by white men, and these sections are all improved at great expense.

15. We are glad to state that Mr. Clarence Iden, of Las Vegas, N. Mex. (president of the New Mexico Taxpayer Association), will be in Washington Monday the 29th and will represent us in this matter. He will represent not only San Juan County but the whole State in opposing this proposed extension.

Senator CARL A. HATCH.

DEAR SIR: We wish to take this opportunity to thank you for your assistance in this matter and assure you that you have our whole-hearted support in continuing your opposition to this bill, which we feel is very unfair and unreasonable.

Yours respectfully,

FRUITLAND TRADING CO.

THE FIRST NATIONAL BANK OF ROSWELL,  
Roswell, N. Mex., July 31, 1935.

Senator CARL A. HATCH,

Washington, D. C.

MY DEAR HATCH: I see from the newspaper reports that the plan is on to add some seven or eight hundred sections of land to the Navajo Indian Reservation. Now, this matter was up when I was Governor, and I went into it fairly and furnished all the data to Senator Jones, who beat it at that time. Also, I think it was up once since that time, and was beaten. If this goes through, it will not only deprive many old settlers who have been living there for 50 or 75 years, but it will take some 200 sections of our school lands, all of which is leased for grazing or for minerals, and we have the mineral rights to all those sections.

The Government, of course, proposes to give us lieu land for these sections, but they haven't any lieu lands left of anything like equal value. As you probably know, the State of New Mexico has in round numbers 13,000,000 acres of State land, about 8,000,000 of which belongs to public schools and the balance to the various institutions. All of this has been selected land, except

a few outlying sections in place such as 16, 36, 2, and 32. For all such sections that were on land grants and the Indian reservations, etc., they have given us lieu lands, which were all selected lands.

What I am getting at is the fact that the Government only has in round numbers 13,000,000 acres of unappropriated land in New Mexico, and this is cull land, naturally, as all the others have been selected lands, including the homesteads. Therefore, any kind of a trade that the State will make with the Government we will get the worst of it. Our last legislature foolishly offered an amendment to let the land commissioner trade our State lands for the Government lands, but it has come up for a vote on the 17th of September, and, of course, this has to be approved by Congress, and I hope we can beat such an amendment here and that Congress will not insist upon such a transaction.

The Taylor bill is making enough trouble; and if carried out along the lines as now proposed, it is going to be bad for the stockmen and will put many of them out of business.

I have no interest in this whatever, except my interest in New Mexico, as I am not in the stock business nor the land business.

I hope you folks will do all you can to protect us in this emergency.

Yours very truly,

J. F. HINKLE.

#### INDIAN ALLOTMENT AND RESERVATION LANDS

There is now pending before the Congress of the United States an act entitled "The Navajo Boundary Bill", which will greatly increase the Navajo Indian Reservation, thereby taking out of taxation a large amount of privately owned land in northwestern New Mexico and working an extreme hardship upon those people engaged in the livestock industry in that area.

We urgently request that our Representatives in Congress work diligently in defeating this measure, and further request that the Indian allotment law be repealed at the present session of Congress.

There is now withdrawn, by Executive order, a million and one-half acres adjoining the Navajo Reservation, which prevents this area from being incorporated within the Taylor Grazing Act.

We respectfully urge that this Executive withdrawal order be relinquished and the land involved placed under the administration of the Taylor Grazing Act.

(Adopted by the New Mexico Cattle Growers Association at annual convention, Silver City, N. Mex., Mar. 6 and 7, 1936.)

#### SAN JUAN LIVESTOCK ASSOCIATION STILL OPPOSING EXTENSION—AGAINST ENLARGEMENT OF RESERVATION, THESE LETTERS SHOW

That the San Juan Basin Livestock & Grazing Association, of Durango, has not altered its position in opposing the extension of the Navajo Indian Reservation is shown by the following correspondence. This is contrary to the report that the association had acquiesced to the extension.

The New Mexico Wool Growers Association, recently in session at Roswell, passed a resolution against it. McKinley County stockmen are likewise against extension. So far as the livestock industry is concerned, opposition to extension is practically unanimous.

MARCH 21, 1935.

Mr. J. E. WILLIAMS,

Gallup, N. Mex.

DEAR SIR: Acknowledging receipt of your letter of the 19th, in answer to one written by myself under date of March 16.

It would appear to the uninitiated that some people make statements that suit the occasion and for a particular purpose. One cannot help but believe that certain individuals interested from several angles in the promotion of the proposed extension of the Navajo Indian Reservation will resort to any kind of method in order to hoodwink the people in acquiescing in the views. They do not want it to appear that they have made a failure in their undertakings.

I am enclosing a copy of letter which is self-explanatory. We have at no time rescinded from the stand therein taken.

Yours truly,

SAN JUAN BASIN LIVESTOCK & GRAZING ASSOCIATION,  
By C. L. RUSSELL, Secretary-Treasurer.

Senator BRONSON CUTTING,  
Congressman EDWARD T. TAYLOR,

Washington, D. C.

GENTLEMEN: Calling your attention to letter under date of February 27 relative to a certain resolution passed in which it might appear that the San Juan Basin Livestock & Grazing Association had authorized such action, permit the suggestion that meeting was called at the special instance and request of officials of the Indian department upon short notice, and not by the association. And any action taken at such meeting did not voice the sentiments of this association, and such meeting was not called by the association, and if so construed was not a legally called meeting of either its members or board of directors and consequently the association and its members could not be bound by any action taken at such meeting. It was the sentiment of those present, with the exceptions therein noted, and is binding upon those present, some of whom were not members of this association, and not upon any others.

A meeting of San Juan County (N. Mex.) stock growers was held in Farmington, N. Mex., March 4 upon request of the San Juan County Livestock and Grazing Association for the sole and only

purpose of explaining to the stock growers there present the purposes and objects of said organization and the benefits to be derived from membership therein.

At this meeting extraneous matters were brought up and considered. There were 42 present, other than members of the association. A motion was made and carried, with but one dissenting voice, requesting the secretary of this association to address you, advising that those stock growers present were going on record as unqualifiedly opposed to any extension of the Navajo Indian Reservation at this time or at any future period. It was brought out at this meeting that San Juan County, N. Mex., embraces 155 townships, of which 78 are in the Navajo Indian Reservation, all to the detriment of the State of New Mexico, the County of San Juan, and the stock growers of said county and State and those outside stockmen who winter-graze in said county, should this proposed extension go through.

Also, at this meeting, a petition was presented by taxpayers in and around Fruitland and Waterflow, in San Juan County, protesting the extension of said Navajo Reservation, and it was requested of the secretary of this association that he forward same to you. The original of said petition being enclosed in letter to Senator Cutting. You will note therein they have 36 signers secured within a radius of 3 miles and within 45 minutes of time spent in securing same. It was claimed to be a 100-percent signing within the area mentioned.

We wish it fully understood that this letter represents the sentiments of those stock growers present at this meeting and is the authorized expression of the San Juan Basin Livestock & Grazing Association. However, this association still stands by its opinion expressed in telegrams and letters of dates prior to February 27, which were authorized by our board of directors. We believe that all stock growers and taxpayers are entitled to express their views in relation to this proposed extension of said Indian reservation and that their opinions should be given serious consideration.

This letter is addressed to you at the request of the stock growers present at the meeting held in Farmington last Monday. It is to be hoped that you will give them the same consideration as is given the representatives of the Indian Department, who are anxious to put over their program of extension.

Yours very truly,

SAN JUAN BASIN LIVESTOCK AND GRAZING ASSOCIATION,  
By C. L. RUSSELL, Secretary-Treasurer.

Mr. HATCH. Mr. President, to show that opposition to the Navajo boundary bill is justified, I now desire to present for the consideration of the Senate a letter which I have just received from a very eminent citizen of my State, a man who is my personal friend, an attorney, a former judge of our supreme court, and at one time Republican nominee for Governor of our State. I rate him as one of the most outstanding men in the State of New Mexico from the standpoint of legal ability, honor, integrity, and public-spiritedness. I desire to read the letter which he wrote, not in my behalf but because of articles appearing in the newspapers stating that my colleague and I were perhaps unduly objecting to the passage of the bill and that there was no sentiment in New Mexico to support our action. The letter is addressed to Hon. LYNN J. FRAZIER, chairman of the Committee on Indian Affairs.

Mr. LEWIS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from New Mexico yield to the Senator from Illinois?

Mr. HATCH. I yield.

Mr. LEWIS. Before the Senator reads the letter, may I ask whether the committee which the Senator from New Mexico and his colleague ask shall enter into New Mexico for investigation means the Senate Committee on Indian Affairs or a special committee?

Mr. HATCH. Under a resolution which I am informed was adopted sometime ago, the Committee on Indian Affairs of the Senate was authorized to send a subcommittee into our State to examine into such questions. We are not asking that the full Committee on Indian Affairs go, but that a subcommittee authorized by the committee shall do so.

Mr. LEWIS. No expense for a junket is involved?

Mr. HATCH. None whatsoever, except what would necessarily be entailed by the trip of such a subcommittee.

Mr. LEWIS. I thank the Senator.

Mr. HATCH. The letter to which I have just referred reads as follows:

ALBUQUERQUE, N. Mex., June 3, 1936.

Re Navajo boundary bill.

Hon. LYNN FRAZIER,

Chairman of the Senate Indian Affairs Committee,

Senate Office Building, Washington, D. C.

MY DEAR SENATOR FRAZIER: The Associated Press, under a Washington date line of yesterday, carries a story of a statement made

before your committee yesterday by T. M. Pepperday, publisher of the Albuquerque Journal, in which it appears (1) that Mr. Pepperday advised your committee that the State of New Mexico is entirely in favor of the immediate passage of the pending Navajo boundary bill, and (2) that he charged Senators HATCH and CHAVEZ with political motives in urging a postponement of action. The Associated Press story is somewhat meager as to details, and on that account I may misconstrue the purport of Mr. Pepperday's statement, though from the information contained in the story it seems that the foregoing is the gist of what Mr. Pepperday said.

On the point of the opinion of this State as to desirability of the passage of this bill, you are advised that at a meeting of the land-use committee of the New Mexico State Planning Board, held last July, at which were present representatives of the Bureau of Indian Affairs, both from Washington and from local points, and in pursuance of a request from the Bureau of Indian Affairs that our committee endorse the Navajo boundary bill, we went into the subject with a great deal of care, and thereupon unanimously adopted a recommendation with respect thereto, copy of which I enclose.

I do not intend to express any personal opinion as to the merits of the bill, nor do I undertake to advise you as to the opinion of the people of New Mexico other than as expressed in the recommendation just mentioned. I also enclose copy of another recommendation made at the same meeting with respect to the Federal land purchases in the State, which the Bureau of Indian Affairs at that time was claiming the right to administer for the benefit of the Indians, since that subject is so closely connected with the one now under consideration.

In order that you may form an idea as to whether or not the land-use committee is in a position to express a State-wide opinion, you are advised that it is an official committee appointed by the State planning board, and consists of the Commissioner of Public Lands, the State game and fish warden, a representative of the New Mexico Cattle Growers Association, a representative of the New Mexico Wool Growers Association, a representative of the State game protective association, a representative of the University of New Mexico, a representative of the New Mexico College of Agriculture and Mechanic Arts, a representative of the Department of Agriculture, a representative of the Department of the Interior, and myself, representing the Southwestern Conservation League. The committee is recognized by the Department of the Interior as the agency through which the Division of Grazing under the Taylor Act cooperates with the State. These members come from widely separated portions of the State, and, as you see, represent various and divergent interests. The two recommendations above mentioned were adopted unanimously, except that the representatives of the Departments of Agriculture and Interior on the committee, at their request, were excused from voting.

The committee had no interest in any political motives, if any, that may be influencing Senator HATCH or Senator CHAVEZ in the position they have taken against the bill, but, aside from any such, since copies of these recommendations were sent them at the time of their adoption, I think you will agree they had substantial support from the State for their position.

From several newspaper stories I have seen it appears that collateral matters are being injected into the picture which will not assist your committee in arriving at a proper solution of your problem, and I fear Mr. Pepperday's statement has a tendency to confuse rather than to clarify the matter.

Respectfully yours,

C. M. BOTT,  
Chairman, Land-Use Committee, State Planning Board.

The resolutions referred to were in opposition to the Navajo boundary bill.

I think I have said all I should say about the matter at this time, except that there is a very serious problem which was called to my attention day before yesterday to which I must divert my attention for a moment, because it may involve the welfare of all the Navaho people in New Mexico.

Mr. President, perhaps you are not familiar with the program which the Commissioner of Indian Affairs has adopted in my State—a soil-conservation program of vast importance, but by which the Navaho people have been induced to reduce their herds very greatly. I have no criticism of the program, and I believe the Commissioner is acting with all the wisdom he possesses in what he believes to be the best interests of the Navahos; but on Saturday an article appeared in the New Mexico newspapers to the effect that the Navahos now face an increased reduction, which will make a total reduction of 56 percent in their herds, and that the land management director declares that this reduction is necessary for ranges. It is said that this additional increased reduction in the herds is to be put into effect about the first of September.

Mr. President, I hope that statement is not correct. I hope the Commissioner of Indian Affairs will not insist upon further reducing the herds of the Navaho Indians, because

the people who are closest to the Indians, the people in that State who, in my opinion, know more about the Indians than do anyone else, tell me that the reduction is altogether unnecessary, and that it will amount to a great injustice not only to the Indians but also to the people of New Mexico as a whole.

I have in my hand a letter which was written on June 6—last Saturday. It came by air mail today. It is from Mr. Clarence Iden, president of Gross, Kelly & Co., a large wholesale grocery house in Las Vegas, N. Mex. In this letter Mr. Iden comments on this particular question and makes this firm declaration:

The Navajo Reservation is not overstocked, and in my frequent trips over the reservation I hear much from the Indian of the serious plight in which he is already placed, due to reduction in his sheep and goats, and many of the families are now down to the point where the returns from the sheep they still have are not sufficient to enable the Navaho and his family to exist.

In the light of that information, I hope the Commissioner will not insist on a further reduction of the Navaho herds.

I could speak a great deal longer on this subject. Many things have been said lately which do not appeal to me. There have been declarations that the citizens of New Mexico represent predatory interests which are preying on the Indians, and that the stockmen, cattlemen, and sheepmen of my State are, according to some alleged charges, thieves, stealing the cattle and stock of the Indians. I am not going to comment on that charge at length, as I should like to do, but I shall say that I know the cattlemen and the sheepmen in New Mexico. I know the homesteaders, the farmers, business groups, and the citizens of every part of the State. I know that any man, whoever he may be, who insinuates or charges that they are not high-class, honorable citizens, speaks that which is not fair or just to them. The citizens of New Mexico are honorable and high-class people, and they are not thieves preying on the Navahos or any other group of citizens.

Finally, let me again say my only concern is to have the Navajo boundary settled fairly to all. To accomplish that I am willing to cooperate with all agencies of government, the officials, and citizens of my State. I believe an investigation by the committee will be helpful, but whether it is or not my opinion is that the early part of the next session will see this question finally settled fairly to all. That, Mr. President, is my purpose and my desire.

Mr. CHAVEZ. Mr. President, I have heard more about the difficulties of the Navahos in the city of Washington than I have heard in New Mexico in a lifetime.

I believe I understand the orderly procedure by which Congress passes legislation; and I should not take the time of the Senate this afternoon were it not for the fact that it appears that a bureau of the Government, instead of trying to follow the orderly procedure so long recognized by the Congress, would pass legislation by methods of propaganda, by misinforming the unsuspecting, and by trying to put the citizens of my State in a bad light.

Mr. President, there is now pending before the Senate Committee on Indian Affairs Senate bill 2213, better known as the Navajo boundary bill. This bill was not introduced by the senior Senator from New Mexico nor by the junior Senator from New Mexico. It is my recollection that no Senator or Representative from New Mexico at any time has ever introduced a bill of the purport of Senate bill 2213, which comes before Congress by departmental request.

The Committee on Indian Affairs, on account of the controversial aspect of the proposed legislation, has decided to make a complete investigation of the subject matter, and consider the measure from the standpoint of the Indian, the stockgrower who has been grazing his stock in the area affected, the revenue from taxes that will be lost to the State of New Mexico, and which will naturally affect the schools of that area, and give the matter the committee's best attentions, and try to bring before Congress a bill that will meet the approval of the Indians and the whites.

Evidently, however, the Indian Commissioner is not willing to trust a committee of Congress to handle the proposed legislation, for there appeared in the New York Times a special article with a Washington date of June 5, with headlines as follows:

Says Navahos face death in land grab. Collier charges livestock barons in New Mexico are starving the Indians.

It is further stated that the Navaho Indian Tribes are in danger of extermination because some livestock barons and Senator CHAVEZ, of New Mexico, are holding up action on the Navajo boundary bill, which would give the Navahos, mind you, exclusive right to an additional 2,000,000 acres of New Mexico grazing land. Anyway, that is the effect of the Indian Commissioner's charges. On behalf of the livestock growers of New Mexico, on behalf of the State of New Mexico, on behalf of the taxpayers of the State, on behalf of the schools of the State which I in part represent, and on behalf of the Navahos, I resent the ridiculous and absurd but nevertheless serious charges of the Indian Commissioner.

The tribe is not in danger of extermination except as it may be swallowed up by the Indian Bureau. When the Navahos were placed in the particular area they now occupy in New Mexico, there were only about 13,000 of them. Now, Mr. President, there are something like forty or forty-five thousand Navahos. That fact alone disproves the Indian Commissioner's charges that ruthless and barbaric white men of New Mexico are exterminating the Navahos.

Mr. President, New Mexico, if any State in the Union, has a right to be proud of its treatment of the Indians. From the time of Spanish occupation, through Mexican rule, and since American sovereignty, the Indians of New Mexico have been treated better than the Indians in any other section of the United States. They are still living, which is more than can be said for the Indians of many other sections of the United States.

The article proceeds to state that Secretary Ickes has said he fears bloodshed as a result of a tense situation created among the Indians. The honorable Secretary evidently knows very little about New Mexico, and his informants have neglected to give him correct information. There will be no bloodshed except in the vivid imagination of those who would perpetuate themselves in bureau power. There is no doubt in my mind but that plenty of Indians would love to scalp politically the Bureau head of the Indian Service. I have in mind particularly a well-known and prominent lady of my State, who accuses the Indian Bureau of interfering with her domestic tranquillity, she being married to an Indian; and there is no doubt but that she would like to scalp, politically anyway, the Indian Commissioner.

Mr. President, there is a tense situation among the Indians; but it has been created by the Bureau itself, by its despotic and arrogant efforts to make the Indians subservient to the Bureau's whims and caprices. The Navahos inform me that there has been hunger in some instances, but it has been brought about by the ruthless efforts of the Indian Bureau to cut the Navahos' herds, reduce their number of cattle, reduce their sheep and goats, and if they are hungry it is because the Indian Bureau may prefer them to eat South American canned corned beef when the Indians prefer their own goats.

This is a matter of my own knowledge; for the Indian Bureau cut down the number of their goats and their sheep and their cattle, and at the same time has in the past shipped South American corned beef in cans to the Navajos. They, being good Americans, prefer their own goats to John Collier's corned beef from South America.

The fear of bloodshed exists only in the mind of the Bureau. A majority of the white population of that area come from every State in the Union. A vast number are from the State of Utah. These former residents of Utah are hard-working, family-loving, God-fearing citizens, and I resent either the insinuation by the Secretary of the Interior or by the Commissioner of Indian Affairs that there is going to be any bloodshed by the fine native people of

my State or those who come from Utah, from Texas, from Missouri, and from the State of the Senator now presiding over the Senate [Mr. LEWIS in the chair]. I happen to know some citizens in that region from the State of Illinois, and I know they are not going to kill any Indians.

The Indian Bureau need have no fear that that class of citizens will annihilate anyone. I have received a telegram from Mr. Jacobs, president of the Northwest Growers Association. He is not a livestock baron.

Mr. President, our stock growers are poor, practically down and out, and to have them considered as grasping barons and land grabbers is more than New Mexico can stand, even from an officious Indian Commissioner. Mr. Jacobs has lived among the Indians for years and he called Secretary Ickes' statement of an uprising ridiculous. The Governor of my State refers to the statement as amusing.

A tense situation does exist, and, as stated before, has been brought about by the present Indian Commissioner of the Bureau. Let us see for a moment what the Indians themselves, Navaho Indians, think about the situation. There is issued in the city of Washington a publication known as the American Indian. It is published by the Southwestern Tribal Council of American Indians, with offices at San Diego, Calif.; San Jacinto, Calif.; and Farmington, N. Mex., in the midst of the Navajo area. Let us see what the Navahos complain about.

The article is headed "Situation Among Navahos Bewildering."

Tragedies in the great Navajo country are being enacted today which are without parallel during the last 60 years—since the United States made treaties with their powerful chiefs in 1868.

The article discusses what is said by the people who live in the Indian country, both Indians and their white neighbors.

Those who live in the Indian country, both Indian and his white neighbor, attributes the mental uprising of the Navaho to the pressure being put on certain districts because the whole tribe of some 44,000 administered the Wheeler-Howard bill a crushing defeat. The Navaho people, always an independent and proud race and an outstanding example of Indian thrift in sustaining themselves by their sheep and weaving, refused to be intimidated or rushed. It is now coming to light that the proud Navaho people had not accepted Mr. Collier's policies and sweeping changes which he put over in such quick order following his appointment in 1933.

The mistakes made with the Navahos were similar to those made in many other Indian areas—arbitrarily ignoring the desires of the Indians themselves—inexperienced officials bent on making the Navahos fit their plans, instead of the sensible rule of consulting the Indian.

Probably the leading cause of the split between the Bureau and the Navaho was the glaring mistake of closing all of the six agencies, to which they had been accustomed for so many years.

Authority on Indian affairs is quoted:

Mr. M. K. Sniffen, of the Indian Rights Association, which has at times shown the courage befitting its name, visited the Navaho country last fall and brought back a record full of mismanagement and inefficient rule.

Mr. Sniffen found the citizens of Gallup (formerly referred to as the Indian capital) frankly criticizing the New Deal (Indian) being handed the Navaho. He put the question, "What do you think of the Navaho situation now?" to some of the leading merchants of the thriving city, and got such answers as, "It is a mess." "It is one h—l of a mess." This able writer traveled some 2,500 miles in the Navajo country during his 3 weeks' investigation "with ears and eyes wide open", and concludes with the words, "My informants had been conservative in their description of conditions."

#### A PROGRAM OF FREAKS

Persons interested in the present officials of the Indian Bureau should read the full report of Mr. Sniffen, but there may be trouble in locating a copy because all available copies were grabbed and destroyed.

We quote these New Dealers (Indian) who seemed charged with putting over the program on the Indians, seemed to be a group of supereducated freaks or sentimentalists, almost fanatical in their admiration of their misconception of old Indian life, Indian culture, and its sufficiency for present-day conditions; they appeared to hold that the Indian could do no wrong—in effect, putting him on a pedestal to be glorified. They were preaching an impossible idealism, and if those who knew how foolish all this was tried to hold the New Dealers (Indian) down to earth, they were guilty of treason.

I proceed to read something of what the Indians think of the Bureau. The point I am seeking to make is that it is not the particular bill to which reference has been made that makes the Indian dissatisfied, but it is the treatment he has been getting from the Indian Bureau itself. I read further from the American Indian:

Recently Commissioner Collier went out to the Indian country to induct Mr. Freyer into office, and the praises with which the ceremony was marked would lead one to believe that the new man had a lot of political pull, even if he did lack experience and judgment befitting the office.

What Freyer lacked in wisdom, apparently, he decided to make up in speed and action, and he promptly trained his guns on the Shiprock district where the Navaho had displayed such courage in defeating the Wheeler-Howard Act.

What I shall read now indicates that the information which the senior Senator from New Mexico [Mr. HATCH] has is correct, that what the Indians want is not more land but more water:

Some 3 years ago an irrigation project was started on the San Juan River near Shiprock, and it was understood that tribal funds would complete the job, with ditches, etc. Indians were happy and promptly agreed to donate some of the labor, and which they did. They are unanimous, practically, in claiming the Bureau engineers in charge volunteered the plan of allotting to each family 20 acres of irrigated lands under the ditch. In the early part of last January, so the Navaho people state, a meeting was called by the Bureau officials for the purpose of carrying out the agreement. The Bureau official in charge appointed an Indian committee of three to whom was given the power to allot the lands out as the plan called for. There was no dissenting voice, they claim, and the task was completed.

However, in the early part of April, following his appointment as general superintendent over the tribe of 44,000 Navahos, Mr. Freyer sent his representative to Shiprock and proclaimed that the orders from Freyer called for only 10 acres for each family, and that in addition those who accepted the assignment of the 10 acres would have to dispose of their sheep and goats. If they kept their flocks, however small, they could have no land. The Indians, rightfully, were indignant.

They are indignant, just as Mr. Collier says, but it is not against their neighbors, the whites, it is not against their own people, but it is against the Bureau; and they have a right to be indignant. I read further:

Superintendent Freyer decided to take a hand in the irrigating allotment matter and called a meeting of Indians and proceeded with his staff to Shiprock, where he met with the chapter officers and interested Indians. He announced his policy; it called for only 10 acres and required that anyone who took the land must sell his sheep and goats. Indians were shocked, and, when they protested in an orderly but frank manner, Freyer, we are advised, was frantic.

He pounded his fist on the table and said that the Indians can object or oppose the program from now on till doomsday; it is going to be carried out. He meant the sheep reduction will continue along with the balance of his program.

If they are hungry, if they have nothing to eat, why should they not be indignant, when the Indian Commissioner insists on taking away their goats, their sheep, and their cattle?

Listen to this:

And while it can readily be seen that Agent Freyer does not know his Indians, he is adept in Bureau methods, for he resorts to practices of the dark past and sends poisoned propaganda over the Nation accusing certain Indians and traders of inciting the natives into an uprising of violence and bloodshed.

That is the information we have.

We can also see Commissioner's cunning hand in the news story, for he says, "We know whom to blame."

In this instance he prefers to put the blame for any uprising in New Mexico on the poor cattle grower or sheep grower in my State. We are not going to stand for it, so far as New Mexico is concerned.

Again, if the Indians are hungry, it is because the Bureau has taken away their stock and the Bureau does not keep its promises. But we could be more practical—abolish the Indian Bureau, get rid of thousands of Bureau agents who are sapping the very lives of the Indians and who are receiving good salaries and a per diem, when in the field, of the money that is appropriated by Congress for the Indians' use.

The personnel in the Bureau of Indian Affairs is becoming so vast that it will not be long before we shall have a larger

personnel in the Bureau than there are Indians. I should not wonder if the Indians would starve under such conditions. So there is complaint and righteous indignation among the Indians, but it is not against their white neighbors. It is against the Bureau. Catholic priests, Presbyterian ministers, clergymen of every denomination from New Mexico, have stated to me that the lot of the Indian in the State is in many respects desperate, and lay the blame at the door of the Indian Commissioner. There is not a tribe, either nomadic or pueblo, that is satisfied with the way Indian matters are being handled by the Indian Office. Taos is in a turmoil, not against its neighbor or the whites but against the Indian Bureau. The same thing may be said of Santo Domingo. This complaint is not confined to the Indians in the State of New Mexico or to the citizens in the State of New Mexico.

In the CONGRESSIONAL RECORD of May 20, page 7619, Representative AYERS, from the State of Montana, is recorded as follows with reference to the Indian Bureau:

The efforts of the Indian Department, Mr. Speaker, is not to rehabilitate the Indians over the United States, but, on the contrary, the Indian Department is trying to communize and retard the Indian in this country. From a humanitarian point of view and from a development and constructive point of view I firmly believe that the Indian Bureau is the biggest handicap we are confronted with in our public affairs today. During my 4 years in Congress this Bureau has been the surprise of my life. Its every effort is to take the Indian backward and not forward.

The Bureau's only objective is to build up its own organization and its own personnel at the expense of the Indian, whom it is supposed to help and advance.

The same day, May 20, a statement was made by the good lady from the State of Arizona, Hon. ISABELLA GREENWAY, a noble figure, the intelligent Representative from the State of Arizona, who knows the Indians, who knows the stockmen, and knows the citizens of her State. What does she say with reference to the Bureau of Indian Affairs? Speaking for the RECORD on the same date, page 7619, Mrs. GREENWAY said:

Mr. Speaker, it has been my privilege to serve on the Committee on Indian Affairs, and I am glad my colleague the gentleman from New York brought up the issue of the history of the unstable policy over many years and the extravagance of that Bureau. I think it should be carefully and finally abolished, and the Indians should be given the privilege and opportunity of actual citizenship instead of subsidized isolation as a nation within a nation.

That is the situation in the State of New Mexico. We are not having any difficulties with the Indians. New Mexico for hundreds of years has treated the Indians better than has any other State of the Union. The fact that the Indians reside in the State of New Mexico, that they live with the white people there, can go to school and take their chances of life like the rest of us, if it were not for the Bureau of Indian Affairs, indicates that New Mexico has not treated the Indians so badly as some have contended. We certainly resent any propaganda to a different effect being sent out from the city of Washington.

The trouble with the Indian in this country today, the handicap under which he suffers, is that there is too much Washington, instead of letting him solve his own problems. What good does it do Congress to appropriate thousands of dollars to send the Indian to school in Phoenix, in Albuquerque, in South Dakota, or Wisconsin, and train him in your way and my way of living, and then bring him to Washington and put feathers on him?

I know more Navahos by their first names than do both the Secretary of the Interior and the Commissioner of Indian Affairs. Those Indians desire to take advantage of American education, American ideas, and try to fit themselves into American citizens to follow American traditions and ideals. They hate to be pampered. They do not wish to be pitied. They wish the Congress of the United States to give them real justice, and not bureau justice. They desire honest-to-goodness, first-class American justice, and if they get that there will be no complaint from the Navahos in the State of New Mexico.

The Indian Commissioner asserts that a handful of wealthy livestock operators who are factors in New Mexico politics are responsible for the Indians' plight. I resent that charge. I have stated heretofore that in our State we have

no wealthy livestock operators. Our livestock operators are decent citizens from every State in the Union. That is the class of citizens living in a neighborly and peaceful fashion with the Navahos. Politics has not entered into this matter in any way whatsoever. I know several stock growers in that vicinity who happen to be of Republican tendencies, but I resent the intimation that they are using political methods just because they dare to try to be at peace with the Indians and at the same time try to exist.

Mr. Collier makes the charges that these livestock operators have used whisky to persuade desperate and starving Indians to surrender their breeding stock and thus lose their land allotments. That is another "pipe dream" of the Indian Commissioner. Our whisky problem among the Indians is not any different than our problem with any other class of citizens, and the Department of Justice and the United States court in the State are trying to meet it. It is not the white man's fault any more than it is the Indian's. An indication of this is the fact that at the last sitting of the United States grand jury for the district of New Mexico a report of conditions was made to the court, and it recommended that if the Government really desired to stop liquor traffic with the Indians the Indian purchaser should be subject to penalties as well as the seller.

Mr. President, I have personal knowledge of what I am about to say. There are some Indians in the vicinity of Gallup, N. Mex., who, of course, do not represent the Indian ideas of the Navaho Tribe, but, nevertheless, have become so accustomed to testifying before the United States courts on pretended violations of liquor laws that just as soon as a deputy marshal arrives at Gallup they come running around to inquire whether he is looking for them, so that they may go at Government expense to Albuquerque and to Gallup, living at Government Indian schools and hospitals, but collecting their per diem from the Government. The Government takes them to Santa Fe. The Government pays them to go there. However, as I said, they stay in an Indian hospital or an Indian school. Those Indians do not represent the majority. The Navaho Indians are just like the rest of the citizens of this country, good, bad, and indifferent; no better, no worse.

Mr. Collier proceeds in his statement to the New York Times to say that only by permitting the purchase with Navaho tribal funds of 530,000 acres held by whites in northwestern New Mexico can Indian sheep herds be rehabilitated and Indians again win a living. That statement tells practically the whole story as to the opposition, which is not a divided opposition, but is a solid opposition from the State of New Mexico to a bill which will not take into consideration the rights of the Indians and the rights of the whites.

Mr. President, New Mexico is a poor State so far as revenue is concerned, but it is a progressive State. We are getting new citizens. We are getting people from every State of the Union, from Illinois, from Massachusetts, from Idaho, from Texas, from Wyoming, from all over the country. We wish to provide schools for their children. We desire to give them good schools. However, if the Bureau of Indian Affairs, in its mad effort or idle dream to do I do not know what, proceeds to take away all our private lands, where are we going to get the money with which to put those schools in operation? It is a problem.

When it is said that the State of New Mexico is for the bill in its present form, those who say so are not stating what is correct. Representatives from our State university, our State agricultural college, the State land commissioner, our Governor, our taxing authority, the president of the State game commission, the president of the State Taxpayers' Association, a representative of the Wool Growers' Association, a representative of the Cattle Growers' Association are members of our State planning board; and they have to worry, Mr. President, about revenue in our State. They adopted a resolution opposing the bill in its present form.

All that the senior Senator from New Mexico and all that the junior Senator from New Mexico desire is simply to proceed in an orderly way by having a committee of this body

go into my State and investigate the Indian problem, investigate the effect of taking away lands from our tax rolls, the effect it would have on our schools, and then come back and present to the Senate a bill which we could all accept.

I very much resent the fact that efforts are being made by the Indian Commissioner to try to force me, and even to force the Congress, to accept a bill by giving fantastic stories to the newspapers of the East.

I may say, in conclusion, that I will welcome the Senator from Texas [Mr. CONNALLY] to the State of New Mexico. There will be no bloodshed there whatsoever. I will even take him among the Indians, and he will hear no complaint against the whites or the Indians, but I should not be surprised if he should hear plenty of complaints against the Indian Bureau.

Mr. President, I ask to have printed in the RECORD at this point, as a part of my remarks, an editorial published in the Albuquerque Tribune of June 3, 1936.

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

The editorial is as follows:

[From the Albuquerque (N. Mex.) Tribune of June 3, 1936]

GET THE FACTS

The Tribune does not believe the Navajo boundary bill should now be passed pending an impartial investigation, one unaffected by partisan political animosities in New Mexico.

We do not like the rush act of Secretary Ickes and Commissioner Collier. If white stockmen are debauching the Indians with whisky and taking their herds and lands as Commissioner Collier charges in a signed statement in the New Mexican then the remedy is not immediately in passage of a bill by Congress but directly in the hands of Mr. Collier's law-enforcement agency.

There has been opposition from the Navahos to some of the Collier policies on the reservation. The new controversy comes shortly after that opposition has been openly expressed. Let us find out what it's all about. Let the Senate dig into the basis of excited charge and countercharge.

The Ickes-Collier statement that an uprising impends is either highly serious or it is inexcusably inflammatory. We think the latter.

It is vital to the welfare of New Mexicans, Indians and non-Indians, that the senatorial investigation be conducted at the earliest possible moment. The committee need spare no one.

MESSAGE FROM THE HOUSE—ENROLLED BILLS AND JOINT RESOLUTION

A message from the House of Representatives by Mr. Haltigan, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution:

S. 1073. An act for the relief of Louis Finger;

S. 3818. An act to provide for the adjustment and settlement of certain claims for damages resulting from the operation of vessels of the Coast Guard and Public Health Service;

H. R. 4688. An act to authorize the operation of stands in Federal buildings by blind persons, to enlarge the economic opportunities of the blind, and for other purposes;

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

H. R. 7690. An act to authorize the coinage of 50-cent pieces in commemoration of the two hundred and fiftieth anniversary of the founding of the city of Albany, N. Y.;

H. R. 8234. An act to authorize the coinage of 50-cent pieces in commemoration of the one hundredth anniversary of the founding of the city of Elgin, Ill., and the erection of a heroic Pioneer Memorial;

H. R. 8271. An act to amend the act entitled "An act to insure adequate supplies of timber and other forest products for the people of the United States, to promote the full use for timber growing and other purposes of forest lands in the United States, including farm wood lots and those abandoned areas not suitable for agricultural production, and to secure the correlation and the most economical conduct of forest research in the Department of Agriculture, through research in reforestation, timber growing, protection, utilization, for-

est economics and related subjects, and for other purposes", approved May 22, 1928;

H. R. 8455. An act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes;

H. R. 9183. An act to provide for the extension of the boundaries of the Hot Springs National Park in the State of Arkansas, and for other purposes;

H. R. 11533. An act to authorize the coinage of 50-cent pieces in commemoration of the seventy-fifth anniversary of the Battle of Gettysburg;

H. R. 11687. An act to amend the Federal Aid Highway Act, approved July 11, 1916, as amended and supplemented, and for other purposes;

H. R. 11920. An act to increase the efficiency of the Air Corps;

H. R. 12329. An act to reenact section 259 of the Judicial Code relating to the traveling and subsistence expenses of circuit and district judges;

H. R. 12848. An act to provide an additional place of holding terms of the United States district court in the eastern district of Kentucky, and to amend section 83 of the Judicial code, as amended; and

H. J. Res. 467. Joint resolution authorizing the erection of a memorial to the late Haym Salomon.

CIVIL SERVICE AND THE ROOSEVELT ADMINISTRATION

Mr. O'MAHONEY. Mr. President, there has recently been introduced by the senior Senator from Wisconsin [Mr. LA FOLLETTE] and myself a bill (S. 4747) to extend and improve the civil-service system. It is, of course, impossible to expect action at this session of Congress; the day of adjournment is too close at hand and the subject is one of such far-reaching importance that it merits much closer study than could be afforded now. Because of that fact, however, and in order that there may be a formal record of the proposal, I feel that I am justified in taking the time of the Senate this afternoon to discuss certain aspects of this measure and of the civil-service problem in general.

It is only proper to say at the outset, with respect to this bill, that it has been discussed in various phases with Representative RAMSPECK, of Georgia, the distinguished chairman of the Committee on Civil Service of the House, and with others, in and out of Congress, who have recognized the need of additional legislation in this field. That title of the bill which has to do with the extension of the civil-service law to postmasterships of the first, second, and third classes is, except for minor modifications of language, the same measure which was jointly introduced in the House and in the Senate at the last session by the able chairman of the House Committee on Post Offices and Post Roads, Hon. JAMES M. MEAD, of New York, and myself. My own attention was first directed to the drafting of such legislation early in the present administration when I was serving as First Assistant Postmaster General under Mr. Farley, the very efficient head of the Post Office Department. He had been directed by Mr. Roosevelt to have a study of the subject made, and inasmuch as the division of postmaster appointments is under the jurisdiction of the first assistant, the task fell to my lot. The original bill was the result.

Much to my amusement, let me say, the measure immediately provoked partisan criticism from gentlemen who, throughout the long years their party was in power, had lifted never a finger to extend the merit system in the Post Office Department. "The bill is not to go into effect until January 1, 1938," they said, "so that all postmasterships may be filled with Democrats in the meantime."

The thought in my mind in fixing the effective date at January 1, 1938, was to invite Republican support, by postponing it beyond the presidential election, so that, in the unlikely event of the success of the Republican candidate, an opportunity would be afforded the new President to make certain that the principles of the merit system would apply with respect to any Democratic appointee. Thus was a gesture of good faith made the occasion of attack by those who

when they were in power were quite content to rock along with what they now call the spoils system.

SUMMARY OF THE MEASURE

The measure which the senior Senator from Wisconsin and I present goes much further, however, than the inclusion of postmasterships in the classified civil service. It undertakes a complete revaluation of the personnel system of the Government. Briefly it may be summarized as follows:

First. It extends the civil service to all postmasterships.

Second. It expressly authorizes the President to bring within the classified civil service by Executive order any position or group of positions in any executive agency, whether or not expressly excluded by law, except those which are for specified terms and those which are in temporary emergency establishments.

Third. It creates a Federal personnel council under the chairmanship of the head of the Civil Service Commission to coordinate the personnel administration of the entire executive branch of the Government.

Fourth. It provides for a general survey and report by the council on the extension to all bureaus, establishments, and agencies of the Classification Act of 1923, the law by which salary grades are fixed.

With respect to postmasterships it will be sufficient to say that only fourth-class offices, namely, those of which the receipts are less than \$1,500 annually and in which the postmaster's salary cannot exceed \$1,100 per year, are now under the civil-service law, the postmasters being appointed by the Postmaster General from eligibles selected by the Civil Service Commission. All other offices, of which the first class consists of those having annual receipts of \$40,000 or more, the second class of those having receipts of from \$8,000 to \$40,000, and the third class of those ranging from \$1,500 to \$8,000 are Presidential. That is to say, they are filled for terms of 4 years by Presidential appointment. From the earliest times it has been customary for the Postmaster General to recommend to the President for appointment the candidates suggested by Members of the House or, when a district is represented by an opposition Member, by some other official spokesman of the party in power.

President Wilson set aside this tradition and provided by Executive order that candidates should be tested by the Civil Service Commission and that the person standing highest on the list of eligibles should be appointed without regard to any other consideration, political or otherwise.

WILSON'S MERIT ORDER CANCELED

This order was canceled by President Harding immediately after his inauguration and the system of partisan selection was restored. Though the Civil Service Commission was still required to examine candidates, it was directed to certify the names of three eligibles, and a method was provided for the disqualification of persons certified by the Commission. During the short session of Congress immediately preceding the beginning of the Harding term the Republican Senate refused to confirm the nominees of President Wilson, selected by the strict merit system, thus preserving the vacancies to be filled by the incoming President according to the old rule. In strict accordance with the traditional practice, Democratic postmasters whose terms had not expired were requested by the hundreds to resign. The new administration went through the lists, and within a year little vestige was left of the Wilsonian influence and idealism. It is the representatives of the regime which actually destroyed the merit system that now hurl the charge of "spoils" at Mr. Farley and the Roosevelt administration. I ask these critics to name the administration Republican Senator or Representative, or the Republican Cabinet officer who, in the years from 1921 to 1933, even suggested the restoration of the merit system in the selection of postmasters.

MR. ROOSEVELT TAKES MERIT STAND

At the beginning of this administration the attention of the President was devoted to matters much more pressing than the selection of postmasters, but at the very outset he

gave instructions that no postmaster should be removed without cause before the end of his term. If he had done nothing else, President Roosevelt by this order—and it was one that applied to every appointive office in the Government—established a new precedent in the treatment of partisan opponents. A change of administration had always previously meant an almost complete change of official personnel. Not only postmasters but United States attorneys and marshals, land-office officials, and all the others who had gained their offices by politics expected to and did lose them by politics—and that immediately. There was no such expulsion under Mr. Roosevelt. Every official confirmed by the Senate who was rendering proper service was allowed to finish his term. And this was the rule under Mr. Farley, as it was under every other Cabinet officer serving in the present Cabinet, and without regard to when the appointment was made.

During the campaign of 1932 one or two of the Assistant Postmasters General under Mr. Brown went through the country summoning the postmasters to conferences at certain central points and instructing them with respect to the political activity and cooperation that was expected of them. We knew about these meetings. We knew who participated in them and we knew what was done afterward. But the participants were not proscribed by Mr. Farley or the President, and no removals were made except upon actual showing of cause and investigation by postal inspectors.

It is proper to say here that the inspection service is the only one in which it is permitted to determine the political affiliation of the employees. It had long been felt that the best interest of the Government would be protected by maintaining equal representation of both major parties among inspectors, and President Wilson issued an Executive order on February 16, 1917, requiring the inspection service to be thus fairly divided. Mr. Burleson, Postmaster General under Mr. Wilson, was scrupulous in his demand that the equal division of inspectors between the two parties be maintained. Under his successors the Democratic proportion declined to a marked degree, and when this administration began, although the Executive order with force and effect of law was still unrevoked, there were only 165 Democratic inspectors out of a total of 540. Under Mr. Farley the old rule of fair and equitable division has been restored, and at this very moment, out of 555 postal inspectors under the so-called arch spoilsman there are only 242 Democrats as compared with 313 Republicans. It was to this inspection service, the morale of which has been completely restored by the friendly, fair, and efficient rule of Mr. Farley, that the investigation of all postmaster-removal cases has been referred.

Having thus directed that postmasters be permitted to serve out their terms and changing the Executive order governing the selection of candidates for appointment to restore the provisions of the Wilson order permitting the recommendation of persons in the Postal Service without examination, the President formally requested Mr. Farley to survey the problem and make recommendations for the amendment of the law so that the selection of postmasters would no longer have to depend on unstable Executive orders.

As already indicated, bills were introduced by Representative MEAD and myself more than a year ago. Another bill was introduced by Representative RAMSPECK, of Georgia, and was reported favorably by the Committee on Civil Service. Called on the calendar, it was objected to, on behalf of the Republican minority in the House, by Mr. RANSLEY, of Pennsylvania. President Roosevelt has made clear his desire for the enactment of legislation placing the selection of postmasterships upon a firm basis of merit, so that every postal employee, on entering the service, may look forward to winning the highest posts.

That this is in fact the goal of the present administration may be judged from the circumstance that the Assistant Postmaster General in charge of postal equipment, including post-office buildings, is a civil-service career man who has devoted 38 years of his life to the Postal Service, rising from a humble clerkship to membership in the little cabinet,

Mr. Smith W. Purdum, of Maryland. In this connection it may be worth remarking that during Mr. Purdum's incumbency as an Assistant Postmaster General the whole vast, country-wide program of post-office construction has been under way.

POLICY TOWARD TEMPORARY AGENCIES

Let me turn now to the second phase of the new bill authorizing the President by Executive order to extend the civil-service law and regulations to any position or group of positions in the Government except those in temporary emergency agencies and positions which, under law, have specified terms. The reason why the temporary executive agencies are excluded will, of course, be immediately apparent. To bring such agencies into the civil service would be a long step toward making them permanent branches of the Government and certainly would constitute a serious obstacle to their demobilization when their purposes have been served.

No one, I am sure, will dispute the statement that it is highly desirable that every temporary agency be eliminated when the necessity for its existence has passed. Everyone will agree that the tendency of Government bureaus is to perpetuate themselves if possible. It must be perfectly obvious, therefore, that to give a classified civil-service status to such positions would only contribute to extend unnecessarily the life of the bureaus affected.

I am aware that an effort is being made to mislead the public on this point, and that certain political leaders whose object is to discredit the administration, and certain spokesmen for Federal employees who have an interest in maintaining a huge personnel in Washington, have been hurling the cry of "spoils" at the administration because some of the new agencies are not under the civil service. Through the daily press and the weekly and monthly magazines, over the radio, and from the releases of the Republican National Committee the country has been hearing the lamentations of those who profess to believe that the merit system, built up through long years of painstaking care, is now in danger of extinction at the hands of this administration.

It is difficult for me to believe that the charge is made in good faith, for its responsible purveyors well know why these establishments could not and should not have been created on the permanent civil-service basis.

In the first place, the emergency that confronted the President was in actual truth the most critical that has beset this Nation since the Civil War. The economic crisis threatened the immediate welfare of every community and of every citizen. Action was the need of the hour. The President had to move into battle without delay. To have allowed the setting up of his agencies to wait until the Civil Service Commission had issued its notices and held its examinations would have meant disaster, for these formalities often take months.

REPUBLICAN POLICY UNDER THE R. F. C.

It was, therefore, provided that they should be set up without regard to the civil-service law. But it was not the Roosevelt administration that established this precedent. It followed one already marked out for it by the Hoover administration. When the Reconstruction Finance Corporation was created by act of Congress, approved January 22, 1932, it was specifically written into the law that the Corporation should have the power to choose its employees without regard to any of the civil-service laws.

With what grace can gentlemen of the opposition who approvingly watched President Hoover pursue this policy with respect to the R. F. C., criticize the same course of action as "spoils" when followed by President Roosevelt?

Mr. CONNALLY. Mr. President—

The PRESIDING OFFICER (Mr. SCHWELLENBACH in the chair). Does the Senator from Wyoming yield to the Senator from Texas?

Mr. O'MAHONEY. Certainly.

Mr. CONNALLY. May I suggest to the Senator that President Wilson, when he originally put into effect by Executive order the regulation that postmasters should be exempt, provided that the highest eligible should be appointed auto-

matically, irrespective of politics whatever; but President Harding, who came into office in March 1921, issued a new Executive order providing that the Postmaster General should appoint any one of the three highest eligibles, without any requirement as to relative rank. The Senator may draw his own deductions as to why that was done.

Mr. O'MAHONEY. The Senator is correct. It might be interesting to point out that under that rule of President Wilson numerous Republicans were appointed throughout the country because they happened to be first upon the eligible register, and were confirmed by the Senate.

Mr. CONNALLY. In my old congressional district, in the second city in the district, that very thing occurred. The highest eligible was a Republican, and President Wilson insisted that he be appointed, though quite a number of eligible Democrats were on the list.

Mr. O'MAHONEY. That happened in my own home city of Cheyenne. The gentleman who was then appointed by President Wilson and confirmed by the Senate is still the postmaster, and was recently again confirmed by this body.

In the second place, some of the establishments were created by Executive order under authority of the appropriation bills which provided for the emergency. These organizations expire with the funds that were made available for them. How perfectly absurd it would have been to have made them permanent civil-service agencies!

Consider, for example, the Works Progress Administration, which seems to be a favorite target for attack. This instrument of government exists only so long as the appropriation which supports it. Yet the critics who condemn the administration for maintaining it at all also condemn the administration for not having given its employees the same permanent status as those who carry the mails. In other words, in the same breath they condemn the establishment of the unit and condemn the fact that it is not a permanent establishment.

Demobilization of the admittedly large establishments brought into existence by the emergency would have been almost impossible had it been given the protection of the permanent civil service. For the same reasons that made it unwise in the beginning, it would, in my opinion, be positively against the public interest now to cover these agencies into the civil service. We can more quickly balance the Budget—an objective that is alleged to be dear to the hearts of the opponents of the New Deal—by keeping them out. Accordingly, in this bill authority to extend the civil service to temporary emergency agencies is withheld.

Mr. President, I cannot too strongly condemn the wholly unwarranted effort of the foes of this administration to create the impression that the Roosevelt administration has ladled out thousands of positions with political influence and political patronage as the only requisite for appointment. Nothing could be further from the truth. We have kept on a temporary basis the services which should be temporary, and we have placed under the civil service those establishments which were intended to be permanent.

NEW PERMANENT AGENCIES UNDER CIVIL SERVICE

I have here a list of agencies in which practically all positions have been placed under the civil service either by act of Congress or by Executive order of the President during this administration. The list includes:

The Securities and Exchange Commission.  
Federal Communications Commission.  
The Railroad Retirement Board.  
Bituminous Coal Commission.  
Motor Carrier Bureau of the Interstate Commerce Commission.  
Social Security Board.  
Labor Relations Board.  
Public-utility regulation under the Wheeler-Rayburn Act.  
Soil Conservation Service.  
Alien Property Custodian.  
Farm Credit Administration.  
United States Railroad Administration.  
Central Statistical Board.  
Certain positions in C. C. C. camps.

The act establishing the Securities and Exchange Commission carried this paragraph:

\* \* \* and the Commission may, subject to the civil-service laws, appoint such other officers and employees as are necessary in the execution of its functions and fix their salaries in accordance with the Classification Act of 1923, as amended.

The act setting up the Federal Communications Commission said this:

The Commission shall have authority, subject to the provisions of the civil-service laws, and the Classification Act of 1923, as amended, to appoint such other officers, inspectors, attorneys, examiners, and other employees as are necessary in the execution of its functions.

The Tennessee Valley Authority was one of the agencies set up outside of the provisions of the civil-service requirements; but let me quote from the act establishing it:

In the appointment of officials and the selection of employees for said Corporation, and in the promotion of any such employees or officials, no political test or qualification shall be permitted or given consideration, but all such appointments and promotions shall be made on the basis of merit and efficiency. Any member of said Board who is found by the President of the United States to be guilty of a violation of this section shall be removed from office by said Board.

It is generally agreed by competent and fair-minded critics that the Tennessee Valley Authority has been as successful as any organization possibly could be in selecting personnel on the basis of merit and merit alone. Certainly politics has had no part in the selection of employees.

Another bureau temporarily exempted from the civil service was the Rural Electrification Administration, which is performing a unique and very necessary function in the rehabilitation of the farming areas of the country. The system of selection has been functioning so well that it won the approbation of the senior Senator from Nebraska [Mr. NORRIS], a friend of the merit system, in these words:

The organization has a system, which, so far as I can see, comes very near being perfect. While they have not been under civil service, no employees have been selected until they have demonstrated their capacity to perform the duties they are going to be called upon to perform.

#### CHARGE OF "SPOILS" UTTERLY UNWARRANTED

The charge that the Roosevelt administration has proceeded to break down the civil-service system is based upon a series of allegations appearing in the press and magazines, every one of which was made by writers who failed to obtain the facts before proceeding to indict the administration. Typical of this kind of misrepresentation was the charge that Mr. Roosevelt, during the first 21 months of his term, issued 3 Executive orders transferring to the exempt class 2,448 civil-service positions in the classified service. The figure is altogether misleading, for 1,145 of these persons were employees of the Prohibition Bureau, which, on July 26, 1933, was transferred to the Department of Justice. They were in exempt positions under President Hoover in the Treasury Department, and they continued in exempt positions when Mr. Roosevelt transferred them to the Department of Justice; so actually there was no change of status. Incidentally, a large number of these persons were originally Republican political employees who are still in the employ of the Government. The other changes were likewise made for service and not for political reasons.

Those who have misrepresented this situation to bring a false charge against the President have conveniently ignored the fact that during the same period he issued Executive orders transferring 8,511 positions from the exempt to the classified service. Certainly, if there was any move afoot to undermine the merit system, those transfers would not have been made.

I wish here and now to brand as utterly unfounded and unfair the charge that only persons who were politically aligned with this administration were given employment in the temporary agencies established by the Federal Government. Every Senator in this Chamber knows that there has never been an administration in history which has been so generous as the Roosevelt administration has been in employing persons of merit, regardless of party affiliation.

Literally thousands of Republicans who held office under previous administrations have been continued at their posts, and the files of the Federal Government show that to be the fact. Literally thousands of others who were Republicans or of other political faith were employed after this administration came into power.

I say that the Roosevelt administration lived up to its promise to establish the temporary emergency agencies on a nonpartisan basis and to conduct them with the sole thought in mind of doing what was best for the great mass of American people.

#### MERIT AND TRAINING IN THE A. A. A.

The Agricultural Adjustment Administration, one of the emergency organizations established by Congress outside of the civil-service law, is an excellent illustration. It had a specific job to do, a technical piece of work upon which depended the prosperity and the future happiness of the entire farming community of the country. The program was placed in charge of trained men and women—and I may add that perhaps a majority of them were enrolled Republicans, drafted from the agricultural colleges and universities of the country—and they were given an absolutely free hand in working out the task which was before them. Certainly there is not a man in the United States who can truthfully say that the A. A. A. was ruled by partisan Democratic politics. On the contrary, we know that many Democrats in the farming areas complained that they were actually excluded from its administration while the key positions had been handed over to the lifelong Republicans. I can hardly imagine anything further from spoilsmanship than that.

#### OLD AGENCIES OUTSIDE OF CIVIL SERVICE

To those who assume that these emergency agencies were the first to be excluded from the civil-service law, let me say that even permanent establishments have been frequently exempted in the past. A classic example is the Bureau of Investigation in the Department of Justice. With the exception of some fingerprint experts, it has never been under the civil-service system; but that does not mean that the Bureau of Investigation is not operated under the merit system or that it is a prey to the spoilsman. Far from it, as the events of the past year or two have amply demonstrated.

The Bureau is under the efficient direction of Mr. J. Edgar Hoover, who has shown great personal interest and meticulous care in the selection of personnel. I have never heard any demands from Mr. Hoover or others that his Bureau should be placed under the civil service. The success of the Bureau of Investigation in tracking down the public enemies of the Government is proof positive that it can operate in meritorious fashion as it is now constituted.

The Secretary of the Treasury years ago was authorized by Congress to employ persons for special and technical services in the Public Health Service without regard to the civil-service laws. Likewise the Bureau of Narcotics was established by the act of June 14, 1930, outside of the civil-service laws. The Supervising Architect of the Treasury in 1930 was granted like authority for specific services. The Census Act of 1929, passed by a Republican Congress, provided that supervisors and enumerators might be employed without regard to the civil-service law.

Mr. President, perhaps the most serious charge hurled against the Roosevelt administration in connection with the civil service is that when it came into power the morale of every technical service in the Government was badly crippled or destroyed because the members were immediately made subject to the spoilsman's raid. One writer, without a vestige of fact to sustain him, said the charge was proved by the large overturn in personnel in those bureaus. A reporter for the New Republic went to the Congressional Directory for the answer to that charge. Here is what he wrote:

Thumbing through these volumes it will be found that the ranking personnel of the Bureau of Chemistry and Soils is the same now as 3 years ago; in the Weather Bureau there has been only one change during the intervening period, Willis R. Gregg, who was Acting Chief at the beginning of 1933, having been promoted to Director; two changes have taken place in the Bureau of Standards during the past 3 years, both caused by death, and both filled by promoting workers who had long service records;

in the Food and Drug Administration two new jobs have been created, and both of these were filled by promoting old employees, but otherwise there have been no important changes.

Thus fully and effectively is the allegation of spoilsman-ship answered.

Mr. President, I assert without qualification that no administration in the history of the country has been more loyal to the principle of merit in public service than has this. True, an effort has been made to prevent sabotage in the New Deal agencies by guarding against the appointment of Republican political workers. There have been those who were willing to seek and accept employment in New Deal agencies while at the same time working against the New Deal program, and it was only the exercise of common sense to try to exclude them—an effort which, I regret to say, has not been wholly successful.

#### EFFICIENCY IN THE POST OFFICE DEPARTMENT

I cannot leave this phase of the subject without referring again to the Post Office Department, because it is under the guidance of Mr. Farley, out of whom the reckless critics of the administration would make a bogeyman to frighten the guileless. In the June issue of the *Union Postal Clerk*, official organ of the National Federation of Post Office Clerks, I find an article by Mr. Thomas Quinn Beesley, executive director of the National Council of Business Mail Users, an organization which is interested in postal efficiency and not in politics, in which he produces figures to show that personnel efficiency is greater now than at any previous time in the history of the Post Office Department. I quote:

In fact, if the chart had gone into minute detail, it would reveal a still more surprising picture of what has happened from 1931 to 1935. If the same ratio of employees had been maintained in that period, there would have been 39.8 more employees in 1935 than in 1931, where actually—in 1934—there were 22,000 fewer. In other words, the actual net increase in efficiency during that period is really higher than the chart shows.

Justice requires that this compliment be shared with the management of the Department in that period of 1933-34. I am sure no one will begrudge it.

One could scarcely ask for a better demonstration that the morale of the employees of the Post Office Department has not been undermined by the present administration. As a matter of fact, there is a better feeling now among the civil servants in the Postal System under Mr. Farley than at any time in many, many years.

It is true that there are fewer employees now than in 1930, but that reduction has been due not to any "raid" upon the merit system, as opponents of the Roosevelt administration pretend, but to the fact that by the terms of a law signed by President Hoover on June 30, 1932, the departments were prohibited from filling any vacancies which existed on July 1, 1932, or occurred thereafter unless the President himself should certify that an appointment was necessary in the public interest. By the operation of this and similar laws the post-office personnel was reduced from 250,222 on June 30, 1932, to 236,927 on June 30, 1935. Incidentally, prior to October 1, 1933, post-office buildings were under the Treasury Department. They were transferred to the Post Office Department on that date. The change, together with the large number of new buildings constructed in the public-works drive of this administration, brought 11,000 new positions into the Postal Service, and every one of them is under the civil-service merit system. This alone is conclusive proof that the charge of spoils is baseless.

#### POLICY-FORMING OFFICIALS

In considering the public service, Mr. President, it should not be overlooked that the President of the United States is the only official who is selected directly by all the people. Members of the Senate and of the House are chosen by only part of the people to represent the several States and congressional districts. All other Federal officials are appointed. In these circumstances, it must be clear that if the people are to maintain control of the Government so that its policies may be changed when the people desire them changed, all officials who exercise a policy-shaping authority should be directly under political control. In no other way may the people protect themselves against bureaucracy and preserve

their inherent right to maintain complete control over their own Government. It is for this reason that the new civil-service measure expressly reserves from the President the authority to put in the permanent civil service positions for which specific terms are provided by law. These are the officers through whom the President must act in a purely political capacity when he receives a mandate from the people.

All other employees, however, should have permanent tenure during efficient service. The Government needs highly trained intelligence and sound character, all on a basis of impartial merit, so that there shall be in fact "equal rights for all and special privileges for none" in the service of the people's Government.

To obtain this, our bill provides for a personnel council and for a personnel official in every department and independent establishment. Each of these officials, and the executive secretary of the council itself, we would require to file a sworn statement that he will administer the duties of his position without regard to either personal or political favoritism; this because personal favoritism exercised by officials in key positions is a far greater menace to the merit system than so-called political patronage.

This measure is presented at this time, Mr. President, in the belief that it will offer a basis of study for all who are interested in promoting the efficiency and protecting the integrity of our Government as an instrument of popular progress. While the President has not had the opportunity of studying this particular measure, we may be assured that any measure passed by Congress, intended and designed to improve the merit system, will receive the sympathetic support of President Roosevelt.

The enactment of the bill presented by Senator LA FOLLETTE and myself—or some similar one—is inevitable. In the meantime, I trust that we have had an end of untruthful charges that under this administration the civil-service system has been allowed to languish either through the imroads of the spoilsman or through neglect.

President Roosevelt has an incomparable record for appointing officials to office on the basis of merit and without regard to merely partisan affiliations. He can safely stand on that record.

Mr. President, I ask unanimous consent that the bill to which I have alluded be printed in the RECORD at this point as a part of my remarks.

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

S. 4747

A bill to extend the civil-service laws, to establish a Federal Personnel Council, and for other purposes

*Be it enacted, etc.*

#### TITLE I—EXTENSION OF CIVIL-SERVICE LAWS TO POSTMASTERS

SECTION 1. On and after January 1, 1938, all postmasters shall be appointed, without term, by the Postmaster General in accordance with the provisions of the act entitled "An act to regulate and improve the civil service of the United States", approved January 16, 1883, as amended.

SEC. 2. (a) Subject to the limitations contained in section 3, appointments to the positions of postmaster of the first and second class shall be made by the promotion of any employee of the Postal Service employed at the vacancy office who is found by the United States Civil Service Commission to be duly qualified, except that the incumbent postmaster may be reappointed if the Postmaster General recommends said incumbent and the Commission finds, by a noncompetitive examination, that he is qualified for such appointment: *Provided*, That when the Postmaster General certifies to the Commission that no employee at such office is duly qualified and the incumbent postmaster shall not be found to be qualified by the Commission, appointment may be made, unless otherwise provided in section 3, of any person who satisfactorily completes an open competitive examination held by the Commission.

(b) Appointment to the position of postmaster of the third class shall be made by the appointment of any person who satisfactorily completes an open competitive examination held by the Commission, except that the incumbent postmaster shall be re-appointed if the Postmaster General recommends said incumbent and the Commission finds, by a noncompetitive examination, that he is qualified for such appointment.

SEC. 3. (a) Except as hereinafter provided, no person shall be appointed to the position of postmaster of the first or the second class who has not actually resided within the delivery of the office

to which he is appointed, or within the town or city where the same is situated, for 1 year next preceding the date of such appointment.

(b) The provisions of paragraph (a) of this section shall not apply to an appointment to the position of postmaster at a post office having annual gross receipts of \$1,000,000 or more, but no person shall be eligible for an appointment to such position who has not had (1) at least 4 years' actual experience in the Postal Service as a postmaster in a post office of the first class, or (2) at least 4 years' actual experience as a classified civil-service employee in a supervisory capacity in the Postal Service or as a postoffice inspector, or (3) at least 4 years' actual experience in an executive position in which he had supervision of not less than 250 employees.

(c) In any case in which an open competitive examination is held for the position of postmaster in any post office having annual gross receipts of less than \$1,000,000 and the Civil Service Commission finds no person with the residence requirements provided for in paragraph (a) of this section who is eligible to take such examination, the Postmaster General may appoint to an office of the first class any classified civil-service employee who satisfactorily completes such examination and who has had at least 4 years' actual experience in a supervisory capacity in the Postal Service or as a post-office inspector, and he may appoint to an office of the second class any such employee who satisfactorily completes such examination and who has had 3 years' such experience.

SEC. 4. The tenure of office of any postmaster appointed prior to January 1, 1938, shall not be affected by any provision of this Act.

SEC. 5. The Postmaster General may remove any postmaster from office in accordance with the provisions of section 6 of the act of August 24, 1912 (37 Stat. 555).

SEC. 6. (a) Effective January 1, 1938, the proviso of the first paragraph under the heading "Office of the First Assistant Postmaster General", of section 1 of the Post Office Department Appropriation Act for the fiscal year ended June 30, 1922, approved March 1, 1921, as amended (U. S. C., 1934 ed., title 39, sec. 39), is amended to read as follows: "Provided, That whenever the office of a postmaster becomes vacant, through death, resignation, or removal, the Postmaster General shall designate some person to act as postmaster until a regular appointment can be made; and the Postmaster General shall notify the United States Civil Service Commission and the General Accounting Office of the change. No person so designated shall serve for more than 6 months from the date of his designation except with the approval of the Civil Service Commission. The postmaster so appointed shall be responsible under his bond for the safekeeping of the public property pertaining to the post office and the performance of the duties of his office until a regular postmaster has been duly appointed and qualified and has taken possession of the office. Whenever a vacancy occurs from any cause the appointment of the regular postmaster shall be made without unnecessary delay."

(b) Effective January 1, 1938, section 31 of the Post Office Department Appropriation Act for the fiscal year ended June 30, 1880, approved March 3, 1879 (U. S. C., 1934 ed., title 39, sec. 63), is amended to read as follows:

"SEC. 31. Any person designated by the Postmaster General to perform the duties of postmaster at any post office shall receive for the term for which he performs such duties the compensation to which he would have been entitled if he were regularly appointed as postmaster: *Provided, however*, That whenever an employee in the classified civil service is so designated to perform the duties of a postmaster he may receive either the compensation of the postmaster, or the salary provided for his position in the classified civil service, whichever is the greater."

SEC. 7. Effective January 1, 1938, section 6 of the Post Office Department Appropriation Act for the fiscal year ended June 30, 1877, approved July 12, 1876, as amended (U. S. C., 1934 ed., title 39, sec. 31), is repealed.

## TITLE II—EXTENSION OF CIVIL-SERVICE LAWS TO GOVERNMENTAL AGENCIES

SECTION 201. Notwithstanding any provision of law to the contrary, the President is authorized by Executive order to place within the classified civil service as defined by the act of March 27, 1922, (42 Stat. 470), any position or group of positions (other than those for which a definite term is fixed by law and those in temporary emergency branches or agencies created by law or Executive order after March 4, 1933) in the executive branch of the Government which are exempted by law in force on the date of enactment of this act from the provisions of the Civil Service Act of January 16, 1883, as amended (22 Stat. 403).

SEC. 202. The provisions of this title shall also be held to apply to positions and employees in any corporation created under authority of an act of Congress which is controlled or owned by the United States Government, whether or not the employees thereof are paid from funds appropriated by Congress.

SEC. 203. The incumbent of any permanent position which is affected by any Executive order issued under the authority of this title who does not already have a classified civil-service status may acquire such status in his position only upon receiving a new appointment as a result of an open competitive examination held by the United States Civil Service Commission for filling the position, unless the head of the department, executive branch, or corporation having jurisdiction of the position shall certify to said Commission in writing that the incumbent has served with merit for not less than 1 year, in which case said incumbent shall receive a new appointment and acquire a classified civil-service

status upon the satisfactory completion of a noncompetitive examination held by said Commission.

## TITLE III—FEDERAL PERSONNEL COUNCIL

SECTION 301. For the purpose of developing in the Federal Government a more effective and economical system of personnel administration, there is hereby created and established a Federal Personnel Council (hereinafter referred to as the Council), which shall consist of the heads of the several executive departments, the President of the United States Civil Service Commission, the Director of the Bureau of the Budget, the Chairman of the Interstate Commerce Commission, the Administrator of Veterans' Affairs, the Governor of the Farm Credit Administration, the Chairman of the Social Security Board, the heads of such other independent establishments as the President of the United States may designate by Executive order, and a civil-service employee from each of the aforesaid executive agencies to be named by the head thereof. The President of the United States Civil Service Commission shall serve as chairman of the Council.

SEC. 302. The Federal Personnel Council shall (a) establish a liaison system between the Civil Service Commission and the several departments and independent establishments; (b) obtain information and other data concerning the employee training activities of the several executive departments and independent establishments and make arrangements for the coordination of these activities; make available to the executive departments and independent establishments such training facilities as are at its disposal; plan, establish, and supervise such employee training activities and programs as may be deemed advisable; and make such arrangements as may be deemed advisable to permit the representatives and students of colleges and universities of recognized standing and representatives of governmental research associations to observe administrative practices in the Federal service; (c) in cooperation with other agencies and authorities, arrange for the development of a career service in the Federal Government, and encourage the transfer or promotion of competent employees within the Government service by preparing and effecting plans for presenting to authorities in the several departments and independent establishments information concerning the training, experience, and work records of employees of the Federal Government which may be used when appointments to vacant positions are under consideration; (d) through its own studies, or in cooperation with public personnel agencies or associations thereof, obtain information concerning personnel methods, practices, or policies in other governmental jurisdictions, and make such information available to authorities of the Federal Government; through its own studies, or in cooperation with advisory committees composed of representatives of industry, business organizations, or educational institutions, obtain and make available to authorities of the Federal Government information concerning the best developments in personnel administration outside Government service; and make available to the public and to educational institutions authoritative information regarding employment by the Federal Government; and (e) prepare specific plans for the improvement and coordination of personnel administration in the Federal Government and cooperate with such executive departments and independent establishments as may adopt such plans.

SEC. 303. In accordance with the civil-service laws, rules, and regulations, the Council shall employ an executive secretary, who shall be an expert in the field of public personnel administration and who shall receive a salary at the rate of \$10,000 a year. In addition to such other duties and responsibilities as may be assigned him by the Council, the executive secretary shall have charge of all research and administrative functions of the Council, and may appoint and fix the compensation of such persons (not to exceed — in number), either permanently or temporarily, as may be necessary for the proper execution of the work of the Council. Upon the request of the Council, the head of each department, independent establishment, or other executive agency of the Government shall furnish the Council with such data and other information as may be necessary to the work of the Council and shall detail employees to work under the direction of the Council in preparation of the necessary data or information regarding his organization.

SEC. 304. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for the establishment, organization, and annual maintenance and work of the Council: *Provided*, That the Council, without regard to the provisions of any other act, may, after estimate by the Bureau of the Budget and appropriation by Congress, pay the expenses of persons, not in the United States Government service who are experts in some aspect of personnel administration, in attending conferences with representatives of the Council or in consulting or advising with them; purchase manuscripts from, or meet the costs of special studies made by, private persons, corporations, or agencies at the request of, or in cooperation with, said Council; pay the expenses of the representatives of the Council to attend meetings of conferences on personnel matters; and pay membership fees or dues in associations of personnel offices or agencies or in organizations which issue publications to members only or to members at a lower price than to others, payment for which may be made in advance.

SEC. 305. The head of each executive department, independent establishment, and other executive agency of the Government shall create in his organization, if no such position has already

been created, one position the duties of which shall be (a) to supervise and direct the personnel activities of the department, independent establishment, or other executive agency in accordance with such regulations as the head thereof and other duly constituted Federal agencies may prescribe; (b) to plan and supervise training programs for employees; (c) to consult with departmental authorities concerning personnel problems and advise them as to transfers, promotions, and the proper placement of employees; (d) to cooperate with the Civil Service Commission and other authorities in the application of personnel laws pertaining to the Federal service; (e) to supervise the maintenance of personnel records; and (f) to perform such other general duties, not herein specifically mentioned or implied, as the head of the department, independent establishment, or other executive branch shall direct. An incumbent of any position already created, or hereafter created, within the intent of the provisions of this section shall, in the case of a department, independent establishment, or other executive agency the head of which is a member of the Council, serve as the civil-service member of the Council for such department, independent establishment, or other executive agency provided for in section 301 thereof.

Sec. 306. Nothing contained in this title shall be construed to prevent the creation, in the bureaus or other divisions of the several executive departments, independent establishments, and other executive agencies, of such positions, the duties of which may involve the supervision or performance of personnel activities, as are deemed necessary to secure effective personnel administration.

Sec. 307. In order to improve the methods of personnel administration in the Federal Government, and, in particular, to provide a more effective means of regulating and controlling the compensation of employees occupying positions not now subject to the Classification Act of 1923, as amended, it is declared to be the policy of Congress to extend the provisions of said act, as amended, to such positions, including those in the field services, as nearly and as soon as the conditions of good administration will warrant. To this end it shall be the duty of the Council to make a survey of the duties and compensation of all positions and groups of positions in the executive branch of the Federal Government, whether or not they are now subject to the Classification Act of 1923, as amended, and within 6 months after the effective date of this act, to report to the Congress through the President its recommendations as to the extension or further amendment of the said Classification Act of 1923.

#### TITLE IV—COOPERATION WITH STATE AND LOCAL GOVERNMENTS

SECTION 401. The purpose of this title is to enable those States, Territories, dependencies, counties, cities, and other local governments in the United States, which desire to do so, to utilize the services of the United States Civil Service Commission and its employees in the development and operation of the merit system in their respective jurisdictions.

Sec. 402. Upon the written request of any duly constituted public body which is considering the adoption of the merit system of public personnel administration within its jurisdiction, the United States Civil Service Commission may send to that body the person or persons on its staff available and best qualified to consult and advise on those personnel matters regarding which said body seeks advice and guidance: *Provided*, That said body shall pay the necessary traveling expenses of said person or persons and reimburse the United States Civil Service Commission for the salary paid said person or persons for the time he or they were absent from the official work of said Commission and engaged on work for the requesting public body.

Sec. 403. The United States Civil Service Commission is hereby authorized to enter into contracts with any legally constituted public body or any public personnel agency within the United States or its possessions whereby the United States Civil Service Commission will conduct, supervise, or direct research work to advance the personnel practices or procedures of said personnel agency: *Provided*, That said contract shall provide for the payment by such public body or personnel agency to the United States Civil Service Commission of a sum approximately equal to the cost of such work as the Commission may do under the contract on the special behalf of such public body or personnel agency.

Sec. 404. The United States Civil Service Commission is further authorized to enter into contracts with any legally constituted public body or public personnel agency constituted by law whereby the United States Civil Service Commission will give, or will cooperate in giving, at cost, appropriate civil-service examinations for any positions or classes of positions under the jurisdiction of such public body or personnel agency. Said contracts may provide that the United States Civil Service Commission shall supply such public body or personnel agency with special eligible registers of the names of those persons who have passed specified United States Civil Service examinations, said registers to be made up in accordance with the requirements of such public body or personnel agency with respect to such matters as sex, age, residence, veterans' preference, and other factors. Said contracts for special registers shall provide that the legally constituted public body or personnel agency shall reimburse the United States Civil Service Commission for the approximate cost of the additional work involved in the preparation, giving, and grading of necessary examinations and the preparation of said special registers. Nothing herein contained shall be construed as requiring the United States Civil Service Commission to give or cooperate in giving any test or examination that it does not regard as adequate and appropriate for testing the ability of applicants for the positions in which they are to be employed.

#### TITLE V—APPOINTMENTS AND PROMOTION OF CIVIL-SERVICE EMPLOYEES

SECTION 501. Hereafter, in the case of any appointment to a position in the classified civil service there shall be a 6 months' period of probation. At the expiration of such period the services of the appointee shall be automatically terminated unless the appropriate appointing authority shall certify to the Civil Service Commission, on or before the expiration of the probationary period and in accordance with such rules and regulations as the Commission may prescribe, that the appointee is deemed qualified and fit to receive a permanent appointment, in which case such appointment shall be automatically effected at the end of the probationary period.

Sec. 502. In order to improve the morale of civil-service employees and to bring about appointments and promotions on the basis of merit and efficiency, the executive secretary of the council and the personnel officers provided for in section 305 shall, upon entering the duties of their office or, in the case of an incumbent of any such position already created, within 15 days after the date of enactment of this act, file with the chairman of the council a sworn statement that in carrying out the duties of their respective offices they will not appoint or promote, or recommend for appointment or promotion, any civil-service employee on any basis other than that of merit and efficiency, and that in no case will they permit any personal or political favoritism to influence their action. If the council or any of its duly authorized representatives finds, after appropriate notice and opportunity for hearing, that said executive secretary or any of said personnel officers has violated any of the provisions of this section, said executive secretary or personnel officer shall be removed from office.

MR. O'MAHONEY. I also ask that there be printed in the RECORD the memorandum from the Union Postal Clerk, by Thomas Quinn Beesley, containing a statement of the increased efficiency in the Postal Department.

THE PRESIDING OFFICER (MR. SCHWELLENBACH in the chair). Is there objection?

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

[From the Union Postal Clerk, for June 1936]

GENTLEMEN, TAKE A BOW!

(By Thomas Quinn Beesley, executive director, National Council of Business Mail Users)

One glance at the statistics accompanying this article reveals a picture of which every member of the Postal Service should be proud.

It is a picture of steady increase in efficiency—which is another way of saying that for a quarter of a century the employees of the Post Office Department have been making a large and important contribution to the economy and success of its operations.

In saying this, I am not overlooking the credit to which the management of the Department is entitled or the influence of improved methods and facilities. Full allowance has been made for these in advance of compiling these statistics—the purpose was rather to measure the performance of the employees by the standard tests of the business world and rate them by the results—which tell the story beyond question or dispute. The personnel of the Department have certainly been "delivering the mail!"

The value of any summary depends on the reliability of the sources from which the information used in making it was drawn and the method of measurement employed. The summary accompanying this article was based on official statistics of the Government—from (a) the Bureau of Labor Statistics of the Department of Labor, and (b) the annual reports of the several Postmasters General. The method of measurement is the standard formula commonly employed in business—(a) for a sufficient period of time to allow a comprehensive test and present any major variations that might have occurred; (b) in relation to the number of personnel used to do the work during this period; and (c) in relation to the revenues that came in during the period while the work was being studied.

Obviously, unless the unit of output per employee in the Postal Service increased faster than the number of employees, there would be no gain in efficiency. In fact, there might even be a decline.

Furthermore, unless output per employee kept pace with increase in revenues, there would be no gain in efficiency.

Finally, unless there was a steady and notable increase in output for the whole of the period studied, there would be no gain either.

Another glance at the figures will show you clearly what has happened. Let me summarize them briefly here:

1. (Summary A). In 28 years, from 1908 to 1936, the output per postal employee has increased more than two and one-half times, or 259 percent;

2. (Summary B). In 28 years, from 1908 to 1936, while the numbers of employees have increased by a little more than one-half or 52 percent, the unit of output per employee has increased one and one-half times, or 149.4 percent;

3. (Summary C). In 28 years, from 1908 to 1936, the unit of output per employee has actually increased twice as fast as the revenues of the Department, a 100-percent gain as shown by the difference between 259-percent gain in unit output as compared with the 160-percent gain in postal revenues.

The year 1908 was chosen as a matter of necessity, since the first statistical data were collected in that year. Therefore the base for the study, or the 100 percent from which the analysis must start, is the year 1908.

In the 5 years following that starting point, employee efficiency increased 29.5 percent. In the 13 years next following, the efficiency ratio jumped by the handsome total of 144.1 percent. With increased efficiency at this point, the improvement would be expected naturally to slow down as we approached the next point which would be that of maximum efficiency. It might be compared to a distance runner "getting his second wind." From 1926 to 1931, therefore, the rate of gain was 5.3 percent. Coming into the stretch, or final period of the study, 1931 to 1935 inclusive, the speed again picks up, and another gain of 10 percent is recorded, or double that of the preceding 5 years.

It is obvious to anyone comparing these analyses with the records of gains or losses of postal revenue for these periods, that the increase of efficiency came in the periods of greatest growth of the post office.

In the 23 years between 1908 and 1931, the unit of output per employee increased 149.4 percent. In other words, each employee multiplied his work production two and one-half times. Note carefully that the number of employees increased only one-half during this period; note also that revenues were increasing at a faster pace than the number of employees.

At every point of the study, it became increasingly evident that the gain in unit of output per employee would finally be shown to be far in excess of the percentage of gain in revenue. To make sure there was no error, the figures were checked and rechecked by several independent analysts. The results agreed unanimously. The efficiency of the individual employee was a steadily rising line on the chart that began steadily to move away from and ahead of the line for revenues.

In fact, if the figures had gone into minute detail, they would reveal a still more surprising picture of what has happened from 1931 to 1935. If the same ratio of employees had been maintained in that period, there would have been 39.8 more employees in 1935 than in 1931, where actually—in 1934—there were 22,000 fewer! In other words, the actual net increase in efficiency during that period is really higher than the chart shows.

Justice requires that this compliment be shared with the management of the Department in that period of 1933-34. I am sure no one will begrudge it.

In 1913 the number of employees was 301,000 with a revenue of \$226,000,000. In 1934 the revenue was \$588,000,000, and the number of employees was 279,000. To point out the contrast is to paint the lily!

The question perhaps arising in your mind at this juncture is, How did we arrive at the unit of output? Here is the answer:

We divided the number of pieces handled into the cost of production as shown by the Bureau and Department figures. The base was 1908, when the total was 14,567,706,216. In 1926, for example, the number was 35,558,568,500, and therefore the unit of output was 244.1. In 1931 the number was 36,335,675,318, and the unit of output was 249.4. In 1934 the number was 34,337,214,275, and the unit of output was 259.

Certainly the personnel of the Postal Service have done their share to hold down the operating costs of the Department by increasing their output and their efficiency. There is no occasion here to add the obvious further comment that could be made on the way in which the personnel offered their share of the financial sacrifice during the trying economic period before business started its great, present upturn. The record of increase in unit of output speaks for itself, without adding any other praiseworthy factors.

To complete this comment it is worth noting that this study was a wholly voluntary and independent study made by the National Council of Business Mail Users in the summer and autumn of 1935. It was inspired by a desire to analyze the exact relation of the postal personnel to the Department's cost of doing business. The answer is that the postal personnel make a magnificent showing. Gentlemen, take a bow!

Unit of output per employee, U. S. Postal Service, for period shown

[Year 1908=100 percent]

(A) BY PERIODS		Percent
1913		129.5
1926		244.1
1931		249.4
1935		259.0
(B) IN RELATION TO NUMBER OF EMPLOYEES, 1908-31		
Increase in number of employees		52.7
Increase in output per employee		149.4
(C) IN RELATION TO GAIN IN REVENUE, 1913-34		
Postal revenues:		
1913	\$226,000,000	
1934	\$588,000,000	
Percent of gain		160.0
Unit of output per employee:		
1913	129.5	
1934	259.0	
Percent of gain		100.0
Number of employees:		
1913	301,000	
1934	279,000	

NOTE.—All figures used are from Bureau of Labor Statistics and Post Office Department official reports.

#### INTERNAL-REVENUE TAXATION

Mr. LA FOLLETTE. Mr. President, I very much regret that at the time the tax bill was under discussion I did not have in my possession a document which I have since secured, because I think it might have helped to drive home the argument which I was attempting to make. Since the debate was closed on the bill I have secured a photostatic copy of a memorandum which was made in 1923 by Mr. D. H. Blair, then Commissioner of Internal Revenue, to Hon. Andrew W. Mellon, then Secretary of the Treasury.

Some time in 1923, it appears from this memorandum, the Secretary of the Treasury asked his appointee as Commissioner of Internal Revenue to give him a memorandum setting forth some of the various ways by which an individual might legally avoid tax. This appears from the context of the opening paragraph in the memorandum, although I am advised that there is no copy extant in the files of the Department of the request made by the then Secretary of the Treasury, Mr. Mellon.

It seems very significant to me that this request should have asked for "some" of the ways of avoiding tax, and not all, since obviously had it been intended to be used for the purpose of considering legislation to stop avoidance of taxes, no doubt it would have required information concerning all of the ways in which taxes could be avoided. Secondly, it seems very significant to me that the memorandum called only for ways in which an individual might avoid tax, since had the information been desired for purposes of recommending remedial legislation, obviously methods for avoiding corporation and other types of taxation would have been asked for.

Also, Mr. President, I should like to state that it is my information that the evidence in the Government's tax case against Mr. Mellon shows that nearly all of the ways of avoiding tax legally which were set forth in this memorandum of Commissioner Blair to Secretary Mellon were employed by the Secretary himself while he was Secretary of the Treasury and afterward.

Mr. NORRIS. Mr. President, I wish the Senator would elucidate that last remark. The Senator said nearly all of these ways were employed. I ask the Senator whether it is not a fact that he means they were all employed by Mr. Mellon himself in reducing his own taxes.

Mr. LA FOLLETTE. What I meant to say was that I am advised that in the case against Mr. Mellon to collect taxes which the Government claims Mr. Mellon owes the Government, evidence has been adduced to indicate that Mr. Mellon used nearly all of the legal methods of avoiding tax which Mr. Blair furnished him in this memorandum.

I merely wish to take the time of the Senate to read the first method Mr. Blair suggested, and I read two paragraphs:

Pursuant to your request for a memorandum setting forth some of the various ways by which an individual may legally avoid tax I am pleased to submit the following, which has been prepared by a member of the income-tax unit of this Bureau:

A means by which individuals may avoid tax is to permit the earnings of a corporation to accumulate by not making a distribution of its earned surplus to its stockholders. Section 220 of the 1921 law provides that any corporation formed or availed of for the purpose of preventing the imposition of surtaxes upon its stockholders through the medium of permitting its gains and profits to accumulate instead of being distributed there shall be levied a tax equal to 25 percent of the amount thereof which shall be in addition to the tax imposed by section 230; but the fact that the gains or profits are in any case permitted to accumulate shall not be construed as evidence to avoid the tax unless the Commissioner certifies that such accumulation is unreasonable for the purpose of the business. This section has been found very difficult to administer.

I think it will be of very great interest to those who may chance upon this part of the CONGRESSIONAL RECORD to read the other ways Commissioner Blair furnished to Secretary Mellon by which he might avoid his tax.

My point, briefly, is that the principle which the President espoused in his message on March 3 has been attacked in some quarters as being a new and novel idea, and I tried to point out in the remarks which I made that it has been under consideration for a long time. Here is an indication

dating back as far as 1923 that the then Commissioner of Internal Revenue, Mr. D. H. Blair, was pointing out to Mr. Andrew W. Mellon that that was a very good way legally to avoid tax, and I think if Senators will take the trouble to read the annual statements of the so-called "Mellon companies" they will find that all of them have been adopting this procedure ever since.

Mr. President, I ask unanimous consent that the entire memorandum may be incorporated in the RECORD as a part of my remarks.

The PRESIDING OFFICER. Is there objection?

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

TREASURY DEPARTMENT,  
OFFICE OF COMMISSIONER OF INTERNAL REVENUE,  
Washington, 1923.

**The SECRETARY OF THE TREASURY:**

Pursuant to your request (no copy in file) for a memorandum setting forth some of the various ways by which an individual may legally avoid tax, I am pleased to submit the following, which has been prepared by a member of the Income Tax Unit of this Bureau:

A means by which individuals may avoid tax is to permit the earnings of a corporation to accumulate by not making a distribution of its earned surplus to its stockholders. Section 220 of the 1921 law provides that any corporation formed or availed of for the purpose of preventing the imposition of surtaxes upon its stockholders through the medium of permitting its gains and profits to accumulate instead of being distributed there shall be levied a tax equal to 25 percent of the amount thereof, which shall be in addition to the tax imposed by section 230; but the fact that the gains or profits are in any case permitted to accumulate shall not be construed as evidence to avoid the tax unless the Commissioner certifies that such accumulation is unreasonable for the purpose of the business. This section has been found very difficult to administer.

In a case where the stock of a corporation is closely held it is possible for individuals to make loans from corporations and to give non-interest-bearing notes payable on demand to the corporation for such loans, thus escaping the surtaxes which would be applicable to an individual who had received a distribution in the nature of dividends.

A means which is very frequently resorted to by an individual is for him to make a division of his property in the nature of gifts to members of his family, the income from said property would fall in the lower surtax brackets, thus reducing the tax.

By forming a foreign corporation to handle operations in foreign countries and retaining the funds in a foreign country would prevent the United States Government from taxing any profits on sales made to the foreign corporation on goods shipped out of this country.

An individual may reduce his taxes by selling securities or other property which he would not ordinarily dispose of which have depreciated in value, thus taking his loss to apply against other income taxable in a particular year.

It is possible to avoid tax by the sale of property on an installment plan, receiving in exchange an amount in cash less than one-fourth the value of the property and notes for the remainder, payable over a period of years.

Another means very frequently resorted to is for an individual to form a partnership consisting of members of his immediate family, the income from the partnership being taxable to the individual members of the partnership whether distributed or not. The effect of such arrangement would keep the income from falling in the high surtax rates.

It is possible for an individual to avoid tax by deeding property which has appreciated in value to his wife or other members of his immediate family. The profit on the sale would be the same as it would have been in the hands of the donor or the last preceding owner by whom it was not acquired by gift but the effect would be that a wealthy man with a large income would be able to avoid the high surtax rates on such a sale and the profit would be taxed to the recipient of the gift at a lower surtax rate.

By the creation of a trust in favor of minor children by their parents, who are trustees, it is possible to distribute income from securities and other income-producing property and reduce the total tax. It could be said that the trust was primarily created for the purpose of keeping intact the amount received by a parent under a will who desired to pass the entire amount to his children at his death or that the trust was created for the purpose of protecting his family while engaged in a hazardous business. The effect, however, in either case would result in a saving in taxes.

By the forming of a corporation to take over the operations of an individual, the stock in which is either held by the individual who paid for the property or is distributed among those who would be the beneficiaries in the case of his death had the property been held in the name of the individual; the maximum tax paid by the corporation under the 1921 act would not exceed 12½ percent and the surtaxes to the stockholders would not apply to any portion of the undistributed income.

It is possible where stock of a corporation is closely held and the corporation may own assets which have appreciated in value and which the individual stockholders desire to sell for the purpose of realizing a profit to form a trust taking over the assets of the corporation, the trust then disposing of the assets at a profit

which profit would be distributed among the members of the trust who were also former members of the liquidated corporation. The effect in reducing the taxes would be the amount of tax the corporation would have to pay in case the assets had been sold by said corporation.

To make investments in tax-exempt securities is a means of large savings in taxes to taxpayers of considerable wealth.

D. H. BLAIR, Commissioner.

**REGULATION BY CONGRESS OF AGRICULTURE, COMMERCE, INDUSTRY, AND LABOR**

Mr. ASHURST. Mr. President, the purpose of a government pretending any practical excellence is to make the life of its people more useful, easier, more graceful, and more nearly secure.

Americans believe it is the duty and function of our Government to concern itself with protecting the civil and political rights of its citizens, and that to protect the civil and political rights of citizens was the principal and controlling reason why our Government was established.

The fact that the American Government would use all of its resources to resist and repel any hostile invasion is eloquent evidence that our Government concerns itself with the physical safety of the citizen.

It is confusing to attempt to define "economic independence" and "economic security." As a rule those persons who are temerarious enough to try to define these phrases usually render them more indistinct and obscure.

For the purpose of this address, therefore, in order not to be too venturesome, the phrases "economic independence" and "economic security" are employed in the sense in which they are generally understood by the majority of our countrymen.

Although trade and commerce and economic pressure had their not insignificant part in establishing the American Government, it cannot be said that the object of the founders of our Government was to guarantee the economic independence or economic security of the individual citizen.

The purpose, plan, and structure of our Government as originally established was that, while the Government protected the citizen's civil liberty, he must earn his own subsistence by the exercise of industriousness, frugality, zeal, prudence, intelligence, and honest business methods.

It was not until about the beginning of the present century, coincident with the enormous expansion of industry, that the Government began to make gestures toward assuring the citizen that he might be free from penury in his old age. During the first 105 or 110 years of our national life the citizen was left to his own resources and to his own devices to smite the obdurate face of nature and carve out a fortune or to earn a subsistence if he could. If he found himself penniless, the State did not concern itself with that fact. If he could not earn a living, his alternatives were to die a pauper or depend upon charity or the bounty of friends or kinsmen.

No plan of government or scheme will ever be discovered whereby mankind will subsist except through his own efforts. No easy way to achieve success has ever been or ever will be discovered. Poverty is not necessarily a badge of incompetence; many capable persons fail. Conversely, now and then some unworthy person without courage or integrity is awarded a prize by the legerdemain of chance or by the impishness of the dice of destiny, but, none the less, success gravitates toward those who are worthy of success. At the beginning of the human drama it was ordained that it shall be difficult to achieve success, even to earn a subsistence.

No one will ever circumvent fate on this particular point, for she has resolved that in obtaining success, or in subsisting himself, man shall be upon his mettle so long as he inhabits this globe.

It is nature's harsh but wise law that the person who receives a subsistence otherwise than through the fruits of his own labor will degenerate, and that the person who expects to "get something for nothing" has already begun to decay.

One of the reasons why the American Government, as established, did not provide for economic independence or for economic security for the individual citizen was that, as has been well said, in a pioneer community such as the country was when the Government began to function, an indi-

vidual, to survive, must needs personally have knowledge of crops, weather, domestic animals, wild animals, firearms, trees, seasons, industrial plants and poisonous plants, textile making, cottage industry, domestic science, smithing, carpentering, cooperage, storm phenomena, pasturage, treatment of wounds, and so forth. The daily obstacles to be overcome by the pioneer made him not only wise but also made him courageous, clever, self-reliant, bold, and independent.

The citizen of the present day, on the other hand, has no such strengthening and educative influences in his morning and evening trips between his home or his boarding house and the office, or between his home or his boarding house and the field, farm, factory, mill, mine, or shop.

Individual survival in a nation so highly mechanized and industrialized now depends not upon his surmounting the difficulties that beset the pioneer but depends rather upon his agility in dodging automobiles, his ability to understand train schedules and read timetables, observe warning signals, pay attention to labels on delicatessen foods, use the telephone, the telegraph, keep his hands and feet out of machines that may macerate him, and be familiar with dozens of gadgets supposed to bring creature comfort. The wildest hyperbole could not describe the changes in conditions and problems in America that have occurred within the past 150 years.

All these words have brought me to the question as to whether a changing or dynamic economy may be confined within a static or potential system. If we remain indifferent to the changes in the aims, habits, and methods of society—indifferent to the dramatic march of events—do we not run great risks? Whether or not we agree as to the wholesomeness of the changes we may not deny that they have come.

We are now in one of the great climacterics of the world, an era of change in thought and policy in which the question of acquiring and possessing property is being discussed. Enlightened persons perceive that the right to acquire and own property is in itself one of the cornerstones of human freedom.

The right to acquire and possess property, big and little, is just as true a portion of the liberty of an American citizen as is his right to vote, to hold office, or to possess the natural rights and immunities that accompany free men everywhere. The citizen must have not only freedom of speech, freedom of assembly, and freedom of worship but must also have opportunity to earn his own livelihood and to improve and increase his fortune so long as he does not interfere with the same rights belonging to everybody else.

The right to possess a home or a farm and to save a portion of earnings is one of the most wholesome factors in civilization. There must not be any artificial hindrance to the success of an honest, industrious, and capable person. On this question, however, we need have no fear, as under our American plan the Government, even if it desired to do so, could not give countenance or assistance to any scheme which would efface individuality, cancel excellence, or deprive ambition of its reward.

No observing man will fail to perceive that there are many persons—respectable in number and respectable in character—who, particularly in times of depression, cannot subsist without aid, and these citizens thus dependent or economically or socially insecure may be divided into the following groups, or, rather, the cause of their lack of means of subsistence has been brought about by any one of the following reasons:

Economic or social insecurity due to old age.

Economic or social insecurity due to infirmity, illness, or injury.

Economic or social insecurity due to calamities that no sagacity could circumvent.

Economic or social insecurity due to unemployment.

Economic or social insecurity due to death of family breadwinner.

Shall society say—shall the Nation say to such persons: "Your distress is solely your own concern"? I do not be-

lieve society will make any such answer or that a humane government will make any such answer.

I now introduce a proposed amendment granting to Congress the power to make laws "to regulate agriculture, commerce, industry, and labor."

This is the briefest amendment ever proposed, yet its seven operative words, "to regulate agriculture, commerce, industry, and labor", are ample to grant to Congress the power, within some limitations, to make such laws as were recently declared by the Supreme Court of the United States to be beyond the power of Congress to enact. This proposed amendment, if ratified, would give Congress power to regulate hours and conditions of labor, fix minimum-wage standards in any employment, regulate industry, business, production, agriculture, commerce, labor, and trade, and denounce unfair practices.

The Constitution is an instrument to defend liberty without opposing true progress. The Constitution will not be preserved by thwarting a well-defined, seasoned, sober second thought of the citizenry.

Nothing can be gained by an attempt to deny the plain fact that the Supreme Court of the United States is, and will remain, the authoritative interpreter of the Constitution.

If additional power be needed by Congress in order to enact social legislation, we must secure authority from the source of governmental power, the people themselves, by constitutional amendment, and not by insisting that the Supreme Court shall make strained constructions and interpretations of the Constitution.

Whether this proposed amendment will be ratified by the required number of States is a question to which no answer may be vouchsafed at this time.

There are, of course, some perils to be encountered in granting such authority to Congress; but candor and frankness require us to admit that the existing complexity and interdependence of American life and industry make necessary the national treatment of many problems.

There is, as was said by Dr. Glenn Frank, president of the University of Wisconsin, "an irreducible balance of powers between the States and the Nation" that may not safely be destroyed. If all power be centered in the Federal Government, we would go the melancholy way of nations that commit such folly.

This proposed amendment, if ratified, would augment Federal authority, but it would not constitute a fatal surrender of that irreducible and necessary balance of power between the Nation and the States.

Thomas B. Macaulay, whose talents and merits as a philosopher and historian were great, almost beyond the range of eulogy, speaking in the British House of Commons on parliamentary reform on September 20, 1831, among other things, said:

The end of a government is not directly to make the people rich but to protect them in making themselves rich, and a government which attempts more than this is precisely the government which is likely to perform less.

I paraphrase Maccaulay's remark to say that the end of a government is not directly to feed the people but to protect them and assist them in feeding themselves, and the government which refuses to attempt this, is precisely the government which will probably never again accomplish anything.

In the present state of the public mind, President Roosevelt has two species of opposition against which to contend, namely, those persons who consider that in its social-security policies he has not gone far enough and those who considered that he has gone too far.

Mr. President, 40 or more years ago when the American cowboys—those excellent and racy spirits of so much native freshness, frankness, and verve—drove the thundering herds they sang their folklore songs. Many of the words have perished, but the cadence and the lilt of their songs still linger. Among their songs was one entitled "Get Along Little Dogies."

The "dogies" were the feeble, undernourished orphan calves, the slow, the weak, and the sick. The concern and solicitude of the cowboy as he drove the herd was not for the longhorns, the stout, or the swift; he knew that the longhorns, the stout, and the swift could reach water and grass; but, inasmuch as the herd could travel no faster or further than the dogies—that is to say, the weakest—could go, his care was for the infirm, the weak, and the slow, which he sometimes called the drags, as the drags impeded the progress of the herd and the herd could go no faster than the slowest.

Likewise it is with the human race; with all its grand achievements and triumphs it may proceed in its upward and onward march only as rapidly as its slowest and weakest members can travel.

This slow progress may be irksome and irritating to those persons who are gifted or fortunate and who, therefore, laudably desire more rapidly to achieve beneficent results in government and in ameliorating distress; but this slow advance of society is an immutable law of natural philosophy and physics that admits of no amendment or repeal.

I now ask unanimous consent to introduce the joint resolution and have it read at the desk. I request also that it be referred to the Committee on the Judiciary.

The PRESIDING OFFICER. Without objection, the joint resolution will be received, referred as requested, and will be read by the clerk.

The joint resolution (S. J. Res. 285) proposing that the Congress shall have power to make laws to regulate agriculture, commerce, industry, and labor was read the first time by its title, the second time at length, and referred to the Committee on the Judiciary, as follows:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:*

**ARTICLE —**

**"SECTION I.** The Congress shall have power to make laws to regulate agriculture, commerce, industry, and labor.

**"SEC. II.** This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States, as provided in the Constitution, within 7 years from the date of the submission hereof to the States by the Congress."

**EXECUTIVE SESSION**

Mr. ROBINSON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

**EXECUTIVE MESSAGE REFERRED**

The PRESIDING OFFICER (Mr. SCHWELLENBACH in the chair) laid before the Senate a message from the President of the United States submitting a judicial nomination (and withdrawing a nomination), which was referred to the Committee on the Judiciary.

(For nomination this day received and nomination withdrawn, see the end of Senate proceedings.)

**EXECUTIVE REPORTS OF COMMITTEES**

Mr. MCKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of several postmasters.

He also, from the Committee on Appropriations, reported favorably the nominations of the following persons to be State directors of the Public Works Administration:

Harold J. Lockwood, Maine, New Hampshire, and Vermont;

William J. Maguire, Rhode Island; and

Don Abel, Washington.

The PRESIDING OFFICER. The reports will be placed on the Executive Calendar. If there be no further reports of committees, the calendar is in order. The clerk will state the first order of business on the calendar.

**INTERNATIONAL CONVENTION OF COPYRIGHT UNION**

The Chief Clerk announced Executive E (73d Cong., 2d sess.) the International Convention of the Copyright Union as revised and signed at Rome on June 2, 1928, as the first business in order on the calendar.

Mr. PITTMAN. Mr. President, this treaty was reported session before last. As chairman of the committee I moved that it be considered, which was done, and it was ratified. The next day the Senator from Wisconsin [Mr. DUFFY] called my attention to the fact that there had been an agreement that the treaty should be accompanied by legislation on the part of the United States defining and providing for the administration of the treaty so far as this country was concerned, and that the treaty was not to be brought up for ratification until such a bill had been passed. The treaty was placed on the calendar again at my request and an appropriate bill was introduced, referred to and considered by the Committee on Patents, and reported by it and passed by the Senate, but it has not as yet passed the House of Representatives.

We have had a great many inquiries as to why the treaty has not been considered. We are urged to act upon it, notwithstanding the agreement to which I have referred. I have replied to the various letters stating the agreement had and explaining the situation. We cannot violate that agreement. However, under the rules of the Senate the treaty automatically will be returned to the Committee on Foreign Relations at the end of this session of Congress. At the next session of Congress it may be reported without the agreement to which I have referred. It may be presented then for ratification notwithstanding the failure of any legislation of the character to which I have indicated. At the next session of Congress, when the treaty is reported, if it is known that it will be submitted to the Senate without regard to any such agreement there will probably be a very strong effort on the part of the two Houses to agree on legislation to accompany the treaty.

That is all I have to say with regard to the treaty, which, of course, will necessarily have to be passed over under the agreement.

Mr. McNARY. Mr. President, it is not the desire of the Senator to proceed to consideration of the treaty today, I understand?

Mr. PITTMAN. I thought it was generally understood that was not to take place.

Mr. McNARY. It is legislation quite as important as any on the calendar. I think none of the treaties on the calendar should come up for consideration today. I am very willing to have nominations on the calendar considered, but a treaty is purely legislative in character. I ask the Senator that we may carry out the agreement made this morning that bills on the calendar shall go over and take their place in our proceedings a week from today and that treaties shall take the same course.

Mr. PITTMAN. I realize that the treaty is in the same condition as other measures on the calendar which were discussed this morning.

Mr. McNARY. Furthermore, in the temporary absence of the two Senators from Washington [Mr. BONE and Mr. SCHWELLENBACH] and the junior Senator from Oregon [Mr. STERWER], I would not want the fourth treaty on the calendar considered at this time, but that it should follow the general agreement. As chairman of the committee, I hope the Senator will preserve the agreement we entered into earlier in the day affecting matters on the Legislative Calendar.

Mr. PITTMAN. There are two other treaties on the calendar to which I believe no one would object. There is one simply extending the bankruptcy laws, and there is a treaty with regard to sockeye-salmon fisheries, but I understand there is a controversy between British Columbia and the States of Washington and Oregon with regard to that. I have been informed that the States had an understanding which was being carried out in the form of a reservation.

Mr. McNARY. I think there is perfect harmony between the Northwestern States with respect to the treaty, but it should go over under the general agreement.

Mr. PITTMAN. The Senator is justified in raising the same question. Accordingly, all treaties on the calendar may go over at this time.

Mr. McNARY. I thank the Senator.

The PRESIDING OFFICER. All treaties on the calendar will be passed over. Nominations on the calendar are in order.

#### DIPLOMATIC AND FOREIGN SERVICE

The Chief Clerk read the nomination of Alfred W. Klieforth, of Pennsylvania, to be consul general of the United States.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Harold Shantz, of New York, to be consul general of the United States.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Leslie A. Davis, of New York, to be consul general of the United States.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Edward I. Nathan, of Pennsylvania, to be consul general of the United States.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

#### THE JUDICIARY

The Chief Clerk read the nomination of Benigno Fernandez Garcia, of Puerto Rico, to be attorney general of Puerto Rico.

Mr. ROBINSON. Mr. President, with respect to the nomination just stated, at the request of a number of Senators who are absent I ask that the nomination go over for the present.

The PRESIDING OFFICER. The nomination will be passed over.

#### FEDERAL COMMUNICATIONS COMMISSION

The Chief Clerk read the nomination of George Henry Payne, of New York, to be a member of the Federal Communications Commission for the term of 7 years from July 1, 1936.

Mr. BILBO. Mr. President, I ask that the nomination go over.

The PRESIDING OFFICER. The nomination will be passed over.

Mr. WAGNER subsequently said: Mr. President, when the nomination of George Henry Payne, of New York, to be a member of the Federal Communications Commission, was read a moment ago, the junior Senator from Mississippi [Mr. BILBO] objected. I have talked with the Senator from Mississippi since and understand the Senator has withdrawn his opposition to the nomination. I therefore ask that the nomination be confirmed.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

#### JOHN F. CURRAN

Mr. MCKELLAR. Mr. President, from the Committee on Post Offices and Post Roads I report favorably the nomination of John F. Curran to be postmaster at Milford, Mass. The report has received the approval of both Senators from Massachusetts. I ask unanimous consent for the immediate consideration of the nomination.

The PRESIDING OFFICER. The nomination will be read.

The Chief Clerk read the nomination of John F. Curran to be postmaster at Milford, Mass.

The PRESIDING OFFICER. Is there objection to the present consideration of the nomination? The Chair hears none, and the nomination is confirmed.

Mr. MCKELLAR. I ask unanimous consent that the President may be notified.

The PRESIDING OFFICER. Without objection, the President will be notified.

#### POSTMASTERS

The Chief Clerk proceeded to read sundry nominations of postmasters.

Mr. MCKELLAR. I ask that all nominations of postmasters on the calendar be confirmed en bloc.

The PRESIDING OFFICER. Is there objection?

Mr. CONNALLY. Mr. President, I request that the nomination of Walter E. McRee to be postmaster at Eagle Lake, Tex., may be passed over. I do so at the request of the Member of Congress from that district, because there is some arrangement pending about the appointment of a postmaster at that place.

Mr. MCKELLAR. Mr. President, does the Senator want the nomination recommitted to the Committee on Post Offices and Post Roads?

Mr. CONNALLY. Yes.

Mr. MCKELLAR. Very well. I ask that the nomination of Walter E. McRee, to be postmaster at Eagle's Lake, Tex., be recommitted to the Committee on Post Offices and Post Roads.

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

Mr. MCKELLAR. With that exception, I ask that all other nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, nominations of postmasters, with the exception noted, are confirmed en bloc.

#### IN THE ARMY

The Chief Clerk proceeded to read sundry nominations in the Army.

Mr. SHEPPARD. I ask unanimous consent that nominations in the Army be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the Army nominations are confirmed en bloc.

That completes the calendar.

#### ADJOURNMENT TO JUNE 15

The Senate resumed legislative session.

Mr. ROBINSON. Mr. President, pursuant to the terms of the concurrent resolution heretofore adopted, I move that the Senate adjourn until Monday next at 12 o'clock noon.

The motion was agreed to; and (at 3 o'clock and 20 minutes p. m.) the Senate adjourned, the adjournment being under House Concurrent Resolution No. 53, adopted by the two Houses on June 5 instant, until Monday, June 15, 1936, at 12 o'clock meridian.

#### NOMINATION

*Executive nomination received by the Senate June 8, 1936*

##### UNITED STATES DISTRICT JUDGE

Vincent L. Leibell, of New York, to be a United States district judge, southern district of New York, vice Francis A. Winslow, resigned.

#### CONFIRMATIONS

*Executive nominations confirmed by the Senate June 8, 1936*

##### DIPLOMATIC AND FOREIGN SERVICE

Alfred W. Klieforth to be a consul general of the United States of America.

Harold Shantz to be a consul general of the United States of America.

Leslie A. Davis to be a consul general of the United States of America.

Edward I. Nathan to be a consul general of the United States of America.

##### FEDERAL COMMUNICATIONS COMMISSIONER

George Henry Payne to be a member of the Federal Communications Commission.

##### APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY

Capt. Earl Thomas McCullough to Quartermaster Corps.

First Lt. Richard Tide Ciner, Jr., to Air Corps.

Second Lt. William Jack Holzapfel, Jr., to Air Corps.

Second Lt. Gene Huggins Tibbets to Air Corps.

## PROMOTIONS IN THE REGULAR ARMY

Thomas Charles Spencer to be colonel, Signal Corps.  
 Robert Mercer Cheney to be colonel, Cavalry.  
 James Howard Laubach to be colonel, Quartermaster Corps.  
 Ralph Wayne Dusenbury to be colonel, Infantry.  
 Parley Doney Parkinson to be lieutenant colonel, Infantry.  
 John Hobert Wallace to be lieutenant colonel, Field Artillery.

Raymond Marsh to be lieutenant colonel, Ordnance Department.

Harold Eugene Small to be lieutenant colonel, Coast Artillery Corps.

Herman Uth Wagner to be major, Ordnance Department.  
 Theodore Leslie Futch to be major, Field Artillery.

William Innes Wilson to be major, Ordnance Department.  
 William Rebert Gerhardt to be major, Ordnance Department.

Theodore Earl Buechler to be major, Field Artillery.

## APPOINTMENTS IN THE REGULAR ARMY

James Kelly Parsons to be major general, United States Army.

Lorenzo Dow Gasser to be brigadier general, United States Army.

## POSTMASTERS

## ALABAMA

John P. Cox, Collingsville.  
 Lucile W. Hereford, New Market.  
 Harold C. Sharpe, Piedmont.  
 Madge B. Bankhead, Sulligent.  
 Frank Poole, Wetumpka.

## ARIZONA

Edward M. Schmidt, Tolleson.

## CALIFORNIA

Fred M. Snider, Colton.  
 James Clyde Strouss, Mill Valley.

## CONNECTICUT

John J. Lee, Beacon Falls.  
 Michael P. Spezzano, Riverside.  
 John J. O'Keefe, Southington.

## GEORGIA

Dean R. Adams, Boston.  
 Kate Harris, Leesburg.

## IDAHO

Alma Morrow, Challis.

## ILLINOIS

Philip A. Daum, Carrollton.  
 William C. Herrin, Cave in Rock.  
 Albert T. Humrichous, Georgetown.  
 Gertrude W. Daub, Williamsfield.

## INDIANA

William Henry Lynch, Boswell.

## IOWA

Clifford A. Brause, Denver.  
 Clifford J. Hayes, Dunkerton.  
 Andrew J. Walter, Eldon.  
 Hugo O. Micheel, Holstein.  
 Ralph V. Johnson, Hudson.  
 Fritz H. Schulte, Kensett.  
 Peter J. McGrath, Mount Ayr.  
 Anna L. Roberts, Nodaway.  
 John L. O'Neill, Oakland.  
 Esther M. Olson, Pacific Junction.  
 Bernice Herrick, Wapello.

## KANSAS

Thomas W. Sloan, Garfield.  
 Guy R. Malin, Macksville.

## KENTUCKY

Roy Fraim, Alva.  
 Joseph P. Gozder, Campbellsville.  
 Daniel S. Mitchell, Crofton.  
 Henry Roe Thompson Kinnaird, Edmonton.

Raymond E. Doyle, Glasgow Junction.  
 Myrtle B. Vaughn, Louellen.  
 Vallette McClintock, Paris.  
 George A. McGowan, Pleasureville.  
 Elmer Deatherage, Richmond.  
 Raymond H. Cornett, Verda.

## LOUISIANA

Thomas Wallace McGinn, Jr., Crowley.  
 Ethel T. Gauthier, Lake Arthur.

## MAINE

Eleric F. Michaud, Island Falls.

## MARYLAND

Marjorie E. Williams, Goldsboro.  
 Clayton F. Porter, Greensboro.  
 Alexander R. Woodland, Marion Station.

## MASSACHUSETTS

Stephen W. Bartlett, Barnstable.  
 F. Thomas Ellis, Brewster.  
 Gilbert W. O'Neil, Gloucester.  
 John E. Little, Island Creek.  
 John F. Curran, Milford.  
 Richard J. Doolin, Monroe Bridge.  
 James A. Murphy, New Bedford.  
 Clement J. Coughlin, North Easton.  
 Gertrude H. Mortimore, Russell.  
 James Everett Marville, Wareham.  
 Thomas E. Hynes, Wayland.  
 Thomas H. Hackett, Westboro.  
 Vincent C. Ambrose, Winchester.  
 Joseph J. Baron, West Warren.

## MICHIGAN

James Kent Torrey, Dowagiac.  
 Harold H. Mickle, Homer.  
 Gordon M. Gould, Lawrence.  
 Alfred C. Maurer, Monroe.  
 Frank L. Thome, St. Johns.

## MINNESOTA

Anshelm T. Westrom, Cambridge.  
 William P. Tanner, Cannon Falls.  
 Zelphia Taylor, Hill City.  
 Inga O. Berget, Holt.  
 Herluf E. Jensen, Hutchinson.  
 Raymond P. Nolan, Janesville.  
 Edward C. Keefe, Rose Creek.  
 Tallof T. Hamrey, Trail.  
 Frances C. Van Vleck, Waverly.  
 Isaac B. Dybdal, Wendell.

## MISSISSIPPI

Marguerite J. Crittenden, Greenville.  
 William W. Armstrong, Leland.  
 Christine H. Douglas, Maben.

## MISSOURI

Clay C. Shelton, Clarkton.  
 Gideon Ward Miller, Edgerton.  
 Walter T. Jensen, Eolia.  
 Adam C. Eby, Holt.  
 Harry L. Epperson, Hurdland.  
 Morris O. Brasher, Jerico Springs.  
 Frank H. Parker, Kidder.  
 Mae B. Whitfield, Oronogo.  
 Frank C. Murdock, Seneca.  
 Ethel Enyart, Stanberry.  
 Harley E. Church, Stockton.  
 William R. Buche, Warrenton.

## NEBRASKA

Anna Martin, Battle Creek.  
 Margaret H. Andersen, Belgrade.  
 James A. Sears, Decatur.  
 Wayne E. Parker, Farnam.  
 Evelyn I. Zuhlke, Gurley.  
 George B. McDowell, Hardy.  
 Louis W. Eggert, Newman Grove.

Mary B. Farrell, Schuyler.  
Inez Gail Lidgard, Stockville.  
Harry H. Jordan, Wilcox.

## NEW JERSEY

Aubrey H. Phillips, Clementon.  
Lewis D. Smith, Jr., Fort Hancock.  
Robert P. Cosgrove, Madison.  
Charles A. Hildebrand, Ridgefield.

## NEW YORK

Rita McGahey, Hartsdale.

## NORTH CAROLINA

Clyde B. Archbell, Battleboro.  
Gladys O. Howard, Cornelius.  
Singleton F. Thompson, Flat Rock.  
Thad T. Russell, Granite Falls.  
Angus Raymond McCracken, Kenly.  
William E. Blakely, Kings Mountain.  
Robert A. Rudisill, Maiden.  
Jarnagin C. Rice, Montreat.  
Herbert O. Phillips, Morehead City.  
Harry H. Llewellyn, Mount Airy.  
Oliver L. Hoffman, Mount Holly.  
Leon A. Mann, Newport.  
William J. Smith, Jr., Oriental.  
James K. Beaty, Paw Creek.  
Lois D. Braswell, Princeton.  
James B. Hayes, Rocky Point.  
Lucile L. White, Salemburg.  
Frank L. Nixon, Sunbury.  
Lewis Taylor Bartholomew, Spring Hope.

## NORTH DAKOTA

Frank W. Kelly, Devils Lake.

## OHIO

Ferdinand J. Lenhart, Botkins.  
Ervin J. Ostermyer, Chatfield.  
William F. Hookway, Creston.  
Paul C. Patterson, East Sparta.  
Cleo B. Brockman, Fort Jennings.  
William H. McConaha, Fort Recovery.  
Paul E. Harbaugh, Kings Mills.  
Irene Francescon, Leavittsburg.  
Robert W. Gutermuth, Mason.  
Gladys E. Sperry, Middlefield.  
Myron G. Swaller, Navarre.  
Elwood E. Hardesty, Paulding.  
August J. Brown, Wapakoneta.  
James Spencer Hockenberry, West Jefferson.  
Henry Provo, Wickliffe.

## PENNSYLVANIA

Alice S. Keating, Avondale.  
Urban W. O'Donnell, Bethlehem.  
Lawrence J. Leonard, Butler.  
Ardrey Boyle, Centerville.  
James P. Sullivan, Corry.  
Bernetta B. Deegan, Dushore.  
Elmer S. Harry, East Petersburg.  
Chester R. Wahl, Evans City.  
James B. Eschbach, Florin.  
Carolyn T. Foulk, Gap.  
Peter V. Abel, Graterford.  
James E. Madigan, Houtzdale.  
Ellis L. Lynch, McConnellsburg.  
Joseph W. Hoover, Mountville.  
Charles D. Fitzpatrick, Trevorton.  
Roy Wilkinson, Valley Forge.

## PUERTO RICO

Judson Ulery McGuire, Bayamon.  
Adela Delpin, Fajardo.  
Rita M. Vecchini, Guayanilla.  
Irma E. Kryzanowsky, Ponce.

## SOUTH CAROLINA

Lottie G. Myers, Pamplico.

## TENNESSEE

Lindsay N. Smith, Cullieoka.  
Thaddeus C. Haley, Friendship.  
Edgar D. Hagan, Redboiling Springs.

## TEXAS

George J. Bell, Aubrey.  
Charles M. Fagg, Blue Ridge.  
Devoe Dover, Carbon.  
Marion L. Garvin, Jr., Como.  
J. Frank Weaver, Cumby.  
Walter B. May, Desdemona.  
Coin T. Seago, Gustine.  
Jimmie L. Holford, Hico.  
James F. Mitchell, Lancaster.  
Henry T. Peace, La Pryor.  
Geneva M. Michael, May.  
David C. Harris, Mineral Wells.  
W. J. Smith, Montgomery.  
Irene King, Neches.  
Ida A. Stockburger, Oglesby.  
Sarah O. Beaver, Queen City.  
Lillian Beazley, Quemado.  
Marcus E. Jud, Riesel.  
Janie W. Chandler, Smiley.  
William B. Richardson, Telephone.  
Andrew S. Tarpley, Truscott.

## VERMONT

Albert A. LaFrance, Derby Line.  
Robert F. Pierce, Lyndonville.  
Harry L. Simonds, Saxtons River.

## WASHINGTON

Alvin E. Scott, Benton City.  
Elliot Curry, Colville.  
Mary F. Stowers, Eastsound.  
Regina M. Mohrman, Ferndale.  
William Robert Ross, Grand Coulee.  
Erica A. Sheehan, Lake Stevens.  
Esther H. Boaz, Manson.  
Thomas Phil Hickman, Monroe.  
Ethel R. Hanks, Port Orchard.  
Truman W. Chamberlain, Quincy.  
Edward V. Pressentin, Rockport.

## WEST VIRGINIA

Bennie D. Wiley, Athens.  
Harper H. Hudson, Durbin.  
Reuben Williams, Glen Rogers.  
James B. Shrewsbury, Princeton.

## WISCONSIN

Fred V. Starry, Barneveld.  
Christian A. Hoen, Edgerton.  
H. Shirley Smith, Holmen.

## WITHDRAWAL

*Executive nomination withdrawn from the Senate June 8, 1936*

## POSTMASTER

## PENNSYLVANIA

Annis G. Lewis to be postmaster at Ulysses, in the State of Pennsylvania.

## HOUSE OF REPRESENTATIVES

MONDAY, JUNE 8, 1936

The House met at 12 o'clock meridian.

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

Eternal God, our Heavenly Father, we are deeply grateful for the blessed assurance of Thy promise: "Thou wilt keep him in perfect peace whose mind is stayed on Thee, because he trusteth in Thee." When Thou dost guide us no ill can come. Keep ever in our hearts, merciful Lord, the teaching

of Thy Holy Word: "Blessed is the man that walketh not in the counsel of the ungodly, nor standeth in the way of sinners, nor sitteth in the seat of the scornful. But his delight is in the law of the Lord, and in His law doth he meditate day and night." Bless us all with the refuge of pure thoughts and good works. Through Christ. Amen.

The Journal of the proceedings of Friday, June 5, 1936, was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and joint resolutions of the House of the following titles:

On June 1, 1936:

H. J. Res. 525. Joint resolution to enable the United States Constitution Sesquicentennial Commission to carry out and give effect to certain approved plans, and for other purposes.

On June 3, 1936:

H. R. 1252. An act for the relief of Odessa Mason;

H. R. 9125. An act for the relief of Dr. F. U. Painter, Dr. H. A. White, Dr. C. P. Yeager, Dr. W. C. Barnard, Mrs. G. C. Oliphant, Amelia A. Daimwood, the Sun Pharmacy, Bruno's Pharmacy, Viola Doyle Maguire, Louise Harmon, Mrs. J. B. Wilkinson, Sisters of Charity of the Incarnate Word, Grace Hinnant, Dr. E. O. Arnold, and Jennie Chapman;

H. R. 9496. An act to protect the United States against loss in the delivery through the mails of checks in payment of benefits provided for by laws administered by the Veterans' Administration;

H. R. 10565. An act for the relief of Mr. and Mrs. William O'Brien;

H. R. 12027. An act to authorize the execution of plans for a permanent memorial to Thomas Jefferson;

H. R. 12527. An act making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1937, and for other purposes;

On June 4, 1936:

H. R. 2501. An act for the relief of Mrs. G. A. Brannan;

H. R. 7688. An act to provide for the appointment of substitute postal employees, and for other purposes;

H. R. 7825. An act for the relief of Michael Stodolnik;

H. R. 8312. An act to add certain lands to the Rogue River National Forest in the State of Oregon;

H. R. 8495. An act to amend certain plant-quarantine laws;

H. R. 8884. An act for the relief of Mrs. Ollie Myers;

H. R. 9009. An act to make lands in drainage, irrigation, and conservancy districts eligible for loans by the Federal land banks and other Federal agencies loaning on farm lands, notwithstanding the existence of prior liens of assessments made by such districts, and for other purposes;

H. R. 9991. An act to extend the time for applying for and receiving benefits under the act entitled "An act to provide means by which certain Filipinos can emigrate from the United States", approved July 10, 1935;

H. R. 10174. An act for the relief of Ezra Curtis;

H. R. 10849. An act to authorize an appropriation for improvement of ammunition storage facilities at Aliamanu, Territory of Hawaii, and Edgewood Arsenal, Md.;

H. R. 11006. An act providing for the examination of the Nueces River and its tributaries in the State of Texas for flood-control purposes;

H. R. 11052. An act for the relief of Joseph M. Purrington;

H. R. 11418. An act making appropriations for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1937, and for other purposes;

H. R. 11768. An act authorizing construction, operation, and maintenance of Rio Grande canalization project and authorizing appropriation for that purpose;

H. R. 11821. An act to correct an error in section 16 (e) (1) of the Agricultural Adjustment Act, as amended, with respect

to adjustments in taxes on stocks on hand, in the case of a reduction in processing tax;

H. R. 11929. An act granting to the State of Iowa for State park purposes certain land of the United States in Clayton County, Iowa;

H. R. 12370. An act to authorize a preliminary examination of Big Blue River and its tributaries with a view to the control of their floods; and

H. J. Res. 497. Joint resolution to permit articles imported from foreign countries for the purpose of exhibition at the International Petroleum Exposition, Tulsa, Okla., to be admitted without payment of tariff, and for other purposes.

On June 5, 1936:

H. R. 190. An act granting authority to the Secretary of War to license the use of a certain parcel of land situated in Fort Brady Reservation to Ira D. MacLachlan Post, No. 3, the American Legion, for 15 years;

H. R. 1997. An act to amend Public Law No. 425, Seventy-second Congress, providing for the selection of certain lands in the State of California for the use of the California State Park System, approved March 3, 1933;

H. R. 2479. An act for the relief of Charles G. Johnson, State treasurer of the State of California;

H. R. 2737. An act extending and continuing to January 12, 1938, the provisions of the act entitled "An act authorizing the Secretary of the Interior to determine and confirm by patent in the nature of a deed of quitclaim the title to lots in the city of Pensacola, Fla.", approved January 12, 1925;

H. R. 5722. An act to provide for the addition or additions of certain lands to the Colonial National Monument in the State of Virginia;

H. R. 6163. An act for the relief of Mrs. Murray A. Hintz;

H. R. 7025. An act authorizing the Secretary of the Interior to furnish transportation to persons in the service of the United States in the Virgin Islands, and for other purposes;

H. R. 7930. An act to eliminate certain lands from the Craters of the Moon National Monument, Idaho;

H. R. 8039. An act for the relief of John B. Meisinger and Nannie B. Meisinger;

H. R. 8074. An act to amend the act of March 3, 1925, relating to Fort McHenry;

H. R. 8278. An act for the relief of Earl Elmer Gallatin;

H. R. 9170. An act for the relief of Montie Hermanson;

H. R. 11164. An act for the relief of Arthur Van Gestel, alias A. Arthur Goodsell;

H. R. 11616. An act to fix the compensation of the Director of the Federal Bureau of Investigation;

H. R. 11792. An act declaring Bayou St. John, in the city of New Orleans, La., a nonnavigable stream;

H. R. 12870. An act to aid in defraying the expenses for the celebration of the bicentennial of the birth of Patrick Henry to be held at Hanover Courthouse, Va., July 15, 16, and 17, 1936;

H. J. Res. 465. Joint resolution to amend the joint resolution of July 18, 1935, relating to the Seventieth National Encampment of the Grand Army of the Republic, to be held in the District of Columbia in September 1936;

H. J. Res. 499. Joint resolution authorizing and requesting the President to extend to the Government of Sweden and individuals an invitation to join the Government and people of the United States in the observance of the three hundredth anniversary of the first permanent settlement in the Delaware River Valley, and for other purposes; and

H. J. Res. 570. Joint resolution authorizing the President of the United States to award posthumously a Distinguished Service Medal to Maj. Gen. Clarence Ransom Edwards.

On June 8, 1936:

H. R. 4148. An act for the relief of the Thomas Marine Railway Co., Inc.; and

H. J. Res. 377. Joint resolution to enable the States of Maine, New Hampshire, New York, Vermont, Massachusetts, Rhode Island, Connecticut, Pennsylvania, West Virginia, Kentucky, Indiana, Illinois, Tennessee, and Ohio to conserve and regulate the flow of and purify the waters of rivers and

streams whose drainage basins lie within two or more of the said States.

## MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Horne, its enrolling clerk, announced that the Senate has passed without amendment bills and joint resolutions of the House of the following titles:

H. R. 300. An act for the relief of F. P. Bolack;  
 H. R. 686. An act for the relief of John Collins;  
 H. R. 796. An act for the relief of A. E. Clark;  
 H. R. 993. An act for the relief of Frank A. Boyle;  
 H. R. 2213. An act for the relief of Charles P. Shipley Saddlery & Mercantile Co.;  
 H. R. 2262. An act for the relief of William H. Locke;  
 H. R. 2387. An act for the relief of Julia Miller;  
 H. R. 2400. An act for the relief of Blanche Knight.  
 H. R. 2495. An act for the relief of Thomas Berchel Burke,  
 H. R. 2496. An act for the relief of Thomas J. Moran;  
 H. R. 2497. An act for the relief of William H. Hildebrand;  
 H. R. 3160. An act for the relief of Irene Magnuson and Oscar L. Magnuson, her husband;  
 H. R. 3388. An act for the relief of Jessie D. Bowman;  
 H. R. 3694. An act for the relief of Florence Byvank;  
 H. R. 3907. An act for the relief of James L. Park;  
 H. R. 4085. An act for the relief of Joseph Watkins;  
 H. R. 4219. An act for the relief of John J. Ryan;  
 H. R. 4373. An act for the relief of Albert Gonzales.  
 H. R. 4565. An act for the relief of Lucile Smith;  
 H. R. 4619. An act for the relief of Joseph Salinchi;  
 H. R. 4699. An act for the relief of Estelle M. Gardiner;  
 H. R. 4955. An act for the relief of the estate of Jennie Brenner;  
 H. R. 5635. An act conferring jurisdiction upon the Court of Claims, to hear, determine, and render judgment upon the claim of the mayor and aldermen of Jersey City, Hudson County, N. J., a municipal corporation;  
 H. R. 5752. An act for the relief of May Wynne Lamb;  
 H. R. 5870. An act for the relief of K. S. Szymanski;  
 H. R. 5900. An act for the relief of Joseph E. Moore;  
 H. R. 6702. An act for the relief of Annie E. Daniels;  
 H. R. 7270. An act for the relief of Clara Imbesi and Domenick Imbesi;  
 H. R. 7555. An act for the relief of W. N. Holbrook;  
 H. R. 7743. An act for the relief of Mrs. David C. Stafford;  
 H. R. 7764. An act to relieve restricted Indians whose lands have been taxed or have been lost by failure to pay taxes, and for other purposes;  
 H. R. 8028. An act for the relief of the Great Northern Railway Co.;  
 H. R. 8033. An act for the relief of Juanita Filmore, a minor;  
 H. R. 8055. An act to provide for economic studies of the fishery industry, market news service, and orderly marketing of fishery products, and for other purposes;  
 H. R. 8200. An act for the relief of the seamen of the steamship *Santa Ana*;  
 H. R. 8220. An act for the relief of Helen Mahar Johnson;  
 H. R. 8671. An act for the relief of R. H. Quynn, lieutenant, United States Navy;  
 H. R. 8759. An act to amend the act known as the Perishable Agricultural Commodities Act, 1930, approved June 10, 1930, as amended;  
 H. R. 9926. An act for the relief of Robert B. Barker;  
 H. R. 10225. An act for the relief of W. D. Lovell;  
 H. R. 10435. An act for the relief of Emma Hastings;  
 H. R. 10527. An act for the relief of Harris Bros. Plumbing Co.;  
 H. R. 10677. An act for the relief of Cora Fulghum and Ben Peterson;  
 H. R. 10712. An act to authorize the transfer of land from the War Department to the Territory of Hawaii;  
 H. R. 10916. An act for the relief of Carl Hardin, Orville Richardson, and W. E. Payne;  
 H. R. 11072. An act authorizing the appointment of an additional district judge for the eastern district of Pennsylvania;

H. R. 11203. An act for the relief of Andrew Smith;  
 H. R. 11218. An act to provide for the disposition of tribal funds now on deposit or later placed to the credit of the Crow Tribe of Indians, Montana, and for other purposes;  
 H. R. 11262. An act for the relief of Brooks-Callaway Co.;  
 H. R. 11461. An act for the relief of the estates of N. G. Harper and Amos Phillips;  
 H. R. 11522. An act to amend the charter of the National Union Insurance Co. of Washington in the District of Columbia;  
 H. R. 11643. An act to amend certain provisions of the act of March 7, 1928 (45 Stat. L. 210-212);  
 H. R. 11819. An act to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Arrow Rock, Mo.;  
 H. R. 11820. An act to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Miami, Mo.;  
 H. R. 11916. An act to authorize the transfer of a certain piece of land in Muhlenberg County, Ky., to the State of Kentucky;  
 H. R. 12006. An act to authorize a preliminary examination of the Kennebec River, Maine, and its tributaries, with a view to the control of their floods;  
 H. R. 12033. An act authorizing and directing the Secretary of the Interior to sell to the city of Los Angeles, Calif., certain public lands in California; and granting rights-of-way over public lands and reserve lands to the city of Los Angeles in Mono County in the State of California;  
 H. R. 12074. An act to consolidate the Indian pueblos of Jemez and Pecos, N. Mex.;  
 H. R. 12202. An act to provide for a preliminary examination of Six Mile Creek in Logan County, Ark., with a view to flood control and to determine the cost of such improvement;  
 H. R. 12240. An act to authorize a preliminary examination of the tributaries, sources, and headwaters of the Allegheny and Susquehanna Rivers in the State of Pennsylvania, where no examination and survey has heretofore been made, with a view to the control of their floods and the regulation and conservation of their waters;  
 H. R. 12305. An act to define the jurisdiction of the Coast Guard;  
 H. R. 12311. An act for the relief of the P. L. Andrews Corporation;  
 H. R. 12408. An act for the relief of Robert D. Baldwin;  
 H. R. 12461. An act to extend the times for commencing and completing the construction of a bridge across the Savannah River at or near Burtons Ferry, near Sylvania, Ga.;  
 H. R. 12514. An act authorizing the Chesapeake Bay Authority to construct, maintain, and operate a toll bridge across the Chesapeake Bay, from a point in Baltimore County, Md., over Hart Island and Miller's Island, to a point near Tolchester, Kent County, Md.;  
 H. R. 12622. An act for the relief of Dr. Harold W. Foght;  
 H. R. 12685. An act granting the consent of Congress to the county of Horry, S. C., to construct, maintain, and operate a free highway bridge across the Waccamaw River, at or near Red Bluff, S. C.;  
 H. R. 12896. An act to provide for the transfer of the surplus decommissioned lightship No. 82 to United States Ship Constitution Post, No. 3339, Veterans of Foreign Wars;  
 H. J. Res. 415. Joint resolution to carry out the intention of Congress with reference to the claims of the Chippewa Indians of Minnesota against the United States;  
 H. J. Res. 444. Joint resolution to amend the joint resolution entitled "Joint resolution authorizing the Federal Trade Commission to make an investigation with respect to agricultural income and the financial and economic condition of agricultural producers generally", approved August 27, 1935;  
 H. J. Res. 522. Joint resolution for the relief of William W. Brunswick;  
 H. J. Res. 583. Joint resolution authorizing the Veterans' Administration to prepare and publish a compilation of all

Federal laws relating to veterans of wars of the United States; and

H. J. Res. 589. Joint resolution to authorize the Secretary of the Treasury to permit the transportation of bonded merchandise by other than common carriers under certain conditions.

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

H. R. 12395. An act to provide revenue, equalize taxation, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House thereon, and appoints Mr. KING, Mr. GEORGE, Mr. WALSH, Mr. BULKLEY, Mr. CONNALLY, Mr. HASTINGS, Mr. METCALF, and Mr. LA FOLLETTE to be the conferees on the part of the Senate.

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

S. 1288. An act to promote the safety of employees and travelers on railroads by requiring common carriers engaged in interstate commerce to install, inspect, test, repair, and maintain block-signal systems, interlocking, highway grade-crossing protective devices, automatic train stop, train control, cab-signal devices, and other appliances, methods, and systems intended to promote the safety of railroad operation;

S. 1790. An act for the relief of Margaret Murphy;

S. 2511. An act to promote the safety of employees and travelers on railroads by providing for the inspection and investigation of conditions prevailing in train-dispatching offices and for the promulgation of necessary rules and regulations governing the working conditions of train dispatchers;

S. 2976. An act for the relief of John Edgar White, a minor;

S. 3405. An act for the relief of Capt. James W. Darr;

S. 3438. An act to provide for the establishment of an agricultural experiment station within the middle Rio Grande conservancy district in the State of New Mexico;

S. 3484. An act for the relief of Edward Y. Garcia and Aurelia Garcia;

S. 3505. An act for the improvement and protection of the beaches along the shores of the United States;

S. 3879. An act for the relief of James W. Grist;

S. 3930. An act authorizing an appropriation for payment to the Sac and Fox Tribe of Indians in the State of Oklahoma;

S. 3957. An act granting the consent of Congress to the States of Montana and Wyoming to negotiate and enter into a compact or agreement for division of the waters of the Yellowstone River;

S. 4062. An act to provide for a survey of the Cabinet Gorge on the Clark Fork of the Columbia River;

S. 4142. An act for the relief of owners of property damaged by high waters in the Blackfoot Reservoir;

S. 4160. An act for the relief of F. M. Loeffler;

S. 4182. An act to authorize the city of Chamberlain, S. Dak., to construct, equip, and maintain tourist cabins on American Island, S. Dak., to operate and maintain a tourist camp and certain amusement and recreational facilities on such island, to make charges in connection therewith, and for other purposes;

S. 4185. An act to amend the act entitled "An act to authorize the Secretary of Commerce to dispose of certain portions of Anastasia Island Lighthouse Reservation, Fla., and for other purposes", approved August 27, 1935, and for other purposes;

S. 4195. An act to provide for the issuance of a license to practice the healing art in the District of Columbia to Dr. Ralph Charles Stuart;

S. 4204. An act to authorize the payment of the burial and funeral expenses of Harley H. Hester, late corporal, Machine Gun Company, Three Hundred and Thirty-ninth Regiment, United States Infantry;

S. 4241. An act to provide for the sale of a certain isolated tract of the public domain in the State of Oregon;

S. 4362. An act for the relief of Rufus C. Long;

S. 4363. An act for the relief of B. W. Winward;

S. 4392. An act to add certain lands to the Sawtooth National Forest;

S. 4456. An act for the relief of the estate of Charles White;

S. 4478. An act for the relief of Joseph N. Wenger, lieutenant, United States Navy, and for other purposes;

S. 4493. An act to provide for the construction, extension, and improvement of public-school buildings in Uintah County, Utah;

S. 4495. An act to amend certain of the navigation laws of the United States, to remove inconsistencies and inequalities therein, and for other purposes;

S. 4551. An act to authorize the addition of certain names to the final rolls of the Blackfeet Tribe of Indians in the State of Montana;

S. 4568. An act to permit construction, maintenance, and use of certain pipe lines for petroleum and petroleum products in the District of Columbia;

S. 4591. An act for the relief of the children of Rees Morgan;

S. 4686. An act to amend the act known as the Federal Credit Union Act, approved June 26, 1934;

S. 4723. An act to authorize cooperation in the development of farm forestry in the States and Territories, and for other purposes;

S. 4724. An act for the relief of Henry C. Anderson;

S. 4734. An act to provide for hurricane patrol in the Gulf of Mexico and environs during the hurricane season;

S. 4737. An act to provide for the sale of the Port Newark Army Base to the city of Newark, N. J., and for other purposes;

S. 4740. An act to provide a graduated scale of reduction of payments under section 8 of the Soil Conservation and Domestic Allotment Act;

S. J. Res. 177. Joint resolution to define the term of certain contracts with Indian tribes;

S. J. Res. 207. Joint resolution to amend the act of July 3, 1926, entitled "An act conferring jurisdiction upon the Court of Claims, to hear, examine, adjudicate, and render judgment in claims which the Crow Tribe of Indians may have against the United States, and for other purposes" (44 Stat. L. 807);

S. J. Res. 241. Joint resolution to declare December 26, 1936, a legal holiday in the District of Columbia;

S. J. Res. 272. Joint resolution to provide for the maintenance of public order and the protection of life and property in connection with the Presidential inaugural ceremonies in 1937;

S. J. Res. 273. Joint resolution authorizing the granting of permits to the Committee on Inaugural Ceremonies on the occasion of the inauguration of the President-elect in January 1937, and for other purposes;

S. J. Res. 274. Joint resolution to exempt from the tax on admissions amounts paid for admission tickets sold by authority of the Committee on Inaugural Ceremonies on the occasion of the inauguration of the President-elect in January 1937;

S. J. Res. 275. Joint resolution to provide for the quartering, in certain public buildings in the District of Columbia, of troops participating in the inaugural ceremonies;

S. J. Res. 277. Joint resolution to investigate corporations engaged in the manufacture, sale, or distribution of agricultural implements and machinery;

S. J. Res. 279. Joint resolution establishing a commission to make a study and report with respect to the fair and equitable amount to be paid by the United States toward the expenses of the government of the District of Columbia, and for other purposes; and

S. J. Res. 280. Joint resolution to ratify and confirm the appointment of Isaac Gans as a member of the Alcoholic Beverage Control Board of the District of Columbia.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5730) entitled "An act to amend section 3 (b) of an act entitled 'An act to establish the composition of the United States Navy with respect to the categories of vessels limited by the treaties signed at Washington, February 6, 1922, and at London, April 22, 1930, at the limits prescribed by those treaties; to authorize the construction of certain naval vessels; and for other purposes', approved March 27, 1934."

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

S. 1073. An act for the relief of Louis Finger;  
S. 3371. An act for the relief of John Walker;  
S. 3441. An act for the relief of C. T. Hird;

S. 3818. An act to provide for the adjustment and settlement of certain claims for damages resulting from the operation of vessels of the Coast Guard and Public Health Service.

S. 3956. An act for the relief of Jacob Kaiser; and

S. Con. Res. 37. Concurrent resolution authorizing the printing of 44,000 copies of part 3 and subsequent parts of Senate Report No. 944.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 11140) entitled "An act to provide more effectively for the national defense by further increasing the effectiveness and efficiency of the Air Corps of the Army of the United States", disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. SHEPPARD, Mr. FLETCHER, and Mr. CAREY to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill H. R. 5368, entitled "An act to provide for the addition of certain lands to the Chalmette National Monument in the State of Louisiana, and for other purposes", disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. PITTMAN, Mrs. LONG, and Mr. CAREY to be the conferees on the part of the Senate.

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

H. R. 10317. An act to authorize additional coinage in commemoration of the one hundredth anniversary of independence of the State of Texas.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House thereon, and appoints Mr. ADAMS, Mr. MALONEY, and Mr. TOWNSEND to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill H. R. 9185, entitled "An act to insure the collection of the revenue on intoxicating liquor, to provide for the more efficient and economical administration and enforcement of the laws relating to the taxation of intoxicating liquor, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11915) entitled "An act to amend the Coastwise Load Line Act, 1935."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9484) entitled "An act to amend section 36 of the Emergency Farm Mortgage Act of 1933, as amended."

The message also announced that the Senate had passed, with amendments, in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 237. An act for the relief of the Rowesville Oil Co.;  
H. R. 254. An act for the relief of the Farmers' Storage & Fertilizer Co., of Aiken, S. C.;

H. R. 1695. An act for the relief of Margaret Grace and Alice Shriner;

H. R. 3866. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of Emanuel Bratses;

H. R. 6773. An act to deepen the irrigation channel between Clear Lake and Lost River, in the State of California, and for other purposes;

H. R. 8316. An act to exempt the Indian Service from the requirements of section 4 of the Executive Order No. 6166, dated June 10, 1933;

H. R. 8588. An act to authorize the deposit and investment of Indian funds;

H. R. 11690. An act relating to the admissibility in evidence of certain writings and records made in the regular course of business;

H. R. 12220. An act to authorize the adjustment of the boundary of the Fort Marion National Monument, Florida, in the vicinity of Fort Marion Circle, and for other purposes;

H. R. 12419. An act to apply laws covering steam vessels to seagoing vessels of 300 gross tons and over propelled by internal-combustion engines;

H. R. 12599. An act to provide more adequate protection to workmen and laborers on projects, buildings, constructions, improvements, and property wherever situated, belonging to the United States of America, by granting to the several States jurisdiction and authority to enter upon and enforce their State workmen's compensation, safety, and insurance laws on all property and premises belonging to the United States of America; and

H. R. 12799. An act to authorize the coinage of 50-cent pieces in commemoration of the three hundred and fiftieth anniversary of Sir Walter Raleigh's colony on Roanoke Island, N. C., known in history as the Lost Colony, and the birth of Virginia Dare, the first child of English parentage to be born on the American Continent, and her baptism.

#### LIQUOR-TAX ADMINISTRATION BILL

A conference report and statement on the bill (H. R. 9185) to insure the collection of the revenue on intoxicating liquor, to provide for the more efficient and economical administration and enforcement of the laws relating to the taxation of intoxicating liquor, and for other purposes, was filed on June 6, 1936.

#### DEDICATION OF THE GEORGE ROGERS CLARK MEMORIAL

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

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GREENWOOD. Mr. Speaker, on next Sunday, June 14, will occur the dedication of the George Rogers Clark Memorial at Vincennes, Ind. The membership of the House is invited to attend on this occasion. The President of the United States will be there and will deliver an address. This is an outstanding memorial. The Congress of the United States has had a part in making the appropriation. If Members will report to me their desire to attend, I will get reservations for the Members and their wives.

#### A TRIBUTE TO OUR LATE BELOVED SPEAKER OF THE HOUSE, JOSEPH W. BYRNS—"HE LIVED A SECRET LIFE OF PRAYER, AN OPEN LIFE OF PURITY, AND A PUBLIC LIFE OF SERVICE"

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent to have placed in the RECORD a very beautiful and touching tribute made at the last rites of our beloved late Speaker, Joseph W. Byrns, at Nashville, Tenn., on last Saturday by Dr. Powell, pastor of the First Baptist Church.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. JOHNSON of Oklahoma. Mr. Speaker, last Saturday it was my sad duty to serve on a committee from this House that attended the last rites of our late beloved Speaker, JOSEPH W. BYRNS, of Tennessee. The funeral was held at the Great War memorial building in his home city of Nashville, where thousands of his devoted friends gathered to pay their last respects and to mourn the passing of our great fallen leader.

The funeral services were undoubtedly the most impressive I have ever witnessed. This was not primarily because the funeral services were attended by the Chief Executive of the Nation, who journeyed to Nashville to pay his respects to our late Speaker, nor because the services were attended by members of the President's Cabinet and many other high Government officials, but they were particularly impressive because of the fact that so many close personal friends of the deceased had traveled hundreds of miles to pay their respects and of the deep and genuine mourning of the people of the city of Nashville, and the entire State who knew and loved him.

Three very beautiful tributes were paid at the services to our late Speaker. One by his pastor, one by our beloved House Chaplain, and one by Dr. W. F. Powell, pastor of the First Baptist Church, of Nashville, Tenn., and close personal friend of our late beloved Speaker.

Under the privilege granted me I am including, as a part of my remarks, the eloquent and touching address delivered on that memorable occasion by Dr. Powell, as follows:

It is fitting that this service should be held in our marvelously beautiful war-memorial building over the pillared entrance to which the words of President Wilson are chiseled—"America is privileged to spend her blood and her might for the principles that gave her birth and happiness and the peace which she has treasured." As in the World War so today America lays upon the altar of sacrificial devotion one who has given all his blood and might that peace might win her victories, no less renowned than war. And no dying soldier ever looked up from his deathbed of fame with truer courage and deeper consecration than our beloved Speaker and friend who goes to his welcomed place with Jackson and Polk and Johnson in history and in Heaven. It is true that whether one be king, conqueror, or magistrate in life, he dies as a man. But it is also true that to live and to die as a true man is greater honor to a king than his crown, more worthy of a conqueror than his victory, and more becoming to a magistrate than his robe.

You will permit me, my fellow Tennesseans, my fellow Americans, to speak of this man as I knew him then. Fifteen years ago in coming to Nashville we were beginning a downtown Bible class for men at the Knickerbocker Theater. With the aid of Congressman BYRNS, Gov. Austin Peay, and other great leaders, this class grew to an average attendance of from a thousand to twelve hundred men a Sunday. How the auditorium rang with applause whenever Congressman and Mrs. Byrns were welcomed back from Washington. And one Sunday morning after one of his congressional reelections I asked him to stand and reminded the brethren that once more Tennessee had written on its slate "I love you, Joe." And I touched off an explosion of appreciation and of friendship in the greatest and most unique demonstration of applause, laughter, and love I have ever seen in a religious meeting. At first he laughed, but as the demonstration continued he was overwhelmed and I saw the tears sparkle over the smiles. And it gave political offense to none. By his integrity, loyalty to all his constituency, and incomparable ability he had become just about as fixed an institution as the post office.

I loved him with an admiring despair. He was the greatest combination of gentleness and greatness I have ever known. What made him equally gentle and equally great? For the pride of his contemporaries and the inspiration of those who come after him let me try to tell you. He lived a secret life of prayer, an open life of purity, and a public life of service. For 35 years this humble Christian knelt beside his bed in prayer at the close of every day. He found God's hand in American history and in human experience, and he was led like an obedient child until at last he was scaled with Christ those celestial peaks on which no shadow ever falls.

And he lived an open life of purity. He was as good as he was great. The personal life of a public man may be his own. But the personal life of JOSEPH W. BYRNS is the priceless heritage of every boy and girl in America today. If I could express my feeling about him, my good and true friend, it would be in a verse of deserved devotion and deathless love.

"I tell you  
I shall never think of you  
Throughout my life  
Without such tenderness as breaks the heart;  
And I shall think of you  
Whenever I am most happy,  
Whenever I am most sad,  
Whenever I see a beautiful thing:  
You are a burning lamp to me,  
A flame the wind cannot blow out,  
And I shall hold you high  
In my hand  
Against whatever darkness."

He lived a public life of service. He gave his life to his country. And President Wilson wrote: "America is privileged to spend her blood and her might." Those words might be the epitaph both of himself and of Speaker BYRNS. During the past month this great Speaker, who now belongs to the ages, "spent his blood and his might." The strain overtaxed him. His good physician

and lifelong friend in Nashville went to him by plane, as he often did. In a heart to heart talk to his physician and dear friend he said: "Doctor, I am tired. I am worn out. I do not desire to die, but I am prepared to die any time. And it would really be my preference to die while Speaker of the House." Then he said: "You may be surprised to hear me say it, but do you know what is the matter with our country? We have gone away from our Maker. We need to come back to the Lord! Today by the death of our silent Speaker, God is calling America back. To King Solomon He said: "If my people, which are called by My name shall humble themselves, and pray, and seek my face, and turn from their wicked ways; then will I hear from Heaven, and will forgive their sin, and will heal their land." And Speaker BYRNS said: "We need to come back to the Lord." Such was the consecration of his public life of service.

Of course, a great life must be vicarious. Those who loved him best realized it most in him. "Service is the sacrificial use of life." It was a part of his likeness to his Lord.

The waving rose, with every breath  
Scents carelessly the summer air;  
The wounded rose bleeds forth in death  
A sweetness far more rich and rare.

It is a truth beyond our ken—  
And yet a truth that all may read—  
It is with roses as with men,  
The sweetest hearts are those that bleed.

The flower which Bethlehem saw bloom  
Out of a heart all full of grace,  
Gave never forth its full perfume  
Until the cross became its vase.

"And David after that he had served his generation by the will of God, fell on sleep."

Be it said of him for whom today a nation weeps: "And to add to his name greater honor than the age in which he lived could give him, he died fearing God." "May He whose pity bends above us like the sky be with his countrymen and his loved ones in this hour of need. Let not our faith fail or our hope grow dim. By memory of the empty tomb of Him we call our Lord; by recollection of His words that bid us think of death as sleep; and by the deathless love of dear ones gone, may we perceive in this darkness through which we pass, the shadow of God's hand stretched out in love. Ours is the God of the living—to Him there are no dead; in His sight, those we call dead are still alive. Thanks be to God who giveth us the victory, through Him who liveth, though He was dead, and behold, He is alive forevermore, even Jesus Christ our Lord. Amen."

#### REPORT OF THE RIVERS AND HARBORS COMMITTEE

Mr. MANSFIELD. Mr. Speaker, I ask unanimous consent to have until midnight to file a report of the Rivers and Harbors Committee on the bill H. R. 12873, to authorize completion, maintenance, and operation of certain facilities for navigation on the Columbia River, and for other purposes, reported last Saturday.

The SPEAKER. Without objection, it is so ordered.

#### EXTENSION OF REMARKS

Mr. SHANNON. Mr. Speaker, I ask unanimous consent that I may revise and extend my remarks on the Patman bill that was discussed on May 27, for the permanent RECORD. There will be practically no new matter.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BLANTON. Mr. Speaker, I make the point of order that all Members have that right to extend their remarks until the last issue of the RECORD.

The SPEAKER. The Chair will state to the gentleman from Texas that general consent was given, but there may arise occasions where special requests are necessary.

#### IN PRAISE OF CONGRESSMAN T. ALAN GOLDSBOROUGH'S RECORD FOR EFFICIENCY AND ECONOMY

Mr. GOLDSBOROUGH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a short commendatory statement.

The SPEAKER. Is there objection?

There was no objection.

Mr. GOLDSBOROUGH. Mr. Speaker, I am extending my remarks and including an article which appeared in the Baltimore Sun on April 28 and an extract from an editorial appearing in the Cambridge (Md.) Record:

WASHINGTON, April 28.—Speaker Byrns today praised the work of the six Maryland Representatives in Congress and expressed the hope all would be reelected in November.

The Speaker pointed out that the delegation has been in the House for several years, and all its members have important committee assignments.

"I was a Member of the House for 22 years before I became chairman of a major committee", the Speaker recalled. "Every Speaker of the House served 20 years or more before he reached that high position."

POINTS TO POSITIONS

He pointed out that Representative GOLDSBOROUGH, of Maryland, who has served approximately 15 years, ranks second on the important Banking and Currency Committee, and has been acting chairman most of this session. Representative PALMISANO, chairman of the Committee on Education, also is second-ranking member of the Committee on the District of Columbia, he noted. Representative GAMBRILL is the third-ranking member of the Naval Affairs Committee, Mr. Byrns recalled, and Representative KENNEDY, the junior member of the delegation, is chairman of the Committee on Claims.

He also pointed out that Representative COLE has been a conspicuous member of the Interstate and Foreign Commerce Committee and headed several subcommittees during this session and the last.

LEWIS' SERVICE PRAISED

Speaker Byrns praised the service of Representative LEWIS, citing especially his membership on the Ways and Means Committee, one of the most important of the House.

"Everybody knows the length of service of Members of the House increases their usefulness to their districts", Speaker Byrns said.

"New Members who are sent to Congress begin at the bottom of the list, and it requires considerable time to acquire a complete understanding of enacting legislation and making contacts with the various Government departments."

He also pointed out that should the political complexion of the House change, Members retain their minority rank on committees.

[Extract from editorial in the Cambridge Record]

Mr. GOLDSBOROUGH has never handled his office in a political way, and in his endeavor to prevent the waste of public money has several times halted the passage of costly legislation. Mr. GOLDSBOROUGH was almost entirely responsible for the defeat of the silver-purchase bill, providing for the purchase of 15,000,000 ounces of silver from the silver miners at \$1 an ounce. At the time the bill was up for passage, silver was only worth 65 cents, so that in the defeat of this legislation alone, Mr. GOLDSBOROUGH saved the Treasury more than \$5,000,000, enough to pay a Congressman's salary for 500 years.

AGRICULTURAL LEGISLATION

Mr. GOLDSBOROUGH. Mr. Speaker, I also ask unanimous consent to extend my remarks in the RECORD and to include therein a short letter.

The SPEAKER. Is there objection?

There was no objection.

Mr. GOLDSBOROUGH. Mr. Speaker, I am extending my remarks, including a letter received by me from the Farmers' Educational and Cooperative Union of America.

THE FARMERS' EDUCATIONAL AND  
COOPERATIVE UNION OF AMERICA,  
OFFICE OF EDWARD E. KENNEDY, SECRETARY,  
Kankakee, Ill., May 7, 1936.

Hon. T. ALAN GOLDSBOROUGH,

Representative of the First District,

State of Maryland, Washington, D. C.

MY DEAR MR. GOLDSBOROUGH: Having had occasion to review and become intimately acquainted with your record as a Member of Congress for the past several years on legislation affecting the interest of agriculture and the farmers of the Nation, I wish to take this opportunity to commend you for your splendid work as shown by the records in support of farm legislation and particularly those farm measures, in which the National Farmers' Union is most vitally interested.

The farmers and other citizens of your district are to be commended also for having elected you to the Congress.

With best wishes and kindest personal regards, I am,

Cordially yours,

Edw. E. KENNEDY,  
National Secretary.

NAVAL ACADEMY GRADUATION ADDRESS

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to place therein an address delivered by the Acting Secretary of the Navy, Admiral Standley, to the graduates at Annapolis last week.

The SPEAKER. Is there objection?

There was no objection.

Mr. COCHRAN. Mr. Speaker, 40 years ago last week Admiral William H. Standley graduated from the Naval Academy. Today he is the highest ranking officer in the Navy, being Chief of Operations. Admiral Standley, due to the illness of Secretary Swanson, is also Acting Secretary of the Navy.

On the fortieth anniversary of his graduation Admiral Standley, as Acting Secretary of the Navy, presented the members of the graduation class at the Naval Academy with their diplomas. On that occasion he delivered an address which contains so much sound logic that I request permission to place it in the RECORD in the hope that it will be widely circulated. I can conceive of nothing finer than to bring his words, not only to the attention of the young who are just starting on their careers but also to the older generation, for they cannot help but be beneficial to all who are fortunate enough to read his utterances.

Admiral Sellers, members of the graduating class, and their friends, honored guests, I am proud to stand before the future leaders of the United States Navy. The class of 1936 entered the Academy 4 years ago, 337 strong. Of your original number, 233 have survived the ordeals and exactions of the prescribed courses. Today it will be my pleasure and privilege to deliver to you your diplomas. Your best girls yonder, whose presence brightens this old armory more than all the gold braid on all the admirals, are waiting to fasten ensign's epaulets to your shoulders, and that, by the way, is a fine and graceful survival from the age of chivalry, when the young esquire's lady friend strapped his knightly spurs upon his heels and exhorted him to be brave, loyal, and true in the battle of life. The air will presently be full of midshipmen's caps that you don't need any more, and your company officers may add the sword knot to their hilts. You will rate salutes and tallors' bills, and all the other honors and tribulations of commissioned officers.

This is one of the good days of your lives. You will remember it always with a warm feeling in your hearts as I remember the day I stood where you are standing, more than 40 years ago. And it is your right to feel proud that you have passed with credit the first of many tests which lie before you in your chosen profession. It is not an easy profession that you have elected, and I would say that it grows rapidly no easier. Naval affairs have advanced a long way from the time that Roman admirals and constructors could transform a growing forest into ships of war in a couple of months. We have come just as far from the early nineteenth century when, in our Atlantic shipyards, they knocked a frigate together out of planks, slung 50-odd smooth-bore cannon aboard, collected a crew along the waterfront, requisitioned a guard of marines to keep the officers safe, and stood out to sweep the seas. Even as recently as my own day, when I was a passed midshipman, the old *Hartford*, that carried Farragut's flag, was in full commission, a stick-and-string bateau with auxiliary steam. Steam had not then developed those beauties which drive a young officer gray before his time, as they do now. We were very innocent about internal-combustion engines and turbines and electric drive, and we had never heard of such things as director firing. The old-timers of that day liked to recall the story about Nelson; how they sent him out a model sighting device to improve the gunnery of His Majesty's ships at mid-and-long ranges, and how Nelson sent it back with the comment that his idea of a target was a line of battleships at a hundred yards, for which his gun layers needed no mechanical gadgets.

Today, a battleship fires at targets 30,000 yards away, with planes to correct the fall of her salvos. A modern vessel of war is one of the most elaborate and complicated mechanisms ever devised by man. It combines enormous power and terrific destructive force with the delicate precision of the finest machinery. The officers and men who cause it to function are technicians and specialists to an extent never imagined by the old Navy. Increasingly the naval officer has to be a technician. Something of this you have already seen on your practice cruises, and I am sure that your instructors here, in the past 4 years, have made concrete suggestions to you along the same lines. But actually you have made no more than a beginning. A naval officer's education starts the day he puts on his plebe uniform and continues through his entire career; it is never finished. The academy has simply prepared you to acquire that education; and that is all that any instructor, or any school, can do. The rest of it is in your hands.

Soon the raptures of June week will end, and you will go out to the fleet. Your responsibilities will be increased as your competence is demonstrated. Each of you must pull your weight and make your place, in light craft or great ships, in the aircraft squadrons or in the Marine Corps, wherever your orders take you. And your reward for hard work will be more hard work; that is what the term, "Well done," means to the Naval Service.

But these are material things. Gunnery and engineering, radio and navigation, may be reduced to formulas by experience and common sense. They are matters of known properties and characteristics. There is no mystery about any of them that will not yield to energy and application. The Navy standard of performance in these matters is high, but it is within the grasp of every one of you. Naval policy, distilled from the working experience of all our naval history, and expressed in law, custom, and regulations, charts the probable course of the officer through his career. He spends so many years in each grade; his details should strike a proportion between sea duty and shore duty; certain courses of special instruction are open to him; and he may

look with reasonable assurance to certain commands. These things, too, are all in the way of material. But, I would have you take with you from here, today, thoughts outside of and above these material things, and yet inseparable from them; so in this, your last hour before graduation, I would have you ponder well the matter of character.

The course and development of character cannot be charted by any system that we know. Character is the spark that quickens human life; the driving force behind all human action. Each of you came into this world with certain traits of personality. These, stimulated by experience and common sense, add up to intelligence, and eventually become established as character. The early years are the most important in its formation, so when you entered Annapolis you virtually brought your character with you. There were already discernible in you those traits which have made you individuals to your officers and your instructors; they have been factors in your school career; they are in some measure now expressed in your class standing. The primary function of the Naval Academy is to strengthen these traits and develop them into rugged, upright characters.

The Naval Academy has surrounded you with the atmosphere of high tradition which is the chief treasure of the naval service. The names of John Paul Jones, of Decatur, Truxton, Dahlgren, Mahan, Luce, and Bancroft, and the stories with which they are associated indicate to you daily those attributes of character which we delight to honor. You go out now into the service, and presently there will build up around each of your names the intangible thing called service reputation; and when the Navy says service reputation, it means character.

I remember reading in Captain Pearson's report to My Lords of the Admiralty, on the action of the H. M. frigate *Serapis* off Flamborough Head with the American ship *Bon Homme Richard*, how, very early in the engagement, it became evident to him that the American ship was commanded by an officer of unusual intrepidity and resolution.

Captain Pearson recognized character when he met it—as do all intelligent men. There is also the Tennessee fable of Col. Davy Crockett and the coon. "Is that Colonel Crockett?" asks the coon, looking anxiously down from his tree. "Well, don't shoot, Colonel, I'll come down!", says the coon. And the coon, as you see, recognized service reputation, which is the same thing.

Courage, steadfastness, sincerity, loyalty, tolerance, generosity, patience, courtesy, honesty, decision—and their opposites—these are attributes not taught in any school and not teachable. But they all have their places in an officer's character, and for them, or for his lack of them, his associates estimate him, by them his seniors mark him, and on them his career depends.

Courage is the great military virtue. The French veteran of Napoleon, writing of the emperor's wars, said that he had noted all men were equally brave, except the French of course, who were a little braver than anybody else. He was right, in saying courage is the most common human phenomenon. He might have added that fear is just as common to men; but character drives out fear; and when it does, the result is courage.

Steadfastness—and with steadfastness the kindred qualities of sincerity and loyalty—are implied in the very existence of an officer. To be steadfast is to stay put in the stations where your duty takes you; to be sincere is to believe in yourself and to have others believe in you. Loyalty is the finest of all. It means standing by your own; it works both ways, from the top down and from the bottom up, through all the naval structures; and without it the structure falls.

Tolerance, generosity, patience, and honesty are vital to you. I talked awhile ago of technical skill, of those facilities with material which you may acquire by industry. But the ultimate tool, the decisive instrument, in the military profession is the man whom you command. That is why warfare is an art and not a science; it deals with the human equation; and the human equation is the first of the imponderables.

Your new duties will be the lowest in the scale. As experience fits you for advancement, you will progress to higher assignments. From watch duties you will go to the head of departments to executive billets and to commands. As you pass from one job to another, you will leave behind one set of details and master another set.

But all along the way, from engine-room watch and turret crew up to the United States Fleet itself, there is one detail common to every naval job which you will never leave behind—and that is the control of men. The human equation will be a factor in every problem that you meet in your careers, and whether you solve your problems or not will depend on your handling of the human equation. Ensign, commander, admiral—it will always be with you, the most important of your responsibilities. You will live with your men; you will share the same conditions; all of you aboard ship are bound in the same destiny. You must have tolerance, then, to recognize and to allow for human frailty. You must be generous to see and to reward the fine responses of which the common man is capable. You must have patience, for not all your problems will be alike, nor will all of them lie open to quick solution. Honesty is the root of confidence, without which you will fall. Courtesy gives grace to human intercourse. Finally there is decision, and decision is the executive attribute; it is the mainspring of action. And so I would have you leave here today with the thought that character is the intangible something which, more than any other attribute, will make for success in your chosen profession.

Before another class comes to graduation I will have finished my service and gone out. What I have said to you today I have said

with a very special feeling of "hail and farewell." The future is yours to make what you will of it. As you build, so will the Navy prosper. I congratulate you on the opportunity for usefulness and honor that opens before you, and from my heart I wish you well.

#### TRIBUTE TO JOSEPH W. BYRNS

MR. CARTWRIGHT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to insert therein the funeral sermon delivered by the pastor of the Methodist Church in Nashville, Tenn., of which the late Joseph W. Byrns was a member.

THE SPEAKER. Is there objection?

There was no objection.

MR. CARTWRIGHT. Mr. Speaker, I have just returned from the funeral services at Nashville, Tenn., for the late Speaker JOSEPH W. BYRNS. It was a sad journey to Nashville as the special funeral trains moved through the night with the body of the late Speaker JOE BYRNS out over the moon-bathed hills of Virginia and eastern Tennessee to his last resting place. Two trains were required to provide accommodations for the Washington friends and admirers who wished to pay the full measure of respect to him whom all affectionately referred to as "JOE BYRNS." In our party was the new Speaker William B. Bankhead, President Franklin D. Roosevelt, Secretary of State and Mrs. Hull, Postmaster General Farley, 16 Senators and 60 Representatives, and other officials of the Federal Government.

During more than a quarter of a century in Washington, Mr. BYRNS had given of himself unselfishly to his friends and his country. People of official Washington see much of ceremony, of pomp, and circumstance, and are little affected by such matters, but in this case, the high and the low, great, and small, were talking about JOE BYRNS' death.

The high regard in which Speaker BYRNS was held by the people from his home State and with whom he was most closely associated was well described by his own pastor, Dr. C. J. Harrell, of the West End Methodist Church, of Nashville, of which Mr. BYRNS was a member. I take pleasure in presenting the manuscript of his funeral address, which he handed to me, for inclusion in the CONGRESSIONAL RECORD:

The first vote I ever cast in the exercise of my American franchise I cast, while a student in Vanderbilt University, for JOSEPH W. BYRNS at the time he was first chosen by the people to represent this district in the United States Congress. Not even his closest friends then dreamed that he would come to occupy so large a place in the councils of the Nation. And yet by dint of merit and fidelity to duty his sphere of service broadened, until he occupied positions of largest trust in national affairs. Today, my friends, Tennessee pauses to pay honor to her distinguished son, and a Nation mourns the passing of one upon whose broad and sturdy shoulders she had laid so large responsibilities.

I stand here as his pastor to speak some word of affection and tribute concerning our friend and brother. For more than 30 years he was a communicant of the church which it is now my privilege to serve. No fulsome eulogy would be appropriate to this occasion, for JOSEPH W. BYRNS was a simple man. It is always refreshing in these days of sham and tinsel show to find a man who is genuine. He grew to manhood amid these hills in middle Tennessee, and to the end he preserved within himself the simplicities and stalwart virtues of those early years. To a marked degree the heart of Old Hickory was in him. He was a rugged man of the people, a champion and defender of their rights and liberties. As today we lay his body to rest in this his native soil, we could find no better epitaph to mark his resting place than some such words as these, "Here lies one who lived in a house by the side of the road, and was a friend to man."

To his simplicity was fitly joined the virtue of integrity. Through these years, I found men who differed with him in policies of state, but I have found not one who questioned his character. Moral worth is at last, my friends, the measure and the crown of man. By that measure and that crown he stands a king. As we assemble here, and as the Nation pauses to do him reverence, no finger of suspicion is pointed at his character. He has fought on many fields, he has fought until his day is done, and night envelopes him, and now we bring our hero home, his sword untarnished, like the stainless sword of Robert Lee.

These simple virtues of which our friend was so conspicuous an example, cannot be confined to the spheres of time. They are rooted in the unseen, and project themselves into vast eternity. Man was born to think of himself as an immortal. Here in "the bourne of time and place", compassed about by the mysteries of life, we are conscious of spiritual influences and powers, like zephyrs blown from other shores. Our brother believed in God and in the reality of the unseen. This man of simple virtues was a man of simple faith. For him no empty cant or vain pretense, which are faith's counterfeit! I observed on yesterday how a Member of the distinguished body over which JOSEPH BYRNS until

last Wednesday presided, said of him, that it was his unfailing custom to kneel each night beside his bed and implore the guidance of his God.

When we take the shorter view of things, death seems a catastrophe. When a leader falls we stand half-dazed, and ask, Who shall lead us now? But for a man of stalwart virtues and simple faith, death is only an incident in life. It is not the end of a career, but only a swinging door through which we pass to other spheres of life and labor. I verily believe that the powers and possibilities in a good man's life are at his journey's end transferred to another world, and that death is the greatest of all adventures.

On such occasions as this I frequently think of the words of St. Paul as he waited the execution of Nero's sentence. He writes of the impending event in words as buoyant as a morning song, "The time of my departure is at hand." One word in that classic line contains the whole of the Christian's philosophy of death. The word which in most of our translations is rendered "departure" literally means "unloosing." It is the identical word which sailors and fishermen of the Greek world used when they spoke of untying the ropes that held their boats to the shore. "The time of my unloosing is at hand," so may we render St. Paul's words to Timothy, and preserve the imagery that is there. Here is a pen picture that in one stroke reveals the glory of that great adventure which we call death. For sixty-odd years the apostle's soul had been held by the bonds of the flesh to the shores of time. He could go no farther than the rope's length. But the time of unloosing had come! Clear the gangways! Unloose! I often wonder if England's poet laureate had these words of St. Paul in mind when he, about to take his leave, wrote, as our choir so beautifully sang—

"Sunset and evening star,  
And one clear call for me!  
And may there be no moaning of the bar  
When I put out to sea."

Speed on, good friend, and, like Ulysses, "strike the sounding furrows." Move out, to give to God an account of the talents entrusted you, and with the immortals of earth to reinvest them in that eternal kingdom where the limitations of time and space will no longer molest you!

#### FEDERAL DEPOSIT INSURANCE CORPORATION

Mr. SPENCE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a short excerpt from the platforms of the last Republican and Democratic conventions, and also a short resolution of the American Bankers Association.

The SPEAKER. Is there objection?

There was no objection.

Mr. SPENCE. Mr. Speaker, it has been generally recognized that the Federal Deposit Insurance Corporation law has been most constructive. It has had such beneficial results that there has been a constant effort on the part of the Republican Party to claim credit for its enactment. We have on more than one occasion heard our colleagues on the other side of the aisle make claims of that character. I wish to call the attention of the House to the pertinent part of the Republican platform adopted in 1932 to this progressive and constructive legislation, which is as follows:

In contrast with the Republican policies and record, we contrast those of the Democratic as evidenced by the action of the House of Representatives under Democratic leadership and control, which includes the guaranty of bank deposits.

The American Bankers Association at their 1933 convention adopted a resolution in regard to the Federal Deposit Insurance Corporation Act, which is as follows:

We recommend to the national administration at Washington that it seek means for postponing the initiation of deposit insurance which under the provisions of the Banking Act of 1933 would be put into operation at the beginning of 1934. The new law provides for the organization of a corporation to administer the insurance of deposits, but as yet this corporation has not been formed. The new law also provides that there shall be made a thorough examination of banks to determine their qualifications for insurance as a prerequisite to their admittance to its privileges, but these examinations have not as yet been made. There is not now remaining sufficient time before the beginning of next year to carry through the examinations the law requires, nor are there enough experienced bank examiners to do the work adequately even if the time were considerably longer.

There are now more than 2,700 banks that are operating on a restricted basis. Most of these banks could not qualify for deposit insurance unless reorganized. Nearly all of them would be forced to suspend. There are also many unrestricted banks that are now making rapid gains in strength and liquidity but which have little prospect of being able to qualify under rigorous examination for deposit insurance before the beginning of next year.

It is our considered judgment that means should be found to postpone action in putting into effect the proposed measures for deposit insurance. We believe that if the attempt is made to hurry through arbitrarily strict examinations the result will be the suspension and liquidation of some thousands of banks which would deprive many communities of any banking facilities, and would entail new losses and new credit deflation that would unsettle business and impair the prospects of recovery. If, on the other hand, the necessarily hurried examinations should be lax and superficial, many institutions would be admitted to deposit insurance that cannot rightfully qualify for its privileges. Under those circumstances we believe that means should be found to postpone initiation of deposit insurance until the authorities at Washington can cause to be made an adequate study and report covering the whole matter.

From the above resolutions it is obvious that while the American Bankers' Association counseled delay, this really was the result of deep-seated opposition to the whole plan, and neither the Republican Party nor the bankers are entitled to any credit for this legislation which has done so much to bring back normal conditions to our country.

While the Democratic Party did not specifically endorse the bill providing for the insurance of bank deposits in its platform adopted at its national convention in 1932, that platform contained the following statement:

We advocate quicker methods of realizing on assets for the relief of depositors of suspended banks, and a more rigid supervision of national banks for the protection of depositors and the prevention of the use of their moneys in speculation to the detriment of local credits.

While we concede this is not a definite endorsement of the act providing for the Federal insurance of bank deposits it is a commitment to one of the most important principles of that act.

In the light of this irrefutable documentary evidence the conclusion is inevitable that the Democratic Party is entitled to the entire credit for the passage of this legislation and it is equally obvious that it was passed over the formal and official objection of the Republican Party and the American Bankers Association.

It was passed by a Democratic House and a Democratic Senate, and approved by a Democratic President. This statement is made in the interest of historical accuracy and to clear up some misapprehensions that may exist by reason of the frequent statements that have been made on the floor of the House.

#### THE PEOPLE DEMAND PASSAGE OF THE WAGNER-ELLENBOGEN HOUSING BILL AT THIS SESSION OF CONGRESS

Mr. ELLENBOGEN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the Wagner-Ellenbogen housing bill, and to include therein a reference to certain endorsements of the bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. ELLENBOGEN. Mr. Speaker, the great Nation-wide demand which has crystallized behind the Wagner-Ellenbogen housing bill in the past few months is a movement unique in the annals of American history. Never before, to my knowledge, have so many different interests and organizations—interests which often find themselves arrayed bitterly on opposing sides of other national issues—been so wholeheartedly united behind a single piece of legislation.

#### WIDESPREAD DEMAND FOR PASSAGE OF HOUSING BILL

The demand for passage of the United States housing bill of 1936 at this session of Congress comes from poor and rich, from big cities and rural villages, from North and South, from labor and employers, from social workers, financiers, and elected Government officials, from Catholics, Protestants, and Jews. Republicans and Democrats both support it. Hundreds of newspapers all over the country have stressed the importance of this bill in direct relation to pressing concrete problems in their own communities.

This measure is not the concoction of a few experts in Washington presuming to know what is good for the rest of the country. It is the direct answer to the demands of the people out in our cities and States and rural areas who are seeking some solution to the housing problem. The

people back home, out of their own concrete daily experience, have determined the essential features of this bill. The United States Conference of Mayors, individual mayors, and city councils have insisted that a permanent United States housing authority be set up, and that it must have the power itself to build demonstration projects at least during the early years of a national housing program. The social agencies, local governments, and the representatives of low-income families who need housing have helped to fashion this bill.

This great movement has developed spontaneously. This administration 3 years ago recognized housing as a significant part of the New Deal. Nevertheless, during the past year Washington has given very little encouragement to local groups and citizens interested in low-rent housing. The movement throughout the country has developed in spite of the lack of a clear-cut administrative policy in Washington and in spite of thousands of disappointments.

Whatever may be the situation in Washington, the housing bill is on the "must" list of the citizens of this Nation.

PARTIAL LIST OF ENDORSEMENTS

I want to take this opportunity to introduce into the RECORD a very partial list of the endorsements of this bill received so far in my office. All these individuals and organizations have urgently asked Congress to enact this bill during the current session. Long and varied as it is, the list is nevertheless very incomplete. I am sure that every Senator and every Representative could add to it from his personal files.

I will not read the entire list to you. But I do want to give you a brief summary which will show what great variety and extraordinary comprehensiveness it has.

NATIONAL ORGANIZATIONS WHICH HAVE ENDORSED THE WAGNER-ELLENBOGEN HOUSING BILL—URGING ITS ENACTMENT AT THE PRESENT SESSION OF CONGRESS

Unitarian Ministerial Union.  
Christian Science Monitor.  
American Association of Social Workers—housing committee.  
American Federation of Labor—executive council, building trades department, housing committee.  
United States Conference of Mayors.  
National Federation of Settlements.  
Federal Council of Churches of Christ in America.  
National Women's Trade Union League.  
National Public Housing Conference.  
National Urban League.  
National Association for the Advancement of Colored People.  
Labor Housing Conference.  
American Home Economics Association.  
United Mine Workers of America.  
National Council, Young Men's Christian Association.  
National Recreation Association.  
American Federation of Hosiery Workers.  
Special Conference of American Rabbis—social justice commission.  
International Brotherhood of Electrical Workers.  
Glass Bottle Blowers Association.  
International Fur Workers Union.  
Brotherhood of Railway Clerks.  
National Association of Letter Carriers.  
Piano, Organ, and Musical Instrument Workers Union.  
Sheet Metal Workers International Union.  
International Brotherhood of Teamsters, Chauffeurs, Stablemen and Helpers.  
International Association of Marble, Stone, and Slate Polishers, Rubbers and Sawyers, Tile and Marble Setters, Helpers and Terrazzo Helpers.  
United Rubber Workers of America.  
International Federation of Technical Engineers, Architects, and Draftsmen's Union.  
Federation of Flat Glass Workers.  
United Leather Workers International Union.  
International Broom and Whisk Makers Union.  
United Wall Paper Crafts of North America.  
Chair Maker's International Union.  
National Federation of Rural Letter Carriers.  
Operative Plasterers' and Cement Finishers' International Association.  
Amalgamated Clothing Workers of America.  
United Association of Plumbers and Steamfitters.  
International Association of Machinists.  
American Federation of Musicians.  
International Ladies' Garment Workers' Union.  
Bricklayers, Masons, and Plasterers International Union.  
United Hatters, Cap and Millinery Workers.  
Scripps-Howard Newspapers.  
Brotherhood of Maintenance of Ways Employees.

Among the organizations which never endorse specific legislation, but which have, nevertheless, officially endorsed the general principles behind the bill are:

American Institute of Architects.

The National Conference of Catholic Women.

The National Board of the Young Women's Christian Association.

ALABAMA

Housing Authority, Birmingham.  
Alabama State Federation of Labor.  
Building Trades Council, Montgomery.  
Muscle Shoals Building Trades Council, Florence.  
Birmingham Building Trades Council.  
Anniston Central Labor Union.  
Central Labor Union, Montgomery.  
Central Labor Union, Winfield.  
Local Bricklayers, Masons, and Plasterers' International Union, Dothan.  
International Association of Machinists, River Front Lodge, No. 261, Mobile.  
Tri-Cities Central Labor Union, Muscle Shoals.  
United Brotherhood, Carpenters and Joiners of America, No. 1796, Montgomery.  
United Brotherhood, Carpenters and Joiners, No. 89, Mobile.  
Young Men's Christian Association, Mobile.

ARKANSAS

Central Trades and Labor Council, Pine Bluff.  
State Employees and Moving Picture Machine Operators, Local No. 328.  
International Brotherhood of Firemen and Oilers, Pine Bluff.

ARIZONA

City Commission, Phoenix.  
Mayor of Phoenix.

CALIFORNIA

San Bernardino City Council.  
Mayor C. T. Johnson, San Bernardino.  
Los Angeles City Council.  
Hon. Frank L. Shaw, mayor, Los Angeles.  
Los Angeles City Planning Commission.  
Los Angeles Committee on Public Housing.  
San Francisco Board of Supervisors.  
Los Angeles Municipal Housing Commission.  
Los Angeles County Board of Supervisors.  
Central Labor Council of San Mateo County.  
Central Labor Union of Monterey County, Salinas.  
San Francisco Labor Council.  
Fresno Central Labor Council.  
Carpenters' Local No. 130, Vallejo.  
Los Angeles Building Trades Council.  
Carpenters' Local, Yuba City.  
Central Labor Council, Santa Rosa.  
Central Labor Council of San Joaquin County.  
Consolidated Building and Metal Trades Central Labor Council, Vallejo.  
Dressmakers' Union No. 11, San Francisco.  
Cloakmakers' Union No. 6, San Francisco.  
Ladies Garment Cutters No. 213, San Francisco.  
Central Labor Council, Los Angeles.  
Asphalt Pavers No. 84, San Francisco.  
San Diego Building Trades.  
Studio Carpenters Local No. 946, Los Angeles.  
Building Trades Council, San Francisco.  
International Association of Machinists No. 1422, Los Angeles.  
(American Institute of Architects, Southern California chapter.)

COLORADO

Denver Typographical Union, No. 49.  
Colorado State Federation of Labor.  
Fremont County Central Labor Union.

CONNECTICUT

Mayor Alfred N. Phillips, Jr., Stamford.  
Hartford Journeymen Plumbers Association, No. 76.  
Meriden Central Labor Union.  
Miss Mary Arnold, Greenwich.

DELAWARE

Wilmington Central Labor Union.  
Wilmington Building Trades Council.

DISTRICT OF COLUMBIA

Washington Committee on Housing.  
Settlement Council of Washington, represents nine settlements.  
John H. Fahey, chairman, Federal Home Loan Bank Board.  
Miss Jean Coman.  
Washington Building Trades Council.  
Washington Times.  
Msgr. John A. Ryan, National-Catholic Welfare Conference.  
Catherine Bauer, Labor Housing Conference.  
William Green, President, American Federation of Labor.  
Dr. John O'Grady, secretary, National Council of Catholic Charities.  
Anson Phelps-Stokes.  
Harry Bates, chairman, American Federation of Labor housing committee.  
Michael J. Colleran, president, Operative Plasterers and Cement Finishers International Association.

## FLORIDA

Jacksonville City Council.  
 Tampa Municipal Housing Authority.  
 Mayor R. E. L. Chancey, Tampa.  
 Miami City Commission.  
 Florida Federation of Labor.  
 Building Trades Council of Jacksonville.  
 Bricklayers, Masons, and Plasterers, No. 7, Miami.  
 Orlando Central Labor Union.  
 International Brotherhood of Electrical Workers, No. 177, Jacksonville.  
 Bricklayers, Masons, and Plasterers, No. 6, West Palm Beach.  
 Florida Building Trades Conference, St. Petersburg.  
 International Longshoremen's Association, No. 1416, Miami.  
 Central Trades and Labor Assembly, Tampa.  
 Building Trades Council, West Palm Beach.  
 Central Labor Union, St. Petersburg.  
 Duval County Board of County Commissioners.  
 International Brotherhood of Electrical Workers, No. 908, St. Petersburg.  
 United Association of Journeymen Plumbers and Steam Fitters, No. 630, West Palm Beach.  
 International Association of Machinists, No. 731, Jacksonville.  
 Miami City Commission.

## GEORGIA

Mayor James L. Key, Atlanta.  
 City Council, Atlanta.  
 Mayor Richard K. Allen, Jr., Augusta.  
 Central Labor Union, Augusta.  
 Georgia Federation of Labor, Atlanta.  
 Building Trades Council, Atlanta.  
 Atlanta Federation of Trades.  
 Macon Federation of Trades.  
 Columbus Central Labor Union.  
 United Brotherhood of Carpenters, No. 1623, Columbus.  
 Georgia Home Economics Association.  
 Central Sash & Door Co., Macon.  
 Savannah Building Trades Council.

## IDAHO

Central Labor Council, Lewiston.  
 State Federation of Labor.

## ILLINOIS

City Council, Belleville.  
 City Council, Waukegan.  
 Mayor Mancel Talcott, Waukegan.  
 City Council, East St. Louis.  
 Illinois State Board of Housing.  
 Committee on Housing, Council of Social Agencies, Chicago.  
 Metropolitan Housing Council, Chicago.  
 Illinois State Federation of Labor.  
 Springfield Urban League.  
 Greater Peoria Civic Association.  
 Chicago Federation of Settlements.  
 Chicago Building Trades Council.  
 South Chicago Trades and Labor Assembly Center.  
 Central Labor Union, Rockford.  
 Belleville Building Trades Council.  
 Trades and Labor Council, West Frankfort.  
 Kankakee Federation of Labor.  
 Kankakee Building Trades Council.  
 Blue Island Central Labor Union.  
 Springfield Federation of Labor.  
 United Cement Workers, No. 20066, Oglesby.  
 Central Trades and Labor Union, East St. Louis.  
 Benton Central Labor Union.  
 Kewanee Trades and Labor Assembly.  
 Airline Pilots Association, Chicago.  
 Ladies' Garment Workers' Union, No. 189, Batavia.  
 Local Union No. 98, Terrazzo Workers' Helpers, Chicago.  
 Local No. 134, International Brotherhood of Electrical Workers, Chicago.  
 Women's City Club, Chicago.  
 Mayor's Committee for Better and More Homes, Rock Island.  
 Col. R. E. Wood, president, Sears Roebuck, Chicago.  
 Alfred K. Stern.  
 Coleman Woodbury.  
 Harry F. Robinson, Chicago.  
 Y. M. C. A., Chicago.  
 Mrs. Willard Hotchkiss, Chicago.  
 Olof Z. Cervin, architect, Rock Island.  
 George Richardson, member Chicago Advisory Commission.  
 Ernest Fremont Tittle, member Chicago Advisory Commission.  
 First Methodist Episcopal Church, Evanston.  
 Central Labor Union, Freeport.  
 Rev. Walter Batty, Methodist Episcopal Church, Bradley.  
 City clerk, Oglesby.  
 Rev. Frank Hancock, First Methodist Episcopal Church, Blue Island.  
 Airline Pilots' Association, Chicago.  
 City of Springfield.  
 Van Buren Street Improvement Association.  
 City of Rockford.

## INDIANA

John W. Kern, mayor of Indianapolis.  
 Mayor William H. Dress, Evansville.

## EVANSTON ADVISORY COMMITTEE ON HOUSING.

Indiana State Federation of Labor.  
 Central Labor Union of South Bend.  
 Kokomo Trades and Labor Council.  
 Carpenters' Local, No. 565, Elkhart.  
 Central Labor Union of Bloomington.  
 Clinton Central Labor Union.  
 Bricklayers' Union, No. 6, East Chicago.  
 Carpenters' Local Union, No. 90, Evansville.  
 International Ladies' Garment Workers Union, No. 116, Fort Wayne.  
 United Electrical and Radio Workers of America, No. 902, Fort Wayne.  
 Vigo County Central Labor Union, Terre Haute.  
 Evansville Press.  
 United Garment Workers of America, No. 254, Clinton.  
 Kokomo City Council.

## IOWA

City Council, Waterloo.  
 City Council, Council Bluffs.  
 Mayor William Guilfoyle, Council Bluffs.  
 Mayor of Des Moines.  
 Sioux City Municipal Housing Commission.  
 Building Trades Council, Des Moines.  
 Cedar Rapids Building Trades.  
 Iowa State Council of Federated Churchwomen.  
 Central Labor Union of Council Bluffs.  
 International Brotherhood of Electrical Workers, No. 405, Cedar Rapids.  
 Central Labor Union, Mason City.  
 Iowa State Federation of Labor.

## KANSAS

Coffeyville Central Labor Union.  
 Central Labor Union, Hutchinson.  
 United Brotherhood of Carpenters & Joiners, Local No. 1445, Topeka.  
 Carpenters Local Union No. 1587, Hutchinson.

## KENTUCKY

Mayor Neville Miller, Louisville.  
 Board of Aldermen, Louisville.  
 Housing and Advisory Commission, Louisville.  
 Planning and Zoning Commission, Louisville.  
 State Federation of Labor, Louisville.  
 A. Joseph Stewart, Fidelity Columbia Trust Co., Louisville.

## LOUISIANA

New Orleans Chapter American Association of Social Workers.  
 New Orleans Advisory Commission on Housing.  
 Lake Charles Building Trades Council.  
 New Orleans Central Trades Council.  
 First Methodist Church, Baton Rouge.  
 The Associated Catholic Charities, New Orleans, Gen. Allison Owen.  
 Col. L. Kemper Williams, chairman, New Orleans Advisory Commission on Housing.

## MAINE

Central Labor Union of Portland.

## MARYLAND

Maryland and District of Columbia State Federation of Labor.  
 Resettlement Lodge No. 206.  
 Rabbi Edward L. Israel, Social Justice Commission of Special Conference of American Rabbis.

## MASSACHUSETTS

Mayor of Cambridge.  
 Cambridge City Council.  
 Massachusetts State Board of Housing.  
 Boston Housing Association.  
 Boston Housing Authority.  
 Massachusetts Federation of Labor.  
 William Stanley Parker, chairman, Boston City Planning Board.  
 Central Labor Union—Boston and vicinity.  
 Building Trades Council—Boston and vicinity.  
 John Carroll, Massachusetts State Federation of Labor.  
 Building Trades Council, Lawrence.  
 Union No. 19859, Wire Workers' Local of Worcester.  
 Norwood Building Trades Council.  
 Worcester Building Trades Council.  
 Lynn Building Trades Council.  
 Central Labor Union, Lowell.  
 International Brotherhood of Teamsters, Chauffeurs, Stablemen and Helpers of America, No. 49, Lowell.  
 Stone Masons and Marble Setters Union, No. 9, Boston.  
 Boston Building Trades Council.  
 Cambridge City Council.

## MICHIGAN

City Council, Dearborn.  
 Mayor Frank Couzens, Detroit.  
 Kalamazoo City Commission.  
 Detroit Housing Commission.  
 Michigan State Federation of Labor.  
 Council of Social Agencies, Kalamazoo.  
 Calhoun County Council of Social Agencies.  
 Legislative committee of trades and labor council, Muskegon.  
 Battle Creek Federation of Labor.

M. & M. Trades Council, Menominee.  
 Kalamazoo Central Labor Union.  
 Joe Wilson, Detroit Teachers' Agency.  
 Central Fibre Products of Detroit.  
 Maurice Bortman.  
 Fordson School Women's Club, Dearborn.  
 Philadelphia Tire & Battery Service, Detroit.  
 Howell Electric Motors Co., Detroit.  
 Imperial Electric Co., Detroit.  
 P. J. Kelley, Detroit.  
 Master Upholstering Shop, Detroit.  
 Kuhlman Electric Co., Detroit.  
 Virginia Flower Shop, Detroit.  
 Electric Machinery Manufacturing Co., Detroit.  
 Delta-Star Electric Co., Detroit.  
 Blue Bird Fur Shop, Detroit.  
 Elwell Parker Electric Co., Detroit.  
 Young Democratic Club, Jackson County, Jackson.  
 Grand Rapids Federation of Labor.

## MINNESOTA

Minnesota Federation of Labor.  
 Minneapolis Central Labor Union.  
 Building Trades Council, St. Paul and vicinity.  
 Winona Trades and Labor Assembly.  
 Trades and Labor Assembly, Brainerd.  
 Minneapolis Building Trades Council.  
 Central Labor Union, St. Cloud.

## MISSISSIPPI

Building Trades Council.

## MISSOURI

Missouri State Federation of Labor.  
 Urban League, Kansas City.  
 Building Trades Council, Springfield.  
 Central Trades and Labor Union, St. Louis.  
 Building Trades Council, St. Joseph.

## MONTANA

C. W. Williams, mayor, Billings.  
 Billings Housing Authority.  
 Helena Trades and Labor Assembly.

## NEBRASKA

Omaha Housing Authority.  
 Mayor Roy W. Towl, Omaha.  
 Nebraska Chapter American Association of Social Workers.  
 Helen W. Gauss, Omaha Social Settlement.  
 Omaha District, Nebraska State Conference of Social Work.  
 Bricklayers, Masons, Marble and Tile Setters Protective and Benevolent Association, No. 1, Omaha.

## NEVADA

Reno Central Trades and Labor Council.  
 Nevada State Federation of Labor.

## NEW HAMPSHIRE

Manchester Central Labor Union.  
 Building Trades Council, Manchester.  
 Cheshire County Trades and Labor Assembly, Keene.  
 United Brotherhood of Carpenters and Joiners, No. 625, Manchester.  
 Central Labor Union, Portsmouth.

## NEW JERSEY

Board of Aldermen, Paterson.  
 State Housing Authority.  
 Dr. Howard Johnson, State Housing Authority.  
 Jersey City Housing League.  
 Municipal Labor Housing Committee, Paterson.  
 Camden Labor Housing Committee.  
 New Jersey Federation of Labor.  
 Ironbound Community and Industrial Service, Newark.  
 Atlantic County League of Retail Merchants, Atlantic City.  
 Dyers' Local, No. 1733, Paterson.  
 Civic Committee for Slum Clearance, Atlantic City.  
 Federation of Dyers, Finishers.  
 Camden Central Labor Union.  
 Central Labor Union, Glen Rock.  
 American Federation of Hosiery Workers, New Jersey and New York District Council.  
 Atlantic City Civic Committee.  
 Essex County Building Trades Council, Newark.  
 Atlantic City Welfare Bureau, Atlantic City.  
 Brotherhood Painters, Decorators, and Paperhangers of America, No. 301, Trenton.  
 Trenton Musical Association, No. 62, Trenton.  
 Building Trades Council, Plainfield.  
 Camden Courier.  
 M. Batzer, Asher-Batzer Service, Atlantic City.  
 Walter J. Buxby, president, Hotel Dennis, Atlantic City.  
 Mrs. Edith Elmer Wood.  
 Bent Dudnick, State Housing Authority.  
 John R. Wilson, superintendent of public instruction, Paterson.  
 Herman C. Silverstein, Organization and Trade Council, Jersey City.  
 United Brotherhood of Carpenters and Joiners of America, Camden.  
 International Brotherhood of Electrical Workers, Local No. 164, Jersey City.

## NEW YORK

City Council of Schenectady.  
 New York City Baptist Mission.  
 Harlem Housing Committee.  
 New York Ethical Culture Society.  
 Community Council, New York City.  
 John Volpe, New York.  
 Miss Anna Mason, Brooklyn.  
 Dressmakers Union No. 22, New York.  
 Samaritan Alliance, Church of the Savior, Brooklyn.  
 Gustave Berger, New York.  
 Schenectady Building Trades Council, New York.  
 Joseph M. Brady, Building Economist, New York.  
 Blythe & Co., New York.  
 United Neighborhood Houses, New York.  
 Miss Helen Alfred, National Public Housing Conference.  
 Metropolitan Hygiene Council, New York.  
 Bricklayers Union No. 1, Brooklyn.  
 Bricklayers International Union No. 9, Brooklyn.  
 International Brotherhood of Electrical Workers No. 3, New York.

## Brooklyn Eagle.

Child Welfare Council, Schenectady.  
 Board of Aldermen, New York City.  
 Niagara Falls Central Labor Union.  
 Louis J. Horewitz, former president, Thompson-Starrett Co.  
 Langdon Post, chairman, New York City Housing Authority.  
 Ira S. Robbins, counsel, State board of housing.  
 Mrs. Mary Simkovich, National Public Housing Conference.  
 Nathan Straus, president, Hillside Housing Corporation.  
 Hillside Housing Corporation.  
 Dr. Worth M. Tippy, executive secretary, Federal Council of Churches of Christ in America.  
 Walter White, National Association for the Advancement of Colored People.  
 New York City Housing Authority.  
 Municipal Housing Authority of Schenectady.  
 Housing Authority of Port Jervis.  
 Syracuse Housing Authority.  
 Yonkers Municipal Housing Authority.  
 New York City Board of Estimate and Apportionment.  
 Brooklyn Housing Committee.  
 Lower East Side Public Housing Conference.  
 Brooklyn Neighborhood Association.  
 New York Urban League.  
 Consolidated Tenants League of New York City.  
 Willysline Goodsell, associate professor of education, Columbia University.  
 Rev. William F. Wefer, Good Shepherd Presbyterian Church, Jackson Heights.  
 Mayor Joseph F. Lee, Yonkers.

Mr. Charles C. Webber, Union Theological Seminary, New York.  
 New York Council on Economics.  
 City Affairs Committee, New York.  
 Central Trades and Labor Council of Greater New York and vicinity.  
 Modelers and Sculptors of America, New York.  
 New York Kindergarten Association.  
 Brooklyn Kindergarten Association.  
 Williamsburg public-housing conference.  
 Community Councils for the city of New York.  
 Welfare Council, housing section.  
 Plasterers' Local No. 9, Buffalo.  
 Women's City Club of New York.  
 Michael Walpin, Bronx.

Social Service Commission of New York East Annual Conference of the Methodist Episcopal Church, composed of 307 ministers from New York City, Long Island, and community. (Presented resolution to annual conference of Methodist Church.)  
 Mrs. Newman Levy, New York City.  
 Lackawanna City Housing Authority.  
 Paul Lawrence Dunbar Apartments, tenant subscribers, New York.  
 Evans Clark, director, Twentieth Century Fund, New York.  
 Housing committee, City Club of New York.  
 Boston University Club of New York.  
 Capitol District Joint Board, Amalgamated Clothing Workers, Troy.

Operative Plasterers and Cement Finishers International Association, Riverdale, Bronx.  
 Central Labor Council, Buffalo.  
 Gruber Bros., New York.  
 Fur Trade Foundation, New York.  
 Greater New York Federation of Churches.  
 Col. Francis Vigo Post, American Legion, New York.  
 Nursing committee, Henry Street Visiting Nurse Society, New York.  
 Milton Handler, Columbia University.  
 Brooklyn Committee for Better Housing.  
 New York State Board of Housing.  
 Association of Bay Nurseries, New York.  
 Bookkeepers, Stenographers, and Accountants' Union, New York.  
 Cloak, Suit, Skirt, and Reefer Makers' Union, joint board of Greater New York.  
 New York State Federation of Labor.  
 New York Building Trades Council.  
 New York Labor Committee on Housing and Slum Clearance.

International Brotherhood of Electrical Workers, Local No. 3, New York.  
 International Ladies' Garment Workers' Union, New York.  
 Building Trades Council, Brooklyn.  
 Central Union Label Council, Brooklyn.  
 Central Labor Council, Olean.  
 Red Hook Housing Committee, Brooklyn.  
 Neighborhood Council, navy-yard district, Brooklyn.  
 International Longshoremen's Association, Local No. 327, New York.  
 Kindergarten-6B, Teachers' Association, New York.  
 International Longshoremen's Local No. 1100, New York.  
 Benjamin Andrews, professor of household economics, Columbia University.  
 Rev. Charles McAlpine, Lefferts Park Baptist Church, Brooklyn.  
 Brooklyn Church and Mission Federation.  
 American People's School, New York.  
 International Longshoremen's Association, Brooklyn.  
 Miss Anne E. Robinson, Julia Richman High School, New York.  
 Amos I. Dushaw, Brooklyn.  
 Association of Journeyman Plumbers and Steam Fitters, Tarrytown.  
 Journeymen Plumbers and Steam Fitters, Binghamton.  
 New York Typographical Union, No. 6.  
 Jewish Social Service Association.  
 City Wide Tenants League.  
 West Side Public Housing Conference.  
 Women's Public Housing Round Table.  
 First Methodist Episcopal Church, Brooklyn Heights.  
 French Evangelical Church.  
 United Association of Journeymen Plumbers, Steam Fitters, No. 112, Binghamton.  
 D. Edelman, Artcraft Store Fixtures, Brooklyn.  
 New York Y. W. H. A.  
 Bronx Y. M. H. A.  
 City Council, Buffalo.  
 Yorkville Roland American Democratic Club.  
 League of Mothers' Clubs.  
 North Harlem Community Council.  
 Madison Square Boys Club.  
 Nassau and Suffolk Building Trades Council, Mineola, Long Island.  
 Superintendents and Janitors Union.  
 International Association of Heat and Frost Insulators and Asbestos Workers, Local No. 12, New York City.  
 Plumbers Local Union, No. 288, Saratoga Springs.  
 Manhattan Avenue Merchants Association, of Williamsburg, Brooklyn.

## NORTH CAROLINA

State Federation of Labor.  
 Central Labor Union, Winston-Salem.  
 United Textile Workers, Gastonia.  
 Gastonia Gazette.

## NORTH DAKOTA

United Association of Journeymen Plumbers and Steam Fitters, Local No. 338.

## OHIO

State Senate.  
 City Council, Akron.  
 Mayor Lee D. Schroy, Akron.  
 City Council, Toledo.  
 Mayor Roy D. Start, Toledo.  
 City Council, Lima.  
 City Council, Cleveland.  
 City Council, Columbus.  
 John V. Edy, city manager, Toledo.  
 F. O. Eichelberger, city manager, Dayton.  
 City Council, Youngstown.  
 Mayor Lionel Evans, Youngstown.  
 Cincinnati Metropolitan Housing Authority.  
 Better Housing League of Cincinnati.  
 Citizens' Committee on Slum Clearance and Low-Rent Housing, Cincinnati.  
 Cleveland Metropolitan Housing Authority.  
 Ohio State Federation of Labor.  
 North Toledo Community House.  
 Cleveland Joint Board, Amalgamated Clothing Workers of America.  
 International Association of Machinists, No. 439, Cleveland.  
 Petition circulated by Dr. C. J. Bushnell, professor of sociology, University of Toledo, signed by 60 persons.  
 Legislative committee, Cincinnati Chapter, A. A. S. W.  
 Friendly New Settlement, Cleveland.  
 Central Labor Council, Cincinnati.  
 Toledo Central Labor Union.  
 Cleveland Building Trades Council.  
 Columbus Federation of Labor.  
 Toledo Cloakmakers' Union, No. 67.  
 Trades and Labor Assembly of Tuscarawas County, New Philadelphia.  
 Trades and Labor Organization, Middletown.  
 Piqua Central Labor Union, Piqua.  
 Elyria Central Labor Union, Elyria.  
 Zanesville Federation of Labor, Zanesville.  
 Jefferson County Trades and Labor Assembly, Steubenville.  
 Allied Construction Industries, Cleveland.

Brotherhood of Painters, Decorators, and Paperhangers, Zanesville.  
 Regional Planning Council of Hamilton County and vicinity.  
 Perry County Central Trades and Labor Council, Beavertown.  
 Cincinnati Joint Board, Amalgamated Clothing Workers of America.  
 Coat, Suit, and Dressmakers Union, No. 63, Cincinnati.  
 Glassworkers Local No. 20115, Cambridge.  
 United Brotherhood of Carpenters and Joiners, No. 1602, Cincinnati.  
 United Brotherhood of Carpenters and Joiners, No. 29, Cincinnati.  
 International Brotherhood of Electrical Workers, No. 38, Cleveland.  
 Novelty Workers' Union, No. 20118, Coshocton.  
 Office Workers Union, No. 19366, Cleveland.  
 Paul L. Feiss, member Cleveland housing committee.  
 Mothers' Club, Toledo.  
 August Marx, chairman, citizens' committee on slum clearance and low-rent housing, Cincinnati.  
 Rev. Francis R. Fachetman, Cleveland.  
 Travis G. Walsh, Maier, Walsh & Barrett, Cleveland.  
 Ernest J. Bohn, Cleveland City Council.  
 Howard Whipple Creen.  
 Brick Manufacturers Association, Cleveland.

## PENNSYLVANIA

Mayor Davis Wilson, Philadelphia.  
 City Council, Bethlehem.

## OKLAHOMA

Mayor Dr. T. A. Penny, Tulsa.  
 Enid City Planning of Zoning Commission.  
 Operative Plasterers and Cement Finishers Local No. 170, Oklahoma City.  
 Central Trades and Labor Council, Bartlesville.  
 Central Labor Union, Ponca City.  
 Okmulgee Central Labor Union.  
 Henryetta Central Labor Union.

## OREGON

Central Labor Council, Portland.  
 Astoria Central Labor Union.  
 City Council, Klamath Falls.  
 Mayor Willis E. Mahoney, Klamath Falls.  
 Portland Mailer's Union, No. 13.  
 State Federation of Labor.  
 City Council, Pittsburgh.  
 Mayor Robert F. Pfeifle, Bethlehem.  
 Easton City Council.  
 Pennsylvania Federation of Labor.  
 Allied Board of Trade of Allegheny County (40 different civic and commercial organizations, 100,000 memberships).  
 Pittsburgh Public Affairs Commission.  
 Public Affairs Commission of the Federation of Social Agencies of Pittsburgh and Allegheny Counties.  
 Family Society, Philadelphia.  
 Octavia Hill Association, Philadelphia.  
 Beth Eden Settlement, Philadelphia.  
 Neighborhood Center, Philadelphia.  
 Friends Neighborhood Guild, Philadelphia.  
 Pittsburgh Housing Association.  
 Irene Kauffman Settlement, Pittsburgh.  
 Philadelphia Building Trades Council.  
 Federation of Women's Clubs, Pittsburgh.  
 Association of Philadelphia Settlements.  
 Pennsylvania Security League, Harrisburg.  
 Philadelphia Central Labor Union.  
 American Federation of Hosiery Workers No. 10, Reading.  
 Central Labor Union, Kittanning.  
 Cannonsburg Central Labor Union, Strabane.  
 International Brotherhood of Electrical Workers Local No. 6, Pittsburgh.

Reading Federated Labor Council.  
 Bricklayers International No. 2 of Pennsylvania, Pittsburgh.  
 Armstrong County Central Labor Union, Kittanning.  
 Central Trades Council of Jeannette.  
 Central Labor Union, Quakertown.  
 Central Labor Union, Carbondale.  
 Erie Building Trades Council, Erie.  
 United Trades Council, Brownsville.  
 Central Labor Union of Clearfield County.  
 Central Labor Union of Lancaster.  
 Barnesboro Central Labor Union, Marstellar.  
 Blair County Central Labor Union, Altoona.  
 Uniontown Trades and Labor Council.  
 United Mine Workers' of America, Local No. 6561, Smithfield.  
 Casket Makers' Union, No. 19072, Boyertown.  
 American Federation of Hosiery Workers, Philadelphia branch.  
 United Mine Workers' of America, No. 2353, Fitz Henry.  
 International Association of Machinists, No. 186, Newcastle.  
 Lancaster Central Labor Union.  
 Pittsburgh Chapter, A. A. S. W.  
 Molders' Union, No. 6, Pittsburgh.  
 Molders' Union, No. 46, Pittsburgh.  
 Earl Harrison, attorney, Philadelphia.  
 Mrs. Philip R. Hepburn, Rosemont.  
 Morris Knowles, Inc., Pittsburgh.  
 S. Leo Ruslander, Pittsburgh.  
 J. David Stern, publisher, Philadelphia Record and New York Evening Post.

Francis D. Tyson, professor of economics, Pittsburgh.  
 Edwin C. May, prominent businessman, Pittsburgh.  
 Sidney Teller, settlement director, Pittsburgh.  
 Nathan Jacobs, president, Civic Club, Allegheny County.  
 J. W. Freas, Chester.  
 Delaware County Central Labor Union, Media.  
 Central Pennsylvania Conference of Central Labor Unions, Altoona.  
 Teamsters, Chauffeurs, and Helpers Union, No. 430, York.  
 Federal Labor Union 18255, Wallpaper Helpers, York.  
 City Council, Pittsburgh.  
 Mayor Robert F. Pfeife, Bethlehem.  
 Easton City Council.  
 Pennsylvania Federation of Labor.  
 Allied boards of trade of Allegheny County (40 different civic and commercial organizations, 100,000 membership).  
 Pittsburgh Public Affairs Commission.  
 Public Affairs Commission of the Federation of Social Agencies of Pittsburgh and Allegheny Counties.  
 Family Society, Philadelphia.  
 Octavia Hill Association, Philadelphia.  
 Beth Eden Settlement, Philadelphia.  
 Neighborhood Center, Philadelphia.  
 Friends Neighborhood Guild, Philadelphia.  
 Pittsburgh Housing Association.  
 Irene Kaufman Settlement, Pittsburgh.  
 Philadelphia Building Trades Council.  
 Federation of Women's Clubs, Pittsburgh.  
 Association of Philadelphia Settlements.  
 Pennsylvania Security League, Harrisburg.  
 Philadelphia Central Labor Union.  
 American Federation of Hosiery Workers, No. 10, Reading.  
 Central Labor Union, Kittanning.  
 Cannonsburg Central Labor Union, Strabane.  
 International Brotherhood of Electrical Workers, Local No. 6, Pittsburgh.  
 Reading Federated Labor Council.  
 Bricklayers International, No. 2, of Pennsylvania, Pittsburgh.  
 Armstrong County Central Labor Union, Kittanning.  
 Central Trades Council of Jeannette.  
 Central Labor Union, Quakertown.  
 Central Labor Union, Carbondale.  
 Erie Building Trades Council, Erie.  
 United Trades Council, Brownsville.  
 Central Labor Union of Clearfield County.  
 Central Labor Union of Lancaster.  
 Barnesboro Central Labor Union, Marstellar.  
 Blair County Central Labor Union, Altoona.  
 Uniontown Trades and Labor Council.  
 United Mine Workers of America, Local No. 6561, Smithfield.  
 Casket Makers' Union, No. 19072, Boyertown.  
 American Federation of Hosiery Workers, Philadelphia branch.  
 United Mine Workers of America, No. 2353, Fitz Henry.  
 International Association of Machinists, No. 166, Newcastle.  
 Lancaster Central Labor Union.  
 Pittsburgh Chapter A. A. S. W.  
 Molders' Union, No. 6, Pittsburgh.  
 Molders' Union, No. 46, Pittsburgh.  
 Earl Harrison, attorney, Philadelphia.  
 Mrs. Philip R. Hepburn, Rosemont.  
 Morris Knowles, Inc., Pittsburgh.  
 S. Leo Ruslander, Pittsburgh.  
 J. David Stern, publisher, Philadelphia Record and New York Evening Post.  
 Francis D. Tyson, professor of economics, Pittsburgh.  
 Edwin C. May, prominent businessman, Pittsburgh.  
 Sidney Teller, settlement director, Pittsburgh.  
 Nathan Jacobs, president, Civic Club, Allegheny County.  
 J. W. Freas, Chester.  
 Delaware County Central Labor Union, Media.  
 Central Pennsylvania Conference of Central Labor Unions, Altoona.

**RHODE ISLAND**  
 United Textile Workers of America, Providence.  
 Providence Central Federated Union.

**SOUTH CAROLINA**  
 City Council, Greenville.  
 Charleston Board of Trade.  
 Central Labor Union, Spartanburg.  
 Tillman Lodge, No. 649, Charleston.  
 Central Labor Union, Charleston.  
 Charleston Housing Authority.

**SOUTH DAKOTA**  
 Aberdeen Central Labor Union.  
 United Brotherhood of Carpenters and Joiners, Local No. 783, Sioux Falls.  
 State Federation of Labor.

**TENNESSEE**  
 City Council, Knoxville.  
 Mayor Watkins Overton, Memphis.  
 Tennessee Federation of Labor.  
 Nashville Housing Committee.  
 Nashville Building Trades Council.  
 Knoxville Building Trades Council.  
 Knoxville Central Labor Union.

American Legion post, Knoxville.  
 Dr. E. P. Hart, Union Avenue Baptist Church, Memphis.  
 Robert A. Gerny, Knoxville.  
 Knoxville Labor News.

**TEXAS**  
 Mayor R. F. Sherman, El Paso.  
 Bexar County Tuberculosis Association, San Antonio.  
 Houston Labor and Trades Council.  
 Beaumont Building Trades Council.  
 Austin Trades Council.  
 Waco Building Trades Council.  
 International Brotherhood of Electrical Workers, No. 383, El Paso.  
 C. Tranchess, S. J., San Antonio.  
 State Federation of Labor.

**UTAH**  
 Federal Labor Union, Logan.  
 Building Trades Council, Salt Lake City.

**VIRGINIA**  
 National Federation of Post Office Clerks, Norfolk.  
 Roanoke Times.  
 Portsmouth Central Labor Union.

**VERMONT**  
 Vermont Federation of Labor.  
 Barre Central Labor Union.

**WASHINGTON**  
 Clark County National Housing Commission, Vancouver.  
 Clark County Central Labor Council, Vancouver.  
 Grays Harbor County Central Union, Aberdeen.  
 Spokane Building Trades Council.  
 Pasco-Kennewick Federal Labor Union No. 19146.  
 Washington State Federation of Labor.  
 Everett Central Labor Council, Everett.

**WEST VIRGINIA**  
 Central Labor Union, Williamson.  
 Central Labor Union, Morgantown.  
 Central Labor Union, Clarksburg.  
 United Mine Workers of America, Local No. 5429, Mona.  
 United Mine Workers of America, Local No. 4009, Shinnston.

**WISCONSIN**  
 Mayor William J. Swoboda, Racine.  
 City Council, Superior.  
 Mayor Daniel E. Dean, Milwaukee.  
 Milwaukee City Council.  
 Administrator's advisory committee, Milwaukee.  
 Board of public land commission, Milwaukee.  
 City Council, Sheboygan.  
 Mayor of Sheboygan.  
 Mayor James A. Law, Madison.  
 Oshkosh Trades and Labor Council.  
 Upholsterers Union No. 133, Sheboygan.  
 Federated Trades Council, Milwaukee.  
 Racine Building Trades Council.  
 United Association of Journeymen Plumbers and Steam Fitters of United States and Canada, No. 167, Madison.  
 Kenosha Trades and Labor Council.  
 Green Bay Federated Trades Council.  
 Waukesha Trades and Labor Council.  
 Neenah-Menasha Trades and Labor Council.  
 Building Trades Council.  
 Milwaukee Building Trades Council.  
 International Boot, Shoemakers Union, No. 197, Sheboygan.  
 Federal Labor Union, No. 18545, Sheboygan.  
 Workers' Alliance, Sheboygan.  
 Central Workers' Auxiliary, Sheboygan.  
 Phelps Wyman, landscape architect, Milwaukee.  
 Rev. E. LeRoy Dakin, First Baptist Church, Milwaukee.  
 Wisconsin Federation of Labor.

**WYOMING**  
 Wyoming State Federation of Labor.

**ADDENDA, JUNE 4, 1936**  
**MISCELLANEOUS**  
 Local Union No. 779, Mobile, Ala.  
 United Garment Workers Union of America No. 200, Mobile, Ala.  
 United Association of Journeymen Plumbers and Steam Fitters No. 494, Long Beach, Calif.  
 Santa Rosa Central Labor Council, Santa Rosa, Calif.  
 Cleaners', Dyers', and Pressers' Union No. 17960, San Francisco, Calif.  
 Savannah Building Trades Council, Savannah, Ga.  
 Amalgamated Association of Street Electric Railway Employees and Motor Coach Employees of America, Local No. 898, Macon, Ga.  
 Capt. and Mrs. M. N. Egroff, Chevy Chase, Md.  
 Mrs. Emily Bright Burnham, Boston, Mass.  
 City Council, Springfield, Ill.  
 Mayor John S. Kabb, Jr., Springfield, Ill.  
 William T. Zendler, Ridgewood, N. J.  
 Scott S. Pierre, Hillsdale, N. J.  
 Fred G. Hummers, Bogota, N. J.  
 John Dorrit, Glen Rock, N. J.  
 Nicholas Cantone, Hasbrouck Heights, N. J.  
 Thomas Cosler, Rutherford, N. J.  
 Leon Degergen, Cliffside Park, N. J.

Mary Haman, Garfield, N. J.  
 Paul Reimann, Rochelle Park, N. J.  
 Mrs. Marion Stecker, Palisades Park, N. J.  
 John E. Quinn, Paterson, N. J.  
 John Gladstone, New York City, N. Y.  
 Willoughby House Settlement, Brooklyn, N. Y.  
 Representative Christopher D. Sullivan, New York, N. Y.  
 William Lescage, architect, New York, N. Y.  
 Martin Bohm, Duquesne, Pa.  
 Chicago City Council.

## THE SUGAR QUOTA

Mr. DEROUEN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a concurrent resolution passed by the Senate and House of Representatives of the Legislature of the State of Louisiana protesting against the sugar quota.

The SPEAKER. Is there objection?

There was no objection.

Mr. DEROUEN. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following concurrent resolution passed by the Legislature of the State of Louisiana:

Senate Concurrent Resolution No. 1, by Mr. Peltier. Originated in the Senate. B. W. Cason, Secretary of the Senate

Whereas sugarcane culture and the processing thereof into sugar, sirup, and molasses in Louisiana is, and has been for more than a century, a major industry of our State; and

Whereas through the splendid work of scientists of the United States Department of Agriculture and of the State experiment station of the Louisiana State University, new varieties of sugarcane have been produced, and improved agricultural and processing methods have been adopted, which have resulted in a progressive expansion of sugar; and

Whereas sugar is an import crop of which only one-fourth of the national consumption requirements are produced in the continental United States; and

Whereas the declared purpose of all existing Federal laws concerning the welfare of farmers is to restore the purchasing power of the farmer and to create a parity income as compared to the base period of 1909-14; and

Whereas the average annual production of sugar during such base period of 1909-14 amounted to 350,000 short tons, raw value; and

Whereas the actual production of sugar in Louisiana for the crop year 1935 was 340,000 short tons, raw value, and the growing crop is estimated to exceed 350,000 short tons of sugar, raw value: Therefore, be it

*Resolved by the Legislature of Louisiana*, That we hereby wholeheartedly endorse the bill (S. 4560) introduced by the Honorable JOHN H. OVERTON, United States Senator from Louisiana, which, in substance, provides a permanent Federal policy of unrestricted protection of sugar in continental United States, and the preservation of the American market for our farmers to the extent of their ability to supply sugar; and be it further

*Resolved by the Legislature of Louisiana*, That, should it become impossible to consider permanent legislation at the present session of Congress, but in order to meet the emergency created by the decision of the United States Supreme Court of January 6, 1936, and should it be considered expedient to fix quota restrictions upon continental sugar, we submit and we recommend that in no case should the quotas for continental areas be less than the present production and the normal expectancy of the presently growing crop, estimated for the continental cane area to be 450,000 short tons of sugar, raw value; and be it further

*Resolved by the Legislature of Louisiana*, That we hereby memorialize the Congress of the United States and we hereby request the President of the United States and the Secretary of Agriculture to protect and assist the sugarcane farmers in the manner herein recommended; and we hereby formally request the Senators and Congressmen representing Louisiana in the Congress of the United States to vote for and support the Overton bill as a permanent Federal policy concerning sugar, but not to vote for or support any measure, temporary or permanent, which fails to provide a marketing quota for Louisiana representing at least the full extent of our actual production of sugar.

EARET LONG,  
*Acting Lieutenant Governor and President of the Senate.*

N. S. HOFFPANIS,  
*Acting Speaker of the House of Representatives.*

R. W. LECHE,  
*Acting Governor of the State of Louisiana.*

Approved June 1, 1936, 5:50 p. m.

## PUBLIC PRINTING AND BINDING

Mr. BARRY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 3440) to amend certain acts relating to public printing and binding and the distribution of public documents and acts amendatory thereof, with House amendments thereto, insist on the House amendments, and agree to the conference asked by the Senate.

The SPEAKER. The gentleman from New York asks unanimous consent to take from the Speaker's table the bill S. 3440, with House amendments thereto, insist on the House amendments, and agree to the conference asked by the Senate. The Clerk will report the title of the bill.

The Clerk reported the title of the bill.

The SPEAKER. Is there objection?

There was no objection.

The Chair appointed the following conferees: Mr. LAMBETH, Mr. BARRY, and Mr. RICH.

## STREAM POLLUTION

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that the bill (H. R. 12764), a stream-pollution bill, referred to the Committee on Interstate and Foreign Commerce, be referred to the Committee on Rivers and Harbors.

The SPEAKER. Is there objection?

There was no objection.

Mr. DINGELL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 3247) to amend title II of the National Industrial Recovery Act as amended by the Emergency Appropriation Act, fiscal year 1935, and as extended by the Emergency Relief Appropriation Act of 1935, with House amendments thereto, insist on the House amendments, and agree to the conference asked by the Senate.

The SPEAKER. The gentleman from Michigan asks unanimous consent to take from the Speaker's table the bill S. 3247, with House amendments thereto, insist on the House amendments, and agree to the conference asked by the Senate. The Clerk will report the title of the bill.

The Clerk reported the title of the bill.

The SPEAKER. Is there objection?

There was no objection.

The Chair appointed the following conferees: Mr. THOMPSON, Mr. DINGELL, and Mr. CROWTHER.

## PERSONAL LIBERTY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by including therein an article written by myself on the subject of personal liberty, which appears in the Annals of the American Academy of Political and Social Science for May.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. McCORMACK. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following article, written by myself, which appears in the May issue of the Annals of the American Academy of Political and Social Science:

[From the Annals of the American Academy of Political and Social Science for May 1936]

## PERSONAL LIBERTY

By John W. McCormack

For many years, millions of immigrants have passed under the protective arm of that mighty lady of freedom, the Statue of Liberty. To these millions, many of whom had been oppressed, persecuted, and harried by religious intolerance and racial prejudice, she offers a refuge where the inalienable rights of man prevail. With manifestations of American progress surrounding her, she stands as a symbol of man's most cherished concept, the exercise of his natural and acquired capabilities without fear of arbitrary restraint. To us she stands as a monument of our forefathers who left their native land to come here, where, once free from the shackles of tyranny, they resolved to establish a system of government that would forever define and preserve those rights which are inherent in man—the right to life, liberty, and the pursuit of happiness. These are the rights, the free exercise of which constitutes personal liberty.

Let us briefly trace the nature and the origin of these rights in order that we may better understand the necessity for a government such as ours, which protects and administers the exercise of them in a manner harmonizing with the proper enjoyment by all.

Personal liberty means the freedom of the individual to exercise within reasonable limits those rights which are inseparable from his nature as a rational and responsible being. Such rights, in the American philosophy of government, are inherent—not a grant of the State, but accrue to each individual together with his human nature. Before the State makes us citizens, God makes us men. Gifted with the wonderful powers of locomotion, sight, and hearing, complemented by the Godlike faculties of intellect and will, man is being urged constantly by a rational,

instinct and through social necessity to seek association with beings similarly endowed. The right to live, to go and come where and when he chooses, to speak and be heard, to hear his fellow man, all afford an opportunity to secure the advantages of association essential to the exercise and development of his natural faculties. To be checked or even unduly restrained in the exercise of these mental and physical capacities with which he is vested would subject him to a life of ignorance, frustration, and despair.

#### THE INDIVIDUAL IN SOCIETY

Thus in response to a natural urge and by means of those powers which he is free to employ, man joins his fellow beings in society. That is the meaning of Aristotle's celebrated dictum: "Man is by nature a political animal."

The welfare and progress of many such individuals assisting and being assisted in the development and the proper enjoyment of their natural faculties, and harmoniously striving for the general welfare, is the true purpose of civil society. Obviously the individual must be free to exercise his natural rights in order to participate in the benefits derived from such association. In society the individual's rights are predicated on his duty to respect the rights of his fellow members. Each member retains his natural rights, but his exercise of them is subject to similar rights which exist in his fellow men. Hence liberty involves obligations and duties, as well as rights and privileges.

In the struggle for individual success there is the danger that man will become unreasonable and intemperate in his demands, and ignore his duty to respect the rights of others. Self-interest is a powerful mainspring of action—more powerful in the private individual than his regard for common welfare, which is a vaguer concept. For this reason, society must be protected against any inordinate exercise of the individual's rights. This entails the necessity for some concrete authority to direct and compel, if need be, a proper order of things and conduct. The recognition and the preservation of man's natural rights, prohibiting the abuse and regulating the exercise of them in accordance with truth and social justice, are the fundamental duties of a good government.

The steady and tireless efforts of humanity to realize a government established on these principles constitutes the history of mankind.

We cannot ignore the many contributions to the advancement of these ideals which were made by the various tribes, races, and nations which inhabited this earth in the past, but we must pass on to those events which are more germane to the history of our own Government.

#### ENGLISH GUARANTEES OF RIGHTS

The first definite step forward in this great struggle which was later to influence the minds of the framers of our Constitution was taken as early as 1215, when the barons of England forced their King to sign the Magna Carta. It was solemnly pledged in this historic charter that—

"No freeman shall be taken or imprisoned or be disseized of his freehold or his liberties or his free customs, or be outlawed or exiled or otherwise destroyed but by the lawful judgment of his peers or by the law of the land."

This document, embodying rights that were most precious to man, was so unjustly evaded and often ignored that its intended purpose—the effective protection of those rights which it recognized—was frustrated.

The numerous violations and circumventions of these rights by the Crown were disclosed and remedied by the Bill of Rights, another step toward emancipation. This bill passed Parliament in 1688. It reasserted the rights recognized by the Magna Carta and specifically pointed out the occasions of their violation by the Crown.

These two instruments of English law—the former recognizing the guaranteed rights of Englishmen; the latter pointing out the futility of recognition without assurance of protection against the usurpations of an unjust government—may properly be described as the framework around which modern constitutional government has been built.

#### DECLARATION OF INDEPENDENCE

These fundamental principles of freedom, which we have shown that man by his very nature possesses, true enjoyment of which he had never realized, were enlarged and further clarified in the Declaration of Independence, the instrumentality by which the colonists proclaimed to the world their freedom. This was not a forced or transitory recognition to be disregarded at the first opportunity, as was the Magna Carta. The barons who obliged King John to sign under the oaks at Runnymede were vindicating certain rights which they claimed as Englishmen, and which had been guaranteed by previous grants. The drafters of the American Declaration struck deeper into eternal truth. They laid claim to the liberties therein immortalized, not because they were derived from specific previous grants of any parliament, but because they belong to all men in virtue of their human nature. They descend not from any human institution but from the Creator. That was the electrifying challenge flung into the teeth of a monarchical age by 13 insignificant colonies strung along the Atlantic seaboard. That is what makes July 4, 1776, forever memorable in the history of political science. It marked the daring and spontaneous expression of the hopes and desires carried in the hearts of those hardy pioneers who had suffered untold privations in order that they might live and prosper in the true enjoyment of personal liberty.

#### ORIGIN OF THE CONSTITUTION

These men were now free to establish a system of government that would protect those rights for themselves and their posterity. Joyful in the possession of liberty, fearful of its loss, they next labored to bring forth the greatest document insuring the perpetuity of a government that was ever devised in the history of mankind—the Constitution of the United States.

This immortal document, America's greatest contribution to ordered liberty, truly protects the enjoyment of all those rights for which past generations had so courageously fought. Under it a government by the consent of the governed was established. Its framers, inspired with almost divine wisdom, provided for a dual system of control whereby those powers not vested in the Federal Government remained in the States. They took precautions to prevent undue control from being vested in any one group by dividing the powers of the Government among the legislative, executive, and judicial branches. This division, with its reciprocal checks and balances, guarantees the proper enjoyment of the exercise of personal liberty.

But to make this personal liberty more secure, the first 10 amendments were added. This addition, called the Federal Bill of Rights, guarantees freedom of religious conscience, the right to freedom of speech and of the press, sanctity of the home and family life, the right to a trial by jury, the protection of property, and other fundamental human rights necessary for "life, liberty, and the pursuit of happiness." In this discussion we will consider the first, fourth, and fifth amendments and the administration of them in the light of man's natural destiny.

#### FREEDOM OF RELIGION

The first amendment of the Constitution provides in part, "Congress shall not pass any law respecting the establishment of a religion or prohibiting the free exercise thereof."

By the provisions of this amendment each citizen is free peaceably to enjoy his or her particular mode of worship without interference. This freedom enables all citizens to pursue their quest for spiritual happiness in the manner they deem most suitable. Their religious beliefs are held sacred and inviolate.

But this guaranty does not operate to permit the commission of acts under the guise of religious beliefs which tend to injure the health, the safety, or the morals of the public. Government would be negligent in its duties to direct and compel, if necessary, its citizens in the proper exercise of their rights if it were to permit such conduct. The general welfare would be disregarded and wholesale corruption would result.

Religious freedom is properly interpreted in the case of *Reynolds v. United States* (98 U. S. 163 (1878)), where the Court in its opinion quotes with approval the preamble to a Virginia statute (12 Hennings Stat. 84), which states "that to suffer the civil magistrate to intrude his powers into the field of opinion, and to restrain the profession or propagation of principles on supposition of their ill tendency is a dangerous fallacy which at once destroys all religious liberty \* \* \* it is time enough for the rightful purposes of civil government for its officers to interfere when the principle breaks out into overt acts against the peace and good order."

Hence it can be readily understood that the guaranty of religious freedom does not allow the practice of acts such as bigamy and polygamy, which are recognized by the general consent of the Christian world to be injurious to the public good. This is no derogation of religious conscience, any more than would be the prohibition for certain groups in their ceremonies to offer up human sacrifice. For to permit such acts would be to permit every citizen to become a law unto himself, and government would exist in name only.

#### FREEDOM OF SPEECH

Another safeguard of personal liberty is found in the first amendment, wherein it is stated that Congress may not pass any law abridging the freedom of speech.

Freedom of speech is one of the keystones upon which the American conception of personal liberty is founded. It is the effective medium through which the people express their thoughts and desires. It is only in a true democracy that the exercise of such a powerful right can be fully enjoyed. This fact may be appreciated by observing how the rulers of certain nations of the world have suppressed or greatly limited the exercise of it.

To what extent does the constitutional guaranty protect freedom of speech? That it is only a protection from governmental suppression is clearly evident. There are innumerable instances where the individual is deprived of the opportunity to express his thoughts through denial of facilities which are rightfully under the control of another. This cannot be considered as a deprivation of his right to speak, in the constitutional sense. The Constitution guarantees freedom of speech but does not provide that all agencies, public and private, shall be equally available to every citizen.

It was never contemplated that this provision of the Constitution should be a license to slander. This is an abuse of the right to free speech. What is guaranteed is liberty with responsibility. A government which does not protect its citizens with proper laws from scurrilous attacks upon their character and reputation has failed to recognize one of its paramount duties to the Nation. In the exercise of any right, citizens must be compelled to respect the equal rights of their fellow citizens. And the right to one's character is as precious as his title to property. The insidious and reckless exercise of speech, capable as it is of destroying character and reputation of the individual, will ultimately undermine that

bedrock without which no orderly government can exist—the sanctity of the home.

The proper interpretation of the constitutional guarantee of the freedom of speech was expressed by the Supreme Court of the United States in the case of *Stromberg v. California* (283 U. S. 359 (1931)). This case declared unconstitutional a California statute which upon its face destroyed free speech by prohibiting the opportunity to exercise it. The Court in its opinion stated:

"The maintenance of the opportunity for free political discussion to the end that government may be responsive to the will of the people and that changes may be obtained by lawful means, an opportunity essential to the security of the Republic, is a fundamental principle of our constitutional system."

This declaration of the Court cannot be interpreted to mean that government is denied the right to punish those who indulge in pernicious utterances tending to incite to its overthrow by force and violence. The Constitution provides for orderly change when deemed necessary in the American system of government. It cannot reasonably be said that the framers of the Constitution intended to deny to the Government which they established the right to protect its very existence from such illegal attacks. If those interests inimical to our system of government were permitted to incite the people to rise with force and violence and overthrow the properly constituted authority, the result would be the loss of those very rights for the protection of which the Constitution was enacted. It would ultimately result in chaos. Any such movement, regardless of its nomenclature or objective, is beyond the pale of constitutional immunity. Legislation designed to curb conduct abhorrent to our institutions or subversive of democracy is legislation for the protection of the natural rights of man.

#### FREEDOM OF THE PRESS

Another basic right safeguarded by the first amendment is the freedom of the press. The exercise of this right is as essential to the success of democracy as is freedom of speech. It provides the means for uniting the many individuals who make up this Nation into that solid mass of lovers of true liberty—the American people. The press is the guardian and the interpreter of the people, translating their hopes and desires into the laws of the land.

The Court has always been the zealous watchman of this right. It has repeatedly asserted that the guarantee respecting the exercise of this right is one of the great cornerstones of personal liberty. In *Near v. Minnesota* (283 U. S. 697 (1931)) the Court declared it was beyond the power of the State to enjoin the publication of a newspaper on the ground that it was a public nuisance. In its opinion, freedom of the press was described as "immunity from previous restraint." So also it was recently decided in the case of *Grosjean v. The American Press Co.* (56 Sup. Ct. 444 (1936)) that a discriminatory tax which might tend to regulate or destroy the press was unconstitutional.

But as freedom of speech is subject to reasonable limitations, so also is the freedom of the press. Since libel is nothing more than slanderous statements appearing in writing, such injurious license is likewise prohibited as an abuse of the freedom guaranteed under our Constitution. It is the duty of the press to respect the rights of others and refrain from publishing libelous statements. Libel is the abuse of liberty of printing, and not freedom of the press. The Constitution was never intended to shield those who indulged in such destructive practices.

There are certain definite limitations to freedom of the press which are necessary for the general welfare of the Nation. The Government must have the authority to prevent actual or covert interference with the recruiting of men into service in the time of war. Similarly, the State may justly forbid the publication of information which should, for the best interests of the country, remain secret. There is a further qualification of this right. Freedom which the press enjoys under constitutional guarantee does not permit it to incite to rebellion against the properly constituted authority.

It was quite definitely decided in the case of *Gillow v. New York* (268 U. S. 666, 667 (1925)) that the freedom of the press must not be abused. The Court, in upholding the conviction of the defendant, who had been charged with criminal anarchy for publishing a manifesto urging open rebellion, stated:

"It is a fundamental principle, long established, that the freedom of speech and the press, which is secured by the Constitution, does not confer an absolute right to speak without responsibility, whatever one may choose, or an unrestricted and unbridled license giving immunity for every possible use of language and preventing the punishment of those who abuse this freedom (cases cited). Reasonably limited, it was said by Story in the passage cited, this freedom is an inestimable privilege in a free government; without such limitation, it might become the scourge of the Republic."

The primary duty of government is to protect its citizens in the proper exercise of their rights. Laws which forbid acts which imperil the safety of government are not derogatory to a rational concept of personal liberty.

To hold otherwise would be to encourage the destruction of government and the loss of all the sacred rights which it protects.

#### PROTECTION FROM UNREASONABLE SEARCH AND SEIZURE

The fourth amendment protects the right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures. The scope of this amendment has been the subject of considerable litigation, too numerous and varied to mention here. A very excellent description of the rights guaranteed by this amendment is given in the case of *Weeks v. United States*

(232 U. S. 392 (1914)), where in the course of its opinion the Court said:

"The protection reaches all alike and the duty of giving to its force and effect is obligatory upon all intrusted with the enforcement of the Federal laws. The tendency of those who exercise the criminal laws of the country to obtain conviction by means of unlawful seizures and enforced confessions, the latter often obtained after subjecting innocent persons to unwarranted practices destructive of rights secured by the Federal Constitution, should find no sanction in the judgment of the courts which are charged at all times with the support of the Constitution, and to which people of all conditions have the right to appeal for the maintenance of such fundamental rights."

#### PROTECTION OF LIFE AND PROPERTY

The fifth amendment provides for the protection of the person and property of the citizens. Here again, as in the exercise of other basic rights, the general welfare of the Nation must be considered. Hence it is commonly recognized that under certain specific circumstances citizens may be deprived of their lives and property, either as penalty for crime or in emergencies, as a necessary means for safeguarding the general welfare of the Nation. Even then, however, it cannot be done without due process of law.

This constitutional guarantee of due process was very clearly defined by Daniel Webster in his argument delivered in the Dartmouth College case (4 Wheat. 627 (1819)), Webster stated:

"By the law of the land is most clearly intended the general law, a law which bears before it condemns, which proceeds upon inquiry, and renders judgment only after trial. The meaning is that every citizen shall hold his life, liberty, property, and immunities under the protection of the general rules which govern society."

These are the constitutional protection which safeguard the most important phases of personal liberty.

#### GOVERNMENT AS A SAFEGUARD OF PERSONAL RIGHTS

The growth and development of our Nation from a group of small communities to the most powerful country in the world must be attributed to the ability and genius of its citizens, guided, protected, and supported by a just government. From all over the world people of different tongues and various beliefs have come to these shores where they may enjoy those rights which are so vital to man's happiness. Under our system of government they have found personal liberty in a manner and to an extent as nearly complete as man's imperfections will allow. Here industry, science, art, education, and religion have flourished under the aegis of a government which recognizes the existence of natural rights in each citizen and endeavors to direct the exercise of them to the attainment of the greatest common good.

As members of a social order we should recognize the rights of others. As citizens of this great Nation we should appreciate the freedom it confers to exercise our rights, conscious always of our duty to respect similar rights in others.

The solemn duty of government to direct and compel, if necessary, a mutual respect for the rights of others must not be ignored. It will be only when our Government fails in its duty to prevent the abuses of personal liberty, and permits those who would ignore the rights of others to confuse license with constitutional freedom, that we need fear the loss of our inalienable rights. Democracies decay from the head downward.

#### DEMOCRACY ESSENTIAL TO PERSONAL LIBERTY

The determined efforts of an organized minority should not be permitted to undermine the constitutional safeguards which not only guarantee but protect the personal liberty of our people. The possession and enjoyment of personal liberty are dependent upon the existence of democratic processes of government. Under any other form of government, personal liberty exists through mere sufferance of the individual or group who have usurped the sovereign powers which rightfully and inherently belong in the people.

Without recourse to history, a glance at some of the existing forms of government indisputably shows that personal liberty as a right exists only in a democracy. The results in any form of dictatorship, whether communistic, fascistic, or otherwise, upon the possession of personal liberty, have been shown to be the same—personal liberty has been destroyed. In our country, by reason of our Constitution, government itself cannot impair or destroy such rights. Such power is reserved to the people. The right of personal liberty should be zealously guarded.

Now, more than ever before, should we be mindful of the purposes set forth in the preamble to the Constitution. Let us renew our faith in a form of government which has weathered the gales of martial and economic storms for over a century and a half, and assures us the stability we now enjoy in a changing world. If the pilots on the bridge have not clear vision and steady hands, the people will perish. Let us lay our course in the words of our own New England bard, Henry W. Longfellow:

"Thou, too, sail on, O Ship of State!  
Sail on, O Union, strong and great,  
Humanity with all its fears,  
With all the hopes of future years,  
Is hanging breathless on thy fate!  
We know what Master laid thy keel,  
What workmen wrought thy ribs of steel,  
Who made each mast, and sail, and rope,  
What anvils rang, what hammers beat,  
In what a forge and what a heat  
Were shaped the anchors of thy hope!"

"Fear not each sudden sound and shock,  
 'T is of the wave and not the rock;  
 'T is but the flapping of the sail,  
 And not a rent made by the gale!  
 In spite of rock and tempest's roar,  
 In spite of false lights on the shore,  
 Sail on, nor fear to breast the sea!  
 Our hearts, our hopes, are all with thee,  
 Our hearts, our hopes, our prayers, our tears,  
 Our faith triumphant o'er our fears,  
 Are all with thee—are all with thee!"

## RADIOS ON SHIPBOARD

Mr. BLAND. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce be discharged from further consideration of the bill (S. 4619) to amend the Communications Act of 1934, approved June 19, 1934, for the purpose of promoting safety of life and property through the use of wire and radio communications, and for other purposes, and that the same be referred to the Committee on Merchant Marine and Fisheries. I may say I have spoken to the chairman of that committee. This bill relates entirely to radios on shipboard, and for that reason the chairman of the Committee on Interstate and Foreign Commerce agrees that it should be referred to the Committee on Merchant Marine and Fisheries.

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

There was no objection.

## A DANGEROUS TAX MEASURE

Mr. MAPES. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. HOLLISTER] may have unanimous consent to extend his own remarks by including a radio address which he gave on April 23 last.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HOLLISTER. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following address delivered by me over the Columbia Broadcasting System from Washington, D. C., April 23, 1936:

Today another outrageous tax bill is before Congress. It is the fourth general tax bill presented by the New Deal since 1933, and in its present form will yield, according to its sponsors, an annual average of approximately \$800,000,000.

The problem of taxation, forcibly brought before us by this measure, is the most urgent issue facing the American people today. Taxes of every sort are already burdensome and are delaying recovery, yet the demands of the New Deal spenders are so great that Congress still is pressed to find new sources of revenue. The time has passed when sound public policy will permit additional taxation to support New Deal boondoggling. The time has come when all possible efforts should be directed, rather, to the reduction of expenditures. Three years of reckless squandering has not restored our industry and trade to a condition of wholesome stability. Three years of governmental extravagance has not provided jobs for our 12,000,000 unemployed—has not reduced the 20,000,000 on relief. Nor will another billion-dollar tax bill solve these problems. In the interests of national solvency, every dictate of reason and sound policy demands an end to this reckless squandering of public money. In all human history no people has ever been able to spend its way to prosperity.

We all recall, of course, the glowing promise of economy and sound budget management offered by President Roosevelt in the Presidential campaign in 1932. Describing the obligations of the Presidency in his campaign address in Sioux City, Iowa, on September 29, 1932, Mr. Roosevelt said:

"I shall use this position of high responsibility to discuss up and down the country, in all seasons, at all times, the duty of reducing taxes. \* \* \* This I pledge you, and nothing I have said in this campaign transcends in importance this covenant with the taxpayers of this country."

And listen to him speaking at Pittsburgh a few weeks later:

"Now the credit of the family depends chiefly on whether that family is living within its income. And this is so of the Nation. If the Nation is living within its income, its credit is good. If, in some crisis, it lives beyond its income for a year or two, it can usually borrow temporarily on reasonable terms. But if, like a spendthrift, it throws discretion to the winds, is willing to make no sacrifice at all in spending, extends its taxing to the limit of the people's power to pay, and continues to pile up deficits, it is on the road to bankruptcy."

"Taxes are paid in the sweat of every man who labors, because they are a burden on production and can be paid only by production. If excessive, they are reflected in idle factories, tax-sold farms, and, hence, in herds of the hungry tramping the streets and seeking jobs in vain."

"Our workers may never see a tax bill but they pay in deductions from wages, in increased cost of what they buy, or (as now) in broad cessation of employment. \* \* \*

"Our Federal extravagance and improvidence bears a double evil; first, our people and our business cannot carry its excessive burdens of taxation; second, our credit structure is impaired by the unorthodox Federal financing made necessary by the unprecedented magnitude of these deficits."

That was the pledge upon which the New Deal was given power, and yet we find that in every year since 1933 there has been a new Federal tax bill. Despite new taxes aggregating \$1,500,000,000 annually, imposed by these various New Deal measures, we have increased the national debt by \$12,000,000,000 since 1933. Such has been President Roosevelt's observance of his promises and that of his party.

And what a tax bill has now been presented! Its basic principle is a complete revolution of the method of taxing the incomes of corporations, bringing about the unsound and fanciful results which we have increasingly been led to expect from our New Deal financial experts.

The theory of this new tax is that if corporations are taxed at very high rates on earnings which they do not pay out in dividends, they will be compelled to pay out most of their earnings, and there will, therefore, be more income to be taxed to the stockholder who receives the dividends. Like most New Deal theories, however, the practical operation is quite different from the theory.

In actual operation this new tax will add another link to the sinister chain of New Deal legislation which is directed against thrift and economy, those primary virtues which have made this country great, but which seem to be outmoded today. The wasteful extravagance of the Government, the increasing burden of debt, the manipulation of money by irresponsible experimenters, the threats to sound business operations, have all tended to cast doubt on the wisdom of accumulating savings, of taking out life insurance, or of building up an estate, no matter how small. We are taught not to look after ourselves, nor to try to establish future security, but to look to the Government for help in all our troubles, forgetting that the Government can only support us with our own money, and that in doing so politics, fraud, and waste are sure to be rampant.

Under this new tax bill we say to our industrial concerns to whom we are looking to take up the slack of unemployment: "We are going to place a penalty on saving for a rainy day. The more you attempt to set aside some of your earnings so that you may have enough to keep going in times when you are earning nothing, the more we will tax you." What a travesty this is! It is well known that during the depths of the depression many companies which would otherwise have gone to the wall were able to come through because of the fact that they had accumulated substantial surpluses in prosperous years, and their ability to withstand the storm kept just so many more workers employed. It is tragic to contemplate what would have happened during the last few years had the proposed tax law been in existence at the time these companies were laboriously setting aside a nest egg for the future.

And think of the unfair discrimination of this new bill. It does not affect the surpluses of companies now existing, no matter how large. Thus a corporation with an adequate surplus today has an enormous advantage over a new company which may not accumulate such a surplus in the future without paying a prohibitive tax. This runs directly counter to our American idea that a small concern, if efficiently managed, may grow to a large one by plowing back earnings year after year into the business. How would the Ford Co. or the General Motors Corporation have grown to their size and efficiency today if they had been compelled to pay out most of their earnings? True, their stockholders would have had more in dividends, but the people of the country would not have had such cheap automobiles, nor would hundreds of thousands of men have had jobs.

Has the time come when the man who is willing to deny himself the profits of his business for a time in order that he may build a great industry in the future, finds a prohibitive burden of taxation laid on that business?

This revolutionary tax bill has raised a thousand and one complicated questions which affect different kinds of corporations in our enormous industrial system. Manifestly, exceptions, and special conditions must be made for corporations in receivership, corporations which owe money, corporations which have accumulated deficits, corporations which have made contracts limiting or prohibiting dividends, and many other particular cases. This bill attempts to provide for some of these various classes, but the more its provisions are studied, the more it will be realized that all that has been accomplished is a complicated maze through which the average businessman will wander in despair, and from which he can never emerge without the help of an expensive army of lawyers and accountants. I predict that if ever this bill, or something like it, becomes law, there will be an enormous increase in the list of employees of the Internal Revenue Bureau, and the courts will be clogged for years with cases seeking to interpret the law.

Like most of the other New Deal measures, this one is directed against the development of our country, instead of giving it an opportunity to go forward. Restriction, scarcity, high prices with a correspondingly high cost of living, Government regulation, Gov-

ernment extravagance, taxation of the thrifty, these are the New Deal slogans; whereas it should not be manifest that what is needed to increase the buying power of the country once more and thus put the unemployed back to work, is the encouragement of business and of the spirit of American ambition, bringing increased production, with lower prices and a similar decrease in the cost of living. We have achieved our place in the world because more people can buy more things here than anywhere else.

The method in which this bill was prepared is also typical of much New Deal legislation. At the hearings before the Ways and Means Committee all the witnesses who appeared, excepting those connected with the Government, and one Communist, were absolutely opposed to its basic principle. When it came time to draft the bill the Republican members of the Ways and Means Committee were entirely excluded from any part in its preparation, which was behind closed doors. These Republican members saw the bill for the first time on Monday, and it was only yesterday that the general public could secure copies of the bill and the report and know the nature of this newly proposed and revolutionary tax. Notwithstanding this, debate started today in the House, and the Democratic leaders insist that the bill be passed within the next few days—hardly a reassuring prospect from the point of view of careful and orderly legislation.

If we knew that the proceeds of this tax bill would balance the Budget, bad though it is, we might swallow it; but its receipts are uncertain in amount and the committee itself has admitted that there will be a lag in collections so that it may be some time before it is completely effective. Besides this, the President, in asking for the revenues to be produced by this bill, admitted that relief expenditures would still be in excess of the Budget for the year ending June 30, 1937. This is only a stop-gap, only another step in the remorseless march of increasing taxation.

Within the past year the true significance of the spending orgy in Washington has been impressed upon the people of the country. Citizens everywhere now realize fully that eventually the bill must be paid. It can be paid only by crushing taxation—taxes upon food, clothing, recreation—taxes upon every activity of life—taxes to eat up small savings—taxes which will deprive thousands of children of educational opportunities—taxes which will sap the energies and mortgage the savings of many generations of American citizens.

Ladies and gentlemen, this kind of thing must stop before it is too late. To cure the ills of our great country we must go to the source of the trouble. It is clear that whatever we spend we must pay for unless we reach national bankruptcy by repudiating our debts. The only way we can pay for what we spend is by raising taxes, and the more we spend the higher and higher the taxes go. All taxes are, of course, a handicap to industrial progress, but when they reach confiscatory rates, industry stagnates and unemployment increases.

In closing, I leave with you a message, short and pointed—get rid of the spenders, and the tax gatherers go out with them.

#### THE REVENUE ACT, 1937

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 12395), to provide revenue, equalize taxation, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference requested by the Senate; and that the Speaker shall immediately appoint managers on the part of the House without intervening motion.

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

Mr. LAMNECK. Mr. Speaker, reserving the right to object, as the membership knows, I am very much opposed to the tax bill as passed by the House of Representatives, so it is not necessary for me to express my attitude on that bill. The House bill went to the Senate and it has been rewritten. I am not in favor of the Senate bill, but I prefer the Senate bill 10 times over to the House bill.

I am not going to object to this request, provided we will be permitted when the bill comes back from conference to vote on the question of whether we shall accept the rates under this bill as provided by the Senate, as against the rates provided by the House bill. If the chairman of the committee can give me assurance that the House will have an opportunity to do so, I shall not object. If they are going to have this conference and agree that they will force Congress to accept the House bill, I will be forced to object. The Senate has already appointed a conference committee. They have added to that committee four Members of the Senate who are absolutely for the House bill. The Senate committee voted for the Senate bill by a vote of 18 to 1. I can see a tendency on the part of the House management, and probably others, to force the Congress to take this bill whether they want it or not. I am not for any such program, but if the chairman of the Committee on Ways and Means

or the Speaker or someone in authority can assure me that we will have a right to vote on the Senate rates as against the House rates, I shall not object. Otherwise I shall object.

Mr. DOUGHTON. Mr. Speaker, I do not have the right to give any such assurance, in fact, I could not give such assurance, but I can say that this is the first I ever heard of any disposition to force anyone to do anything. That is a suggestion that I do not see any foundation for at all. There is no disposition on the part of the majority members of the Ways and Means Committee to attempt to force anything, but just to proceed in an orderly way under the parliamentary rules of the House, so far as I know.

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

Mr. LAMNECK. I yield.

Mr. DIRKSEN. I have no intention to object, but I think I should call the attention of the House to the fact that a most unusual spectacle occurred in the Senate when, without any discussion or debate, they permitted to be annexed to the tax bill title IX, which completely turns over the system of revenue collection for liquor and distilled spirits. A most unusual amendment, I should say, and I suggest to the membership that they carefully examine title IX of the bill.

Title IX was added to the Revenue Act of 1936 by the Senate. It deals with taxation of distilled spirits. It is an unusual amendment in several respects. Strictly speaking, it should have been added to H. R. 9185, passed by the House in 1935 and dealing with revenues from intoxicating liquors. That bill is now in conference.

The substance of title IX was offered as an amendment to H. R. 9185 when that bill was pending before the Senate Finance Committee. It was rejected in committee after careful consideration.

Late in the afternoon of Friday, June 5, 1936, it was offered as an amendment to the Revenue Act of 1936. It was scarcely discussed. The idea, as disclosed by page 9100 of the CONGRESSIONAL RECORD, was to have it go to conference. Hence it crept into the revenue bill and is now before the conferees. The conferees are therefore called upon to pass upon a far-reaching proposal which was neither discussed nor alluded to when both of these measures were before the House for action.

It is not for me to attempt to persuade the judgment of any Member of the House at this time with respect to this proposal but rather to inform the Members of the nature of title IX.

In brief, it amends title II of the Liquor Taxing Act of 1934 so that the \$2 per proof gallon tax on distilled spirits which is now paid by the distillers shall hereafter be collected from the retailers. Retail dealers in distilled beverages shall purchase revenue stamps from the collector of internal revenue and affix them to every bottle of liquor sold. Every seller of distilled spirits, whether at wholesale or retail, shall furnish a surety bond from a company that is approved by the Commissioner of Internal Revenue.

Proponents of this revolutionary method of collecting revenues from distilled liquors advance a number of reasons for the adoption of this amendment, among them being that (1) it will increase revenues by more than \$300,000,000 annually, (2) that it will eliminate bootlegging, (3) that it will reduce liquor prices to consumers from 25 to 50 percent, and (4) that it makes buyers as well as sellers of non-tax-paid liquor liable to conviction as conspirators.

In general, this proposal is based upon the plan now in vogue in the District of Columbia where a gallonage tax of 50 cents is levied on all distilled spirits by means of affixing stamps to every bottle of liquor sold.

The Treasury Department has consistently opposed this change. In support of its position, the Treasury contends that (1) bootlegging has diminished, (2) that present-day consumption as evidenced by revenue collections on distilled spirits will reflect the true demand for spirits, (3) that counterfeited labels, stamps, and bottles are not being used, due to improved enforcement, (4) that the present system of collecting excise taxes from distillers and importers is a guarantee against evasion of taxes because of Treasury supervision, (5) that the new proposed system would increase the rate

of taxes on distilled spirits, (6) that the cost of enforcing the new proposed system would require at least 20,000 additional employees and would be excessive, (7) and that the tax as now imposed at the source is not pyramided down through wholesaler, retailer, and on to the consumer.

The new proposal is supported by the National Civic Federation of New York City. Mr. Eugene Greehut, a member of the executive council of that organization, appeared before a Senate committee and presented voluminous testimony on the subject. The Secretary of the Treasury voiced his objections to the proposal in a letter to the Senate Finance Committee dated February 27, 1936, and printed on page 264 of the hearings held on H. R. 9185.

I seek only to inform the House that this proposal contemplates a complete change of revenue collections on distilled spirits, so that instead of collecting them at the source from some 300 distillers, all under close Treasury supervision as is now practiced, it would collect these revenues from some 235,000 retail outlets. Instead of prepayment of revenue at the source before distilled spirits go into the channels of trade, this proposal would call for payment after the spirits got into the hands of the retailers.

To say the least, it constitutes a revolutionary proposal which was not once considered by the House in either session of the Seventy-fourth Congress. A special responsibility therefore devolves upon the House conferees with respect to this new proposal and I am sure their deliberations will be regarded with great interest by the entire membership.

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

Mr. LAMNECK. Mr. Speaker, in the absence of any assurance, I am compelled to object.

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

Mr. LAMNECK. I yield.

Mr. WOODRUM. Without undertaking to go into the question or the merits or demerits of the two bills, but speaking purely of the parliamentary situation involved, it seems to me the distinguished gentleman from Ohio [Mr. LAMNECK] is asking for an assurance from the conferees which, perhaps, under the parliamentary situation, he would not get in any event, for this reason: The conferees go into conference over the two bills. They may bring back a conference report; it is entirely conceivable that they will bring back a conference report which, in some respects, will have the provisions and taxing philosophy of the House bill, and in others the Senate bill, in which event the Members of the House would have a right to vote for or against the conference report.

Unless the conference report brought back each individual title for separate vote, I do not see how the gentleman in any event, under parliamentary rules, could possibly get the privilege he now seeks by voluntary agreement.

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

Mr. LAMNECK. I yield.

Mr. RANKIN. Let me say to the gentleman from Ohio [Mr. LAMNECK] that he can get a vote on any item in this bill or in the Senate bill by a motion to instruct the conferees. If he objects now, it will simply mean that application will be made to the Rules Committee for a rule, and the Rules Committee will report a rule sending the bill to conference. At any time after the House agrees to send the bill to conference and before conferees are appointed, the gentleman from Ohio, or any other Member of the House, has a right to offer a motion to instruct conferees.

I hope the gentleman will not object to sending the bill to conference, because his objection would simply delay the passage of the bill.

Mr. DOUGHTON. Mr. Speaker, if the gentleman from Ohio will yield, I think he will realize that he is asking an assurance the conferees would have no right and no power to give. I think on reflection he will realize there is no disposition on the part of the conferees to proceed other than in the ordinary way; and there is no disposition to deprive anyone of his rights under the rules and regulations of the House.

Mr. LAMNECK. Mr. Speaker, I realize that probably my attitude will not accomplish anything. I appreciate that under the rules of the House the Committee on Rules could be asked to bring in a rule and they would grant any kind of rule they wanted; at the same time, I consider this tax bill of such great importance that if we were to stay here the balance of the year and work out a sane tax bill it would be the best thing we could ever do. That is the way I feel about it. To force on the country a bill as revolutionary as is the House bill I claim is going to wreck business. Feeling this way I shall do everything I can to prevent it.

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

Mr. LAMNECK. I yield.

Mr. BOILEAU. Does not the gentleman realize that if his objection is maintained it just forces the Committee on Ways and Means to apply to the Rules Committee for a rule and the gentleman will still be in the same attitude he is in now.

Mr. LAMNECK. I understand that.

Mr. BOILEAU. Mr. Speaker, will the gentleman yield for a parliamentary inquiry?

Mr. LAMNECK. I yield.

The SPEAKER. The gentleman from Wisconsin will state his parliamentary inquiry.

Mr. BOILEAU. Mr. Speaker, in the event the conference report were turned down by the House would it then be in order to move to concur in the Senate amendments?

The SPEAKER. The Senate amendments would then automatically come up for further action in the House.

Mr. BOILEAU. This being so, will not the gentleman from Ohio withdraw his request, and permit the conferees to see if they cannot reach an agreement? The matter could still be brought up for action by the House when we reconvene; and if the House then turns down the conference report the gentleman from Ohio would be in position to move to concur in the Senate amendment and the issue would be directly before the House when the question of agreeing to the conference report comes up for consideration.

Mr. LAMNECK. Mr. Speaker, in view of all the circumstances I withdraw my objection.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina? [After a pause.] The Chair hears no objection and appoints the following conferees: Mr. DOUGHTON, Mr. SAMUEL B. HILL, Mr. CULLEN, Mr. VINSON of Kentucky, Mr. COOPER of Tennessee, Mr. TREADWAY, Mr. CROWTHER, and Mr. WOODRUFF.

#### POWER RATES TO CONSUMERS

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a couple of short addresses delivered by the gentleman from Iowa [Mr. WEARIN].

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

There was no objection.

Mr. RANKIN. Mr. Speaker, under permission granted me this afternoon to extend my remarks in the RECORD, I am inserting two short addresses on the power question, delivered by the able and learned gentlemen from Iowa, Mr. WEARIN.

The gentleman from Iowa has labored diligently since he has been a Member of this House to extend and secure reasonable light and power rates to the consumers of electricity throughout the country, and especially to the people of his own State. He should be commended for his able presentation of this question, and I urge that every Member of the House read both addresses carefully.

#### THE NEW DEAL POWER PROGRAM

(Speech over N. B. C., Tuesday, May 28, 1936)

Within the past few weeks I have mailed out inquiries to consumers of electricity in our congressional district in Iowa that have revealed farmers and townspeople throughout the area to be paying excessively high rates for energy and that they are entitled to relief. It is going to be my pleasure to talk with you about the matter a few times over the blue network of the National Broadcasting Co. here in Washington.

The power question is undoubtedly one of the most outstanding issues of this generation. Electricity has lifted itself above the realm of a luxury. It has become an important element in human life and its production and distribution should be considered very carefully during the course of determining upon a permanent national policy with a view to advancing the best interests of the consumers.

There are two schools of thought with reference to the hydroelectric power in our navigable streams: One believes that it is private property and should be monopolized for exclusively private gain; the other believes it is public property, national wealth, and should be used for the benefit of all the American people. I belong to the latter school. President Roosevelt belongs to that school; Senator NORRIS, of Nebraska, belongs to it; as does JOHN RANKIN, of Mississippi. Certainly not even the furthest stretch of imagination would prompt anyone to feel that the water of a great navigable stream should be privately owned any more than we should grant monopolies upon the public highways of today. Nor can anyone, even the Supreme Court, say logically that the Government has no right to use its own water in those streams for the production of power for the benefit of its people and that the waters of that said stream must, therefore, hasten untouched and unused down to the sea.

Electricity is becoming a product of universal necessity, just as roads, water, harbors, and navigable streams. It has the power and ability to relieve the human race of more of its drudgery at a minimum price, if properly handled, than any other commodity. I wonder if there are still very many people who feel that the hard work of farm living, or of any living, for that matter, should not be lifted from the shoulders of the plain folks of this country

simply because a few large corporations want to profit from a monopoly. (It is unfair that women should be forced to do without the conveniences of life in their farm homes or in small towns, that men should labor unceasingly as their forefathers when the installation of electricity at those farms would bring ease and happiness.) Frankly, when we stop to think about it, a complete program of rural electrification for the farmers of America would constitute more real honest-to-goodness farm relief than anything else we could do if the rate for the product is kept at a reasonable figure, which is not the case under the present system.

Now, to get back to the questionnaires that I mentioned a moment ago that disclose such glaring discrepancies in rates being charged for electricity in our section of Iowa and that are more or less applicable to all parts of the State. I called the plight of those consumers of electricity to the attention of President Roosevelt in an interview a few days ago when I placed a portion of the documents themselves upon his desk. Naturally he was vitally concerned about their plight and made constructive suggestions that will be helpful to all of us.

The conditions that those questionnaires disclosed are such that they are worthy of consideration to the extent of setting out specifically their results and comparing the prices now being paid for electric energy to those that are being paid under the Tennessee Valley Authority program as promoted by this administration. I do this in order to indicate to you the great benefits that would accrue from a similar program in the Middle West, such as I proposed some time ago in a bill setting up a Missouri Valley Authority project. The specific cases referred to below constitute 25 average examples and I have numbered them so they can be identified in my files.

No.	Appliances used	Electricity consumed	Monthly cost from present power company	Cost under T. V. A. rates	Annual cost from present power company	Annual cost under T. V. A. rates	Annual saving under T. V. A. rates
1	Lights in home and barn, radio, iron, vacuum cleaner, fans, water pumps, grindstone	68	\$8.50	\$1.86	\$102.00	\$42.32	\$59.68
2	Lights in home, radio, iron, vacuum cleaner, fans, water pump in house	60	7.43	1.70	89.16	20.40	68.76
3	Lights in home and barn, radio, iron, vacuum cleaner, washing machine, water pump in house	87	8.36	2.24	100.32	26.88	73.44
4	Lights in house, barn, and garage, radio, refrigerator, iron, range, vacuum cleaner, fans, 2 water pumps	293	16.11	4.43	193.32	53.16	140.16
5	Lights in house, radio, iron, washing machine	21	2.95	1.00	35.40	12.00	23.40
6	Lights in home, radio, iron, fan, washing machine	29	6.00	1.00	72.00	12.00	60.00
7	Lights in home and garage, radio, refrigerator, iron, vacuum cleaner, fan, water pump	30	4.25	1.00	51.00	12.00	39.00
8	Lights in home, barn, and garage, radio, refrigerator, iron, vacuum cleaner, cream separator	28	1.73	1.00	20.76	12.00	8.76
9	Lights in home, radio, iron, vacuum cleaner, fans, washing machine, water pump	40	5.51	1.20	66.12	24.40	41.72
10	Lights in home, barn and garage, radio, iron, vacuum cleaner	20	4.79	1.00	57.48	12.00	45.48
11	Lights in home, barn and garage, radio, iron, water pump, washing machine	51	5.15	1.52	61.80	18.24	43.56
12	Lights in home, barn and garage, radio, iron, vacuum cleaner, fan, washing machine	42	6.72	1.26	80.64	15.12	65.52
13	Lights in home and barn, radio, iron, vacuum cleaner, washing machine, waffle iron	22	1.91	1.00	22.92	12.00	10.92
14	Lights in home, barn and garage, radio, refrigerator, iron, vacuum cleaner, washing machine	35	5.10	1.05	61.20	12.60	48.60
15	Lights in home, barn, and garage, radio, refrigerator, iron, vacuum cleaner, fan, toaster, charger	145	11.60	3.40	139.20	40.80	98.40
16	Lights in home, radio, refrigerator, iron, vacuum cleaner	72	4.66	1.94	55.92	23.38	32.54
17	Lights in home, barn, and garage, radio, iron, hot plate, vacuum cleaner, washing machine, clock, cream separator	95	5.87	2.40	60.44	28.80	31.44
18	Lights in home and garage, radio, refrigerator, iron, vacuum cleaner	89	5.63	2.28	60.36	27.36	33.00
19	Lights in home and garage, radio, refrigerator, iron, range, vacuum cleaner, fan, feed grinder	183	13.22	4.16	168.64	49.92	118.72
20	Lights in home, barn, and garage, radio, refrigerator, iron, range, vacuum cleaner, fan, feed grinder mangle, water pumps	217	9.66	4.84	115.92	58.08	57.84
21	Lights in home, radio, refrigerator, iron, washing machine	79	3.44	2.08	41.28	24.96	16.32
22	Lights in home, radio, iron, washing machine	9	1.48	1.00	17.76	12.00	5.76
23	Lights in home, radio, refrigerator, iron, vacuum cleaner	48	4.11	1.44	49.32	17.28	32.04
24	Lights in home, radio, washing machine	16	1.44	1.00	17.28	12.00	5.28
25	Lights in home and barn, radio, iron, vacuum cleaner, fan, water pump, emery, grindstone	68	8.50	3.04	102.00	36.48	65.52

It is evident from the above table that the people of Iowa are being grossly overcharged for their electricity and many are denied entirely the advantages that come with its use because of prohibitive rates. The power interests have attempted to base the latter, not upon the cost of production and distribution, but upon the helpless consumer's ability to pay, and they have issued their watered stocks against their right or their ability to plunder the unprotected users of electric lights and power. In other words, they have issued preferred stocks, against their right to hold you and your children in perpetual economic bondage, and have sold these watered stocks out to innocent investors, invariably under the most flagrant of false pretenses.

This condition is in part the explanation of the high rates in southwestern Iowa and in fact all over the State. Let us compare briefly the cost of electric energy to consumers in our section of the country with the cost of the product to consumers in Tacoma, Wash., where they have a publicly owned plant, worth between twenty and thirty millions of dollars, which they are paying for entirely with earnings from the electricity they sell the same as the Tennessee Valley Authority is doing, and the Government-owned plants in Canada, in order to get a coordinated picture of how much you are being overcharged.

I learn from the Federal Power Commission that the people of our State used 672,600,000 kilowatt-hours of electric energy in 1934 for which they paid the sum of \$25,258,621.

Under the T. V. A. rates, the cost would have been \$12,778,621, a saving of \$12,480,000 a year.

Under the Tacoma rates, the cost would have been \$13,450,621, a saving of \$11,808,000.

Under the Ontario, Canada, rates the cost would have been \$10,115,975, a saving of \$15,142,696 a year.

Under the Winnipeg, Canada, rates the cost would have been \$10,624,621, a saving of \$14,634,000 a year.

In other words, you consumers of Iowa have been paying from eleven to fifteen millions of dollars per year in excess of rates charged under the T. V. A., where an effort is being made to get electricity to the people on farms and in cities and small towns at reasonable rates. To simmer this problem down to individuals, I note this average case of a man in my district who is paying \$7.43 for 60 kilowatt-hours of electricity. Under the terms of the Tennessee Valley Authority that would only cost him \$1.69. If he wanted to spend the same amount of money for current under the latter rates, he could buy 632 hours of it. In other words, in addition to having lights in his home, a radio, an electric iron, a vacuum cleaner, a fan, and a water pump in his house; his wife could do all of her cooking, he could light every building on the farm, have plenty of yard lights, pump all of the water for his stock, grind the feed for his herds, and milk his cows at no extra cost. Just think of the drudgery that could be lifted from the shoulders of every farmer and his wife with such a program.

Last year I introduced a measure, commonly called the Missouri Valley Authority bill, with the avowed purpose of setting up a Federal project in our territory similar to the Tennessee Valley Authority, and at the present time Senator GEORGE W. NORRIS, of Nebraska, also has a measure providing for a Mississippi Valley Authority which is a far greater program, and I subscribe to the necessity of it. If we can effect the passage of one of these measures it will mean an adequate supply of electricity for the Middle West at reasonable rates not set for the purpose of paying huge salaries to executives, running to fifty and one hundred thousand dollars per year, and paying interest on watered stock, but set with

a view to amortizing the honest investment of the public's money to the extent of an honest valuation and paying interest on it so that the taxpayers will not only secure cheaper electricity but they will not have to pay higher taxes to offset that advantage.

The Power Trust is charging that the reason the Tennessee Valley Authority is supplying current at rates startlingly lower than their own is due to the fact that proper allowances are not being made by the Government for the customary expenses. The only such items left out of the T. V. A. budget is \$100,000 per year salaries and commissions, or fees, for the Hopsons and others of their caliber and interest on watered stock. Is it fair that such charges for the benefit of a few should be added on to the rates of all of you consumers of electricity who far outnumber the above group? Every one of you who are listening in today and who have electricity from a privately owned power company are helping to pay those excessive salaries and high-interest charges.

A large Federal power project in the Middle West would mean that your light and power bill of five or six dollars could be reduced to about \$1.50 or \$2. It would mean that the consumers in Iowa as a whole would be saved from eleven to fifteen million dollars annually. It would mean that farm families who cannot afford electricity under existing rates could have the advantages that come with its use. Untold volumes of farm and household drudgery could be lifted from the shoulders of rural residents, and children who are driven away from the farm would be inspired to remain there. In short, it would mean the most practical, useful, and invaluable farm relief that could be offered to the Nation, and you people know that just as well as I do, because you are either paying the bill or doing without the electricity right now.

Now, it is going to take time to accomplish the above result; and while we are doing it, the power companies are going on using their excessive rates and unjustifiable service charges, and something must be done about it. The rural electrification set-up in Washington is at your service, established for the purpose of financing 100 percent the construction of farmer-owned lines, after which current can be bought at wholesale from any source of power. Farm communities should look into this proposition before signing any contracts with concerns attempting in feverish haste to promote private lines in order to defeat the purpose of the rural electrification program, which is to afford you a means of buying current much cheaper than you can get it in any other way.

Next week I am going to discuss this particular angle of the question over this same chain and will give you all of the steps necessary for you to accomplish such a desirable result.

#### RURAL ELECTRIFICATION

(Speech over N. B. C., Friday, June 5, 1936)

It was my pleasure to talk with you briefly over the National Broadcasting Co.'s blue network last week about the New Deal power program, what it has meant to many people in various sections of the United States, and what it will eventually mean to you in the Middle West. It will be most helpful, however, if you will cooperate and press for such a most desirable end that will add to your income. If President Roosevelt had offered nothing else to the American public as an achievement during his administration than his efforts to distribute electricity to the consumers of this Nation at a reasonable charge, he should never be forgotten by future historians.

I was not surprised at the bitter attack upon me and the hue and cry from certain newspapers immediately after my preceding speech on the power question and I am sure you won't be either when you look in their advertising sections and note the power-company ads. Those publications are always ready and anxious to fly at the throat of anyone who begins to talk about a Federal power project for the Middle West and lower rates for consumers. Of course, when their profits are at stake the people don't count and in their words "anything goes at a time like that."

One of the major attacks upon me by newspapers who are under the influence of power-company ads or upon anyone else who is attempting to reduce your power rates is to charge that we are Socialists. That is the old standby defense, the same one that was used when toll roads began to go, when the people began to demand publicly owned water fronts and docks, and so forth. Of course, when power-company advertisers speak to newspapers they control and profits are at stake—well "anything goes at a time like that."

The customary attack upon Federal and municipally owned power projects is that they don't pay taxes. One of the anti-New Deal newspapers in the Middle West that attacked the facts in my recent speech singled out the Tacoma plant I gave as an example and stated that the rates there did not include taxes but that observation was either made without checking the truth of it or the deliberate purpose of misleading you because there is an allowance for taxes. Any argument with reference to the size of the city it serves is as absurd as the balance of the attack when there are innumerable examples of equally as successful projects in smaller communities. Of course, when profits are at stake, in the words of the anti-New Deal newspaper, "anything goes at a time like that."

My figures with reference to what electricity is costing consumers in our territory have been challenged, but the people themselves filed their statements in my office and their observations along with their monthly power bills have been numbered and appear in the chart included in my previous address. If any news-

paper opposing my fight for cheaper power rates for you people wants to deny the facts and figures on the power companies' own receipted bills, their position only becomes that much more absurd and that goes for any statement to the effect that the cost of electricity has been reduced from 25 to 5 cents per kilowatt-hour. Are you only paying 5 cents per kilowatt-hour for your current? If you are, you have an exceptional, not an average, contract.

You can expect hostile newspapers and their editors from all over the country to attack me in my fight for cheaper power and those with the largest and most power-company ads will be the most vociferous. The attack will take every conceivable form and some will even stoop to personalities and to criticism of my ability to gather facts and figures from the Rural Electrification Administration, the Federal Power and Trade Commissions, and other sources available to all who are honest and earnest enough to seek out such facts for the sake of urging cheaper power rates for consumers and are not guided by the advertising returns that trickle into their pockets.

I can assure the people of our district, State, and Nation that I am going to conduct this fight on a high plane, on the basis of facts, and shall not at any time descend to the level of criticizing the intelligence of my opposition that is supporting the power interests, and that goes for the editors of the publications that have launched their attack against me, be they garagemen, lawyers, doctors, or ministers. No one profession has a monopoly on judgment and intelligence. Furthermore, every citizen has a right to gather facts and use them in behalf of the people or himself, whichever he chooses. It will be well, however, as I have told you before, to check the advertising sections of the newspapers that are opposing my effort to secure a Federal power project for the Middle West that will deliver electricity to you for a fraction of what you are paying for it now and almost invariably you will find power-company ads; if not, look at some of their back issues.

I have already told you that the consumers of electric energy produced and distributed by the power companies in Iowa are being overcharged \$12,778,621 as compared to Tennessee Valley Authority rates, which indicates the urgent character of the power question in our section. Now, I want to do these two things during the course of my remarks today, namely, to indicate the feasibility of Federal or municipally owned power-production projects and also to indicate how the Rural Electrification Administration can be of immediate assistance to you through construction of cooperatively owned distribution lines that can be connected for the time being with any source of wholesale power until such time as my proposed Missouri Valley project or Senator NORRIS' Mississippi Valley project or various municipal steam-operated projects can be placed in operation.

I know there will be those who will say that such an undertaking is an infringement upon the rights of private property, but I want to ask you this: Is it fair for private capital, representing at most a few thousand investors, to capitalize upon the ability of consumers to pay for a product, such as electricity, that has become of universal importance? We must stop to realize that electric energy on every farm and in every American home would be the greatest boon to civilization that it is possible to imagine. Widespread production of the commodity at rates comparable to the T. V. A. yardstick would make possible the illumination of our public highways, thus eliminating a tremendous volume of night accidents. Furthermore, light is the best policeman we've ever known, laying a heavy hand upon the advancing ranks of crime. Some of you will smile when I talk about lighting all of the American highways and illuminating the dark corners of every city and town, but it is not beyond the realm of fancy under the proper program of power development. You will soon forget who made the above statement, but in years to come you will never forget that someone suggested it and that the dream came true.

The expense of such a proposal from the standpoint of the necessary power as it is produced today and capitalized upon by the Power Trust, with its pyramided holding companies, is impossible. I mention these things briefly to impress upon your mind the fact that a Nation-wide program of wholesale power production would not only lift the drudgery from the shoulders of the American farmer and brighten the homes of the poor but it would curtail the percentage of accidents upon our highways if they were properly lighted, and halt the ever-marching, heavy, slimy feet of crime. Whoever lifts his hand against the advance of this great program of electrifying America with cheap power that the rich and the poor can afford is tampering with a relentless issue that must eventually trample him underfoot, because consumers and the common people of this land far outnumber those who would capitalize excessively upon their desire for electric service. He who opposes the Federal power program, and the advance of municipally owned production of it, is tampering with an issue that reaches into 20,000,000 homes at the moment, 5,000,000 business houses, and touches 25,000,000 consumers, who are beginning to realize that they have been grossly overcharged for electric lights and power, not to mention the untold millions who will benefit in the future and who will soon lift their voices in a demand for the service. Mark this prediction: Those people are not going to tolerate any effort on the part of selfish interests to halt the advancing steps of progress.

Now, just a moment for those who are opposed to the Federal power program of the Roosevelt administration and to the proposal for a rapidly spreading movement of municipal and cooperative power plants. They are going to lift their voices and con-

demn the movement as being costly to the taxpayers without, of course, giving the slightest thought to the millions of interested consumers. I want to take, for example, the Wilson Dam in the Tennessee Valley set-up as an example of what is being done, and I will quote a statement of the Army engineers as shown on page 530 of their report (H. Doc. No. 328, 71st Cong., 2d sess.):

"The sales prices for Wilson Dam power necessary to obtain in order to pay 4 percent on the investment in plant and transmission lines, and to cover the cost of operation and maintenance (indefinitely) of these are based upon the known cost of the hydro plant to date, a careful estimate of additional installation at costs of the present installation, and upon estimates of the costs of transmission lines and of operation, depreciation, etc. It is seen, therefore, that these prices are based largely upon known costs, and that an error in the items estimated would affect the sales prices but little. The hydro prices reduced to mills per kilowatt-hour would be as follows:

Mills per kilowatt-hour	
At the switchboard	1.352
Transmitted 100 miles	1.993
Transmitted 200 miles	2.310
Transmitted 250 miles	2.467
Transmitted 300 miles	2.625
Transmitted 350 miles	2.775

The next question that will be raised will be the matter of distribution. Most of the agents of the power companies will tell you that distribution is the thing that builds up the cost of your power, but listen to this—on page 531 of the same report of the same Army engineers:

"To supply the prospective market under consideration, it is estimated that the average transmission distance would be 250 miles, and based upon transmission-cost data worked up in the Nashville office, a copy of which constitutes a part of appendix G, section C, of this report, this would be 1.118 mills per kilowatt-hour, including line losses. Having the average cost of hydropower at the switchboard, and the average cost of transmission over the average distance, 1.352 plus 1.118 equals 2.470 mills per kilowatt-hour, equals the average cost of the hydropower delivered at an average distance of 250 miles."

It can be seen from the above that taking all factors into consideration power can be generated and transported 250 miles at a cost of 2.47 mills per kilowatt-hour from the T. V. A. project, so why not a similar arrangement in the Missouri Valley and the Mississippi Valley? You people who are listening in today are just as much entitled to that saving over and above the rate you are being charged at present of 4, 6, and 8 cents per kilowatt-hour or more, plus a service charge in many cases, as anyone else.

The outstanding example of the actual cost of generating and distributing hydroelectric power is that of the municipal light and power plant at Tacoma, Wash., valued at about \$23,000,000 and having an outstanding indebtedness of about \$7,000,000. The balance has been paid out of the revenues derived from the sale of electric energy. Tacoma also has a steam plant for a stand-by or emergency purposes. This light and power system is entirely separate from the city and pays taxes to the municipality just as if it were a private concern. Of course, the power interests will tell you that these projects do not take such things into consideration, but I am pointing out to you specific examples in which they do take these things into consideration and are still producing and distributing power for a fraction of what you are paying for it today. In 1934 Tacoma generated and sold 199,872,994 kilowatt-hours of electric energy, which it generated and distributed to the ultimate consumers at an average price of 8 mills per kilowatt-hour, after paying its operating expenses, interest on its indebtedness, depreciation, and taxes.

Now, I have been talking a little today about other types of municipally owned plants as a possibility for the Middle West until such time as we can set up something similar to the T. V. A. or perhaps as a unit in the permanent plan, and I want to give you this specific example of what is being done in that field. The city of Springfield, Ill., has a publicly owned power system and generates its energy by steam. Although it serves a population of only about 72,000 people, Springfield generated and distributed power to the ultimate consumers in 1934 at an average cost of 1½ cents per kilowatt-hour. Richmond, Ind., with a population of only 33,000 people, generated and distributed power at an average cost of 1½ cents per kilowatt-hour. Hannibal, Mo., a city of 22,000 people, with a municipally owned steam plant and distribution system, generated and distributed electricity in 1934 at a cost of 1.27 cents per kilowatt-hour. Now, I could go on and cite other similar cases in large and small towns and cities—all of which go to show that power can be generated and distributed anywhere in the United States at the T. V. A. rates without in any way impairing the values of legitimate investments.

In the remarks I made last week I called to your attention the saving that would be effected to the consumers of the entire State of Iowa through the installation of a Federal power project similar to the T. V. A. totaling approximately \$12,480,000 a year. This week I have gone into a little more detail with reference to municipally operated projects and you can readily figure yourselves how the Tacoma rates and other quoted would effect a substantial saving to consumers in Iowa and the Middle West, running from \$11,000,000 per year for Iowa alone, upward. Before concluding my statement with reference to the cost of operating these projects and the saving effected to the consumers I want to insert at this

point the schedule of T. V. A. rates at Tupelo, Miss., which is a fair example:

"First 50 kilowatt-hours per month at 3 cents per kilowatt-hour.  
"Next 150 kilowatt-hours per month at 2 cents per kilowatt-hour.  
"Next 200 kilowatt-hours per month at 1 cent per kilowatt-hour.  
"Excess: Over 400 kilowatt-hours per month at 4 mills per kilowatt-hour."

"The basic commercial rates to be charged the ultimate consumers in Tupelo under this contract are as follows:

"First 250 kilowatt-hours per month at 3 cents per kilowatt-hour.  
"Next 750 kilowatt-hours per month at 2 cents per kilowatt-hour.  
"Excess: Over 2,000 kilowatt-hours per month at 0.8 cent per month.

"The basic industrial rates to be charged in Tupelo under this contract are as follows:

"Demand charge: \$1 per kilowatt-hour per month.  
"Demand: Maximum integrated 30-minute period.  
"Energy charge:  
"First 10,000 kilowatt-hours per month at 10 mills per kilowatt-hour.

"Next 25,000 kilowatt-hours per month at 6 mills per kilowatt-hour.  
"Next 65,000 kilowatt-hours per month at 4 mills per kilowatt-hour.  
"Next 400,000 kilowatt-hours per month at 3 mills per kilowatt-hour.

"Excess: Over 500,000 kilowatt-hours per month at 2.5 mills per kilowatt-hour."

The rates I have just given you, which have been referred to by President Roosevelt as the yardstick, will indicate the extent of the benefit to you by a hydroelectric power-production unit in the Middle West, and steam plants should have little, if any, difficulty in matching them. In working out the above schedule the T. V. A. was careful to include every item of cost even to the amortization of the cost of the dam itself. They are not selling power below cost as has been charged by the power trusts. They have been so careful to work out a schedule under which the Government would not lose any money that they have provided rates which will, in all probability, be reduced as the years go by.

Now, as I said a week ago, all of these proposals of mine for reducing the cost of power and distributing it widely throughout the United States will entail much work and will occupy a considerable amount of time. Under the Missouri Valley bill I have pending it can be extended to the Des Moines River and various other tributaries in years to come. There is an ideal site for a project on the latter stream just north of the capital city. Something should be done at the moment, however, and the Rural Electrification Administration has a set-up in Washington and a fund that can be loaned to farmers for the building of cooperative lines which will be helpful. I want to outline to you in brief exactly the steps that are necessary in order to take advantage of this portion of the New Deal program:

The first step in setting up a cooperative for the purpose of constructing rural farm lines is for some one of your number to address a letter to Rural Electrification Administration, Washington, D. C., stating that you and your neighbors are interested in establishing such a cooperative set-up, would like to have some literature and such assistance as might be necessary. After you have received a letter and the data, the procedure is to call a mass meeting and familiarize all those interested with the details of the R. E. A. program and the requirements for a loan, which I will outline briefly; but, of course, same should be placed before the group in more or less detail. At your mass meeting a committee should be appointed to solicit the farms which will lie along the proposed line, the purpose being to find out how many of the farmers will take electricity if it is available and to learn of the uses they will make of it.

The members of the general organization committee should include one representative from each township or school district, however the county or the area is divided. This will enable each committeeman to appoint a subcommittee for a particular township or area who will make the canvass. The work is thus simplified. The canvass should consist largely of asking the farmers to sign a form signifying their willingness to join the cooperative and receive service whenever the lines are built. There should be a space on the form for the consumer to indicate the type and number of appliances he will probably use. It is not necessary for the said forms to be a binding contract nor should the farmer be required to pay any money to join the cooperative.

The mass meeting and the appointing of committees may be under the supervision of the Farm Bureau, the Farmers Union, the Grange, or any other group, or by all or any of them together. R. E. A. attorneys will aid and advise on all legal problems pertaining to the organization of such groups. Again I repeat, address your communication to Rural Electrification Administration, Washington, D. C., and in the case of legal matters indicate Attention: General Counsel. After you have completed this preliminary set-up and survey you can estimate from the tabulated applications the amount of current that will be required to serve the lines you desire to build. The data so gathered may be used to draw a map to show the location of each farm. The farms should be numbered to correspond with numbers on the map. Also, the maps should indicate the proposed lines, existing lines, and the proposed source of power. After you have progressed this far and know about how much energy will be required you can approach the nearest municipal plant or private utility and

determine whether or not current can be purchased wholesale from these sources; also a general commitment should be received as to the rates at which this current can be purchased. On a number of projects already approved the average sale price for wholesale power ranges from below 1 cent to 2 cents, the latter, of course, being high, but which even so will result in a reduction of your existing charges. Under exceptional conditions a generating plant may be included in the project after it is apparent that such a step is necessary in order to afford the proper service. In the event that said plant entails too great an investment, it is within the province of the Public Works Administration to grant funds to build or extend municipal generating plants.

The above information so gathered by your committee should then be sent to the Rural Electrification Administration office in Washington, D. C., for analysis, which will occupy only a short time. You will notice that it is not necessary for the farmers to spend any money other than their time in solicitation to submit this application. It is advisable also that the cooperative refrain from becoming incorporated until R. E. A. has had an opportunity to judge the feasibility of their project, as well as to study the proposed articles of incorporation and bylaws. There is no need to employ an engineer or a lawyer until R. E. A. has made some indication as to the feasibility of the project.

The question might arise as to how much the R. E. A. will loan on such a proposal. It may provide the full amount of the funds if it is necessary to do so. Generally the location will govern the cost of building the distribution lines, including the service lines (normally not to exceed 150 feet in length) to the farm home and the customers' meters. Occasionally where there is no adjacent source of power and the size of the projects will warrant it, a short transmission line and substation or a small generating plant may be included as part of the project, which cost the loan will cover. (Consumers' loans for wiring and appliances can be handled in another way. In the case of appliances the Electric Home and Farm Authority, an agency of the Federal Government, Washington, D. C., should be contacted for loans.) Additional information will be furnished to interested parties upon a request addressed to the Washington office of the R. E. A., which I designated earlier in these remarks. If farmers of the United States will take advantage of this program, we can bring about a widespread electrification of farms and the homes thereon. The failure of the existing power companies to so service the consumer is glaring when compared to other nations. In Holland there is practically a 100-percent electrification of farms; in Germany 90 percent of all farms are receiving the benefits of electricity; in Sweden 50 percent are so serviced; but in the United States only 10 percent have the advantages that come with the use of electric energy.

I commend this program to you most highly even though there are many interests in Iowa that are bitterly opposed to it. Even some of the officials of the Extension Department at Ames have indicated a lack of willingness to cooperate for the benefit of farm consumers with respect to the above proposal. I have also been interested to note of late that the power companies have suddenly become very solicitous of your welfare and have been holding meetings in various sections of the country, offering to build lines to the farmers. Let us remember the old adage, "Beware of the Greeks bearing gifts." I remember back only a few years ago when there was no proposal for cooperative distribution of power by consumers, no suggestion of a Federal power program, that the Power Trust in our country laughed at the request of a farmer for current and told him they were not seeking such farm business. If he still persisted they quoted him a price of \$1,600, \$1,800, or \$2,000 per mile as a line construction cost to stop his ambition to relieve his wife and his family of the drudgery of hard work, and that cost was not a wartime cost either. Now the power companies are anxious to get control of the lines of distribution in our section in order to halt the program of the Rural Electrification Administration in constructing cooperative lines that will reduce the cost of electricity to you, even though it will be necessary in many cases to buy the product at wholesale from the power companies until such time as we can set up some of the projects that I am proposing and urging both through the agency of the Federal Government, States, and municipalities.

Let us not take too seriously the altruistic tendencies of the power companies in the Middle West that are evidenced by the rates charged for electricity in our section which I pointed out to you in my previous remarks, and which in some instances when service charges are included run to as high as 20 cents per kilowatt-hour. I am reminded that the Commonwealth & Southern Co. also had a similar outburst of generosity. They were buying power at Muscle Shoals at 2 mills a kilowatt-hour, relaying it to the ultimate consumers less than half a mile away at 10 cents a kilowatt-hour, or a difference of 4,800 percent. I suppose they would have said that increase in price was occasioned by the cost of distribution. They were selling it to some farmers in that section of the country at from 30 to 40 cents per kilowatt-hour, making a line charge of \$3.25, exactly what they are doing in many instances in our country now, and then charging them 5 cents a kilowatt-hour for what electricity they used over and above. Of course, they do us one better in our section. They charge us 4, 6, and 8 cents. In the above instance one of the farmers in that section was paying the power company \$4 per month for 25 kilowatt-hours that cost the power company 5 cents at the dam. A few weeks ago the Iowa Manufacturers' Association sent out a letter in which they tried to undermine the benefits of the T. V. A. and prejudice people against it by citing some

prices paid for cows down at Norris City. If any of you members of that association have that letter around dig it out and see if they said anything about that farmer down there who paid that \$4 for electricity that cost the power company 5 cents at the dam before the T. V. A. project went into effect and rates were reduced in accordance with the schedule I have included in these remarks; see if they mentioned the millions of consumers—you people who pay the bill of high electric rates.

The Rural Electrification Administration has already been successful in doing exactly what I have said can be done—aiding farm consumers in constructing lines and in securing contracts for current at wholesale which have materially reduced their electric bills. You can do the same thing yourself. A project is under way in Adams County, Iowa, in our congressional district, and Mr. Morris L. Cooke, Administrator of the R. E. A., informed me in a letter on June 1 that an initial allotment of \$67,500 has just been made for the construction of rural electrification distribution lines primarily in Shelby County, Iowa. Get in your car and drive over there to talk to some of those farmers. It is contemplated that these funds will be loaned to the Shelby County Rural Electric Cooperative for building these lines which will take electric energy to approximately 225 farm homes in that and adjoining counties.

It is to be hoped that farm consumers throughout the Middle West will take advantage of this New Deal program and in the meantime will assist the administration in advancing Federal production projects similar to the T. V. A., and State and municipally owned proposals in order that the advantages of cheap electricity can be brought to every farm and every home in America.

I want the people of our district and any others in any portion of the Middle West who are interested and who want relief from existing high rates or who desire to secure the benefits of electricity to feel at liberty to write to me at any time for information contained in these remarks or to request my assistance in any way. Regardless of my position, be it one of a public official or of a private citizen, I expect to go on with this fight to the end or until such time as the farms and homes of America are properly electrified at reasonable rates based on the T. V. A. yardstick, and the plain people of this Nation receive the benefits of such a program.

Mr. RANKIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RANKIN. It was stated a while ago that all Members had permission to extend their remarks in the RECORD up to the date of the last publication of the RECORD for this session. Does this mean more than one insertion?

The SPEAKER. It does.

Mr. RANKIN. I thank the Speaker.

Mr. McCORMACK. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. McCORMACK. Is the permission to extend remarks, to which the gentleman from Mississippi referred, confined to the Members' own remarks, or under it is a Member permitted to include brief excerpts from articles or statements of others?

The SPEAKER. The unanimous-consent request as submitted by the present occupant of the chair when he was majority leader was that all Members should have the right to extend their own remarks; and the Chair is of the opinion that if it is desired to include in the extension quotations from editorials or other extraneous matter that special permission should be secured.

#### DEFENDERS OF THE CONSTITUTION—THE SEVENTY-THIRD AND SEVENTY-FOURTH CONGRESSES

Mr. SNYDER of Pennsylvania. Mr. Speaker, the other day, under unanimous consent, I sent to the Printing Office an extension of remarks for insertion in the RECORD, but it was returned to me by the Printer because it exceeded the two-page limitation. The Printer states it will take three and a half pages. I have the estimate from the Printer, and I now renew my request to make this extension.

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

There was no objection.

Mr. SNYDER of Pennsylvania. Mr. Speaker, some months ago I placed in the RECORD a compiled statement checked by the legislative reference service of the Congressional Library showing the exact data relative to acts of Congress being declared unconstitutional by the Supreme Court of the United States. I am now bringing this down to date so that the Members, as well as the general public may have access to this contribution.

You will recall that I said that out of the more than 24,000 acts of Congress that have been passed since George Washington took his oath of office, a very small percent of them were declared unconstitutional. To be accurate, to date there have been 70 acts of Congress declared unconstitutional.

I said at that time, and still say, that this record specifically stamps the United States Congress as being the most efficient and accurate lawmaking body the world has ever experienced. When you make yourself conscious of the fact that perhaps there are in every Congress, 20 or 30 men out of the 435 who are just as sincere, just as well trained and equipped, and just as able and capable of sitting in judgment on legislation as to its constitutionality as any group of Supreme Court judges that were ever appointed—then we grasp the entire picture. Some say that we should have an amendment to the Constitution. That may be. I am not passing judgment on that statement at this time, but I do say that the Constitution, the way it stands, can be interpreted to take care of all of the needs of all of the people all of the time.

There is no use to cry over spilled milk. It is our duty to obey the laws while they are on the statute books. I am going to do that. Every good citizen always obeys the laws. But, as in the case when the Guffey-Snyder coal bill was declared unconstitutional, we immediately went to work and in 2 days' time we had another measure prepared that legal minds say can be interpreted to be constitutional because it dovetails into the decision of the Supreme Court Justice, Mr. Hughes.

Some radio speakers as well as some newspapers gave, and still are giving, false impressions. For instance, I heard one radio speaker, who was aspiring to be a candidate for one of the highest offices within the gift of the people, say that the Democratic Congress was destroying the Constitution by passing acts that were unconstitutional.

Of course, this speaker did not know what he was talking about or he would never have said this. If you will check the acts listed here below, you will find that some 40 of them that have been declared unconstitutional were put on the statute books by the Republican Party, when they had both Houses and the President, and that only some 20 of these were put on the statute books when we had a Democratic Congress and President.

Mr. Speaker, President Roosevelt and the Democratic Congress under his leadership have set up and put into effect for the farmers, the laborers, and the businessmen so many commendable things that space will not permit me to enumerate them. Suffice to say that I for one shall continue my fight for the fundamentals in order that labor may have the right to collective bargaining, the right to wage scales, the right to certain limited hours of labor.

Yes; I shall insist that we shall have the right to protect all laborers from exploiters and at the same time protect women and children from sweatshop abuses.

Following are the acts:

1. Act of September 24, 1789 (1 Stat. 81, sec. 13, in part). Provision that " \* \* \* (the Supreme Court) shall have power to issue \* \* \* writs of mandamus, in cases warranted by the principles and usages of law, to any \* \* \* persons holding office, under authority of the United States" held not to authorize issue of mandamus to the Secretary of State requiring him to deliver to plaintiff a commission (duly signed by the President) as justice of the peace in the District of Columbia.  
*Marbury v. Madison* (1 Cr. 137 (Feb. 24, 1803)).
2. Act of February 20, 1812 (2 Stat. 677, ch. 22). Provisions for examination into "validity of claims to land \* \* \* which are derived from confirmations made \* \* \* by the Governors of the Northwest \* \* \* Territory" held not to authorize annulment of title confirmed by Governor St. Clair in 1799, nor to validate a subsequent sale and patent by the United States.  
*Reichart v. Felps* (6 Wall. 160 (Mar. 16, 1868)).
3. Act of March 6, 1820 (3 Stat. 548, sec. 8, proviso). The Missouri Compromise, prohibiting slavery within the Louisiana Territory north of 36°30', except Missouri.  
*Dred Scott v. Sandford* (19 How. 393 (Mar. 6, 1857)).

NOTE.—The Missouri Compromise was "declared inoperative and void" by act of May 30, 1854, while the Dred Scott case was pending.

4. Act of February 25, 1862 (12 Stat. 345, sec. 1); July 11, 1862 (12 Stat. 532, sec. 1); March 3, 1863 (12 Stat. 711, sec. 3)—all in part only.  
"Legal-tender clauses", making non-interest-bearing U. S. notes legal tender in payment of "all debts, public and private", so far as applied to debts contracted before passage of the act.  
*Hepburn v. Griswold* (8 Wall. 603 (Feb. 7, 1870); overruled in *Knox v. Lee (Legal Tender cases)* (12 Wall. 457 (May 1, 1871)).
5. Act of March 3, 1863 (12 Stat. 757, ch. 81, sec. 5).  
"So much of the 5th section \* \* \* as provides for the removal of a judgment in a State court, and in which the cause was tried by a jury to the circuit court of the United States for a retrial on the facts and law, is not in pursuance of the Constitution, and is void."  
*The Justices v. Murray* (9 Wall. 274 (Mar. 14, 1870)).
6. Act of March 3, 1863 (12 Stat. 766, c. 92, sec. 5).  
Provision for an appeal from the Court of Claims to the Supreme Court; there being at the time a further provision (sec. 14) requiring an estimate by the Secretary of the Treasury before payment of final judgments.  
*Gordon v. United States* (2 Wall. 561 (Mar. 10, 1865)).  
(Case was dismissed without opinion; grounds were suggested in *United States v. Klein*, 18 Wall. 128, 144.)
7. Act of June 30, 1864 (13 Stat. 281, c. 173, sec. 116), as amended; see below, act of March 2, 1867 (14 Stat. 477, sec. 13).  
Same (13 Stat. 284, c. 173, sec. 122), as amended; see below, act of July 13, 1866 (14 Stat. 138).
8. Act of January 24, 1865 (13 Stat. 424, c. 20).  
Requirement of a test oath (disavowing actions in hostility to the United States) before admission to appear as attorney in a Federal court by virtue of any previous admission, held invalid as applied, at any rate, to an attorney who had been pardoned by the President for all offenses during the Rebellion.  
*Ex parte Garland* (4 Wall. 333 (Jan. 14, 1867)).
9. Act of July 13, 1866 (14 Stat. 138), amending act of June 30, 1864.  
Tax on indebtedness of railroads, " \* \* \* to whatsoever party or person the same may be payable", as applied to indebtedness to a municipal corporation, incurred under authority of the State.  
*United States v. Railroad Co.* (17 Wall. 322 (Apr. 3, 1873)).
10. Act of March 2, 1867 (14 Stat. 477, c. 169, sec. 13), amending act of June 30, 1864 (13 Stat. 281, sec. 116).  
Tax on income of " \* \* \* every person residing in the United States \* \* \* whether derived from \* \* \* salaries \* \* \* or from any source whatever \* \* \* ", as applied to income of State judges.  
*The Collector v. Day* (11 Wall. 113 (Apr. 3, 1871)).
11. Same (14 Stat. 484, c. 169, sec. 29).  
General prohibition on sale of naphtha, etc., for illuminating purposes, if inflammable at less temperature than 110° F., held invalid "except so far as the section named operates within the United States, but without the limits of any State."  
*United States v. Dewitt* (9 Wall. 41 (Feb. 21, 1870)).
12. Act of March 2, 1867 (14 Stat. 539, c. 176, sec. 44), as embodied in Revised Statutes; see below, R. S. 5132.  
13. Act of May 31, 1870 (16 Stat. 140, c. 114, secs. 3, 4).  
Provisions penalizing (1) refusal of local election officials to permit voting by persons offering to qualify under State laws applicable to any citizens; and (2) hindering of any person from qualifying or voting, held invalid under fifteenth amendment.  
*United States v. Reese et al.* (92 U. S. 214 (Mar. 27, 1876)).
14. Act of May 31, 1870 (16 Stat. 140, c. 114), as embodied in Revised Statutes; see below, Revised Statutes 1977, 5507.  
Act of June 17, 1870 (16 Stat. 154), as embodied in Revised Statutes of the District of Columbia; see below, Revised Statutes of the District of Columbia 1064.
15. Act of July 8, 1870 (16 Stat. 210), as embodied in Revised Statutes; see below, Revised Statutes 4937-4947.
16. Act of July 12, 1870 (16 Stat. 235, c. 251).  
Provision making Presidential pardons inadmissible in evidence in Court of Claims, prohibiting their use by that court in deciding claims or appeals, and requiring dismissal of appeals by the Supreme Court in cases where proof of loyalty had been made otherwise than as prescribed by law.  
*United States v. Klein* (18 Wall. 128 (Jan. 29, 1873)).
17. Act of April 20, 1871 (17 Stat. 13, c. 22, sec. 2), as embodied in Revised Statutes; see below, Revised Statutes 5519.
18. Act of June 22, 1874 (18 Stat. 187, sec. 5).  
Provision authorizing Federal courts to require production of documents in proceedings, other than criminal, under the revenue laws (the allegations expected to be proved thereby

to be taken as proved, on failure to produce such documents) held invalid as applied to a suit for forfeiture under the customs laws.

*Boyd v. United States* (116 U. S. 616 (Feb. 1, 1886)).

15. R. S. 1977 (act of May 31, 1870, 16 Stat. 144). Provision that "all persons within the jurisdiction of the United States shall have the same right in every State and Territory to make and enforce contracts \* \* \* as is enjoyed by white citizens \* \* \*" held invalid under the thirteenth amendment.

*Hodges v. United States* (203 U. S. 1 (May 28, 1906)).

16. R. S. 4937-4947 (act of July 8, 1870, 16 Stat. 210), and act of August 14, 1876 (19 Stat. 141). Original trade-mark law, applying to marks "for exclusive use within the United States"; and a penal act designed solely for the protection of rights defined in the earlier measure.

*Trade Mark cases* (100 U. S. 82 (Nov. 17, 1879)).

17. R. S. 5132, subdivision 9 (act of Mar. 2, 1867, 14 Stat. 539). Provision penalizing "any person respecting whom bankruptcy proceedings are commenced \* \* \* who, within 3 months before the commencement of proceedings in bankruptcy, under the false color and pretense of carrying on business and dealing in the ordinary course of trade, obtains on credit from any person any goods or chattels with intent to defraud \* \* \*."

*United States v. Fox* (95 U. S. 670 (Jan. 7, 1878)).

18. R. S. 5507 (act of May 31, 1870, 16 Stat. 141, sec. 4). Provision penalizing "every person who prevents, hinders, controls, or intimidates another from exercising \* \* \* the right of suffrage, to whom that right is guaranteed by the fifteenth amendment to the Constitution of the United States, by means of bribery \* \* \* held not authorized by the said fifteenth amendment.

*James v. Bowman* (190 U. S. 127 (May 4, 1903)).

19. R. S. 5519 (act of Apr. 20, 1871, 17 Stat. 13, ch. 22, sec. 2). Section providing punishment in case "two or more persons in any State \* \* \* conspire \* \* \* for the purpose of depriving \* \* \* any person \* \* \* of the equal protection of the laws \* \* \* or for the purpose of preventing or hindering the constituted authorities of any State \* \* \* from giving or securing to all persons within such State \* \* \* the equal protection of the laws \* \* \*", held invalid for punishment of conspiracy within a State.

*United States v. Harris* (106 U. S. 629 (Jan. 22, 1883)).

NOTE.—In *Baldwin v. Franks* (120 U. S. 678 (Mar. 7, 1887)), an attempt was made to distinguish the *Harris* case, and apply it to conspiracy against aliens, though within a State, and held, the provision was not separable in such case.

20. Revised Statutes of the District of Columbia, section 1064 (act of June 17, 1870, 16 Stat. 154, ch. 133, sec. 3). Provision that "prosecutions in the police court (of the District of Columbia) shall be by information under oath, without indictment by grand jury or trial by petit jury", as applied to punishment for conspiracy (*Callan v. Wilson*, 127 U. S. 540 (May 14, 1888)).

21. Act of March 1, 1875 (18 Stat. 336, secs. 1, 2). Provision "That all persons within the jurisdiction of the United States shall be entitled to the full and equal enjoyment of the accommodations \* \* \* of inns, public conveyances on land or water, theaters, and other places of public amusement; subject only to the conditions and limitations established by law and applicable alike to citizens of every race and color, regardless of any previous condition of servitude." Section 2 prescribed a penalty for violation.

Held unconstitutional (a) in operation within the States in *Civil Rights cases* (109 U. S. 3 (Oct. 15, 1883)); (b) in operation outside the States, and therefore void in toto; in *Butts v. Merchants' & Miners' Transportation Co.* (230 U. S. 126 (June 16, 1913)).

22. Act of March 3, 1875 (18 Stat. 479, ch. 144, sec. 2). Provision that "if the party (i. e., a person stealing property from the United States) has been convicted, then the judgment against him shall be conclusive evidence in the prosecution against (the) receiver that the property of the United States therein described has been embezzled, stolen, or purloined."

*Kirby v. United States* (174 U. S. 47 (Apr. 11, 1899)).

23. Act of July 12, 1876 (19 Stat. 80, sec. 6, in part). Provision that "postmasters of the first, second, and third classes \* \* \* may be removed by the President by and with the advice and consent of the Senate."

*Myers v. United States* (272 U. S. 52 (Oct. 25, 1926)).

24. Act of August 14, 1876 (19 Stat. 141, entire act). Act for protection of trade-mark rights established by R. S. 4937-4947.

\* *Trade Mark cases* (100 U. S. 82 (Nov. 17, 1879)).

25. Act of August 11, 1888 (25 Stat. 411). Clause in a provision for the purchase or condemnation of a certain lock and dam in the Monongahela River that " \* \* \* in estimating the sum to be paid by the United States, the franchise of said corporation to collect tolls shall not be considered or estimated \* \* \*."

*Monongahela Navigation Co. v. United States* (148 U. S. 312 (Mar. 27, 1893)).

26. Act of May 5, 1892 (27 Stat. 25, ch. 60, sec. 4). Provision of a Chinese exclusion act, that Chinese persons "convicted and adjudged to be not lawfully entitled to be or remain in the United States shall be imprisoned at hard labor for a period not exceeding 1 year and thereafter removed from the United States \* \* \*." (The conviction and judgment thus referred to was by a justice, judge, or commissioner upon a summary hearing.)

*Wong v. United States* (163 U. S. 228 (May 18, 1896)).

27. Joint resolution of August 4, 1894 (28 Stat. 1018, No. 41). Provision authorizing the Secretary of the Interior to approve a second lease of certain land by an Indian chief in Minnesota (title to which land was vested in the lessor's ancestor by art. 9 of a treaty with the Chippewa Indians) held not to affect validity of first lease.

*Jones v. Meehan* (175 U. S. 1 (Oct. 30, 1899)).

28. Act of August 27, 1894 (28 Stat. 553-560, secs. 27-37). Income-tax provisions of the Tariff Act of 1894. "The tax imposed by sections 27 to 87, inclusive \* \* \* so far as it falls on the income of real estate and of personal property, being a direct tax within the meaning of the Constitution, and, therefore, unconstitutional and void because not apportioned according to representation, all those sections, constituting one entire scheme of taxation, are necessarily invalid." (158 U. S. 601, 637.)

*Pollack v. Farmers' Loan & Trust Co.* (157 U. S. 429 (Apr. 8, 1895), and rehearing (158 U. S. 601 (May 20, 1895)).

29. Act of January 30, 1897 (29 Stat. 506). Prohibition on sale of liquor \* \* \* to any Indian to whom allotment of land has been made while the title to the same shall be held in trust by the Government \* \* \*.

*Matter of Heff* (197 U. S. 588 (Apr. 10, 1905)); overruled in *United States v. Nice* (241 U. S. 591 (1916)).

30. Act of June 1, 1898 (30 Stat. 428). Section 10, penalizing "any employer subject to the provisions of this act" who should "threaten any employee with loss of employment \* \* \* because of his membership in \* \* \* a labor corporation, association, or organization." (The act applied "to any common carrier \* \* \* engaged in the transportation of passengers or property \* \* \* from one State \* \* \* to another State \* \* \* etc.")

*Adair v. United States* (208 U. S. 161 (Jan. 27, 1908)).

31. Act of June 13, 1898 (30 Stat. 459). Stamp tax on foreign bills of lading in War Revenue Act. *Fairbanks v. United States* (181 U. S. 283 (Apr. 15, 1901)).

32. Same (30 Stat. 460). Tax on charter parties, as applied to shipments exclusively from ports in United States to foreign ports.

*United States v. Hvoslef* (237 U. S. 1 (Mar. 22, 1915)). (See note to next case.)

33. Same (30 Stat. 461). Tax on policies of marine insurance, as applied to insurance during voyage to foreign ports.

*Thames & Mersey Insurance Co. v. United States* (237 U. S. 19 (Apr. 5, 1915)).

NOTE.—The Revenue Act of 1898 was repealed April 12, 1902, and the Hvoslef and Insurance Co. cases were claims brought under a refunding act of 1912 to recover amounts claimed to have been illegally collected.

34. Act of June 6, 1920 (31 Stat. 359, § 171). Section of the Alaska Code providing for a six-person jury in trials for misdemeanors.

*Rasmussen v. United States* (197 U. S. 516 (Apr. 10, 1905)).

35. Act of March 3, 1901 (31 Stat. 1341, § 935). Section of the District of Columbia Code granting the same right of appeal, in criminal cases, to the United States or the District of Columbia as to the defendant, but providing that during trial.

*United States v. Evans* (213 U. S. 297 (Apr. 19, 1909)).

36. Act of June 11, 1906 (34 Stat. 232, ch. 3073). The act provided that "every common carrier engaged in trade or commerce in the District of Columbia \* \* \* or between the several States \* \* \* shall be liable to any of its employees \* \* \* for all damages which may result from the negligence of any of its officers \* \* \* or by reason of any defect \* \* \* due to its negligence in its cars, engines \* \* \* roadbed", etc.

Held invalid in two cases involving employees engaged in moving trains in interstate commerce—in *Employers' Liability Cases* (207 U. S. 463) (Jan. 6, 1908) (but upheld as to the District of Columbia in *Hyde v. Southern Ry. Co.*, 31 App. C. C. 466; and as to Territories, in *El Paso & Northeastern Ry. Co. v. Gutierrez*, 215 U. S. 87).

37. Act of June 16, 1906 (34 Stat. 269, sec. 2). Provision of Oklahoma Enabling Act restricting relocation of the State capital prior to 1913.

*Coyle v. Oklahoma* (221 U. S. 559 (May 29, 1911)). (The case specifically upheld the validity of a State law of 1910 relocating the capital, in defiance of the act of Congress of 1906).

38. Act of February 20, 1907 (34 Stat. 899, sec. 3). Provision in the Immigration Act of 1907 penalizing "whoever \* \* \* shall keep, maintain, control, support, or harbor in any house or other place, for the purpose of prostitution \* \* \* any alien woman or girl, within 3 years after she shall have entered the United States."

*Keller v. United States* (213 U. S. 138 (Apr. 5, 1909)).

39. Act of March 1, 1907 (34 Stat. 1028).  
Provisions authorizing certain Indians "to institute their suits in the Court of Claims to determine the validity of any acts of Congress passed since \* \* \* 1902, insofar as said acts \* \* \* attempt to increase or extend the restrictions upon alienation \* \* \* of allotments of lands of Cherokee citizens \* \* \*", and giving a right of appeal to the Supreme Court.  
*Muskat v. United States; Brown & Grits v. United States* (219 U. S. 346 (Jan. 23, 1911)).

40. Act of May 27, 1908 (35 Stat. 313, sec. 4).  
Provision making locality taxable "all land [of Indians of the Five Civilized Tribes] from which restrictions have been or shall be removed"—in view of the Atoka Agreement, embodied in the Curtis Act of June 28, 1898, providing tax exemption for allotted lands while title in original allottee, not exceeding 21 years.  
*Choate v. Trapp* (224 U. S. 665 (May 13, 1912)).

41. Act of August 19, 1911 (37 Stat. 28).  
A proviso in section 8 of the Federal Corrupt Practices Act fixing a maximum authorized expenditure by a candidate for Senator "in any campaign for his nomination and election" held invalid as applied to a primary election.  
*Newberry v. United States* (256 U. S. 232 (May 2, 1921)).

42. Act of June 18, 1912 (37 Stat. 136, sec. 8).  
Part of section 8 giving the Juvenile Court of the District of Columbia concurrent jurisdiction of desertion cases (which were, by law, misdemeanors punishable by fine or imprisonment in the workhouse at hard labor for 1 year).  
*United States v. Moreland* (258 U. S. 433 (Apr. 17, 1922)).

43. Act of March 4, 1913 (37 Stat. 988, part of par. 64).  
Provision of the District of Columbia Public Utility Commission Act authorizing appeal to the United States Supreme Court from decrees of the District of Columbia Court of Appeals modifying valuation decisions of the Utilities Commission.  
*Keller v. Potomac Electric Power Co. et al* (261 U. S. 428 (Apr. 9, 1923)).

44. Act of September 1, 1916 (39 Stat. 675, c. 432, entire).  
The original child labor law, providing "that no producer \* \* \* shall ship \* \* \* in interstate commerce \* \* \* any article or commodity the product of any mill \* \* \* in which within 30 days prior to the removal of such product therefrom children under the age of 14 years have been employed or permitted to work more than 8 hours in any day, or more than 6 days in any week \* \* \*".  
*Hammer v. Dagenhart* (247 U. S. 251 (June 3, 1918)).

45. Act of September 8, 1916 (39 Stat. 757, sec. 2 (a) in part).  
Provision of the income-tax law of 1916 that a "stock dividend shall be considered income, to the amount of its cash value."  
*Eisner v. Macomber* (252 U. S. 189 (Mar. 8, 1920)).

Same, p. 765, sec. 10 as amended—see below, act of October 3, 1917.  
Act of August 10, 1917, as amended—see below, act of October 22, 1919.

46. Act of October 3, 1917 (40 Stat. 302, sec. 4, 303, sec. 201 and 333, sec. 1206 (amending 30 Stat. 765, sec. 10); and Act of February 24, 1919 (40 Stat. 1075, sec. 230, and 1088, sec. 301).  
Income and excess-profits taxes on income of "every corporation", as applied to income of an oil corporation from leases of land granted by the United States to a State, on admission, for the support of common schools, etc.  
*Burnet v. Coronado Oil & Gas Co.* (285 U. S. 393 (Apr. 11, 1932)).

47. Same; 40 Stat. 316, sec. 600 (f).  
The tax "upon all tennis rackets, golf clubs, baseball bats, \* \* \* balls of all kinds, including baseballs \* \* \* sold by the manufacturer, producer, or importer \* \* \* as applied to articles sold by a manufacturer to a commission merchant for exportation.  
*Spalding & Bros. v. Edwards* (262 U. S. 66 (Apr. 23, 1923)).

48. Act of October 6, 1917 (40 Stat. 395, c. 97, in part).  
The amendment of sections 24 and 256 of the Judicial Code (prescribing the jurisdiction of district courts) "saving \* \* \* to claimants the rights and remedies under the workmen's compensation law of any State."  
*Knickerbocker Ice Co. v. Stewart* (253 U. S. 149 (May 17, 1920)).

49. Act of September 19, 1918 (40 Stat. 960, c. 174).  
Specifically, that part of the minimum-wage law of the District of Columbia which authorized the Wage Board "to ascertain and declare \* \* \* (a) standards of minimum wages for women in any occupation within the District of Columbia, and what wages are inadequate to supply the necessary cost of living to any such women workers to maintain them in good health and to protect their morals \* \* \*".  
*Adkins et al. v. Children's Hospital and Adkins et al. v. Lyons*, 261 U. S. 525 (Apr. 9, 1923).  
NOTE.—The minimum-wage law applied to minors as well as women, and in section 14 to minors exclusively, but it is generally assumed that the Adkins decision invalidated the act in its entirety.

50. Act of February 24, 1919 (40 Stat. 1065, ch. 18, sec. 213, in part).  
That part of section 213 of the Revenue Act of 1918 which provided that " \* \* \* for the purposes of this title \* \* \* the term 'gross income' \* \* \* includes gains, profits, and income derived from salaries, wages, or compensation for personal service (including in the case of \* \* \* judges of

the Supreme and inferior courts of the United States \* \* \* the compensation received as such \* \* \* as applied to a Judge in office when the act was passed).  
*Evans v. Gore*, 253 U. S. 245 (June 1, 1920).  
*Miles v. Graham* (268 U. S. 501, June 1, 1925) held it invalid as applied to a Judge taking office subsequent to the date of the act.  
Same; page 1075, section 230; see above, act of October 3, 1917 (40 Stat. 302, sec. 4).

51. Same; page 1097, section 402 (c).  
That part of the estate tax providing that "gross estate" of a decedent should include value of all property "to the extent of any interest therein of which the decedent has at any time made a transfer, or with respect to which he had at any time created a trust, in contemplation of or intended to take effect in possession or enjoyment at or after his death (whether such transfer or trust is made or created before or after the passage of this act), except in case of a bona-fide sale \* \* \* as applied to a transfer of property made prior to the act and intended to take effect "in possession or enjoyment" at death of grantor, but not in fact testamentary or designed to evade taxation.  
*Nichols, Collector, v. Cooledge et al, Executors* (274 U. S. 531 (May 31, 1927)).

52. Act of February 24, 1919, title XII (40 Stat. 1138, entire title).  
The Child Labor Tax Act, providing that "every person \* \* \* operating \* \* \* (b) any \* \* \* factory (etc.) \* \* \* in which children under the age of 14 years have been employed or permitted to work \* \* \* shall pay \* \* \* in addition to all other taxes imposed by law, an excise tax equivalent to 10 percent of the entire net profits received \* \* \* for such year from the sale \* \* \* of the product of such \* \* \* factory \* \* \*".  
*Bailey v. Drexel Furniture Co.* (child-labor tax case) (259 U. S. 20 (May 15, 1922)).

53. Act of October 22, 1919 (41 Stat. 298, sec. 2), amending act of August 10, 1917 (40 Stat. 277, sec. 4).  
Section 4 of the Lever Act, providing in part "that it is hereby made unlawful for any person willfully \* \* \* to make any unjust or unreasonable rate or charge in handling or dealing in or with any necessities \* \* \* and fixing a penalty, held invalid to support an indictment for demanding a sum for certain necessities which the seller knew "was an unjust and unreasonable rate."  
*United States v. Cohen Grocery Co.* (255 U. S. 81 (Feb. 28, 1921)).

54. Same.  
That provision of section 4 making it unlawful "to conspire, combine, agree, or arrange with any other person to \* \* \* exact excessive prices for any necessities" and fixing a penalty, held invalid to support an indictment.  
*Weeds, Inc. v. United States* (255 U. S. 109 (Feb. 28, 1921)).

55. Act of August 24, 1921 (42 Stat. 187, ch. 86 entire).  
(a) Section 4 (and interwoven regulations) providing a "tax of 20 cents a bushel on every bushel involved therein, upon each contract of sale of grain for future delivery, except \* \* \* where such contracts are made by or through a member of a board of trade which has been designated by the Secretary of Agriculture as a 'contract market' \* \* \*".  
*Hill v. Wallace* (259 U. S. 44 (May 15, 1922)). This decision covered section 4 and other sections so far as applicable, but the Court stated: "There are sections of the act to which under section 11 (the separability clause) the reasons for our conclusion as to section 4 and the interwoven regulations do not apply \* \* \*".  
(b) Section 3, providing "That in addition to the taxes now imposed by law there is hereby levied a tax amounting to 20 cents per bushel on each bushel involved therein, whether the actual commodity is intended to be delivered or only nominally referred to, upon each \* \* \* option for a contract either of purchase or sale of grain \* \* \*".  
*Trusler v. Crooks* (269 U. S. 475 (Jan. 11, 1926)).

56. Act of November 23, 1921 (42 Stat. 261, sec. 245, part).  
Provision of Revenue Act of 1921 defining net income of life-insurance companies as gross income less (1) interest on tax-exempt securities and (2) an amount equal to the excess over this interest on tax-exempt securities of 4 percent of the mean reserves—i. e., abating the deduction (4 percent of mean reserves) allowed from taxable income in general by the amount of interest on tax-exempt securities, and so according no relative advantage to the owners of the tax-exempt securities.  
*National Life Insurance Co. v. United States* (277 U. S. 508 (June 4, 1928)).

57. Act of June 10, 1922 (42 Stat. 634).  
A second attempt to amend secs. 24 and 256 of the Judicial Code, relating to jurisdiction of district courts, by saying "to claimants for compensation for injuries to or death of persons other than the master or members of the crew of a vessel, their rights and remedies under the workmen's compensation law of any State \* \* \*".  
*Industrial Accident Commission of California v. Rolph et al, and Washington v. Dawson & Co.* (264 U. S. 219 (Feb. 25, 1924)).

58. Act of June 2, 1924 (43 Stat. 313), as amended by act of February 26, 1926 (44 Stat. 86, sec. 324).  
The gift-tax provisions of the Revenue Act of 1924, as applied to bona-fide gifts made before passage of the act.  
*Untermeyer v. Anderson* (276 U. S. 440 (Apr. 9, 1928)).

59. Revenue Act of June 2, 1924 (43 Stat. 322, sec. 600 in part).  
 Excise tax on certain articles "sold or leased by the manufacturer", measured by sale price [specifically, "(2) \* \* \* motorcycles. \* \* \* 5 per centum"] as applied to sale of motorcycle to a municipality for police use.  
*Indian Motorcycle Co. v. United States* (283 U. S. 570 (May 25, 1931)).

60. Act of February 26, 1926 (44 Stat. 70, sec. 302, in part).  
 (a) Second sentence of section 302 defining, for purposes of the estate tax, the term "made in contemplation of death" as including the value, over \$5,000, of property transferred by a decedent, by trust, etc., without full consideration in money or money's worth, "within 2 years prior to his death but after the enactment of this act", although "not admitted or shown to have been made in contemplation of or intended to take effect in possession or enjoyment at or after his death."  
*Heiner v. Donnan* (285 U. S. 312 (Mar. 21, 1933)).  
 (b) Same, section 701 in part (44 Stat. 95).  
 Provision imposing a special excise tax of \$1,000 on liquor dealers in States where such business is illegal.  
*U. S. v. Constantine* (296 U. S. 287 (Dec. 9, 1935)).

61. Act of March 20, 1933 (48 Stat. 11, sec. 17, in part).  
 Clause in the Economy Act of 1933 providing " \* \* \* all laws granting or pertaining to yearly renewable term insurance are hereby repealed", held invalid to abrogate an outstanding contract of insurance.  
*Lynch v. United States* (292 U. S. 571 (June 4, 1934)).

62. Act of May 12, 1933 (48 Stat. 31).  
 Agricultural Adjustment Act (not considering the amendatory act), providing for processing taxes on agricultural commodities and benefit payments therefrom to farmers.  
*U. S. v. Wm. M. Butler, Receiver of Hoosac Mills Corp.* (297 U. S. 1 (Jan. 6, 1936)).

63. Act of June 16, 1933 (48 Stat. 200, sec. 9 (c)).  
 (a) Clause of the oil regulation section of the National Industrial Recovery Act, authorizing the President "to prohibit the transportation in interstate \* \* \* commerce of petroleum \* \* \* produced or withdrawn from storage in excess of the amount permitted \* \* \* by any State law \* \* \*" and prescribing a penalty for violation of orders issued thereunder.  
*Panama Refining Co. et al. v. Ryan et al.* (293 U. S. 388 (Jan. 7, 1935)).  
*Amazon Petroleum Corporation et al. v. Ryan et al.* (293 U. S. (Jan. 7, 1935)).  
 (b) Same, title I, except section 9.  
 Provisions relating to codes of fair competition, authorized to be approved by the President in his discretion "to effectuate the policy" of this act.  
*Schechter Poultry Corporation v. United States* (295 U. S. 495, May 27, 1935).

64. Act of June 16, 1933 (48 Stat. 307, sec. 13).  
 Temporary reduction of 15 percent in retired pay of "judges (whose compensation, prior to retirement or resignation, could not, under the Constitution, have been diminished)", as applied to circuit or district judges retired from active service (but still subject to perform judicial duties) under the act of March 1, 1929 (45 Stat. 1422).  
*Booth v. United States* (together with *Amidon v. United States*) (291 U. S. 339 (Feb. 5, 1934)).

65. Act of April 27, 1934 (48 Stat. 646, sec. 6, amending sec. 5 (1) of Home Owners' Loan Act of 1933).  
 Provision for conversion of State building and loan associations into Federal associations, upon vote of 51 percent of the votes cast at a meeting called to consider the action.  
*Hopkins Federal Savings & Loan Association v. Cleary* (296 U. S. 315, Dec. 9, 1935).

66. Act of May 24, 1924 (48 Stat. 798).  
 Provision for readjustment of municipal indebtedness.  
*C. L. Ashton, petitioner, v. Cameron County Water Improvement District No. 1* (decided May 25, 1936, No. 859).

67. Act of June 27, 1934 (48 Stat. 1283, ch. 868, entire).  
 The Railroad Retirement Act, establishing a detailed compulsory-retirement system for employees of carriers subject to the Interstate Commerce Act.  
*Railroad Retirement Board v. Alton R. R. et al.* (May 6, 1935—No. 566, October Term, 1934).

68. Act of June 28, 1934 (48 Stat. 1289, c. 869).  
 The Frazier-Lemke Act, adding subsection (s) to § 75 of the Bankruptcy Act, designed to preserve to mortgagors the ownership and enjoyment of their farm property, and providing specifically, in paragraph 7, that the bankrupt left in possession has the option at any time within 5 years of buying at the appraised value—subject meanwhile to no monetary obligation other than payment of reasonable rental.  
*Louisville Joint Stock Land Bank v. Radford* (295 U. S. 555, (May 27, 1935)).

69. Act of Aug. 24, 1935 (49 Stat. 750).  
 Agricultural Adjustment Act amendments.  
*Rickett Rice Mills v. Fontenot* (297 U. S. 110 (Jan. 13, 1936)).

70. Act of Aug. 30, 1935 (49 Stat. 991).  
 Bituminous Coal Conservation Act of 1935—Guffey-Snyder Coal Stabilization Act.  
*James A. Carter v. Carter Coal Co.* (decided May 18, 1936, Docket Nos. 636 and 651).

NOTE.—Aside from the few instances where an entire act, or a complete title, etc., have been expressly held unconstitutional, the

question of the exact scope of the decisions is frequently one of considerable difficulty. It is not always a matter simply of striking out; often it is to introduce qualifications or limitations. The indications given in the above list are, therefore, suggestive only. Any such list must be used with the utmost care, bearing in mind the established rule, that a decision against the validity of an act of Congress goes no further than is absolutely required by the case at bar.

#### THE WALSH-HEALEY BILL

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

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

There was no objection.

Mr. AYERS. Mr. Speaker, I shall not be a candidate for reelection to this honorable body. In retiring, Mr. Speaker, let me say to you that it has been a distinct honor to have served under you as majority floor leader and as Speaker, and also that it has been a distinct honor to have served under the late Speaker Byrns and the late Speaker Rainey, and let me add and say to the membership in general that I consider it has been the greatest honor of my life to have served as a Member of this body. [Applause.]

At all times during my service it has been my purpose to work with and for the best interests of the administration, and I have at all times used my every effort to promote all beneficial legislation for the producers, the farmers, the laborers, and the toilers of this Nation. I have consistently supported the administration except in such instances when I was convinced that it was not doing the best thing for the producers, the farmers, the laborers, the toilers, and the veterans of the Nation; and in such instances when I had to make a choice, which, indeed were few, I chose to go with and cast my ballot for the producers, the farmers, the laborers, the toilers, and the veterans of the country. [Applause.]

#### PROOF OF PIE IS IN THE EATING

The Roosevelt administration, of which I have been a part, has worked wonders for the country and for the Government. Mr. Speaker, the proof of the pie is in the eating. The proof of the success of this administration is in the effect upon the well-being of the country. In the impending contest this Democratic administration will have the support of millions who formerly classified themselves as Republicans. This will come about by reason of the effect that this administration has had upon the well-being of the people. [Applause.]

Mr. Speaker, the opposition to the President does not invite a comparison between what he has done and what the opposition desired. Have you noticed that none of his critics invite a comparison between the condition of the farmer and of the laborer and of the toiler under the present administration and under the past administration? Nor do they attempt to compare what he and his administration have done with what they advocate. They simply say, "Let us try it."

Now, Mr. Speaker, let me suggest that, in the words of an eminent critic of the President and of his administration, "Let us take a look at the record."

#### A WORD FOR THE TOILING MASSES

Mr. Speaker, my time will not permit extended remarks this afternoon, and since this is the last time I will appear before this House of Representatives, please permit me in my last speech to say a few words for the toiling masses.

#### THE WALSH-HEALEY GOVERNMENT CONTRACTS BILL

The Walsh-Healey bill will come before the House before final adjournment and in behalf of that bill I desire to leave with the House a few facts which I trust will aid my colleagues in the passage of this bill. It is now known as S. 3055, as amended by the House Judiciary Committee.

#### PRESENT CONDITIONS HAVE BECOME A NATIONAL, SOCIAL, AND ECONOMIC PROBLEM

At the instance of the Judiciary Committee, Hon. Frank Healy, former Chief of the Government Contracts Division, made an investigation since the N. R. A. decision, of 3,507 firms in 46 different States, contracting and doing business

with the Government, and covering 354 industries, and involving 1,515,486 employees.

This investigation disclosed that 1,309, or a little over 37 percent, of these contracting firms have increased their hours of labor; of these, 804 firms, or nearly 33 percent, had made hour increases of less than 15 percent, and 505 firms, or a little over 14 percent, had increased their hours from 15 percent to nearly 23 percent.

Of the total firms investigated, 1,480, or a little over 42 percent, have reduced their wages from 10 to a little over 22 percent, and many of them were among those listed above which had also increased hours.

One hundred and forty-seven, or 4.2 percent of the firms, refused to furnish any information.

The investigation also disclosed that the child-labor regulations as had been provided by the N. R. A. were being disregarded in many, many instances. Horrible, Mr. Speaker, horrible.

Mr. Speaker, this has become a social and economic problem of national proportions. These evils must be and can be corrected by legislation. [Applause.]

#### WALSH-HEALEY BILL NOT UNCONSTITUTIONAL

Senator WALSH of Massachusetts and Congressman HEALEY of the same State, introduced in their respective Houses a bill to correct this situation. It passed the Senate and came to the House, where for a long time it reposed in the Judiciary Committee. During this time cries of unconstitutionality went up from all sides which favored chiseling capitalist and manufacturing interests as against the laborers, but if the Supreme Court ever settles anything, it must have settled that question in its majority decision last Monday when it declared the New York minimum wage law unconstitutional.

In that majority opinion, the Supreme Court said:

This Court has found not repugnant to the due-process clause statutes fixing rates and charges to be exacted by business impressed with a public interest, relating to contracts for the performance of public work, prescribing the character, methods, and time of payment of wages, fixing hours of labor.

With all the harm that minimum-wage-scale decision did and with its gross conflict with other decisions, yet we are entitled to take from it the quotation above, and assume that the Walsh-Healey bill is constitutional, for that is the last word of the Supreme Court on the subject of Government contracts.

#### EVILS OF PRESENT LAW HAVE DEVELOPED BID BROKERS

Mr. Speaker, in order to impress upon you and the honorable membership of this House the necessity for the passage of the Walsh-Healey bill, let me call to your attention, in addition to the facts already mentioned, the fact that under existing law and the interpretations made thereof, the Government has no say between bidders, and it must award the contract to the lowest so-called responsible bidder. Responsible bidder means a bidder who can furnish a bond to the effect that he can deliver the specified product at the price bid. The responsible bidder does not have to be a manufacturer, he does not have to be a processor, nor does he have to be a producer. Ah, Mr. Speaker, he does not even have to be a dealer in the article upon which he bids nor does he have to show any qualification for the handling, distributing, or knowledge of the character of the article upon which he bids. He may be the height of a speculating floater; he does not have to be even a taxpayer nor a citizen.

This way of letting Government contracts has developed a system of bid broker which has become ridiculous and detrimental to bona-fide industry, trade, and laboring and producing people of this Nation. The bid broker may be a man without a factory, without a plant, without a reduction or development works, without a mine, and, above all, he may be a man without any experience, even as a dealer, in the subject of the contract upon which he bids. He may be a man only with an office, and that office may be under his hat or in his pocket, and he may not be an employer of

a single solitary person. He is just a bid broker for profit at the expense of somebody else, and, indeed, oftentimes he is.

#### BID BROKER AND BONDING COMPANIES HAVE DEVELOPED A RACKET

This program which has been followed has developed into a racket, and without the Walsh-Healey bill it will gradually grow worse and worse. The bonding companies go along because of the profit they will make and of their consciousness of their influence on either the dealer or the producer to take over the bid broker's contract.

Mr. Speaker, let me give you some simple and concrete examples in this instance. The Government is probably the biggest coal buyer in America and, under the present law, it must let coal contracts to the lowest responsible bidder. In many instances the bidder has nothing but a bonding company back of him, and that only in order that he qualify as to responsibility. He is not a mine operator and he is not a dealer, but he can qualify if he says in his bid that he can comply with the specifications and then put up a bond. He gets the bid, the bonding company puts up the bond, and then he and the bonding company can go to the dealer or the producer and put the deal over at a profit to those concerned, and, of course, at a loss to the fellow who goes underground and mines the coal.

#### ANOTHER GOVERNMENT SAMPLE OF BID BROKERS

The Civilian Conservation Corps contracts annually for about \$300,000,000 worth of equipment and clothing for the C. C. C. camps. They buy thousands of crosscut saws, wheelbarrows, shovels, and like tools annually. These purchases are made from the lowest responsible bidder. The requirement is that the bidder say that he can live up to the specifications and furnish a bond to deliver the goods. He may not, and in many instances does not, know a crosscut saw from a circular saw; nor does he know a wheelbarrow from a bicycle; nor does he know a shovel from a pitchfork; yet he gets the bid if he gives a bond that he can live up to the specifications as prescribed.

#### THIS RACKET GOES TO BIDS FOR MATERIAL ON FEDERAL BUILDINGS

Mr. Speaker, it has come to a point where a man can go in and bid on furnishing equipment for a post-office building or on furnishing the plumbing and heating equipment for a Federal building, and all he has to do is to show that he is the lowest bidder according to the specifications and his qualifications are based upon that and his ability to furnish a bond. He may not know anything in the world about post-office equipment. He may not know a lock box from the general-delivery window; and as to plumbing, he may not know a wash bowl from a urinal—yet if he is the lowest bidder under the specifications and can furnish a bond, he gets the contract. As support for this statement, I invite you, Mr. Speaker, and the Members of this House to read the decision in Thirteenth Comptroller Generals' Opinions, page 121.

#### THIS IS HOW THE WORKING MAN IS "TOOK" UNDER THE PRESENT SYSTEM

Here are some of the things that have resulted from this system: The bid brokers qualify by having the lowest bid and furnishing their bonds under the contract for C. C. C. equipment, or for C. C. C. clothing, or for post-office equipment, or for plumbing material, or for Government coal for buildings, Government institutions, or on the Indian reservations, and the like, and then they go to the manufacturer, the dealer, or the mine operator and make a deal whereby the article has to be manufactured or mined and delivered for less than actual cost.

Of course the bidder and the manufacturer or the mine operator, as the case may be, are making their profit, but it is made by actually bearing down the cost of labor. I do not say this of all manufacturers and of all mine operators, but there are some; and there are plenty of them who are disposed to brush aside any and all implied obligations and who do not hesitate to employ any and all tactics in the way of wage reduction and the establishment of maximum hours

and the use of child labor and the failure to provide proper and adequate places to work in order that they and the bid broker may make theirs at the expense of the toiler.

GOVERNMENT ACTUALLY HINDERING ITS OWN PROGRAM

This also places this type of chiseling employer, manufacturer, mine operator, or operator of sweatshops in an advantageous position over the legitimate and fair manufacturers, mine operators, and employers when it comes to bidding on Government contracts. In other words, the Government, under the present system, is actually a party to a destruction of the very social and economic problem it is now trying to correct.

REAL PURPOSE OF THE WALSH-HEALEY BILL

The Walsh-Healey bill is designed to require persons and firms taking contracts with the Government to conform to decent and reasonable labor conditions. This bill fixes a maximum day of 8 hours and a maximum week of 40 hours and provides for time and a half for overtime. That is getting down to regular union scales which all legitimate contractors will undoubtedly agree to.

This bill also provides for prevailing wages in the locality where the work is done. I had hoped that the bill would provide for prevailing union-wage scales, and I hope that it may yet be amended to that effect. That is the only weakness in the bill.

The bill prohibits the use of convict labor and child labor, and it provides that all work shall be done in plants, factories, and mines in accordance with the local State safety and sanitary inspection laws.

Above all, the bill provides that the contractor must be a manufacturer, producer, or regular dealer in the material, supplies, articles, or equipment which is the subject of the contract.

The bill provides for the use of American goods in all contracts and expressly makes the buy-American act a provision precedent to the letting of a contract.

Farm, dairy, and nursery products processed for first sale by the original producer are exempted from the bill.

None of the provisions of the act can be evaded by subcontractors, and real penalties are provided for any and all violations of the act. The administration of the act is under the Department of Labor, with adequate authority for speedy decisions.

The bill establishes labor benefits which have long been admittedly necessary.

WALSH-HEALEY BILL IS CONSTITUTIONAL

As to the constitutionality of this bill, I respectfully call your attention, Mr. Speaker, not only to the quotation I have made from the Supreme Court decision of last Monday, but I also refer to One Hundred and Twenty-ninth United States Reports, page 207, and Two Hundred and Sixth United States Reports, page 246, where the Supreme Court has upheld the validity of the theory of legislation affecting labor hours, wages, and working conditions, in which the Government is a party to the subject matter of the contracts effected. [Applause.]

Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the Walsh-Healey bill.

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

There was no objection.

AMEND THE CONSTITUTION TO RESTORE TO THE STATES THE POWER TO ENACT LEGISLATION DECLARED UNCONSTITUTIONAL IN THE NEW YORK MINIMUM-WAGE CASE

Mr. PETTENGILL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of the minimum-wage decision of the Supreme Court.

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

There was no objection.

Mr. PETTENGILL. Mr. Speaker, I attach a statement given to the press the day Speaker Byrns died. The matter is of very great importance. The Constitution should be amended so that the States may do what the Supreme Court

on last Monday held they are powerless to do. I invite the earnest consideration of my colleagues to this subject.

The New York minimum-wage law for women and minors was held unconstitutional by reason of the fourteenth amendment. Fundamentally, therefore, all that is needed to be done is to repeal or restrict so much of the fourteenth amendment as stands in the way of State legislation of this character.

In other words, for the purpose under consideration, we ought to go back to the Constitution as it existed before the fourteenth amendment was passed.

In the same way that we passed and later repealed the eighteenth amendment as giving too much power to the Nation and restricting too much the power of the States, so in this instance, we have found that the fourteenth amendment has too much restricted the power of the States. The remedy, therefore, is essentially the same regardless of the language used to accomplish the result.

Our fathers believed in "an indestructible union of sovereign States." A return to that concept, and a correction of departures from it places the problem in its true light.

At the moment I do not discuss the economic advisability of minimum-wage legislation. There are many who do not favor it, especially for male adults. They believe that the minimum prescribed by statute tends to become the maximum in actual practice. There is much more that can be said for and against such legislation with reference to men and women adults, as well as minors.

But surely there must be somewhere a sovereign power capable of attempting to solve the problem, and through trial and error, experiment and experience, work toward its sound and just solution. That is all I am arguing for now—to place legal tools in the hands of State legislatures so that they may deal with the problem.

My statement follows:

The decision of the Supreme Court holding invalid a statute of the State of New York dealing with minimum wages for women and minors presents an issue of profound importance. Other decisions have held that Congress cannot regulate conditions of labor within the States. It has now held that the States are also practically powerless to deal with the same subject.

Several courses are open. One is to cuss the Court. I shall not join in any such futility. I respect the Court and the Constitution. The Court did its duty as it saw it and we should do our duty as we see it.

Another course is to amend the Constitution by giving Congress the power to legislate on intrastate matters such as those now involved. That is open to two objections. One is that Congress is not as well fitted to deal with these matters over a vast country, with countless diverse conditions, as are the legislatures of the several States.

The second objection to any attempt to consolidate such powers at Washington is the practical one of the difficulty of getting the States to grant Congress that power. That is demonstrated by actual experience with the pending child-labor amendment. This amendment was submitted for ratification 12 years ago this month and is still not ratified.

If, with respect to child labor, as to which there is no large vested interest and with a strong humanitarian appeal, it is impossible to get ratification by the States, can it be expected that the States, north and south, east and west, industrial and agricultural, will readily confer like power to deal with their own labor, both adults, men and women, as well as minors?

The third, and I think the practical and sensible course, is to provide, in effect, that State legislation such as that condemned by the Court shall not be held invalid as contrary to the Constitution. In other words, override the decision of the majority and hold valid the views of Justices Hughes, Brandeis, Stone, and Cardozo.

It must be apparent that many States would ratify such an amendment were the power to legislate in local matters left in their own hands, to be exercised as they see fit, which would oppose an amendment which would take all such powers from the States and transfer them to Washington. The amendment I propose would be entirely consistent with the American tradition of States' rights and would avoid many highly controversial questions. To grant to the Federal Government new and far-reaching powers is one thing, but to restore to the States powers which the minority of the Court holds they have always possessed ought not to do violence to the convictions or prejudices of any large number of our citizens.

The amendment should permit the States to act either singly or by concerted action through interstate compacts to outlaw chiseling employers, who would cut prices by destroying the human values at the base of the economic pyramid.

Action is imperative. The question very possibly involves the survival of private enterprise and the American system of government. As Justice Stone said, "A wage insufficient to support the workers . . . may affect profoundly the entire economic structure of society."

The question is so important that both parties should take it out of politics by adopting planks at the conventions to be held this month pledging their members, both in Congress and in the State legislatures, to the immediate submission and ratification of such an amendment. I hope a large number of my colleagues will join me in memorializing the resolutions committees of both parties to adopt such a plank.

It is possible, of course, that State legislation can still be drafted that will meet the objections of the majority of the Supreme Court. That effort can go forward. It is apt, however, to be so circumscribed as not to meet the practical necessities of the situation.

I repeat that there is nothing here that is disrespectful of the Court. The Constitution itself provides for its own amendment. In fact, two amendments, the eleventh and sixteenth, have been passed for the very purpose of meeting, in a constitutional way, adverse decisions of the Supreme Court.

I shall not attempt at the moment to phrase the needed amendment. Essentially, however, it is to restore to the States the power to deal with this subject which they possessed prior to the passage of the fourteenth amendment.

#### MOTHER'S DAY

Mr. DINGELL. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the Record.

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

There was no objection.

Mr. DINGELL. Mr. Speaker, under leave to extend my remarks, I insert the following address delivered by me before the convention of the Polish Women's Alliance at Washington, D. C., May 10, 1936:

Mother's Day, Mme. Chairman and delegates of the Polish Woman's Alliance, is but 1 day of the 365 upon which she who bore us is glorified at gatherings such as this.

For me, and I hope for most of us, Mother's Day is every one of the days of the year, not one day prescribed by custom. Every time we are blessed with the wholesome thought of mother we should dedicate not only the day but the precious moment which absorbs our thought.

We are all convinced that motherhood is the crowning glory of womankind; more than that we are certain that Nature chose woman for the prime place in this world of ours.

Motherhood sanctifies the everyday woman, elevates her to a plane which no mortal man in all his earthly accomplishment can ever hope to attain. In childhood it seemed to us we understood instinctively the greatness and significance of motherhood. The kindness of our mothers, the gentleness and self-sacrifice of which we were the beneficiaries, undoubtedly made a fundamental and lasting impression upon us, though appreciation in its fullest sense can only be realized long after maturity, when, through age and experience, we have learned the three dimensions—depth, width, and length—which the term motherhood embraces.

In children there is no difference; no distinctions are made by parents as between boys and girls. But the equiplane of the human offspring is soon unbalanced by Nature in favor of the daughter if and when she marries and bears a child. She becomes the sacred vessel which God Himself designed and charged to propagate and perpetuate the race. However sweet, innocent, and lovely she may have been in her virginity, never could she approach such radiance and glory as are hers when God's mandate in wedlock is carried out—when she brings forth her first-born.

However lowly her station in life may be, motherhood raises woman to her highest estate. In queen or pauper motherhood is glorious, promising, an endless romance which may be realized when this mite of humanity at her breast matures, perhaps, into a great scientist whose discoveries may revolutionize and simplify the lives of the peoples of the world. In her arms she may be fondling an inventor whose contributions may dwarf the accomplishments of an Edison or of a Moscicki. As a mother she may be privileged to guide and actually direct her son toward supereminence in the field of poetry and literature. The lullabys she sings to her baby may be the inspiration which is needed to attain the pinnacle of fame in the operatic world. The voice of a Sembrich or a Caruso in all their acknowledged glory may be unworthy of even a comparison with that of her baby. The boundlessness of a mother's love, her constancy and idealism may be of the same force and effect upon her own babe as that which gave stimulus and fervency of faith to the countless saints throughout the ages.

The inexplicable something about motherhood inspires her husband and father, rekindles the love in his breast, forges a bond of loyalty and of devotion which perpetuates the family ties and promotes genuine happiness. And as in life, so also after the angel of death shall have escorted the wife and the mother to the throne of the Creator she shall be remembered, loved, and revered with greater ardor and constancy than her sister who departs from this earthly sphere as she came, without the blessed contribution of a mother.

The pages of history record the names of great men—Copernicus and Chopin, Sobieski, Napoleon, Foch, Pershing, Paderewski, Conrad, Shakespeare, and Sienkiewicz. The might and fame of these, however, is dwarfed by the greatness of their mothers.

Washington, Lincoln, Wilson, and Roosevelt have made for themselves an imperishable name; without the pain and sacrifice of motherhood the world would never have known the greatness of these men. In fact, the history of our own beloved country may not have been written as we know it today. The destinies of all of us may have been different were it not for the mother of some great man of our country.

The world would, indeed, be poorer and a great people might still be subject to the tyranny and oppression of powerful foes were it not for the birth of Woodrow Wilson, who declared for a free and independent Poland, with access to the sea. Many years before this same ideal which prompted the great wartime President to so declare himself was bred into the very being of the patriot, soldier, and statesman, Marshal Joseph Pilsudski. Who would deny the influence of the noble mother upon the benevolent dictator, the father of regenerated Poland? The stories she told him, the prayers she taught him, the songs he heard her sing impressed little Joseph with the lost glories of his beloved Poland and inspired him with the determination to restore them to his fatherland.

A contemporary and patriotic coworker of this great historic figure, Stanislaw Patek, whom many of us were privileged to know as the Ambassador of his Government and as a genial friend and host, is to me living proof of the greatness of motherhood as reflected in her son.

A barrister of great ability, he gave himself wholeheartedly for the defense of the patriotic heroes of Poland who faced banishment and prison in far-off Siberia. He himself endured unjust imprisonment while defending others in the unfriendly and corrupt political courts of an alien oppressor.

Pasteur and Lister, Murphy and Mayo; where would they have been without their guiding mothers? It is my fervent belief that this world of ours depends upon motherhood, not only for the perpetuation of the race but also upon her guiding influence for the happiness which honesty and good character only can promote among us. What is most important in this world for woman? What is most important for all of us? That woman should become a great leader among her own sex or a profound, recognized scientist? Should she produce as God intended or should she follow an inherent personal urge to supersede some man in the post or position which he attained, or should she abandon her family and seek a career, chasing the political will-o'-the-wisp in the hope that she may assume her place among men as a diplomat, a Member of Congress, or even as President?

I say to you that to subjugate motherhood to any other purpose or calling is to cheat herself, and more, to cheat the world. Women who cease bearing prematurely because other impulses dominate their time may be depriving the world of a Caruso or of a Newman. Some people stress the influence of women in politics, their wholesome contribution in this field so important in our daily life. I do not deny some material uplift in this regard, but I am prone to be critical as to the ultimate value of woman in politics. Under like circumstances woman is just as weak and deficient as is her brother.

Feminists contend that a woman loses nothing and gains a great deal by her devotion to politics. I wish I could agree with that viewpoint, although in some individual cases I will concede a point. As a whole, however, womanhood obsessed with politics and affairs foreign to her calling and constitution sacrifices far more than she gains.

God gave me a little girl about 4 weeks ago; prayerfully I awaited her arrival. What are my plans for her future? What do I look upon her as being? Just a little mother, a mother of the future. The mother who bore her and I, her father, plan to bring her up and prepare her for the moment when her destiny shall have been fulfilled—when she, too, shall be a mother.

To mention politics in the same breath with motherhood seems almost a sacrilege. It becomes necessary, however, to do so in order to illustrate a forceful point of my discourse.

Many people believe that a woman must vote to protect herself and her family. God grant the day will never come when woman and her brood will be dependent upon her own vote for protection. The question of the right of a woman to vote is not debatable; it is a sacred, inherent right altogether too long denied. The exercise of the franchise is a duty as well as a privilege which woman must willingly and faithfully discharge.

I hold to the theory that a mother, besides bearing a son or daughter, is the dominating influence throughout the life of her child; and if she trains her daughter for motherhood and her son for the responsibilities of a citizen and a substantial father, politics will at once be purged of demagogues and scoundrels. The son of today, the man of tomorrow, if properly trained by his mother, will vote to protect his mother and sister, his sweetheart and later his wife and daughter. Neglect your children for politics or for any other equally insignificant reason and you jeopardize your own and the security of the Nation. A woman cannot protect herself against man unless she trains him to be gentle, fair, and honest. Next to motherhood, woman's most important duty is to properly formulate the plastic character of man and to direct it toward humanity's advancement.

Which in your estimation would be the greater role which might be played at will by the world-famous Amelia Earhart; that of a

long-distance, nonstop flyer, a record breaker in a man-made plane, with calibrators, two-way radio communication, blind-flying instruments, gliding blindly behind a powerful motor upon an invisible radio beam; all of these improvements created by the man child of some noble woman, or would she be greater in the role of a mother to a great designer, builder, and flyer of the future? To my notion this woman flyer accomplished nothing, proved nothing, advanced no new theory or contributed any new development to aeronautics. All she did was to fly solo, high, long, and far. This any man with a little training and the instruments she had to guide her could do, but no man could give to the world what a woman of her pioneering courage could—a son or a daughter with promise of future accomplishment and greatness.

Mme. Skłodowska Curie, said to be the world's greatest woman, was greater as a mother than as a scientist. It was the combination of the two which made her the peer of all famous women.

If I were asked to name the world's greatest living woman, I would spontaneously declare for Ernestine Schumann-Heink. Would I be swayed in this decision by her musical fame or extraordinary artistic ability which charmed millions of people throughout the world? Not by these qualifications alone; others have been blessed with unusual voices, charm, and magnetism. However, no other great artist could fill her place in my heart, because she is the mother of one daughter and five sons.

God hath blessed her abundantly for her faithfulness and periodic journeys into the valley of the shadows, for each time she returned she was revitalized, strengthened, extending her range higher and lower upon the musical scale to more effectively charm idolizing millions of her admirers. Think of it, this genial soul, this glorious mother at the age of 75 continues an operatic career as though she were a sprightly maid in her teens. Compare this artist with another great contemporary, Ignace John Paderewski, whom we all love. On the basis of ability, magnetism, fame, attraction of the multitude, and they are equals until the word motherhood is linked to Schumann-Heink, then her contemporary is placed in the background.

Why is motherhood such an inspiration and joy to a husband? Is it because it brings with it immediate compensations for the uncertainties of the long months prior to the birth of the heir? Not at all; the secret lies in the fact that when the wife becomes a mother she at the same time elevates her husband to the sublime state of proud fatherhood and the promise of a bright future which is linked to every born infant.

If I live a century, I shall never forget what a sight I beheld when I entered the room of the maternity hospital where my oldest son was born. There in her most glorious mood, radiant and happy, fresh as a rose, was the mother of my boy. Only a few hours before she was but a wife, loyal and steadfast, a real helpmate, to be sure; together we fought a relentless, unwilling world, but she was, nevertheless, until her elevation to motherhood, only a wife. My love for her has not diminished or faded as the years wore on. Quite the contrary, it has grown in undiminished fervor because of the babies she bore me.

In conclusion let me say as a tribute to my own beloved mother, God rest her soul, that whatever I amount to, whatever I hope to be, what good there is in me, I credit to her whom God gave me as a mother.

#### THE SUPREME COURT EXTENDING ITS POWER AT THE EXPENSE OF THE OTHER DEPARTMENTS

Mr. CROSS of Texas. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to quote certain excerpts from decisions of the Supreme Court.

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

There was no objection.

Mr. CROSS of Texas. Mr. Speaker, under the second paragraph of section 2 of article III of the Constitution there is delegated to Congress in unequivocal language the power to deny to the inferior Federal courts the right to pass on the constitutionality of acts of Congress and also the right of the Supreme Court to pass upon the constitutionality of an act of Congress on any case coming before the Supreme Court on appeal, so that only a sovereign State could attack the constitutionality of an act of Congress by an original suit in the Supreme Court.

On January 28 I addressed this body advocating H. R. 9478, a bill introduced by me to effectuate this purpose. Since then that measure, and those of us who endorse it, have been attacked by two of our most brilliant and eloquent colleagues, one of whom [Mr. HOLLISTER] hails from the capitol of the famous Buckeye State, the other, my distinguished friend [Mr. Cox], from the peanut-clad hills of ancient Georgia. Their zeal and fury was such that Job must have had them in mind when he declared:

Their necks shall be clothed with thunder. \* \* \* The glory of their nostrils terrible. \* \* \* They shall paw the air and rejoice in their strength. \* \* \* They shall swallow up their

enemies with fierceness and rage. \* \* \* The quiver shall rattle against them, the glittering spear and shield.

And so, the prophetic brain of Job, looking down the centuries visioned and depicted in this graphic language what was to happen when these two gallant plumed knights were to indict as heretics, convict, draw and quarter in your very presence a number of your meekest and most timid colleagues. You heard with what frightfulness their quivers rattled as they thundered through the neck. You saw the terrible glory of their nostrils as they pawed the air and rejoiced in their strength. And then you also saw with what fierceness and rage they swallowed us up. As they made their devastating charges upon us, you saw upon their left arm that mystic shield woven in the silence of the cobwebbed cloisters of our immaculate Supreme Court. Woven under the spell of such incantations as "commerce among the States", and being charged with "Liberty League dynamics" smashes into unconstitutional fragments every law of Congress tending to establish economic and social justice. And then as they were cruelly demolishing us, you saw with what marvelous skill they wielded that famous glittering spear, welded in the occult fires of yonder dread hallowed oracle by the nine black-robed fates as they chanted those magical words, "due process of law", and at the touch of which the rights of States vanish as the mist before the sun.

Mr. Speaker, having somewhat recovered from the shock of such "sound and fury", I wish to again in a modest way present some additional reasons why this bill should be enacted into law.

Mr. Speaker, the Federal Government is one of delegated powers, consisting of three coordinating departments, the legislative, executive, and judicial. Of these the Constitution recognizes the legislative as being the most important, delegating to it the power and duty to enact laws, exercising their judgment to do so within the scope of the Constitution, under which the country is to function. The Constitution recognizes the executive as the next in importance, and delegates to it certain rights and prerogatives; while it delegates to the judiciary the duty to construe and pass upon the rights of litigants as they exist under the laws as passed. But there is nothing to be found in the Constitution that any more authorizes the judicial branch of the Government to nullify the acts of Congress than there is for the legislative branch of the Government to nullify the decisions of the courts in rendering judgment between litigants.

A number of the delegates who served in the Constitutional Convention had been educated in England, and all of them were versed in English jurisprudence, being as they were, prior to the Revolution, loyal subjects of their mother country. They were familiar with English history and knew how its people had suffered as the result of the Tory courts nullifying the acts of Parliament prior to the Bill of Rights of 1688. They knew since that time no court had dared to nullify an act of Parliament. They never dreamed that the court they were creating would ever dare presume to go back a hundred years and arrogate unto themselves the right to nullify the acts of Congress and thus play the role of the Tory courts that existed in England prior to 1688, and cite as their authority for so doing the very clause, "due process of law", which was transplanted out of the English Bill of Rights into our Bill of Rights, and which was placed in the English Bill of Rights to put an end to the high-handed judicial tyranny of Tory courts in nullifying acts of Parliament. It was to prevent them from depriving citizens of their life, liberty, or property except in accordance with rules and regulations prescribed by Parliament.

It is patent had it been intended by the framers of the Constitution that the Court was to have the authority to nullify acts of Congress, the power would not only have been specifically delegated to it but they would never have specifically delegated to Congress the power to deny to the Court the jurisdiction to so do, as is done in unequivocal language of section 2 of article III.

There is nothing that so completely dispells the general impression that the Supreme Court in its decisions are not actuated by their own economic and political views as an examination of the cases in which they have assumed the authority to declare acts of Congress unconstitutional. At the time the now famous case of *Marbury against Madison* was decided in 1803, it is interesting to note that the judges who composed that Court were disciples of the Federalist Party which was the exponent of the wealthy class of that day and time and who feared that the Representatives of the people might enact laws detrimental to their interests. At the time this decision was handed down the Federalist Party had been defeated, and the Democrats under Jefferson had come into control of the country.

In this case President Adams had appointed Mr. Marbury a justice of the peace of the District of Columbia just before leaving the White House, and Marbury applied for a writ of habeas corpus to the Supreme Court to compel Mr. Madison, Mr. Jefferson's Secretary of State, to deliver to him his commission. Before the case was heard, the law authorizing the Supreme Court to issue a writ in such a case had been repealed, so that at the time the Supreme Court heard the case it had become a moot question, and the Court under every rule of practice should have dismissed the application, but the Court seized upon this opportunity in an ex parte proceeding to get a precedent to hold an act of Congress unconstitutional for the purpose, no doubt, of using it as a precedent to hold any act of Congress unconstitutional which might be passed that in their opinion would be detrimental to the moneyed interests.

In the next case in which an act of Congress was held unconstitutional by the Supreme Court, in order to do so again acted contrary to the fixed rule of long-settled practice. This was in the notorious Dred Scott case decided in 1857. When this case reached the Court it held that the lower court had no jurisdiction. Having so determined, under every rule of practice the case should have been dismissed. But by a divided Court it seized upon the opportunity to hold the Missouri Compromise Act of 1820 unconstitutional, and this in the face of the Constitution as it then existed, and in violation of the rights of the free States, and held in effect that all the States were compelled to permit the institution of slavery. In order to accomplish this purpose they resorted to the fifth amendment of the Constitution known as the due-process clause. This clause was placed in the English Bill of Rights in 1688 for the purpose of stopping the life-appointed Tory courts from depriving citizens of their life, liberty, and property contrary to the procedure provided for them to follow under the laws enacted by Parliament. Up until this case the Court had never intimated that this clause authorized them to declare an act of Congress unconstitutional.

Although the Supreme Court, under Marshall as Chief Justice, in 1803 first assumed the authority to hold an act of Congress unconstitutional, the decisions of the Court during his reign acceded to Congress far broader powers in legislation than is acceded in its more modern decisions. As time passed the Court, grasping for more and more power, has restricted more and more the field in which Congress can legislate unless that legislation happens to be in accord with their economic and political views. In the case of *McCulloch v. The State of Maryland* (4 Wheat.), decided in 1819, in which an act of Congress, chartering and setting up what was known as the Bank of the United States, was attacked as being unconstitutional because there was no delegation of power in the Constitution for Congress to set up such a bank with the Government taking one-fourth of the stock and this so-called Bank of the United States was to be operated as a private institution for profit. Chief Justice Marshall, in delivering the opinion, had this to say:

This could not be done by confining the choice of means to such narrow limits as not to leave it in the power of Congress to adopt any which might be appropriate, and which were conducive to the end. This provision is made in a constitution intended to endure for ages to come, and consequently, to be adapted to the various crises of human affairs. To have prescribed the

means by which government should, in all future time, execute its powers, would have been to change, entirely, the character of the instrument, and give it the properties of a legal code. It would have been an unwise attempt to provide, by immutable rules, for exigencies which, if foreseen at all, must have been seen dimly, and which can be best provided for as they occur. To have declared that the best means shall not be used, but those alone without which the power given would be nugatory, would have been to deprive the legislature of the capacity to avail itself of experience, to exercise its reason, and to accommodate its legislation to circumstances. If we apply this principle of construction to any of the powers of the Government, we shall find it so pernicious in its operation that we shall be compelled to discard it \* \* \*

The result of the most careful and attentive consideration bestowed upon this clause is, that if it does not enlarge, it cannot be construed to restrain the powers of Congress, or to impair the right of the legislature to exercise its best judgment in the selection of measures to carry into execution the constitutional powers of government. If no other motive for its insertion can be suggested, a sufficient one is found in the desire to remove all doubts respecting the right to legislate on that vast mass of incidental powers which must be involved in the Constitution, if that instrument be not a splendid bauble \* \* \*

We think the sound construction of the Constitution must allow to the National Legislature that discretion, with respect to the means by which the powers it confers are to be carried into execution, which will enable that body to perform the high duties assigned to it, in the manner most beneficial to the people. \* \* \*

Where the law is not prohibited—that is, not specifically denied to the Court by the Constitution—and is really calculated to effect any of the objects entrusted to the Government, to undertake here to inquire into the degree of its necessity, would be to pass on legislative ground. This Court disclaims all pretensions to such a power. \* \* \*

In the Legislature of the Union alone, are all represented. The Legislature of the Union alone, therefore, can be trusted by the people with the power of controlling measures which concern all, in the confidence that it will not be abused. \* \* \*

It has been said by some that the Court in this case conceded broad powers to Congress because the legislation was in accord with their economic and political views, and earnestly desired by the major financiers of that day.

In keeping with the broad powers conceded to Congress in this case of *McCulloch against The State of Maryland*, decided in 1819, is the case of the *Veazy Bank against Fenno* (75 U. S.), decided in 1869, where an act of Congress levying a tax of 10 percent upon the circulating notes of State banks and which, of course, was levied for the patent purpose of driving them out of circulation, Chief Justice Chase in handing down the opinion of the Court sustaining the constitutionality of the act, used this language:

The power to tax may be exercised oppressively upon persons, but the responsibility of the legislature is not to the court, but to the people by whom its members are elected.

In the so-called Child Labor case (259 U. S.) decided in 1921, in which an act of Congress was attacked as being unconstitutional because it levied a tax of 10 percent on the net profits of employers who use children as employees, and which act, of course, affected interstate commerce in affecting the price of products produced, Chief Justice Taft held this act unconstitutional although it was stated in the act that it was "An act to provide revenue, and for other purposes." The act of Congress upheld in the *Veazy Bank against Fenno* case was attacked on the same ground on which this act was attacked. In the case of *Veazy against Fenno* the financiers were anxious that the law be held unconstitutional that the circulation of notes of State banks be suppressed, while in the other the employers of children were anxious that the law be held unconstitutional. In this case Justice Clark dissented.

The case of *Pollock v. Farmers Loan & Trust Co.* (157 U. S. 429, and 158, 601), decided in 1895, grew out of the income-tax law passed in 1894 in compliance with the demand in the Democratic platform upon which Cleveland had been elected. The power of Congress under the Constitution to enact such legislation as the Constitution then stood had been settled for nearly a hundred years by a decision of the Supreme Court in the case of *Hilton v. United States* (3 Dall. 171), decided in 1796. The same objections to this so-called carriage tax were raised and urged as were raised and urged in the case of *Pollock against Farmers Loan & Trust Co.*

Congress passed an income-tax law in 1861, which continued in force until 1873. This act was attacked as being unconstitutional in the case of the *Pacific Insurance Co. v. Soule* (74 U. S. 446), decided in 1868. The Court, with the Hilton case as a precedent, held that act constitutional. All the questions were raised and argued in this case and in the Hilton case that were raised and argued in the case of Pollock against the Farmers Loan & Trust Co.

Organized wealth attacked the act of 1894 with great bitterness as being socialistic and communistic and an assault on property. They had many of the ablest lawyers in the country employed to get the Court to reverse the position that it had laid down and maintained for a hundred years. When the case of Pollock against The Farmers Loan & Trust Co. was first argued Justice Jackson was sick and the Court divided 4 to 4, which would have meant that the decision of the lower court that had held the act unconstitutional would have been sustained. However, when Justice Jackson returned to the bench the Court granted a rehearing, and while Justice Jackson voted to sustain the act as being constitutional, Justice Shiras, who had voted to sustain the act as being constitutional in the first decision, changed his opinion and in the second decision voted with the four who had voted against its constitutionality in the first instance, so that the case was held unconstitutional by a 4-to-5 decision. Excitement ran high and Justice Shiras was charged with being corrupt and having been bribed. Justice Harlan, in his dissenting opinion, among other things, had this to say:

I cannot resist the conviction that its (a majority of the Court) opinion and decree in this case virtually annuls its previous decisions in regard to the powers of Congress on the subject of taxation, and is therefore fraught with danger to the Court, to each and every citizen, and to the Republic. \* \* \* If the permanency of its conclusions is to depend upon the personal opinions of those who from time to time may make up its membership, it will inevitably become a theater of political strife, and its action will be without coherence or consistency. \* \* \*

Is the judiciary to supervise the action of the legislative branch of the Government upon questions of public policy? \* \* \*

The safety and permanency of our institutions demand that each department of Government shall keep within its legitimate sphere. \* \* \*

Break down this belief in judicial continuity, and let it be felt that on great constitutional questions this Court is to depart from the settled conclusions of its predecessors, and to determine them all according to the mere opinion of those who temporarily fill its bench, and our Constitution will, in my judgment, be bereft of value and become a most dangerous instrument to the rights and liberties of the people. \* \* \*

Such a result is one to be deeply deplored. It cannot be regarded otherwise than as a disaster to the country. The decree now passed dislocates—principally, for reasons of an economic nature—a sovereign power expressly granted to the general Government and long recognized and fully established by judicial decisions and legislative action. \* \* \*

This decision resulted in the sixteenth amendment to the Constitution which is as follows: "The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration." And which was finally ratified by the necessary three-fourths of all the States in 1913. But organized wealth had succeeded, as a result of this decision, in escaping their just burdens of government for a period of 19 years.

In the case of *Evans v. Gore* (253 U. S.), decided in 1920, the majority of the Court handed down a decision that should forever cause them to blush with shame. In this case a majority of the Court held that Congress could not, under this amendment to the Constitution, pass any law requiring the Court to pay an income tax. This in spite of the fact that this amendment had been recently adopted and ratified by the necessary three-fourths of the 48 States with a population of more than a hundred million people living at the time of the decision. In this respect unlike the original Constitution that had been adopted some 150 years ago by three-fourths of the Thirteen Original States, with a population of less than 4,000,000 of people and long since dead. A majority of the Court in this case held the act of Congress applying an income tax to Federal judges was unconstitutional; in other words, that the Constitution was unconstitutional or that they were above the Constitution.

This, too, in the face of the fact that under the income-tax law on the statute books from 1861 to 1873 the Court, with all citizens, had been called upon and did pay the income tax. The majority opinion of the Court was delivered by Justice Van Devanter, who is still on the bench. In this case Justices Holmes and Brandeis dissented, and in their dissenting opinion used this language:

The decision below (the lower court had held that the act was constitutional) seems to me to have been right for two distinct reasons: That this tax would have been valid under the original Constitution, and that if not so, it was made lawful by the sixteenth amendment \* \* \*. To require a man to pay the taxes that all other men have to pay cannot possibly be made an instrument to attack his independence as a judge. I see nothing in the purpose of this clause of the Constitution to indicate that the judges were to be a privileged class, free from bearing their share of the cost of the institutions upon which their well-being if not their life depends.

And yet when we dare to criticize such decisions we are denounced by the Liberty League and its satellites as communists and public enemies.

And then we all know the story of the Legal Tender cases, how the creditor class brought every influence and pressure to bear to get the Legal Tender Act passed by Congress in February 1862 declared unconstitutional in order to collect from debtors gold and silver dollars in lieu of paper dollars which they had loaned, and in that way make them pay in real values twice what they had borrowed. In the case of *Hepburn v. Griswold* (8 Wallace), decided in 1869, they succeeded in getting the Legal Tender Act declared unconstitutional by a divided court of 4 to 3. And in order to get rid of this pernicious decision, President Grant rushed a bill through Congress increasing the Court to nine judges and placing on the bench two lawyers who it is understood agreed beforehand that they would decide with the three dissenting judges in the Hepburn case, in the next case to come before the Court, which they did, and the act was then held constitutional, the decision being a 5-to-4 decision.

In 1921 the Congress passed an act, the purpose of which was to regulate the buying and selling of future contracts on the grain exchanges. The constitutionality of this act was attacked in the case of the *Chicago Board of Trade v. Olson* (U. S. 262) and decided in 1922. It was contended that these contracts, purchases, and sales being made by parties in the State of Illinois, were purely intrastate transactions and beyond the power of Congress to regulate. Chief Justice Taft, in delivering the opinion of the Court sustaining the constitutionality of the act, used this language:

The question of price dominates trade between the States. Sales of an article which affect the country-wide price of the article directly affect the country-wide commerce in it.

In 1933 the Congress enacted what is known as the National Industrial Recovery Act, setting out in the act the deplorable conditions of the country, and that as a result of the emergency this legislation was enacted to regulate interstate commerce by regulating the wages to be paid by employers to labor in certain industries. This act was attacked as being unconstitutional, and in the case of the *Schechter Corporation v. United States* (295 U. S.) the Court in that decision holding the act unconstitutional said:

In determining how far the Federal Government may go in controlling intrastate transactions upon the ground that they "affect" interstate commerce, there is a necessary and well-established distinction between direct and indirect effects. The precise line can be drawn only as individual cases arise, but the distinction is clear in principle. \* \* \*

Extraordinary conditions do not create or enlarge constitutional power.

There can be no more question but what the amount of wages paid to the employees of a factory or other industries as much affects interstate commerce as does the price paid for grain on the floor of a grain exchange. The Court in the Schechter case makes the statement that there "is a well-established distinction between direct and indirect effects." The precise line can be drawn only as individual cases arise. This leaves Congress in the dark and places the Court in a position to declare or not any act passed by

Congress as unconstitutional, as they may take a notion to say that it has a "direct" or "indirect" effect upon interstate commerce. Besides, in holding that "extraordinary conditions do not create or enlarge constitutional powers", they take a reverse position from that of Chief Justice Marshall in the case of McCulloch against The State of Maryland, and a number of other decisions.

In the recent case of the Great Northern Railway Co., petitioner, v. J. J. Weeks, State Tax Commissioner, decided on the 3d of February 1936, the majority of the Supreme Court for the first time assumed to act as the guardian of major corporations and to order the taxing authority of a State to lower the value at which the State authority had assessed it for taxes. Not that it was assessed higher than property in general or that it is not assessed according to the standard upon which other such property is assessed. This decision strikes at the very heart of the sovereignty of the States. This was a 6-to-3 decision, and Justices Stone, Brandeis, and Cardozo dissented from the majority decision. Justice Stone, who wrote the minority opinion, ably points out the effect of this decision, and, among other things, says:

The feature of the decision which is especially a matter of concern is that for the first time this Court is setting aside a tax as a violation of the fourteenth amendment on the ground that the assessment on which it is computed is too high, without any showing that the assessment is discriminatory or that petitioner is in any way bearing an undue share of the tax burden imposed on all property owners in the State.

Assessment for taxation is a quasi-judicial act, and the tax assessment has the quality of a judgment (citing a number of authorities). Even if the valuation of the Board be erroneous, the errors of a State judicial officer, however gross, whether of law or of fact, are not violations of the Constitution and are not open to review in the Federal courts merely because they are errors. If overvaluation, even though gross or intentional, were, without more, held to infringe the fourteenth amendment, every taxpayer would be at liberty to ask the Federal courts to review a State tax assessment upon the bare allegation that it is grossly excessive, and without showing that it does more than subject him to taxation on the same basis as every other taxpayer. \* \* \*

Taxation is but a method of raising revenue to defray the expenses of government, and of distributing the burden among those who must bear it. The taxpayer cannot complain of the tax burden which he has to bear, who shows no inequality in the application of it. \* \* \*

The burden of a property tax like the present is distributed by applying a rate of tax to the assessed valuation of all taxable property. Variation of either, without discrimination, affects the amount of the tax but not the equality of its distribution. The activities and expenses of government, over which the State has plenary control, do not cease in time of depression. They may increase. The State may meet those expenses by raising the valuation of taxable property, or by raising tax rates, or both, without infringing any constitutional immunity. Here the State, so far as appears, is raising the needed revenue and distributing the burden as in previous years, by continuing old valuations. However high those valuations may be, if not discriminatory, they impose no unequal share of the tax burden on petitioner and cannot be said to be arbitrary or oppressive in the constitutional sense. \* \* \*

The States need not fear the destruction of their sovereign rights by Congress, the Members of which are citizens of the various States and who must at short intervals account to and be elected by the voters of the various States, but this decision clearly shows that they are being deprived of their sovereign rights by the nine men who constitute the Supreme Court.

A majority of the Supreme Court in the case of the St. Joseph Stockyards Co., appellant, against the United States and the Secretary of Agriculture, decided on the 27th of April 1936, in this decision holds:

When the legislature acts directly, its action is subject to judicial scrutiny and determination in order to prevent the transgression of these limits of power. The legislation cannot preclude that scrutiny or determination by any declaration of legislative finding.

This action resulted from the Secretary of Agriculture acting under the law passed by Congress authorizing him to ascertain the facts and to regulate the rates to be charged in stockyards. This was also a decision by a divided court,

the dissenting Justices being Justices Stone, Cardozo, and Brandeis. Justice Brandeis delivered the dissenting opinion, and in doing so used this language:

This Court has consistently declared in cases arising under the Interstate Commerce Act that to "consider the weight of the evidence is beyond our province" [citing authorities], and that courts have no concern with the correctness of the Commission's reasoning, with the soundness of its conclusions of fact, or with the alleged inconsistency of the findings with those made in other proceedings [citing authorities]. \* \* \*

The history of this case illustrates that regulation cannot be effective unless the legality of the rates prescribed may, if contested, be determined with reasonable promptness. Six and one-half years have elapsed since the Secretary of Agriculture concluded that the rates of this utility were so high as to justify inquiry into their reasonableness, and nearly 2 years since entry of his order prescribing the reduced rates. In the judgment of the lower court and of this Court the attack upon the order reducing them was unwarranted. But the rates of 1929 have remained in force; and, despite the supersedeas and injunction bonds, there will be practically no redress for the wrong done to the business community throughout the long years in which excessive rates have been exacted. \* \* \*

Chicago telephone rates: On September 13, 1921, the Illinois Commerce Commission, the regulating body, issued an order that the company show cause why its rates should not be reduced. The hearing began November 17, 1921, and closed July 31, 1923. On August 16, 1923, the commission entered an order reducing the rates, to become effective October 1, 1923. Before that date enforcement was enjoined by the Federal court on a bill which charged that the rates prescribed were confiscatory. On April 30, 1934, this court sustained the validity of the rate order entered August 16, 1923. Thus the rates became effective 12½ years after the commencement of the investigation and nearly 11 years after they were prescribed.

The case of *James W. Carter, petitioner, v. Carter Coal Co., George L. Carter as vice president and director of said company, et al.*, decided in May 1936, is a case in which the constitutionality of an act recently passed by Congress was attacked, which act was commonly known as the Guffey Coal Act, and set out the fact that the industrial life of the country was largely dependent upon this product and its uninterrupted production and transportation in interstate commerce. That both the production and transportation were frequently interrupted by labor troubles, such as strikes. The purpose of this act was to prevent the uninterrupted production and transportation of this product by getting rid of cutthroat competition through fixing minimum prices and minimum wages. Six of the nine judges held this act to be unconstitutional, while three in their dissenting opinion held it to be constitutional.

The majority of the Court took the position that Congress had no constitutional authority to regulate interstate commerce by regulating the price of the product, as the price of a product had no direct relation to interstate commerce. It is difficult to reconcile this view of the majority of the Court with the decision in the *Chicago Board of Trade v. Olson* (U. S. 262) decided in 1922. Chief Justice Taft in sustaining an act of Congress having to do with transactions on the Chicago Board of Trade affecting the price of grain says:

The question of price dominates trade between the States. Sales of an article which affect the country-wide price of the article directly affect the country-wide commerce in it.

Justice Cardozo handed down the dissenting opinion as to the constitutionality of the Guffey Coal Act, in which dissenting opinion Justices Brandeis and Stone concurred.

In 1933 Congress passed a law known as the Agricultural Adjustment Act setting out the distressed bankrupt condition of agriculture and the fact that it was a primary industry of the Nation upon which the welfare of the country depended. That among other things the act was to regulate interstate commerce in agricultural products. In the case of the United States of America, petitioner, against William M. Butler, and others, receivers of Hoosac Mills Corporation, decided on the 6th day of January 1936, this act was attacked on the ground that it was unconstitutional, and a majority of the Court so held. In holding this act unconstitutional the majority holds agriculture is not for the general welfare

of the country and that it is a local matter subject to control by the State. The majority decision uses this language:

Powers not granted are prohibited. None to regulate agricultural production is given, and therefore legislation by Congress for that purpose is forbidden.

The majority opinion in this case neither harmonizes with that of the Chicago Board of Trade against Olson or with McCulloch against the State of Maryland. In the case of the Chicago Board of Trade against Olson, Chief Justice Taft held that where contracts entered into with the State of Illinois on the Chicago Grain Exchange affected the price of grain and consequently interstate commerce, Congress had the power to act. In the case of McCulloch against Maryland the Court held although there was no power delegated to Congress to set up a chartered bank and to take one-fourth of the capital stock, the bank to be run and operated by individuals for private profit, that Congress nevertheless had the power so to do and sustained the act as being constitutional. Justice Stone, in writing the dissenting opinion, concurred in by Justices Brandeis and Cardozo, used this language:

I think the judgment should be reversed.

A lower court having held it unconstitutional.

The present stress of widely held and strongly expressed differences of opinion of the wisdom of the Agricultural Adjustment Act makes it important, in the interest of clear thinking and sound result, to emphasize at the outset certain propositions which should have controlling influence in determining the validity of the act. They are:

1. The power of courts to declare a statute unconstitutional is subject to two guiding principles of decision which ought never to be absent from judicial consciousness. One is that courts are concerned only with the power to enact statutes, not with their wisdom. The other is that while unconstitutional exercise of power by the executive and legislative branches of the Government is subject to judicial restraint, the only check upon our own exercise of power is our own sense of self-restraint. For the removal of unwise laws from the statute books appeal lies not to the courts but to the ballot and to the processes of democratic government. \* \* \*

It must be remembered that legislators are the ultimate guardians of the liberties and welfare of the people in quite as great a degree as the courts. \* \* \*

Courts are not the only agency of government that must be assumed to have capacity to govern. Congress and the courts both unhappily may falter or be mistaken in the performance of their constitutional duty. \* \* \*

And he might have added, the people, through the ballot box, can make Congress correct its mistakes, but are helpless to make the Supreme Court correct its mistakes.

The Legislature of the State of New York enacted a law fixing the minimum wage to be paid to women and children when employed in certain businesses and industries. Its purpose was to prevent sweatshop employers working women and children and paying them less than a fair and reasonable wage for the services rendered and less than sufficient to meet the minimum cost of living. This act was attacked in the case of Frederick L. Morehead, petitioner, against People ex rel. Joseph Tipaldo, the decision being handed down on the 1st of June 1936. This act was attacked on the ground that it was in violation of the "due process of law clause" of the fourteenth amendment of the Constitution. The opinion in this case was a 4-to-5 decision, Justice Butler delivering the opinion for the majority, in which he says:

This Court's opinion shows (pp. 545, 546): The right to make contracts about one's affairs is a part of the liberty protected by the due-process clause. Within this liberty are provisions of contracts between employer and employee fixing the wages to be paid. In making contracts of employment, generally speaking, the parties have equal right to obtain from each other the best terms they can by private bargaining.

And then he concludes his opinion sustaining the view of the lower court which held the act unconstitutional with these words:

It is plain that the judgment in the case now before us must be affirmed.

And yet four of the nine judges were convinced that it was plain that the act was constitutional, and among the

four, Chief Justice Hughes, who, in delivering his dissenting opinion, said:

I am unable to concur in the opinion in this case. In view of the difference between the statutes involved, I cannot agree that the case should be regarded as controlled by *Adkins v. Children's Hospital* (261 U. S. 525). And I can find nothing in the Federal Constitution which denies to the State the power to protect women from being exploited by overreaching employers through the refusal of a fair wage as defined in the New York statute and ascertained in a reasonable manner by competent authority. \* \* \*

When there are conditions which specially touch the health and well-being of women, the State may exert its power in a reasonable manner for their protection, whether or not a similar regulation is or could be applied to men. The distinctive nature and function of women—their particular relation to the social welfare—has put them in a separate class. \* \* \*

She becomes an object of public interest and care in order to preserve the strength and vigor of the race. \* \* \*

In the statute before us, no unreasonableness appears. The end is legitimate and the means appropriate. I think that the act should be upheld.

While Justices Stone, Cardozo, and Brandeis agreed with Chief Justice Hughes, Justice Stone in handing down the dissenting opinion, joined in by Justices Cardozo and Brandeis, says:

There is grim irony in speaking of the freedom of contract of those who, because of their economic necessities, give their service for less than is needful to keep body and soul together. \* \* \*

It is difficult to imagine any ground, other than our own personal economic predilections, for saying that the contract of employment is any the less an appropriate subject of legislation than are scores of others, in dealing with which this Court has held that legislatures may curtail individual freedom in the public interest. \* \* \*

So far as the requirement of due process is concerned, and in the absence of other constitutional restriction, a State is free to adopt whatever economic policy may reasonably be deemed to promote public welfare, and to enforce that policy by legislation adapted to its purpose. The courts are without authority either to declare such policy, or, when it is declared by the legislature, to override it. If the laws passed are seen to have a reasonable relation to a proper legislative purpose, and are neither arbitrary nor discriminatory, the requirements of due process are satisfied, and judicial determination to that effect renders a court *functus officio*.

That declaration and decision should control the present case. They are irreconcilable with the decision and most that was said in the *Adkins* case. They have left the Court free of its restriction as a precedent, and free to declare that the choice of the particular form of regulation by which grave economic maladjustments are to be remedied is for legislatures and not the courts. \* \* \*

It is not for the courts to resolve doubts whether the remedy by wage regulation is as efficacious as many believe, or is better than some other, or is better even than the blind operation of uncontrolled economic forces. The legislature must be free to choose unless government is to be rendered impotent. The fourteenth amendment has no more embedded in the Constitution our preference for some particular set of economic beliefs than it has adopted, in the name of liberty, the system of theology which we may happen to approve. \* \* \*

The judgment should be reversed.

This decision clearly shows the cleavage of the economic and political views that exist among the members of the Supreme Court; the majority being of that school that feel that the employer should have the right to take advantage of the necessities of his employees and work them at starvation wages. While the minority, in keeping with their political and economic views, feel that the employees are entitled to be protected from such exploitation by the arm of the State.

Thus this Court's sacrosanct halo, the product of inspired propaganda, is completely dissipated by these patriotic dissenting opinions. They reveal to us how through the years this Court by assuming the role of the Tory courts of England prior to 1688 has shackled the legislative and executive branches of the Government until they are impotent to carry out the will of the people and protect them in their liberties and from the depredations of monopolistic greed.

Truly the alias for this country's Nemesis is the Supreme Court. From its cloisters came a decision that for 4 long years dyed the battlefield with blood of the Nation's best and bravest. It has been a shield for monopoly and oppression. It has created a "no man's land" and commissioned sweat-

shop bosses to enslave helpless women and children. But I vision the coming of a better day when this Congress aroused to a sense of its patriotic duty will by exerting its authority under the second paragraph of section 2 of article III of the Constitution, dethrone this judicial oligarchy and issue another proclamation of emancipation that will wipe out this "no man's land" of sweatshop slavery.

EXTENSION OF REMARKS

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that my colleague, the gentleman from California [Mr. HOEPPEL] may extend his remarks in the RECORD and include therein certain letters, affidavits, extracts, and newspaper items referring to his appearance before the House Committee on Military Affairs considering West Point appointments. He has obtained an estimate from the Public Printer.

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

Mr. MAPES. Mr. Speaker, reserving the right to object, can the gentleman give us some idea how extensive these letters and affidavits are?

Mr. COSTELLO. They will probably take two or three pages of the RECORD, although I do not know the exact amount of space required.

Mr. MAPES. Not more than two or three pages?

Mr. COSTELLO. I could not say the exact number of pages.

Mr. SNYDER of Pennsylvania. Mr. Speaker, I object.

TRANSMOUNTAIN WATER DIVERSIONS HAVE BEEN LONG RECOGNIZED AS PART OF A WELL-ESTABLISHED NATIONAL POLICY

Mr. LEWIS of Colorado. Mr. Speaker, in view of the ruling of the Chair in regard to the incorporation of short extracts in the RECORD, I ask unanimous consent to extend my remarks in the RECORD, and to include therein certain short excerpts from Supreme Court decisions, statutes, and other official documents.

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

There was no objection.

Mr. LEWIS of Colorado. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following:

"Transmountain water diversions" have been the subject of some recent discussions. In the Congress and elsewhere questions have been raised, from time to time of late, concerning projects in the far West to divert water from one watershed to another. It has been inaccurately implied that transmountain water diversions are something novel and of doubtful economic soundness. It has even been erroneously suggested that a definite national policy concerning such projects has not yet been established by the Federal Government and that before any such projects can properly be approved an entire national policy should first be determined.

Any such questions, implications, or suggestions reflect a lack of familiarity with long-established local customs, laws, and the decisions of courts concerning waters in the far Western States and a lack of familiarity with the fact that the United States Government—always scrupulously conforming to such local customs, laws, and court decisions—has throughout many years, by repeated affirmative acts and declarations, frequently approved and aided projects to divert water from one watershed to another.

Obviously each project involving a transmountain diversion of water must be appraised, as should every other project, upon its own individual merits based upon careful surveys to determine its engineering and economic feasibility. Furthermore, plans for every such project should, wherever necessary, provide for the construction of such compensating or replacement reservoirs as may be requisite to protect fully and adequately all existing water rights on the stream from which the water is to be diverted.

However, in the far West, such projects have long since become familiar and commonplace. Their economic soundness is established beyond question. They are the foundations for the prosperity of vast, highly productive, and long-

cultivated agricultural regions. They are the bases upon which rest the very existence of large cities. Even on the Atlantic seaboard such projects have their counterparts, chiefly for supplying water to towns and cities; but, as recent doubts and queries as to national policy have all concerned projects in the far West, this discussion will be confined to the region beyond the Missouri River.

In fact transmountain water diversions—that is, diverting water from one watershed to another—have long since been recognized, approved, and frequently acted upon by all three branches of the Federal Government—legislative, judicial, and executive—as part of a well-established national policy.

Inasmuch as it will presently be shown in detail hereinbelow that both the Congress and the Supreme Court of the United States have recognized, time after time, the validity and supremacy of local customs, laws, and the decisions of courts relating to the control, appropriation, use, and distribution of water for irrigation and other beneficial purposes, it is pertinent to inquire at the outset as to just what are such local customs, laws, and the decisions of courts.

APPROPRIATION DOCTRINE CONCERNING WATER HAS SUPERSEDED RIPARIAN DOCTRINE IN STATES OF FAR WEST

Seventy-five or eighty years ago, when agriculture was first undertaken by American settlers in regions now included in Colorado and neighboring States where irrigation is practiced, it was realized that the common-law doctrine of riparian rights in regard to the waters of natural streams was not applicable to conditions in those regions. Consequently the common-law doctrine of riparian rights, or riparian doctrine, that a riparian landowner was entitled to have waters of a natural stream continue to flow as they had flowed from time immemorial, subject to the reasonable uses of other riparian landowners, was rejected; and there was formulated and adopted the doctrine of prior appropriation, or appropriation doctrine, under which he who first diverts the water of a natural stream and applies such water to beneficial use, regardless of the locus of such application to the beneficial use, acquires a prior right or priority to the extent of such use against all subsequent appropriators up and down the stream.

This doctrine, sometimes called the Colorado doctrine, enunciated by the Supreme Court of Colorado Territory, was embodied in the constitution when Colorado was admitted to the Union. Sections 5 and 6 of article XVI of the Colorado Constitution—adopted in 1876 and never amended as to these sections—are as follows:

Sec. 5. Water, public property: The water of every natural stream, not heretofore appropriated, within the State of Colorado, is hereby declared to be the property of the public, and the same is dedicated to the use of the people of the State, subject to appropriation as hereinafter provided.

Sec. 6. Diverting unappropriated water—Priority: The right to divert the unappropriated waters of any natural stream to beneficial uses shall never be denied. Priority of appropriation shall give the better right as between those using the water for the same purpose; but when the waters of any natural stream are not sufficient for the service of all those desiring the use of the same, those using the water for domestic purposes shall have the preference over those claiming for any other purpose, and those using the water for agricultural purposes shall have preference over those using the same for manufacturing purposes.

This appropriation doctrine has since been fully elaborated and defined by the courts of Colorado and other neighboring States. (*Yunker v. Nichols* (1872) (1 Colo. 551); *Schilling et al. v. Rominger* (1878) (4 Colo. 100, 103); and a host of other later cases in Colorado and other far western States.)

In order to preclude misapprehension, it should be pointed out that the so-called California doctrine—which differs from the Colorado doctrine in some respects not pertinent to this discussion, but which may be said in general to be a hybrid of the appropriation doctrine and the riparian doctrine—prevails in the States of California, Oregon, Washington, Montana, North Dakota, South Dakota, Texas, Kansas, Nebraska, and Oklahoma. The Colorado doctrine, as hereinabove outlined, is the settled law prevailing in the States of Colorado, Arizona, Idaho, New Mexico, Nevada, Utah, and Wyoming.

TRANSMOUNTAIN DIVERSIONS OF WATER RECOGNIZED AND APPROVED BY LAWS OF ALL FAR WESTERN STATES

As a corollary to this Colorado doctrine, and very early in the development thereof, the prevailing local custom and practice that a prior appropriator had the right to divert water from one stream across an intervening divide to lands tributary to a different stream, or even tributary to a different river system, was recognized, acknowledged, and approved and enunciated as a principle of law by the courts of Colorado and other States and Territories where the so-called Colorado doctrine prevails.

Furthermore, this principle of law approving transmountain water diversions has been repeatedly reaffirmed by decisions of the courts, for example: *Coffin et al. v. Left Hand Ditch Co.* (1882) (6 Colo. 443, 449-450); *Thomas v. Guiraud* (1883) (6 Colo. 530, 532); *Hammond v. Rose* (1888) (11 Colo. 524; 19 Pac. 466); *Oppenlander v. Left Hand Ditch Co.* (1892) (18 Colo. 142, 144; 31 Pac. 854); *Wyoming v. Colorado* (1921) (259 U. S. 419, 466-467). See also *Connecticut v. Massachusetts* (1931) (282 U. S. 660, 671-672); *New Jersey v. New York* (1931) (283 U. S. 336, 342, 343).

It is, and long since has been, the settled law of Colorado and of neighboring States that the water of a natural stream may be diverted and conveyed across an intervening divide for the irrigation of lands in the valley of another stream (*Oppenlander v. Left Hand Ditch Co.*, *supra*).

CONGRESS AND UNITED STATES SUPREME COURT HAVE REPEATEDLY RECOGNIZED AND APPROVED THE VALIDITY OF LOCAL CUSTOMS, LAWS, AND COURT DECISIONS IN RESPECT TO APPROPRIATION, CONTROL, USE, AND DISTRIBUTION OF WATER, INCLUDING TRANSMOUNTAIN WATER DIVERSIONS

Also very early in the period of initial settlement of the region now comprised within the so-called irrigated-land States of the far West the Congress recognized and approved, as respects the public domain, so far as the United States are concerned, the validity of the local customs, laws, and the decisions of courts in respect to appropriation of water and to its control, use, and distribution. This recognition and approval has been repeatedly reaffirmed by subsequent acts of Congress and opinions of the United States Supreme Court: Act of Congress of July 26, 1866 (c. 262, sec. 9; 14 Stat. L. 253; Rev. Stat. 2339; U. S. Code, title 43, sec. 661); act of Congress, June 17, 1902 (32 Stat. L. 388, sec. 8; U. S. Code, title 43, sec. 383). *Gutierrez v. Albuquerque Land Co.* (1902) (188 U. S. 545, 553); *Kansas v. Colorado* (1906) (206 U. S. 46, 92-93, 94-95); *Wyoming v. Colorado* (1921) (259 U. S. 419, 465).

By way of example: The Reclamation Act—act of June 17, 1902, chapter 1093, section 8; 32 Statutes at Large 390; United States Code, title 43, section 383—expressly provides:

Nothing in this chapter shall be construed as affecting or intended to affect or to in any way interfere with the laws of any State or Territory relating to the control, appropriation, use, or distribution of water used in irrigation, or any vested right acquired thereunder, and the Secretary of the Interior, in carrying out the provisions of this chapter, shall proceed in conformity with such laws, and nothing herein shall in any way affect any right of any State or of the Federal Government or of any land-owner, appropriator, or user of water in, to, or from any interstate stream, or the waters thereof.

TRANSMOUNTAIN WATER DIVERSIONS CONTEMPLATED BY COLORADO RIVER COMPACT AND BOULDER CANYON PROJECT ACT

Furthermore, the principle and policy of transmountain water diversions was expressly recognized in the Colorado River Compact, signed at Santa Fe, N. Mex., November 24, 1922, and approved by the Congress in the so-called Boulder Canyon Project Act (act of Dec. 21, 1928, c. 42, sec. 13; 45 Stat. L. 1064; U. S. C., 1933 Supp., title 43, sec. 617 (1)).

In article II of the Colorado River Compact, subparagraph (b) is as follows:

The term "Colorado River Basin" means all of the drainage area of the Colorado River system and all other territory within the United States of America to which the waters of the Colorado River system shall be beneficially applied.

And subparagraph (f):

The term "Upper Basin" means those parts of the States of Arizona, Colorado, New Mexico, Utah, and Wyoming within and from which waters naturally drain into the Colorado River system above Lee Ferry, and also all parts of said States located without

the drainage area of the Colorado River system which are now or shall hereafter be beneficially served by waters diverted from the system above Lee Ferry.

Subparagraph (g) of article II of the compact is as follows:

(g) The term "Lower Basin" means those parts of the States of Arizona, California, Nevada, New Mexico, and Utah within and from which waters naturally drain into the Colorado River system below Lee Ferry, and also all parts of said States located without the drainage area of the Colorado River system which are now or shall hereafter be beneficially served by waters diverted from the system below Lee Ferry.

By article IV, paragraph (c), of the compact it is provided:

(c) The provisions of this article shall not apply to or interfere with the regulation and control by any State within its boundaries of the appropriation, use, and distribution of water.

As required by the Constitution of the United States (art. I, sec. 10), the consent of the Congress was given in advance to the negotiation of the Colorado River compact (act of Aug. 19, 1921, 42 Stat. L. 171); and by the Boulder Canyon Project Act (act of Dec. 21, 1928, c. 42, sec. 13; 45 Stat. L. 1064; U. S. C., 1933 Supp., title 43, sec. 617 (1)) the Colorado River compact was expressly approved.

Furthermore, by section 18 of said Boulder Canyon Project Act (c. 42, 45 Stat. L. 1065; U. S. C., 1933 Supp., ch. 43, sec. 617q) it is provided:

Nothing herein shall be construed as interfering with such rights as the States now have either to the waters within their borders or to adopt such policies and enact such laws as they may deem necessary with respect to the appropriation, control, and use of waters within their borders, except as modified by the Colorado River compact or other interstate agreement.

It thus appears that by repeated acts of Congress a definite national policy, from which there has never been the slightest deviation, was long since determined upon, to wit, that the Federal Government shall proceed in conformity with the local customs and laws and the decisions of courts of the respective States in relation to the control, appropriation, use, and distribution of water used in irrigation; and, further and more specifically, the Congress has directed that the Secretary of the Interior, in carrying out the provisions of the Reclamation Act, shall proceed in conformity with such laws. As we have already seen, transmountain water diversions are valid under the customs, laws, and the decisions of courts in Colorado and neighboring States.

EXECUTIVE DEPARTMENTS OF FEDERAL GOVERNMENT HAVE CONSISTENTLY CONFORMED TO POLICY OF FAR WESTERN STATES WHICH APPROVE TRANSMOUNTAIN WATER DIVERSIONS

Furthermore, the Department of the Interior, of course, has at all times consistently and without question complied with this reiterated mandate of the Congress; and, acting through the Bureau of Reclamation, has uniformly and universally conformed to the policy of the respective States which permit and approve of transmountain water diversions.

The Bureau of Reclamation has completed, is now constructing, and is preparing to construct, several projects involving transmountain water diversions, and has made and is now making, and is preparing to make, surveys for other such projects.

TRANSMOUNTAIN WATER DIVERSION PROJECTS CONSTRUCTED BY RECLAMATION BUREAU

For example, the so-called Strawberry Valley project in Utah, completed many years ago by the Bureau of Reclamation, diverts water from the Strawberry River, a tributary of the Colorado River, by a tunnel to a branch of the Spanish Fork River which flows into Great Salt Lake, which is in a closed basin completely out of the Colorado River drainage area. In addition, the Sanpete project, also in Utah, now under construction by the Bureau of Reclamation, involves the diversion of water from the Colorado River to a branch of the Sevier River, completely out of the Colorado River drainage area. Also, the full development, not yet under construction, of the Provo River project in Utah, involves boring of the Duchesne Tunnel, over 5 miles in length, to divert water from the Colorado River to the Provo River.

Among the investigations for transmountain diversions now in progress is the so-called San Juan-Rio Chama project which contemplates diverting water from the Colorado River

in Colorado to the Rio Grande River in New Mexico. This is being carried on as part of the participation by the Bureau of Reclamation in a study of the Rio Grande Basin for the National Resources Committee and is being financed by a combination of Bureau of Reclamation allotments plus a contribution by the National Resources Committee.

ALL-AMERICAN CANAL

Pursuant to the authorization of the Boulder Canyon Project Act, the Bureau of Reclamation is now constructing the so-called All-American Canal, which will have a capacity to divert a maximum of approximately 10,000 cubic feet per second, being the equivalent, if operated every day throughout the year, of about 7,200,000 acre-feet of water annually, from the Colorado River, 80 miles to Imperial Valley and 130 miles to Coachella Valley and adjacent areas in California, to be distributed by 1,700 miles of canals and laterals for the irrigation of about 1,000,000 acres. Strictly speaking this is not a transmountain diversion in that no ranges of mountains are to be tunneled and the lands to be irrigated, are, in the largest geographical sense, within the Colorado River drainage area. Nevertheless this project involves cutting for 10 miles through a ridge of sand hills, the deepest cut being over 100 feet. The lands to be irrigated drain not into the Colorado River but into the so-called Salton Sea, the surface of which is 244 feet below sea level. None of the water diverted by this project can by any possibility ever find its way back by return flow to the Colorado River. Moreover, part of the plans for the All-American Canal project involve a not unlikely extension of the canal to the Pacific coast to supplement the municipal water supply of San Diego to the extent of 155 cubic feet of water per second.

COLORADO RIVER AQUEDUCT OF METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

The largest, most expensive, and most ambitious transmountain water diversion now being undertaken in the United States is the much-needed project to supply the Metropolitan Water District of Southern California. Under this project, water of the Colorado River will be taken, by approximately 242 miles of main aqueduct and 150 miles of feeder lines, from Parker Dam, which is located about 155 miles below Boulder Dam, to Los Angeles and 12 other cities and towns in southern California. The water will be pumped by successive stages to a total elevation of 1,617 feet and will pass through several ranges of hills and mountains by means of 29 tunnels, totalling 92 miles in length, the longest of which tunnels is 18 miles. When ultimately developed to its full capacity, this project will deliver to Los Angeles and vicinity 1,050,000 acre-feet per year, which is equivalent to about 1,500 cubic feet per second or about 1,000,000,000 gallons of water per day, completely out of and far from the Colorado River drainage area, to the Pacific coast of southern California.

SUBSIDIZED BY IMMENSE LOANS AND GRANTS FROM R. F. C. AND P. W. A.

The actual work of construction of the Colorado River aqueduct for the benefit of the metropolitan water district of southern California is being carried on by the district and not by the Bureau of Reclamation. However, of the bond issue of \$220,000,000 authorized by the district the Reconstruction Finance Corporation has agreed to purchase \$91,000,000, of which \$69,628,000 has been taken over up to the present time.

Furthermore the Public Works Administration, on or about November 2, 1934, made an allotment of \$2,000,000—of which \$1,500,000 was a purchase of bonds and \$500,000 a grant—to the metropolitan water district for the purpose of subsidizing this project so necessary for the towns and cities of southern California.

Therefore both the Reconstruction Finance Corporation and the Public Works Administration have given their approval to transmountain water diversions by subsidizing with immense loans and grants this greatest of all such projects.

SUMMARY

To summarize: The Congress, by repeated enactments, has declared that the policy of the National Government is to

comply with the laws of the respective States as to the control, appropriation, use, and distribution of water used for irrigation and other beneficial purposes; and has directed that the Secretary of the Interior shall proceed in conformity with such laws. The principle and policy of transmountain water diversions from one watershed to another was recognized and approved by the constitution, laws, and decisions of courts of Colorado and of other neighboring States; it has been repeatedly recognized by decisions of the United States Supreme Court; it is expressly recognized and approved in the Colorado River compact, which in turn was expressly consented to and approved and the policy of the respective States again expressly and carefully safeguarded in the Boulder Canyon Project Act of the Congress.

Pursuant to the mandate of the Congress to comply with the laws of the respective States, the Department of the Interior, through its Bureau of Reclamation, has constructed several transmountain water diversions and has made and is now making surveys for others. Finally, the Reconstruction Finance Corporation and the Public Works Administration, by large loans and grants of money from the Federal Treasury, have subsidized the largest transmountain diversion ever undertaken in the United States.

CONCLUSION

It is therefore apparent that by affirmative action of each of the three branches of the Federal Government—legislative, judicial, and executive—an entire national policy in regard to diverting water from one watershed to another has long since been fixed and determined as approving such transmountain water diversions. Such national policy is no longer open to question by the Federal Government.

DEDICATION OF THE BUFFALO (N. Y.) FEDERAL BUILDING

Mr. MEAD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, and include therein a speech delivered by the Fourth Assistant Postmaster General at Buffalo, N. Y., on the occasion of the laying of the cornerstone of the post-office building.

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

There was no objection.

Mr. MEAD. Mr. Speaker, under permission granted me this afternoon to extend my remarks in the RECORD, I am inserting the address of Hon. Smith W. Purdum, Fourth Assistant Postmaster General, at the cornerstone exercises of the new Federal building in Buffalo, N. Y., on May 29, 1936.

The address is as follows:

It is an honor and a real pleasure to be here today to join with the citizens of Buffalo in the laying of the cornerstone of your new Federal building. The Postmaster General has asked me to convey to you his personal greetings and his sincere regret that other engagements made prevented him from being personally present on this important occasion in the history of one of the finest cities in his home State.

He shares your pride and gratification that this long-needed Federal facility is beginning to rise and take form—this building which will house the United States courts, the internal revenue and other Government agencies, as well as a modern well-equipped unit for the transaction of postal business.

The need for this building has been apparent for many years. The second largest city in the State, one of the ranking commercial ports of the world, an important manufacturing center, with unusual diversification of industries, and, above all, favored with an intelligent and progressive citizenship, the growth of Buffalo through the years being outstanding among American cities.

The growth of your city is well reflected in the increase of the postal receipts. The postal receipts of your Buffalo post office for the fiscal year ended June 30, 1835, were \$6,490, while those receipts for the fiscal year ended June 30, 1935, 100 years later, amounted to \$3,825,598.

And with its business expansion the city of Buffalo has preserved those elements of beauty and charm that make it attractive to all who visit this hospitable community. Its fine residential sections, its well-developed park system and other public improvements, and its splendid educational facilities bespeak a fine civic spirit.

I recall that Buffalo gave to the Nation one of its outstanding Presidents, who brought to that high office the same intense interest in the welfare of the people, sincere devotion to public duty, and intelligent and progressive leadership that characterized the service he rendered to the city of Buffalo and to the State of New York. I am happy to pay my humble tribute to that great American statesman, Grover Cleveland.

Buffalo may well be proud of the contributions which its sons and daughters have made to your State and to the Nation.

Its representatives in the National Congress down through the years have been fine examples of American citizenship, and this includes your present postmaster, Hon. Daniel A. Driscoll, who, as Congressman from Buffalo from 1909 to 1917, served as efficiently as he is today discharging the duties of his present position.

I also have in mind your present representation in Congress, Hon. JAMES M. MEAD, Hon. ALFRED BEITER, and Hon. WALTER G. ANDREWS, all serving on very important committees.

The chairmanship of the very important Committee on the Post Office and Post Roads of the House carries with it a heavy responsibility, hard work, and necessarily an intimate knowledge of the postal system of our country; that governmental activity which is more closely interwoven with the business and social life of our people than that of any other branch of the National Government. It is necessary in the performance of duty for us in the Post Office Department at Washington to have frequent contact with the chairman of that committee and his associates; we have high esteem for him as a man and great respect for his outstanding ability, splendid judgment, and thorough knowledge of the various branches of the Postal Service.

His discharge of the duties of that arduous position has won for him a measure of esteem and respect that comes to few men in public life. Conscientious to a high degree and ever mindful of the welfare of his fellow men, regardless of position in life, his service not only as chairman of that important committee but as a representative of the citizens of his district has been outstanding. It is eminently fitting that he is here today as we lay the cornerstone of this public building which he has so long and so consistently advocated, and it is, indeed, a great pleasure for me to have this opportunity to pay this sincere tribute to your Congressman and my friend, the Honorable JAMES M. MEAD.

I am also happy to see that we have the pleasure of having with us today his colleagues, Hon. ALFRED F. BEITER and Hon. WALTER G. ANDREWS, both of whom have been continuously interested in this project since its inception. I know that they also share with the citizens of Buffalo an intense feeling of satisfaction and accomplishment on this occasion which marks another forward step in the progress of your community.

When Congress, by the act of June 19, 1934, placed Federal building construction under the control of the Treasury Department and the Post Office Department, an allotment of funds was made by the Secretary of the Treasury and the Postmaster General for this project. It is estimated that, including the cost of a site and miscellaneous expenditures, the cost of the project will approximate two and a quarter millions of dollars. When completed, it will be a lasting monument to the genius of its designers, Edward B. Green & Son and Bley & Lyman, of Buffalo, who prepared the plans in conjunction with the Supervising Architect of the Procurement Division of the Treasury Department, and to the industry of its builders, the Fleisher Engineering & Construction Co. of St. Paul, Minn., under the supervision of the Procurement Division, which is represented here in Buffalo by its construction engineer, Mr. Robert A. Greenfield.

We must not, however, lose sight of the fact that without the hands of labor this building could never pass the blue-print stage. Without the physical efforts of the lumbermen in the forest who fell the trees, to the miners, to the men in the stone quarries, to the workers in the mills and factories, perhaps, hundreds of miles from Buffalo, and the mechanics and artisans directly employed in its construction, this fine architectural concept could not come into being. In laying this cornerstone today it is fitting that we pay sincere tribute to those in Buffalo or far from your good city, the result of whose labor will be a magnificent structure, to be appreciated through the years by all who have occasion to use it.

This new building is one of several hundred being erected under the present administration throughout the length and breadth of the Nation and in its Territories and island possessions.

The act of June 19, 1934, authorized the expenditure of \$65,000,000 for public-building construction at places to be selected by the Secretary of the Treasury and the Postmaster General. Three hundred and sixty-one projects were selected for consummation under this authorization. At present 74 of these projects have been completed and 214 have been placed under contract and are now in course of construction. In 17 cases bids have been opened or invited. In the remaining cases under the \$65,000,000 program, comprising less than 15 percent of the total in number, plans are well under way and it is believed that it will be possible to ask for construction bids in the immediate future.

Under the act of August 12, 1935, 353 building projects were set up. This program has progressed to the extent that it is expected 90 percent of the projects will be under contract within the next few weeks. Already sites have been selected in 290 of the cases where the acquisition of land was necessary. Contracts have been awarded in 38 cases and in practically all the remaining cases plans are nearing completion.

The laying of the cornerstone of a new Federal building is a noteworthy occasion. It is an important event to the citizens of your splendid city, county, and State, and to our Nation. Such an event is so representative of our great Republic, for our people, regardless of creed, condition in life, or party affiliation, gather together and give testimony by their presence and voice to their fidelity, loyalty, and love for our National Government and its institutions. It indicates that within our hearts we feel an appreciation that we are marching on and on rightly and properly, carrying on the work which was planned so well by our forefathers who in years ago so strongly and wisely laid the foundation, and

today we are reaping the benefits of their wisdom for we are living in the greatest country and under the greatest Government in the world.

It gives me much pleasure and I am sure that it is a source of gratification to the fathers and mothers here to see so many young men and women present. These young people will in due time take up the work and carry on when we drop out of the picture; therefore, it behoves us to so conduct ourselves at all times and to let our speech in private and in public be such that it will be of value to the youth of the land.

We do not erect a building in a day. The stonemason and bricklayer lay one stone and one brick at a time, carefully and accurately, true to the plumb line.

Likewise, life is comparable to a building; it takes years to fully develop the human-being structure; and in that building let us build wisely and well to the end that our men and women will be of sterling integrity and of the highest character.

Today you have an opportunity to note the most important feature in connection with this building—its foundation—which is so laid and built that it will carry the superstructure for years and years to come. Likewise, in our lives and in our Government, we should be builders, building wisely, strongly, and well.

As the poet has said:

"I watched them tear a building down,  
A gang of men in a busy town,  
With a ho-heave-ho, and a lusty yell,  
They swung a beam and the side wall fell.

"I asked the foreman, 'Are these men skilled  
And the kind of men you hire to build?'  
And he laughed and answered and said,  
'No, indeed; just common labor is all I need.'

"'Why, I can easily wreck in a day or two  
What builders have taken years to do.'  
I thought to myself as I went my way,  
Which of these roles have I tried to play?

"Am I a builder who works with care,  
Shaping my deeds by rule and square,  
Or am I a wrecker who walks the town,  
Content with the labor of tearing down?"

It is my belief that of all the governmental activities to be housed in this structure, those which are closest to the lives of our people are the postal establishment and the United States courts. The postal establishment is one to render an important daily service in every city, village, hamlet, and rural section of our land, coming into direct contact with the lives of all our citizens. The United States courts render a service of justice to all, regardless of creed, color, or position in life, as indicated in that wonderful oath to which all United States judges subscribe before entering upon their duties and which is, in part, as follows:

"I do solemnly swear that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent on me, according to the best of my abilities and understanding, agreeable to the Constitution and laws of the United States, and that I will support and defend the Constitution of the United States against all enemies, foreign and domestic."

I feel that the people of this country are builders, building for contentment and happiness. Sometime ago the clouds were dark and the roads heavy. Distress and suffering were seen throughout the land. Conditions are better now and still improving. One of the truest barometers of improvement in business conditions is increase in the postal receipts, and we have been witnessing for several years past a constant and steady increase in those revenues.

The farmer is getting good prices for his products; the factories are resuming operations, and many of them have gone on full time; the banking situation is better than it has been for many years past.

Our people are more contented now; there is cooperation between employer and employee in such degree that general good feeling prevails.

All of these accomplishments and many more, which time does not permit me to mention, have been under the able and farsighted leadership of that great American whose heart beats in sympathy with the heart of every man, woman, and child in this land, regardless of creed, position in life, or political affiliation; and to him we should give the best that is in us; to our great President Franklin D. Roosevelt.

I thank you.

JEREMIAH O'BRIEN

MR. HAMLIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on Jeremiah O'Brien, who pulled down the first British flag that was taken in the Revolutionary War.

THE SPEAKER. Is there objection to the request of the gentleman from Maine?

There was no objection.

MR. HAMLIN. Mr. Speaker and my colleagues of the House, I want to use a few minutes of the valuable time of this House to speak of a naval hero who today is without a monument to his name, but one was authorized to him by the Massachusetts Senate last Thursday. I do not claim

that his capture of the British ship *Margueretta*, in hand-to-hand fighting with pitchforks, axes, swivel and flintlock guns, showed more courage or typified better the spirit of the American Navy than did John Paul Jones of the *Bon Homme Richard*, or Howe of the *Constitution*, Decatur of the *Philadelphia*, Farragut of the *Hartford*, Perry in Put in Bay, or Wainwright of the *Gloucester*.

All of these are of the same stamp; but what I do claim is that this captain was the first captain to stand against the proud mistress of the seas, and was the first American to haul down the British flag before our patriot Army and Navy had even been started. His act was more than personal courage; it was the first challenge of the American Navy to the world—it was the first naval victory for the patriots in the Revolutionary struggle, and it aroused our patriot fathers like a trumpet blast.

The life story of Capt. Jeremiah O'Brien is the short and simple annals of the poor. Born in Kittery, Maine, 1744, he died in 1818, while collector of customs at Machias. I love to read of the noble patriot, brave, honest, liberty loving all his life. We do not need to skip any lines in his life. Briefly told, he with five brothers, a lion's brood of the Louisburg patriot father, Norris, with some 55 Machias patriots, rushed and took the *Unity*, a British lumber sloop, and sailed down the bay. Another captured sloop, the *Polly*, ran aground, so O'Brien informed his men they would not be reinforced, and asked if any wished to leave. Three left amid jeers. Captain Moore, of the *Margueretta*, now shouted that a nearer approach of the *Unity* meant his firing. O'Brien shouted "Surrender!" It was met by a sheet of flame from the British vessel, and John MacNeil fell, the first sailor to die for the Stars and Stripes.

These Machias patriots now lashed the vessels together, boarded the Britisher, and with pitchforks, axes, anything and everything they could lay their hands on, began the first naval battle of the Revolutionary War. The gallant young Commander Moore was killed. It was a gruesome battle. Over the slippery deck Captain O'Brien sprang to the halyards and pulled down the British flag, carried it back to Machias amid bonfires and hurrahs, and hoisted it on the Machias flagpole. That flagpole had had on it a patriot flag before this, but not the Stars and Stripes, and yet O'Brien was sacrificing, for later the old flag, which has cost so much and which means so much, and which every man and woman in this Nation should be glad to salute and reverence, or if they are not proud to do it at any time, should depart from its folds which protect them.

Later, July 12, O'Brien captured two British schooners and took them to Boston, and later by the provincial House of Representatives was appointed commander of the American Navy, and his few vessels were to patrol from Cape Ann to Nova Scotia. Ship after ship he captured for the patriots until in 1780 his ship, *Hannibal*, was taken by two British vessels and he was confined in a Jersey prison ship, and later sent to the awful Mill Prison in England, from which he escaped in 1781. He kept the faith.

Again he captained the patriot ship *Tiger*, and captured vessels from the enemy fleet, fought and fought until the close of the Revolutionary struggle. He was more than a brave patriot sailor. He had a noble, generous character, as we should suspect heroes do have. He had sympathy for his men always and pleaded for pensions for them, and during his life gave a home to the gallant Negro, Richard Earl, who fought with him on the slippery decks of the *Margueretta*.

Such men as Jeremiah O'Brien have made the American Navy the envy of the world and today, in the soil of the land he freed, on the shores of the sea on which he fought, rest the bones of the dear old naval patriot. Yes; his remains are there in the old Machias graveyard, but his noble and courageous spirit has gone to the God who gave it.

#### UNLAWFUL RESTRAINTS AND MONOPOLIES

Mr. UTTERBACK submitted a conference report and statement on the bill (H. R. 8442) to amend section 2 of the

act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes", approved October 15, 1914, as amended (U. S. C., title 15, sec. 13), and for other purposes.

#### UTAH DEMOCRATIC CONVENTION

Mr. MURDOCK. Mr. Speaker, recently I asked unanimous consent to extend my own remarks in the RECORD and include therein a speech delivered by the Governor of Wyoming at the Democratic State convention in Utah on May 23. This was returned to me by the Public Printer because it took up more than two pages of the RECORD.

I now renew my request to extend my own remarks in the RECORD and include the speech referred to, notwithstanding the fact that it will occupy more than two pages of the RECORD.

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

There was no objection.

Mr. MURDOCK. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following speech delivered by Hon. Leslie A. Miller, Governor of Wyoming, before the Democratic State convention of Utah, at Ogden, Utah, May 23, 1936:

To be invited to address you at such a time is an honor which I fully appreciate. You have congregated here to discuss momentous questions—questions which are concerned with the welfare of the people of your State and of the Nation at large. It is clear to me simply by looking over this gathering that you realize the importance of the decisions you are to make and that also you are attacking your problems with enthusiasm and confidence.

It would not do for me, an outsider, to undertake to advise you with regard to local situations and State candidates. I am going to take advantage, however, of the opportunity to speak just a brief word about the standing your State enjoys among her sister States by reason of the conduct in office of some of the men the Democratic Party of Utah has chosen to honor. Governor Blood is widely known as a man of capability and integrity; he has the respect of his fellow Governors in an unusual degree. Your Senators and Congressmen occupy a prominent place in the councils of the Nation. Senators KING and THOMAS are called upon to speak before audiences in all parts of the country, which is a testimonial to their effectiveness. Wyoming's Representative in Congress, Mr. GREEVER, has told me of the very high esteem in which he holds Representatives MURDOCK and ROBINSON, and of their very fine work for Utah and the West in general. Accordingly, Utah is entitled to compliments and congratulations for the superior type of statesmanship she has produced.

This convention, I take it, will be a proper time to fire the opening gun in the approaching national campaign, and you will expect me to discuss some of the things which will be in our minds until the results of the November election are known. I do not know just what contribution I can make, but I feel rather deeply with regard to some of the propaganda now being broadcast throughout the country, and so I will devote most of the time allotted me to a discussion of what I deem to be the inconsistencies of the position adopted by our Republican opposition and by some of the banking and industrial leaders of the country.

#### LET'S CAST A SPELL

I suppose that most of you when boys and girls enjoyed as I did reading fairy tales and stories of hobgoblins, and so you get quite a kick from reading the kind of material being sent out from Republican headquarters to the press of the land in an attempt to frighten the American citizenship. You remember the tales of our childhood into which entered some possessor of an Aladdin's lamp who could cast a spell over people? I sometimes wish I could cast such a spell and roll back the mantle of time for some of these propagandizing Republicans, bringing to them again the full realization of what the days preceding the Roosevelt administration were like. I should like to have them once more experience the fear which was in their hearts every night when they went to bed that the money in their bank accounts might not be there when they awoke the next morning; that they might again feel the despair and the hopelessness which was universal in the hearts and the minds of the great mass of our people, the ranches and the farmers, the home owners, and the businessmen as a whole; that they might again visualize the specter of hungry men and women, of beggars lurking in groups on every street corner and asking for food at the doors of homes.

And then when full realization of those conditions of 1932 and early 1933, which you understand could be greatly elaborated upon, had been brought to their minds and they were feeling again just as they did in those days, I would break the magic spell and bring them suddenly back to the present that they might reconsider the condemnatory statements they are making

with respect to the acts of the Roosevelt administration. I believe that, if this could be done, those among them who are honest and who have at heart the basic public welfare would cease their activities with the press and thank their lucky stars that a change has been brought about, and that President Roosevelt in the White House had the courage to do what was necessary to save the homes, the farms, and the industries of America from the financial and social chaos which so gravely threatened the very foundations of our country in those dark days of Mr. Hoover.

#### REPUBLICAN CONSISTENCY?

Honest people who can and will recall the actual conditions which then prevailed will not sincerely question the cost of the measures brought to bear in relief of our common problems. Our opponents, if they considered the facts seriously and honestly, could not even raise the question of the national debt with any degree of consistency for it is a matter of record that since 1933 the listed stocks and bonds upon the exchanges, due to industrial and business recovery, have increased in value far beyond the amount of the increase in the national debt. The investing public of the United States alone could pay off that increase and much more from the added values of their holdings and still be far better off financially than they were before the present administration took office.

By means of congressional acts guided by President Roosevelt, millions of homes and farms have been refinanced and thus saved to their owners. There is no way of calculating the values which have been saved to the country through the operations of the Home Owners' Loan Corporation and Federal Farm Credit Administration, but the preserving of values as a result of the President's interest in the fundamental prosperity of the people has meant more to the salvation of our form of Government than anything else which could be accomplished by a national administration.

But those high in the councils of the Republican Party, I am sorry to say, are not sincere, and they are not consistent. Unfortunately for the real well-being of the country, those who contend against President Roosevelt control a major part of the Nation's press and so they can spread their propaganda without effective opposition in many sections. Not only do sinister influences operate through the press, but they work in other directions as, for example, through the bankers.

#### THE INGRATITUDE OF BANKERS

We should all like to believe that people generally are grateful, but when I hear of what the majority of bankers are saying against the Roosevelt administration I cannot avoid the thought that gratitude is not one of their attributes. When I recall that the bankers who are making the loudest outcry against conditions as they are today are the same bankers who sold to us back in the days before the depression billions of dollars of German marks, worthless South American bonds, and the watered stocks of vast combinations of capital in the public-utility and other fields in this country, I wonder just how gullible the American people will be in the final analysis. When I hear of some of the attacks which emanate from the financial interests, my mind goes back to the dark days of March 1933 when a condition had come upon the banks of this Nation which made drastic action imperative if the credit structure were to be saved and if the bank deposits of our people were to be made once more secure. In an unprecedented line of action President Roosevelt, with one stroke of his pen, closed all of our banks pending the enactment of emergency legislation by the Congress and the restoration of the confidence of our citizenship in banking institutions. In the history of this land a no more unconstitutional act was ever performed by any President, and yet I venture the assertion that few, if any, bankers at that time raised the clamor about unconstitutionality. On the contrary, these people recognized President Roosevelt as a veritable savior and offered up their heartfelt thanks that he had the courage to do the thing necessary to right a condition which, if left to run its course, meant nothing other than the utter financial destruction of the Nation.

Following this action by the President, applauded by every banker, what transpired? Under the provisions of the emergency legislation, the Reconstruction Finance Corporation put millions and hundreds of millions of dollars into the capital structures of banks, and they were shortly reopened in an entirely sound condition. In due time legislation was enacted to provide for deposit insurance, whereby the deposits of individuals and corporations up to \$5,000 are insured against loss. This, perhaps, was the greatest single act in history for the protection of our people in their ordinary everyday financial affairs. Thus were the banks of the country saved and restored to usefulness; and I say now, with all the emphasis at my command, that no class of people in this land should be more grateful to the President of the United States, Franklin D. Roosevelt, than the bankers. There is not the right to criticize and to cry "unconstitutionality." The ordinary demands of decent gratitude dictate their course, and that course is approval and cooperation, not antagonism.

A point which our banker friends discourse upon is that the Government has engaged in too many lending activities. I am sure no branch of the administration has made a loan which it will not willingly sell to any banker who desires to take it over. It was the refusal of bankers to lend which made it necessary for the Government to enter that field. The financial institutions of the country can take the Government out of the business of financing homes and farms any time they desire to do so.

#### WHAT DO THEY MEAN, POLITICS?

In another direction our Republican friends are more than ordinarily inconsistent. I refer to their announced position that unemployment relief should be handled by the States and local communities. I believe there are a great many astute minds in the Republican Party and those people know, if they have any sense of judgment at all, that to have Federal funds expended solely under the direction of State authorities is the one certain way to plunge relief into partisan politics. I have had enough to do with relief matters to make this a very positive statement, and so I am sure that in this regard the Republican politicians are not really honest with the people.

Truly amazing among Republican inconsistencies, and one which has amused many people, has been the appointment by their national chairman, Mr. Fletcher, of a "brain trust." We can all recall the satire and ridicule with which Republicans greeted the employment by President Roosevelt in the early days of his administration of some highly trained minds to assist him in bringing order out of the existing economic debacle. Had anyone actually taken stock in their lamentations they would have done so in a conviction that, contrary to what we had all theretofore believed, trained minds were unnecessary and probably we could have gotten along without our institutions of higher education. But lo and behold, the Republicans have seen fit to imitate, and we are advised that a group of 57 college professors has been prevailed upon by Mr. Fletcher to advise him what is wrong with the country. I do not know just what this figure of 57 has to do with the certain 57 varieties with which we are so familiar, but I do know they are in a pickle.

Our friends of the opposition like to talk and use up a great deal of newspaper space in an effort to confuse our minds with regard to the existent deficit in our fiscal affairs. Do they really believe the people have such short memories they will not recall the deficits of the last 2½ years of the Hoover administration? Great deficits were piled up then, and the national debt was added to in no inconsiderable sums. As a matter of fact, the deficit in the ordinary activities of government in the last 30 months of Mr. Hoover amounted to \$1,794,000,000, whereas in the first 37 months of the present administration there was a surplus in the expenditures for the same activities.

Except as a matter of comparing figures, it is difficult to measure what, if anything, was accomplished by the Hoover administration as contrasted with the Roosevelt regime. For example, the Republicans in those days apparently could see merit only in advances and loans to the large corporations and banking houses. Roosevelt has loaned to the farmers, the home owners, and to municipalities. We cannot find in the record of this administration anything to compare with the \$90,000,000 loan of the Republicans to the Dawes bank in Chicago, which it is now admitted will probably entail a final loss of \$50,000,000. It will not be consistent for Republicans to discuss their record and accordingly we will hear little about it unless we, as Democrats, recall that record to the minds of the voters. A very large part of the increase in the national debt under Roosevelt can be attributed to loans made to political subdivisions for public improvements, which loans will surely be repaid. When we come to a final reckoning, it is certain the total losses in loans made under the previous administration will be staggering, but I am confident the record of this administration in the same respect will be something in which we can take a great degree of pride.

It is interesting to inquire from whence all this money came that went into the increase of the national debt. The Government has simply borrowed money at a low rate of interest from those of our own citizens in our own country who had it to lend, and has used that money to employ millions of men who had to have it in order to live and clothe and feed their families. All of it was put immediately into circulation and practically none of it has left our shores—the country has not been impoverished in the least. The critics of the Roosevelt administration would have you believe that it has been wasted, lost entirely. Quite the contrary is true.

We have spent a net sum of some three or four billion dollars (the increase in the national debt less the loans which will be repaid) to pull the United States out of the depression which was handed to us by a Republican administration, the worst depression the country has ever experienced. But look, we spent \$20,000,000,000 in the World War. That money was burned up—worse than that, it was used to destroy life and property. The comparatively small amount expended during the present administration has been used to build rather than to destroy, to clothe the naked, to feed the hungry, and to maintain the self-respect of our own citizens. It has not been wasted—it has been invested in human life and character.

#### BALANCED BUDGETS

Perhaps it would be pertinent here to say a word about balanced budgets. It was no trick at all for the previous Republican administration to unbalance its Budget and thereby create a formidable deficit, but in Republican minds a similar procedure by a Democratic administration should not be countenanced. The Budget has been exceeded for the very simple reason that as the depression advanced human needs demanded attention, and the Federal Government was in no different situation than is a private individual in like circumstances. People everywhere were required to call upon their reserves and to spend beyond their immediate incomes. It is important indeed that these budgets of individuals

be brought to a balanced state, and this can only be done through increased general prosperity. When that condition is arrived at, and, happily, we are approaching the day, it will be easy to make the curtailments in Federal expenditures necessary for the balancing of the National Budget. No one regrets the necessity for emergency expenditures more than Democrats, and no one will be quicker to cut expenses once the emergency has passed. In the meantime the Democratic leadership will have the courage to adhere to its policy of drawing upon reserves of finance and of credit if that course is required to protect people in this land from the miseries of helpless destitution.

#### CREDIT AND INTEREST

This fear the Republicans would build up about what we owe is another evidence of inconsistency. It is not what the average man owes that frightens him; it is the lack of ability to pay. If a businessman owes \$50,000 and he finds that by borrowing \$25,000 more he can double his revenue and by refunding his whole indebtedness he can cut his total interest charges to what they were before or less, he considers it good business to make the loan. This is just exactly what the present administration has done. Admittedly, it has increased the net national debt to the extent of three or four billion dollars; but by doing so—by putting men to work in public enterprise and in private industry—it has increased the prosperity of the people, almost doubled the national income, and has more than doubled its own revenue. To be specific, the total Government revenue during the last fiscal year of the Republican administration was \$2,000,000,000. In 1935 it had practically doubled, and at the rate taxes are now being paid the Federal revenue for 1936 will be more than four and one-half billion dollars. It is much more agreeable to pay taxes on a good income than to pay no taxes on no income.

Another thing: During the last three Republican administrations the New York banks, generally speaking, determined the rate of interest to be paid on Government bonds. Not so during the present administration—the rate of interest has been dictated by Washington, not by New York, with the result that by refunding the old high-rate bond issues into new issues at low rates the Government is now saving hundreds of millions of dollars in interest annually. The record indicates that the annual interest on our present higher bonded indebtedness is many millions of dollars less than it was on the lower debt when President Roosevelt took office.

Republican critics have been attempting in recent months to make us believe that the credit of the National Government is imperiled. The fact is it has never been better. Recently the Government offered a bond issue of about \$1,500,000,000, the largest offer ever made at one time and the lowest rate of interest on a comparable issue. The amount offered was oversubscribed seven times in one day.

The quoted prices of Government bonds appearing on the financial pages of metropolitan newspapers give us to understand that these securities are listed never lower than 101 and they have been as high as 118. During Mr. Hoover's administration these bonds sold as low as 82, yet the eminent gentleman says now that the Government's credit is endangered.

Incidentally, it may be worth mentioning that the practice of making generous refunds and rebates to certain gentlemen and corporations influential in political affairs has been discontinued. In the 9 years during which Mr. Mellon served as Secretary of the Treasury under three Republican Presidents, the total income-tax refunds amounted to about \$3,000,000,000, by which you can see the beneficiaries were refunded an amount which very closely approximates the net cost of recovery during the 3 years of the Roosevelt administration.

#### NO COMPLAINT IN 1933

Our Republican friends complain of "Government in business." There was no such complaint in the spring of 1933. What the bankers and the captains of industry who are now so loud in their denunciations of the administration then feared was the complete collapse of our industrial structure. They feared something even worse than that—they feared the destruction of the morale of the people; they feared revolution. To save the situation they were willing to go even to the extent of openly advocating a dictatorship. "What we need is a Mussolini", was the cry of a prominent Republican on the floor of the United States Senate. Agriculture was prostrate; there were 13,000,000 unemployed men and women, and even children were tramping the streets, hitchhiking along the highways, and riding the freight cars; mills and factories were idle; farmers' strikes were organized; banks from one end of the country to the other were falling like houses of cards; and hunger and want were spreading over the country like a pestilence. The men who are now complaining of "Government in business" were then begging the President to do something—do anything to save the country from ruin. "Spend, spend", was the public slogan. "Save us lest we perish!"

The President did do something and he did it quickly. It was not possible to strike out along one avenue, but many different lines of effort necessarily were explored. The results you know. The news columns every day give proof to our regained ground in industry. People are more secure in their daily lives and consequently happier. The administration has indicated an interest in men who labor in a degree hitherto not displayed by men entrusted with public affairs. The President has decreed that there shall be no child labor in the United States if governmental measures can prevent. He has advocated shorter hours of labor for all who work with their hands, with no diminution in wages. He

believes that higher earnings, whether for the man who works in industry or for the farmer, are essential to the prosperity of the country.

What of the future? It is this interest of the administration in the restoration of the well-being of people which is put to the test by the criticisms originating in Republican sources. We will or we will not save what has been gained. We will go forward, or we will go backward; and it is well that today we make plain to all the people the two choices they are offered.

The Republicans look to the past. Democrats look to the future, and because our party has this forward vision it expects to meet by appropriate action every crisis that may arise in human affairs. It has used the constitutional power of the Federal Government to create employment, to stabilize the prices of farm products and livestock; it has used and will continue to use the power of the Federal Government to extend to the common people the blessings and advantages of modern invention and progress. It has used and will continue to use the power of the Federal Government to raise the standard of wages, to improve living conditions. It has used and will continue to use the power of the Federal Government to provide for the comfort and security of the aged and distressed, to protect children from the demoralizing and degenerating effect of shop and factory employment, and to insure to them the inalienable right to enjoy the benefits of the schoolroom, the playground and the sunshine.

The Democratic Party through this administration has given unprecedented stability to the banks; it has made secure the \$25,000,000,000 of deposits in those institutions; by the regulation of security exchanges it has made safe the investments of the people; it has restored prosperity to the farmer, the workingman, the merchant, and the manufacturer; it has saved hundreds of thousands of farms and homes; it has constructed vast permanent improvements; and it has made it once more desirable to be a citizen of the United States.

Shall this great humanitarian work go on? That is the question the American people are to answer in the coming campaign. Shall the work that has been begun be continued under the leadership of the man who started it, or shall he be succeeded by "just an ordinary President"? I am confident of the reply which Utah will make to this question. I find it easy to believe that on the 3d of November with a great avalanche of votes the citizens of this State will say, "Utah appreciates what you have done and casts her vote to continue you in your work, and we will give you the assistance you need in electing a Democratic State administration and Democratic Representatives in the National Congress."

#### THE TRUE WAY TO CIVIC GREATNESS—SOUTH CAROLINA'S WAY TO WEALTH AND POWER

Mr. McSWAIN. Mr. Speaker, I ask unanimous consent to include as an extension of my remarks an address delivered by myself at the University of South Carolina on June 3 of this year.

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

There was no objection.

Mr. McSWAIN. Mr. Speaker, in 1801 the Legislature of South Carolina, in order to promote learning and to solidify sentiment between the so-called lower section and the upper section of the State, chartered the South Carolina College, which opened its doors in 1805 and held its first commencement in 1806. The capital had been established in the center of the State about 15 years prior thereto, and now the college was established in the center of the State at the capital, Columbia, in order to be equally accessible to the youth from all parts of the State. We must remember that at that time there were no railroads and none were dreamed of by so-called practical men. The roads were not highways, but narrow trails of mud and dust in quick succession. Small streams were forded, larger streams were bridged, and the largest streams were crossed by ferryboat.

Through all these intervening years the institution, then called South Carolina College, has continued in its original mission of educating and training the youth from all parts of the State and from all walks of life, and, especially, in cementing friendships and in removing provincial feeling. Many truly distinguished educators have headed that institution as president and have taught as professors. Last week at the commencement of this institution, now legally known as the University of South Carolina, Dr. Leonard T. Baker retired from the presidency of the university after many years of faithful and constructive service. Succeeding Dr. Baker as president is Dr. J. Rion McKissick, who takes over the reins of administration with the confidence and good wishes of thousands of friends. We who love the university because of what it has done for us, and more especially because of what it has done for the good of our

State through its 130 years of active service, predict for Dr. McKissick a career of great usefulness in his leadership of the university. Dr. McKissick has the scholarship, the character, and the personality essential to success in a field of such varied demands and complex problems. I cordially join with his thousands of admirers and friends in bidding him Godspeed in his great opportunity for service.

On Wednesday, June 3, 1936, by the previous invitation of the faculty, I delivered the commencement address. I had chosen as my subject the idea expressed by these words: "South Carolina's Way to Wealth and Power." By the authority of the House, I am now printing that address as part of my remarks:

Mr. President, trustees, faculty, students, and friends of the University of South Carolina, just 43 years ago this very month I heard Dr. James H. Carlisle, then 68 years of age, addressing a graduating class at Wofford College, recite some of the wonderful progress that he had witnessed in his lifetime, enumerating especially the steam railroad, the telegraph, the telephone, harvesting machines, electric lights, electric motors, anaesthetics and aseptics in surgery, as well as antiseptics generally. Among other things he said substantially the following:

"Young men, what I have seen is but a forecast and prophecy of what you are sure to see."

These words, spoken by a great teacher, a sincere patriot, and a Christian gentleman, with all the solemnity of a clear conviction, stuck in my memory, and I then marveled that mere man should have such firm faith in things to come. But subsequent developments have confirmed his prediction. If young men see visions, then the dreams of some old men do not all relate to the past but reveal things yet to be. Truly Dr. Carlisle was a seer and a prophet on that memorable day. Have not we who heard him then seen automobiles come, tens of thousands of them, come and go over the face of the earth? Have we not seen movie-tone pictures suiting the words to the action? Have we not witnessed the radio reducing the world to one community? Do we not daily witness airplanes speeding in all directions and at speeds three and four times as fast as any steam train can make? Do we not know of thousands of other machines reflecting by their marvelous action the intelligence of their builders? Verily, the words of the good Dr. Carlisle have been fulfilled.

It is a characteristic of original and progressive minds to look forward and to forecast the outline of coming events. One of the earliest and most original progressives of America was Benjamin Franklin. In calling attention to the possibilities of scientific progress, he said:

"It is impossible to imagine the heights to which may be carried, in a thousand years, the power of man over matter. We may perhaps learn to deprive large masses of their gravity and give them levity, for the sake of easy transportation. Agriculture may diminish its labor and double its produce; all diseases may by sure means be prevented or cured, not excepting that of old age, and our lives lengthened at pleasure even beyond the antediluvian standard."

Thomas Paine, whose pamphlet *The American Crisis* was declared by George Washington to be more valuable to the cause of the Revolution than a new levy of troops, sketched an outline of political economy embracing universal education, the abolition of poverty, the reform of criminal law, pensions for the aged, the reduction of armaments, and international peace. We must admit that the world has not yet caught up with this then derided dream of Paine, pictured in his *Rights of Man*, but certainly the world is on its way.

#### A LOOK INTO THE FUTURE

I am greatly tempted to repeat today the prophetic words of Dr. Carlisle. I am sure the fields of invention and discovery have not been exhausted. Reports come to us almost daily of researches being conducted in hundreds of laboratories in this country and in other countries, searching out the profoundest truths concerning the manifestations about us of what we call matter. As these so-called elements of matter are broken into smaller elements and combined and recombined in different proportions, marvelous results are being accomplished, and, doubtless, still more wonderful things are in store. The most powerful telescope ever made is being put in place. Daily new evidence comes to us of the miracles of surgery. In the light of what we have seen come to pass during these 43 years, in the light of what we know is going on in scientific research, all inspiring faith in the ever-widening vistas of science and in the progress and betterment of the human race, I am emboldened to suggest for the especial consideration of the young people who may hear these words or of those who may hereafter read them, that the next 43 years will witness still more marvelous and wonder-working discoveries and inventions than I have witnessed during the past 43 years. The burden of this address will be, therefore, to urge all the young people of South Carolina to be on the alert, and to become personally identified with this great forward movement for the betterment of mankind, and thus contribute most powerfully to placing our beloved State in the front ranks of the American Commonwealth of States.

#### PROGRESS IS PART OF OUR "MANIFEST DESTINY"

With this background, with a knowledge of the progress of the race since prehistoric times, can we not safely make prophecy today as

Dr. Carlisle did 43 years ago? I venture to say that we can, and am thus emboldened by my fixed faith in the progress of science. I believe that multiplication of inventions is inevitable, and I believe that the law of development is in fact the law of life. This progress of mankind, this faith in a greater destiny for the race, does not rest upon any force or influence imposed from above or exerted from the outside. Whence, then, this hope for the betterment of the race? It is found only in the minds and hearts of men and women, of individuals, of single separate human beings, inspired with the belief that all things, all machines, all methods, all laws, all social conditions, all moral forces, all spiritual life, may be bettered, may be deepened, may be strengthened, and so must continue to increase.

"Men, my brothers, men the workers, ever reaping something new; That which they have done, but the earnest of the things that they shall do."

#### THE KEY TO THE GATEWAY OF PROGRESS

What is the method of progress, the mode of procedure, the way of this bigger, better, wider life? Inevitably we must proceed from the known to the unknown. All that we know as a result of the scientific methods of studying nature so ably expounded by Lord Bacon, has come step by step, by observation, by experimentation, by analysis, and by recombination. All that we have learned existed from the beginning. The marvels of electricity, of the radio, and of radio-activity were not created by man, but merely uncovered by man's faithful searching. Just as mathematical symbols and formulas indicate relations that have always existed, so the progress made by men in science, and in the application of science to the useful arts, was the mere discovery of what hitherto had been merely covered and needed only the genius of man, guided by the knowledge of man and driven by the ambition of man, to be revealed to all men.

#### KNOWLEDGE OF THE PAST NECESSARY TO DISCERN THE FUTURE

Upon one face of the magnificent Federal Archives Building in Washington these words are inscribed: "What is past is prologue." In a sense, The Archives is a mausoleum of the records of past events. In another sense, it is the womb from which springs the great future. This surging, ever-changing, many-sided life about us which we call civilization is the fruit of the past but it is also the seed of the future. Edmund Burke wisely remarked that civilization constitutes the covenant between the dead, the living, and the unborn. Knowing the past, as partially recorded by printed word and picture, understanding at least partially the present by our constant contacts with present forces, we may seek to influence effectively that future which so deeply concerns every right-minded person. Indeed, we all hold in trust what we have inherited in the form of knowledge and culture, and what we may add thereto by our own efforts as trustees under God for our children and their posterity.

#### "WHAT CONSTITUTES A STATE?"

We in South Carolina are too apt to despair, to bewail our lack of rich natural resources, such as coal, oil, natural gas, copper, iron, lead, tin, sulphur, zinc, silver, and so forth. The once virgin soil has been largely depleted and much of it completely lost by remorseless erosion. But why should we live as those without hope? It is in our power, it is within ourselves, to produce something vastly more valuable, something infinitely more precious than much fine gold and all the material things that gold stands for and can buy. What then is our hope? It is for us to produce persons, people, men and women so far superior in character, in intellect, and in their faith in progress that South Carolina will stand among her sister States even as Athens did throughout all Greece. These superior men and women, these individuals capable of standing upon their own intellectual feet, buttressed by strong moral character, and filled with faith that progress can and will come, can raise up our States as a city set upon a hill. Such men and women will make improvement and bring advancement in all lines, in agriculture, in art, and in the arts, in literature, in science, in industry, in medicine, in engineering, and in every useful phase of human endeavor.

#### INTELLIGENT PLAN ESSENTIAL TO COORDINATED PROGRESS

Let us agree upon a plan, by a State-wide program, a long-time program, for the development of such men and such women. It would mean constant insistence on the highest standards of character everywhere, in public and in private, clear thinking, backed by intellectual honesty and progressive, forward-looking attitude of mind and heart. Such a program would not necessarily involve more and bigger or more luxurious schoolhouses and college buildings. Money alone cannot work miracles in the fields that we are contemplating, but all must concentrate on these essential first things, of character, intellect, and faith in the possible betterment of all things. These simple essentials must become popular demands; rewards of all kinds should go to these, and these only. In the bringing about of this mental and spiritual attitude, in the production of this right public opinion, we must invoke and employ the combined influences of home, of the school, of the church, of the press, and of all social contacts and forces.

#### PARTNERSHIP WITH GOD INSURES TRUE SUCCESS

There can be no genuine and lasting character without taking God into partnership, or, rather and more properly, without going into partnership with God. This essential and indispensable relationship to God does not mean sectarianism or pronouncing theological dogmas or conforming to some man-made orthodoxy.

It is a fellowship between man and God that is supersectarian and above creeds and dogmas. President Roosevelt never said a truer thing in his life than these words, uttered on February 23, 1936:

"No greater thing could come to our land today than a revival of the spirit of religion—a revival that would sweep through the homes of the Nation and stir the hearts of men and women of all faiths to a reassertion of their belief in God and their dedication to His will for themselves and for their world. I doubt if there is any problem—social, political, or economic—that would not melt away before the fire of such a spiritual awakening."

All men of experience who have any vision proceeding from inner light, confess that wayward "Bobby" Burns was right when he said:

"When on life we're tempest tossed,  
With conscience but a canker,  
A correspondence fixed with Heaven  
Is sure a noble anchor."

#### A CHANCE TO SUCCEED FOR EACH BOY AND GIRL

It is now useless for anyone to sit with folded hands. There is some new field for everyone to conquer. It is idle to make the long existing economic depression an excuse for doing nothing. It is true college graduates and high-school graduates and business-college graduates cannot step out and easily find, as they formerly could, employment at good salaries. To say that education and character are vain because they bring no quick returns in salaries is to put a dollar mark on every diploma and to convert moral character into a letter of credit. Unfortunately, character, superior intellectuality, and abounding faith in our betterment have been too often debased by such low standards, and thereby rendered largely nugatory.

#### SELF-RELIANCE AND INDIVIDUAL INITIATIVE

Hence, our State needs what the Nation needs and, in fact, what the world needs, and that is more universal and stronger individual initiative, and a greater sense of personal responsibility for success. Within this generation the general attitude toward government has changed, and, I fear, changed for the worse. People are too prone to look to the Government alone for leading and guidance and support. They seem to think there is some mysterious power, some superior knowledge, some inexhaustible resource in Government. Government is nothing but a word of abstraction representing the corporate activities of the whole people. It has only what the people give it, and has only the intelligence of those set up to govern. Every person now has and always will have a chance to succeed when success is measured in terms of character, of intellect and faith in mankind. Every person has a chance to build that better mousetrap, to write that better book, to make that better farm, to invent that better machine, to sing that better song, or to paint that better picture. When we stop looking for the Government to lift us up, and cease to seek only a desk in somebody else's business, and when we begin to rely upon our own efforts, to plan our own lives, to build for ourselves those more stately mansions of the mind and soul, to become a State of more superior individuals each with abundant self-reliance, each with the power of initiative, and each capable of laboring patiently with faith in the final fruition, each resolved to take infinite pains to do well the job in hand, then men everywhere will lift up their eyes and say that South Carolina, without rich natural resources, with wasted soil, has yet found and produced the rarest, richest resource of all, a commonwealth of men and women superior in character, in culture, in intellect, in refinement and in faith in the triumph of things worth while. Then and thus all men, and we first of all, will come to realize that the greatness of a State and the greatness of a nation consists not mostly in the material things of gold and all that gold symbolizes, but in the right sort, the superior kind, of individuals, of persons, of human beings, counted as individuals, asking no favors save the bare opportunity to labor and toil in some field for the advancement of humankind.

The plan of procedure is plain. Thoroughly master all that men now know in a given field. Discern and follow the basic principle involved. Pursue this principle to the very end of its possible application. Somewhere you will find a new field of application. Then make it practicable, workable, to fit the needs of men. This done, another forward step is taken in human progress, and another stone laid in the structure of a great State.

#### THE "ROYAL ROAD" TO TRUE SUCCESS IS LONG, HARD, AND STEEP

You answer that I thus invite Carolinians to attain greatness by a long, hard road. Of course, I know the road is long and hard, and, therefore, I know it is the only road to true greatness. Mushroom, squashy bigness may occasionally come quickly, but true values with the strength of oak and hickory grow but slowly. "They build strongest who stay longest underground." Only the meeting and overcoming of difficulties ever develops the heroic in human nature. But there is a challenge to action and effort in every obstacle met. Carolinians have never asked for a bed of roses. We know the hardships our fathers and forefathers back to pioneer days met and overcame, and it is our duty and privilege to advance onward and upward along the road beyond the point where they bivouacked forever. Things do not just come to pass. Nations do not merely happen to become great. Individual men and women must bring things to pass. We never drift upward; we climb by conscious effort. We wish South Carolina to be great, but to be truly great. If we could enlarge her bounds, if we could multiply her population and wealth, if we could give her

vast mineral deposits, including coal and oil, we would not thereby confer greatness, true greatness, upon her. I quote this little couplet, expressing a profound truth:

"You prize of the wealth of nations as if it were bought and sold;  
The wealth of nations is men; not silk, and cotton, and gold."

"Despise not the day of small things." Do not dread humble beginnings. The greatest laboratory is the human brain with ambition and originality. Keep an eye upon those fellows working in attics and basements. Revolutionary inventions have come out of bicycle shops, blacksmith shops, kitchens, barns, and backyard sheds. Inventions and discoveries may seem to come sometimes by accident, but only the person prepared, trained, and watching sees and understands the so-called accident.

#### A CHALLENGE AND A CHARGE TO HEROIC CAROLINIANS

You men, young women, postgraduates, graduates, and undergraduates, Carolina calls you to service. One generation of trained, truth-loving, unselfish men and women could regenerate our State. Away with scholastic shams and superficial studies. Away with making mere money the measure and standard of success. Away with petty and purely personal politics. Away with self-pity, defeatism, and inferiority complexes. Let us accept the challenge of difficulties. Let us endure hardness and hardships as good soldiers. Let us rebuild our wasted soils, reestablish our economic independence, develop all our natural resources, and, above all and before all, develop our human resources. By keeping our attention fixed upon these ideals, we shall see new vistas of opportunity open, new wealth of things, of mind, and of spirit will rise among us, and a new day, like unto the glories of our historic past, will dawn in South Carolina for our children and our children's children.

#### SOME OF THE MANY ACHIEVEMENTS UNDER PRESIDENT ROOSEVELT'S PROGRESSIVE ADMINISTRATION

Mr. SABATH. Mr. Speaker, I ask unanimous consent that I may have the privilege of including in an extension of my remarks short extracts from the report of the Select Committee to Investigate Real Estate Bondholders' Reorganizations, in view of the fact that the report may not be finished and filed before the House adjourns. I hope to have the report completed, but if I should fail to do so I desire to embody some extracts from the report in my remarks.

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

There was no objection.

Mr. SABATH. Mr. Speaker, as the current session of the Congress draws to a close it is but fitting that we recount our accomplishments, and give a general accounting of the stewardship of the Democratic Party during the last 3 years.

There have been many crises in the history of our country. We have had wars—including the great Civil War—that came near proving that our form of government was unworkable; we have had many serious economic depressions.

But I take it that most of us are agreed that the most serious, all-embracing, and dangerous crisis that ever threatened our country started in the fall of 1929 and culminated on March 4, 1933. Practically all of our people during those turbulent years, due to the reprehensible conduct of those in high industrial and financial places, had lost their life-long faith in men and governments. So thorough was that lack of confidence that we stood at the threshold of governmental dissolution, with all its unimaginable consequences.

Then came that buoyant inaugural message of our great President, Franklin D. Roosevelt. And, best of all, our President did not confine himself to verbal formalities and lip service. He did not give great promises and then inactively recline to court the plaudits of his fellow countrymen. I verily believe that this message was the most effectual and important statement of plan and purpose since the supreme product of the founding fathers; and I have not forgotten the first inaugural message of Lincoln, amid the enormities of that epochal era.

It is now, that the crisis has passed, more comfortable to think of our condition on March 4, 1933; to think of the herculean tasks that faced this administration when it assumed the imperative duty of saving democratic government for the world.

When President Roosevelt assumed office, over 16,000,000 persons, with willing hands and, on an average, each having a wife and a child, were without employment. This meant that about 48,000,000 persons had no buying power. But that was not all. To the number I have named should be added thirty-two and a half million persons on farms whose incomes were so reduced by low prices that their buying power had been almost wholly destroyed or reduced to the vanishing point. In short, March 4, 1933, found about 74,000,000 of our 125,000,000, or about 60 percent, without means with which to buy absolute, stern necessities of life. Does anybody need to inquire why factories and banks, why business was stagnate? Obviously something had to be done and done instanter. These willing workers had to be put to work, which meant that industry had to be revived and encouraged and agriculture had to be rehabilitated. As an indication of agriculture's precarious condition, it may be said that on March 15, 1933, corn was selling at 13 cents, wheat was selling at 36 cents, oats were selling at 10 cents. These prices are fairly indicative of prices of all agricultural products on March 4, 1933.

It is not necessary to recite the deplorable and menacing condition of the labor market on March 4, 1933. Painful memory of that is too green to bear repetition.

Our critics pointed with alarm to the probable expenditure incident to putting willing and deserving Americans to work. We did not expect to effect that necessary reemployment and rehabilitation solely with ink and wind. We accurately sensed the cost, and, moreover, we accurately sensed the impending result if idle workers were not reemployed and agriculture rehabilitated. Our unjustified critics did not sense the impending and menacing dangers; they did nothing, and that is one of the great charges they shall have to meet before the bar of history.

We have been required to increase the public debt by about \$10,000,000,000 in 3 years to avoid national destruction by effecting recovery.

In 1917-18 America loaned to foreign governments \$26,000,000 for purely destructive purposes—not for saving the United States from internal disintegration. I say with confidence that this administration is fully justified in expending \$10,000,000,000 to fight a domestic enemy—not one on foreign soil. At the present time our national debt is only a few billions more than it was in 1919, and for what a worthy cause we have thus increased it.

While it is true large sums have been appropriated and disbursed I wish to direct the attention of taxpayers to the consoling fact that a very large part of these moneys are merely investments, and gilt-edged ones at that, and do not represent an unrecovorable outlay. The sums appropriated for the actual relief of the aged and starving cannot and will not be repaid into the Treasury, of course.

But the millions loaned by a humane administration to enable the borrowers to save their homes and farms, or their businesses, will be repaid. They are already beginning to be repaid. Because the opposition may be relied upon to distort the true and actual facts, I wish to emphasize that the large sums loaned by the Reconstruction Finance Corporation, Federal Home Loan Corporation, Federal Housing Administration, and various other Government agencies constitute the best and safest class of loans that can be made, and will be returned to the Treasury.

And few of our citizens realize, perhaps, what New Deal policies have meant in dollars and cents for our own city of Chicago, and the county of Cook, and the State of Illinois. Conditions in this city, county, and State would not be anything approaching what they are today had it not been for the vast loans and expenditures here by the various Federal agencies under the administration of President Roosevelt.

I have compiled an accurate report which will give the lie to the Republican press, particularly of this city, wherein they criticize because, as they claim, this money is being wasted. If the press were fair, it would tell the public why the Government has been subjected to a deficit of \$10,000,-

000,000 in 3 years. If the press were fair, it would outline the many benefits and the great financial aid which the State, county, and city have received from the Federal Government in their hour of dire need. It would relate the crying truth that the President's program brought hundreds of thousands of dollars to those same people who are now his bitterest critics.

For instance, the Reconstruction Finance Corporation reports that as of February 29 the following amounts were authorized and disbursed:

	Amount	
	Authorized	Disbursed
State of Illinois.....	\$373,002,747.06	\$313,614,511.46
Cook County, including Chicago.....	284,539,257.35	245,300,538.23
State of Illinois, through Mar. 31, 1936.....	428,547,368.06	369,732,945.07

The Federal Housing Administration reports the following activities in Illinois:

	Modernization notes insured, through Apr. 30, 1936		Mortgages accepted for insurance, through Mar. 31, 1936	
	Number	Amount	Number	Amount
State of Illinois.....	47,467	\$17,345,512.21	2,037	\$0,003,980
Cook County, excluding Chicago.....	6,669	2,472,460.00	432	2,824,230
Chicago.....	22,046	8,003,663.00	465	2,306,835
Total, Cook County.....	28,715	10,476,132.00	897	5,131,065

The Home Owners' Loan Corporation reports that as of January 2, 1936, the following loans had been closed:

	Number	Amount
State of Illinois.....	64,180	\$253,651,879
Cook County, including Chicago.....	41,845	190,548,742

According to information compiled from data obtained from the Veterans' Administration, the Statistical Division of the Bureau of Internal Revenue, and from other governmental sources, the Honorable WRIGHT PATMAN, of Texas, states that it is estimated that bonus payments in Cook County will amount to \$73,828,560.42. It is estimated that for the whole State of Illinois 253,343 veterans will receive payments amounting to \$141,472,589.16.

#### Farm Credit Administration

##### STATE OF ILLINOIS

Farm mortgage loans:	
Federal land bank.....	15,861
Land Bank Commissioner (through May 31, 1936).....	16,571
Total.....	32,432
Short-term credit:	
Production credit associations.....	14,310
Emergency crop loans.....	6,205
Drought-relief loans (through May 1, 1936).....	1,450
	144,741,740
	125,359

##### COOK COUNTY

Farm mortgage loans:	
Federal land bank.....	64
Land Bank Commissioner (through May 31, 1936).....	64
Total.....	128
Short-term credit:	
Emergency crop loans (Jan. 1, 1933, through Sept. 30, 1935).....	134
Production credit association (Geneva Association, serving Cook, DuPage, and Kane Counties) (through Dec. 31, 1936).....	457
	319,400
	191,100
	510,500
	12,045
	424,154

The Resettlement Administration reports the following activities in Illinois and Cook County:

*Rural rehabilitation loans and grants*

	Loans as of May 29, 1936		Grants as of May 29, 1936	
	Number	Amount	Number	Amount
Illinois	2,525	\$1,500,267.73	4,832	\$286,039.99
Cook County, including Chicago	61	5,824.53	105	8,752.66

The Civil Works Administration reports that advances in the State of Illinois and Cook County were as follows:

	All funds	Federal funds	State funds	Local funds
State	\$62,567,943	\$57,265,274	\$375,033	\$4,927,636
Cook County, including Chicago	35,532,984	33,334,700	222	2,198,062

The Federal Emergency Relief Administration reports that obligations through March 1936 in the State of Illinois amounted to \$301,860,400, of which \$213,875,637 was Federal funds. In Cook County, including Chicago, the amounts were \$186,159,884 and \$156,875,216, respectively.

The emergency conservation work reports that estimated obligations incurred in the operation of Civilian Conservation Corps camps in the State of Illinois amounted to \$45,148,563.93 through March 31, 1936. The personnel numbered 104,149, of which number 93,556 were enrollees. There are 16 camps operating in Cook County.

*Works Progress Administration*

	Illinois	Cook County, excluding Chicago	Chicago
Projects selected for operation Apr. 15	3,163	255	238
Projects approved by the President Mar. 31	4,666	644	-----
Total approved cost of projects selected for operation, including sponsors' contribution through Apr. 15	\$88,801,821	\$5,138,866	\$44,991,708
Number of names on pay rolls for half-month period ending May 31	172,574	8,593	76,802
Number of names on pay rolls for peak period of employment, Mar. 1-15	203,891	11,990	88,282
Total earnings through May 31	\$60,081,159		

The Public Works Administration reports that the following allotments have been made, including allotments of funds from the Emergency Relief Appropriation Act of 1935 and expenditures incurred through March 31, 1936:

Projects	Allotments	Expenditures	Estimated project cost
Illinois:			
Non-Federal	\$115,321,033	\$53,188,474	\$163,563,940
Federal	44,637,294	38,260,418	-----
Cook County, excluding Chicago:			
Non-Federal	6,321,724	2,169,029	12,928,582
Federal	2,730,907	1,034,713	-----
Chicago:			
Non-Federal	76,119,976	28,755,826	88,006,331
Federal	2,487,128	1,505,693	-----

The following is a listing of the projects to be prosecuted in Chicago, together with their estimated cost and expenditures. The project approvals are through May 31, 1936, and expenditures through March 31, 1936, for the non-Federal projects. The date for the two classifications on Federal projects is March 31, 1936:

Non-Federal	Allotment	Estimated cost	Expenditures
Disposal plant	\$58,813,040	\$58,813,040	\$22,194,766
Dormitory	1,653,000	2,040,500	1,459,128
High schools	1,326,000	5,338,415	3,579,546
Bridge	483,500	1,713,140	1,001,701
Do.	472,500	1,050,000	105,939

Non-Federal	Allotment	Estimated cost	Expenditure
College	\$1,457,000	\$1,457,000	\$126,534
Schools	2,000,000	2,000,000	47,755
Bridge	356,000	1,250,000	-----
Disposal plant	106,363	236,200	8,604
Approach	100,000	250,000	38,465
Subway	363,180	1,210,600	-----
Administrative building	226,344	503,144	9,434
Industrial building	13,367	29,704	4,194
Hospital	68,540	153,144	2,286
Police station	137,612	307,272	17,707
Fire department	95,499	212,727	8,160
Do.	87,121	194,545	7,933
Do.	36,769	81,700	579
Bridges	1,972,363	4,385,000	66,099
Viaduct	351,818	780,200	76,996
Park improvement	6,000,000	6,000,000	-----
Total	76,119,976	88,006,331	28,755,826

Federal	Allotment	Expenditures
Laboratory equipment	\$16,400	\$16,349
Radio control	9,100	9,100
Inspection material	204,100	175,730
Damage repair	110,000	102,306
Postal station	799	799
Do	417	417
Do	159,800	132,050
Do	224,000	123,402
Postal station	139,000	117,252
Do	136,000	131,643
Do	128,000	124,849
Do	468	468
Do	114,000	89,985
Do	159,500	38,102
Do	207,000	162,289
Do	142,643	28,957
Do	127,801	30,632
Do	167,500	65,243
Do	978	978
Do	122,000	59,941
Do	953	953
Do	296,000	73,579
Preserve Immun.	857	857
Chicago Airport hangar complete	19,812	19,812
Total	2,487,128	1,505,693

*Federal low-cost housing projects in Chicago*

Project	Allotment
Project H-1401. Jane Addams addition	\$5,000,000
Project H-1405. Jane Addams Home	1,950,000
Project H-1406. Julia C. Lathrop project	6,000,000
Project H-1408. Trumbull Park Home	3,250,000

The above projects were reported by the Housing Division of the Public Works Administration as having been approved through June 30, 1936.

Additional allotments of Emergency Relief Appropriation Act of 1935 funds were made for projects located in Cook County and prosecuted by the following agencies:

Department	Allocations by the President (warrants approved)	Obligations	Voucher payments (on basis of checks issued)
Treasury Department	\$232,632	\$183,190.88	\$167,185.55
War Department, Corps of Engineers	176,374	173,814.60	122,714.10

A summarization of the foregoing report shows that Illinois has received \$966,523,980.93, of which Chicago and Cook County have received \$602,197,820.42. This marks the total aid to date which the combined agencies of the Federal Government have granted to our city, county, and State. These millions save the city, the county, the State, the sanitary district, and the park system from disgraceful bankruptcy. The money so granted enabled these governmental bodies to employ upward of 200,000 people, hurried the payment of delinquent taxes and rents, and, besides helping these governmental bodies to readjust themselves, pumped new blood into private industry and business and put them back on their feet.

In early 1933 the great bankers and tycoons came to the National Capital and told the President very earnestly that a special session of Congress should be called and something really remedial be done by the Federal Government at once. In the course of conversations, during which they implored

help for themselves, they assured the President that our country could safely withstand a public debt of \$50,000,000,-000. They said that, mind you, when they themselves were in real distress, due to their own shameful misconduct.

These bankers and tycoons were the same malefactors of great wealth, the same shameful, flagitious manipulators and racketeers who caused the ruin of most of the honest, small American investors, life-insurance policyholders, independent merchants, and small bankers. These are the very despicable vultures who in 1928-29 set the stage to wreck America; and upon their unworthy heads must rest the condemning verdict of indelible history.

These are the selfsame ingrates who appealed to the President so solicitously to save them from their own vile machinations; these are the very blatherskites, most condemnable of bad, black-hearted men, who, having destroyed 90 percent of our small banks and businesses, appealed to the President for help from the common Treasury to alleviate the inevitable results of their own diabolical wrongdoing. These are the men who did not hesitate to wipe out widows and orphans; yes, even the blind. If this statement seems too strong, I can verify it by the official records of one of your own committees, with whose headship I have been honored.

President Roosevelt clearly saw and heartily agreed that something helpful had to be done at once; and something helpful and beneficial, something saving, was done at once. The President seasonably told these advocates that to do something helpful and saving would cost real money. They agreed, and, as I have said, they even argued that, in their opinion, a national debt of fifty billion would not be menacing. They were in distress then; they have recovered, many of them completely and all to a large extent, under the wise acts of the very administration they now assail with unrestrained, traitorlike ingratitude. They are out of distress and have joined the volatile but impotent opposition, desperately trying to regain power, in the hue and cry that we cannot safely support a national debt of a little more than \$30,000,000,000 and we must balance the national Budget. It is interesting to note in this connection that, despite governmental help, 95 percent of the largest and most powerful corporations did not and could not balance their budgets in 1930, 1931, 1932, and 1933. I refer particularly to corporations and companies headed by these present-day critics who draw from one hundred to five hundred thousand dollars each a year in salaries and bonuses. They could not balance their own budgets until they received governmental loans, which loans helped very materially to unbalance the Federal Budget.

We learn with interest that the Liberty League, arch foe of all deficits except its own, is in the "red" by \$59,000, despite contributions and loans from Wall Streeters, the Du.Ponts, the General Motors crowd, and others intimately connected with big business. "Physician, cure thyself."

In evaluating the work of the Democratic administration let us be specific. During the last 2 years of Mr. Wilson's administration the gross income of American farmers was about thirteen and a half billion. It had declined to about five and a quarter billion, a difference of more than eight billion, by 1932. In 1935 this income had increased to more than eight billion.

In 1932 the ratio of prices received by farmers to the prices paid by them for what they had to buy was 61, as compared to 100; in 1933 it was 64; in 1934 it was 73; in 1935 it was 85; and by the reelection of President Roosevelt I am confident it will reach 100 percent in 1937.

Cash income of farmers was four billion three hundred million in 1932; it was approximately seven billion in 1935.

On March 1, 1933, cotton was selling at an average of under 6 cents a pound; on January 1, 1936, it was selling at nearly 12 cents a pound, an advance of 92 percent.

How did the banks of the country fare during this time? The records of the Treasury Department show that during 1930, 1931, 1932, and the first few months of 1933, 1,205 banks failed; but only 1 bank failed in 1934; and only

4 banks failed in 1935. Between November 1, 1935, and the present time there have been no bank failures in the United States. During 1933, 435 suspensions took place before and during the banking holiday, while only 3 took place during the remainder of 1933. Receivers were appointed to complete the liquidation of 250 banks for suspension before and during the banking holiday, and which later reorganized with part payments to depositors.

In the five banks which were suspended during 1934 and 1935 all depositors' accounts up to \$5,000 were insured and paid in full by the Federal Deposit Insurance Corporation, a monumental creation of the Roosevelt administration.

During this administration the Emergency Banking Act and the Banking Act of 1935 were enacted. Under these measures deposits in national banks have reached an all-time high, while the total deposits in all the banks of America have increased by more than \$6,000,000,000 in the span of 3 years.

Republican newspapers show that in Chicago alone deposits are almost \$400,000,000 greater than they were in the balmy, inflationary days of 1928-29.

When this constructive administration took over, nearly a million homes in the United States were on the verge of foreclosure. Through the Home Owners' Loan Corporation, which was established by a Democratic Congress at the request of the President, more than \$3,000,000,000 was advanced to home owners throughout our country for long-term loans at low rate of interest.

In line with the recommendation of our President, the powers of the Reconstruction Finance Corporation were enlarged. This organization has advanced more than ten and a half billion dollars for the revival of American finance and industry. Of this amount a billion and a quarter was loaned on farm products, and most of these loans have been repaid. Of the amount mentioned, one billion one hundred and seventy million went to the depositors in closed banks; six hundred and seventy million was loaned to railroads; one billion three hundred and fifty million was loaned to banks and trust companies; three hundred and eight million was loaned to mortgage-loan companies; two hundred and ninety-four million was loaned to self-liquidating construction projects; one hundred and seventy-eight million went to agricultural-credit companies; eight hundred and thirty-two million went to purchase capital notes and debentures in about 4,000 banks; three hundred and forty-four million went to purchase securities from the P. W. A., which securities had been given by local institutions, public and private.

Since President Roosevelt was inaugurated approximately 9,000,000 wage earners have been reemployed. Moreover, this reemployment has been effected at higher wages and shorter hours. In 1932, which was before President Roosevelt was sworn in, the relatively few who were employed had to work for starvation wages, women for as little as \$3 a week, and men with families for as little as a dollar a day.

The aggregate annual income of the American people increased from thirty-nine billion on December 31, 1932, to fifty-four billion in 1935, an increase of fifteen billion.

Commercial failures in the United States have dropped from 31,822, with liabilities of nine hundred and twenty-eight million, in 1932, to 12,185, with liabilities of two hundred and sixty-four million in 1935.

The total wealth of the Nation has increased by more than fifty billion, or five times the amount of increase of the national debt in 3 years, most of which deficit has been used to help States, counties, and municipalities that could not pay their school teachers and other necessary employees, and to agriculture, business, railroads, insurance companies, building-and-loan associations, and home owners, since the incoming of the Roosevelt administration, in spite of the false claim of its enemies that it is seeking to destroy property and the profits of property.

In 1932 American industrial production was 63 percent of normal; in 1935 it was 88 percent.

In 1932 employment in America was nearly nil; in 1935 it was 82 percent.

The net income of class I railroads of the United States for 1935 was the highest since 1931, and the prospects for still further increase are recognized by all.

Industrial production increased from thirty-one billion in 1932 to more than forty-five billion in 1935, and is still growing.

To show the improvement between 1934 and 1935, I want to submit a table from the conservative Christian Science Monitor showing that earnings of 1,799 companies increased 50 percent. One of the most encouraging features of the corporate experience last year was the marked recovery in earnings of heavy industries. Building supply, machinery, and electrical equipment lines, for example, reported total profits more than double those of 1934, while the steel trade operated profitably for the first time since 1930. This shows an increase in 1935 over 1934, and the increase in 1934 was approximately 200 percent greater than 1932.

A comparison of 1934 and 1935 profits by important industries:

	Number of companies	1934	1935
Advertising, printing, and publishing	43	\$23,921,000	\$23,167,000
Automobiles	20	78,038,000	195,459,000
Automobile parts	75	34,912,000	78,514,000
Automobile tires	20	12,566,000	22,102,000
Beverages	34	40,470,000	48,069,000
Building	124	8,727,000	32,250,000
Chemicals	36	124,625,000	158,446,000
Electrical equipment and radio	51	29,845,000	54,614,000
Household products	48	23,520,000	32,561,000
Leather and shoes	27	13,286,000	18,959,000
Machinery	123	23,543,000	76,254,000
Metals (nonferrous)	57	97,113,000	147,315,000
Miscellaneous	179	79,308,000	104,365,000
Office equipment	15	16,777,000	22,051,000
Oil	99	191,474,000	298,187,000
Paper	49	8,422,000	9,762,000
Retail trade	124	147,894,000	165,558,000
Steel	48	11,412,000	57,906,000
Sugar	42	26,562,000	31,247,000
Textiles and apparel	105	2,300,000	21,990,000
Theaters and motion pictures	8	5,565,000	9,442,000
Total, industries	1,558	1,199,177,000	1,938,899,000
Railroads	83	11,116,000	18,341,000
Utilities:			
Holding companies	42	162,576,000	182,790,000
Operating companies	78	176,136,000	183,539,000
Telephone and telegraph	11	120,478,000	149,184,000
Tractions	27	2,294,000	5,279,000
Total	158	461,484,000	520,792,000
Total, corporations	1,799	1,649,545,000	2,477,032,000
Canadian industries	130	55,688,000	65,603,000

<sup>1</sup> Deficit.

Referring further to the upturn in business, wages, and employment, here are just a few dispatches that show which way the wind is blowing:

A Cleveland dispatch says:

#### STEEL PRODUCTION 33 PERCENT OVER LAST YEAR

NEW YORK, July 7.—Steel-ingot production during the first half of the year showed a gain of nearly 33 percent over output for the first half of 1935, the American Iron & Steel Institute reported today.

A New York newspaper carries the following:

#### RETAIL ADVERTISING 8.9 PERCENT OVER LAST YEAR

CHICAGO, July 8.—During the week ended June 27, 1936, retail advertising lineage in the newspapers of 66 major cities was 1,330,646 lines greater than during the corresponding week of 1935, Advertising Age reported today.

For the week of June 27, the total retail advertising in these newspapers was 16,304,311 lines, compared with 14,973,665 lines last year, for an increase of 8.9 percent.

A New York dispatch says:

#### REALTY BONDS TURN UPWARD IN MIDWEST

NEW YORK, June 8.—Middle West real-estate bonds increased 0.3 percent in market value during May, according to statistics compiled by Amott, Baker & Co. on the market action of 200 typical issues.

#### UNITED STATES INCOME UP 3.7 PERCENT IN APRIL, 12.9 PERCENT IN YEAR

NEW YORK, June 8.—The national income of the United States produced in April showed an extension of the rise which began in March after a 4-month recession. The national income in April

amounted to \$4,734,000,000, as compared with \$4,565,000,000 in March, an increase of 3.7 percent, according to the Alexander Hamilton Institute.

#### PLATE-GLASS OUTPUT SETS APRIL RECORD

BOSTON, MASS., June 8.—Another blue ribbon was pinned on April for the record amount of plate glass turned out by United States manufacturers. The nineteen and a half million square feet, or 440 acres, produced in April exceeded a year ago by 14½ percent, while in the first 4 months of this year 12 percent more plate glass was manufactured than in the same 1935 months.

#### ALL-TIME MAIL-ORDER PEAK SET BY WARD FIRM—AUTO SHIPMENTS FOR JUNE ALSO EXCEED ALL RECORDS FOR MONTH

CHICAGO, July 8.—Montgomery Ward & Co. today reported sales volume for June and for the 5-month period ending in June was the largest of any corresponding periods in the company's history.

June sales totaled \$30,330,174, compared with \$23,822,297 in June 1935, an increase of 27 percent. Sales for the 5 months totaled \$133,727,454, compared with \$112,995,864 the corresponding period last year, an increase of 18 percent.

#### GROUP AUTO SHIPMENTS

NEW YORK, July 8.—Members of the Automobile Manufacturers Association shipped more motor vehicles in June than in any previous June in the history of the organization.

#### NEW J. C. PENNEY PEAK

NEW YORK, June 8.—J. C. Penney Co. sold merchandise valued at \$20,639,830 during May, a gain of 21.58 percent over the same month of 1935, and sold \$84,341,573 in the first 5 months of 1936, an increase of 12.39 percent over that time last year; in both cases the totals are the highest for the periods in the company's history.

#### RETAIL TRADE EXPANDS WITH BONUS BUYING

NEW YORK, July 5.—"The general trend of business during the week was upward, with some divisions making the best showing in more than a month", Dun & Bradstreet says today. "Despite the smaller gains in the drought districts, retail distribution was advanced by the cashing of veterans' bonds and the stronger demand for apparel and vacation goods. Wholesale markets were more active, as reorders increased and fall buying gained momentum, most merchants preparing for the largest trade since 1930."

#### CHICAGO DEPOSITS SET ALL-TIME PEAK

CHICAGO, July 5.—Deposits in Chicago banks reached a new high record, according to figures made public in response to calls from the Comptroller of the Currency and the State auditor.

Figures for 52 Chicago banks, 23 of them national, showed deposits June 30 totaled \$3,143,904,000, compared with \$2,796,153,000 3 months ago. A year ago deposits totaled \$2,626,932,000.

Records show that never before in Chicago's history, even during the peak of the 1929 boom, have bank deposits here exceeded \$3,000,000,000.

#### MEAT PRODUCTION UP 16 PERCENT THIS YEAR

CHICAGO, ILL., July 5.—Production of meat in the United States in the first half of 1936 has been about 16 percent larger than that in the same months last year, according to estimates announced today by the Institute of American Meat Packers.

Pork production in the first 6 months of 1936 has been approximately 20 percent above that of the same period last year, and beef production this year is running about 19 percent above the corresponding 1935 figures.

#### BANK STOCKS RISE 3.99 PERCENT FOR WEEK

NEW YORK, July 5.—New York City bank stocks scored a substantial advance during the past week, according to records compiled by Hoist, Rose & Foster. The aggregate market value of 16 leading issues on July 3 totaled \$1,821,993,000, compared with \$1,752,065,000 at the close of the previous week, an increase of \$69,928,000, or 3.99 percent.

I have cited but a few of the examples of recovery that have come to agriculture and all industry since the inauguration of President Roosevelt on March 4, 1933.

Between 1922 and 1932 there were issued by corporations of the country and offered to the public \$50,000,000,000 in securities. A recent governmental survey shows that twenty-five billion of these securities, sold to the public during Republican administrations—and I do not mention the \$8,000,000,000 of foreign bonds sold in addition—were not worth the paper upon which they were printed. This administration passed the Securities Act, which was intended to and has cleared up this unwholesome, unfair, and dishonest condition. Under that legislation no security can be offered to the public without first being registered with the

Securities and Exchange Commission and every fact and circumstance surrounding the security laid before that agency. This act alone will, in my opinion, save to the innocent and worthy investors of our country from two to three billion annually, a larger amount than the annual deficit of our Government during the last few years and against which there is such bitter complaint from the predatory interests.

Up until about 50 years ago no corporation could under the law of any State own stock in another corporation. Then some States, notably New Jersey and Delaware, went into the business of charter selling and passed laws to allow one corporation to own stock in another corporation. In the years that followed there grew up what is known as the holding company. A pure holding company neither owns physical property nor operating property, but it is organized to own and deal in the securities of other corporations. These creatures of our legal ingenuity are operated by a few clever men. They are used as the agencies for disfranchising stockholders of thousands of necessary and prosperous operating companies. They are used to take the control and direction of these local companies away from those who built them and place it in a city that is in many cases far removed. Through the simple device of pyramiding, a small investment by those in control of the top holding company enables them to do as they like with hundreds of millions, and in some instances even billions, of other people's property. In one system the pyramiding goes so far as to pile one company on top of another until there are 10 corporations in the pyramiding, or the local operating company is 9 companies removed from the corporation at the top which controls it, along with hundreds of others. In this particular set-up an investment of \$1 at the top enables the managers of the top to control over \$30,000 of book value of the operating companies, or with less than \$50,000 to control over a billion dollars of book value. Many of these holding companies control properties in many States, and one became such an enveloping empire that it controlled operating properties in 32 States of the Union.

Through these devices the holding-company management, with investment of a small amount of money, were controlling a vast majority of the whole electric and power industry. Absentee management and dictatorship resulted. This Congress passed the Utility Holding Company Act of 1935 to free the operating power industry from these leeches, who were sucking the lifeblood out of the operating companies and who by these methods were trying to concentrate in a few hands control of the wealth of the country. Millions in money were spent by these rascals in hiring high-powered lawyers, corporation-inspired accountants and economists, rhetoricians, penny-a-liners, lecturers, lobbyists, and others of kindred hue for the dissemination of false propaganda in an attempt to defeat this effort to effect fair play, honest dealing, and common honesty. This insidious propaganda sank to such abysmal depths that it sought to influence the minds of even our youth through control of school textbooks; and at least one woman, presumably prominent socially and politically, was hired at six thousand a year to spread in magazine articles of supposed general interest and benefit this vicious, fatuous utility filth. You will recall that this diabolical and dastardly propaganda reached an all-time low for American citizenship when it went to the extreme of charging that the President of the United States was mentally unsound. They libelously misrepresented and shamefully maligned practically every Member prominent in the enactment of this law. Every man who was for this sort of bill was called a Communist or a Socialist or a fool.

By this act the local operating utility company will be free from these monsters in the form of pyramid holding companies and allow honest investment in local utility companies to return a profit, and the saving of more money than the holding companies have been siphoning off may be applied to the reduction of the unconscionably high rates for power and electricity that the people of this country have been paying.

Again, the Congress has passed a rural electrification bill, providing for a 10-year program, with an appropriation of

four and a quarter million dollars to electrify the farm and village homes of the country. We want to carry on our program in this, as in other things, of making life for the humbler masses easier, more pleasant, and more profitable. Nothing can come to the home life that will lift more of the burden from the backs of the masses than to have cheap electricity.

I could with pleasure and satisfaction continue to recount the innumerable important achievements of our President and his immediate helpers, but time will not allow it. I must soon close.

I could remind you of the social legislation of this administration which gives humble and willing men and women a fairer chance in a juster world. The men in industry, growing old after a lifetime of service for society in the factories, and haunted by the fear of being thrown into the street when too old to work, are now insured against that horror by the New Deal—and that is a square deal for them.

More beneficial laws have been passed in the interest of all our countrymen under President Roosevelt's administration than the average citizen can recognize, and more than in any other administration in the history of the Republic. He has had and has a constructive program, and, obviously, he has the courage and the wisdom to carry it out. Under his leadership and statesmanship we have emerged from the slough of despond and passed to the delectable mountain of a better day, and a continuation of this progress means that we shall again live in a land where there is, under law, fair play, honesty in dealings, and where opportunity, happiness, and peace abide.

When passions and prejudices have subsided; when clashing aspirations and conflicting attitudes become more tempered; when society adjusts itself to the new order in which human rights transcend property rights, and in which we are happily experiencing government that considers rule by and for the many rather than exclusively by and for the selfish few; when the historian, in a noon-clear atmosphere, writes of our present era, Franklin D. Roosevelt, able, conscientious, far-seeing, doer of big things, humanitarian, will stand as one of the greatest benefactors of his age and compare favorably with Washington, founder of the Republic; Jefferson, the fountain of its idealism; and Lincoln, the exemplar of its magnanimity and the preserver of its internal unity, among the greatest world figures of all time.

#### SEARS POINT TOLL ROAD

Mr. WELCH. Mr. Speaker, I ask unanimous consent to extend my remarks and to include certain communications between the attorney general of the State of California and myself.

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

There was no objection.

Mr. WELCH. Mr. Speaker, this bill will serve two great, important purposes—it will add to our national defense and also act as a main artery to the Golden Gate Bridge, a \$35,000,000 publicly owned public utility now under construction.

The right-of-way which the bill seeks to convey from the Navy Department to the State of California is a privately owned toll road and has been operated as such since 1928 and is known as the Sears Point Toll Road. The toll-road company acquired title to the land in question prior to that time. When the matter of purchasing this road by the State of California was before the State legislature, Admiral J. M. Reeves, United States Navy, was commandant of the Navy Yard at Mare Island, Calif., and wrote to the California State Highway Commission as follows:

I have noted with interest a proposal that the State of California purchase the Sears Point Toll Road and that this road be included in the State highway system. Such action would greatly increase the military efficiency of the Mare Island Navy Yard and I believe also that of other naval and military establishments in San Francisco Bay region.

The Sears Point Toll Road, if properly improved and incorporated in the State highway system, will afford the most direct land communication between Mare Island and other military establishments, such as the Army bombing base near San Rafael, the fortifications

fications of the Golden Gate, and the Presidio of San Francisco. I hope that the military factors involved will be given such consideration as is practicable in considering this project.

This privately owned toll road had been built and operated 2 years before the Navy Department, through the Department of Justice, brought action to quit title, alleging that the title to the strip of land was vested in the Government and not in the toll-road company.

This road when reconstructed will cut off 21 miles of the present distance by road between the Mare Island Navy Yard and the military establishments referred to by Admiral Reeves.

San Francisco, as you know, is on the tip of a peninsula nearly surrounded by the waters of the Pacific Ocean, the bay of San Francisco, and the Golden Gate. A number of years ago, a movement was started to connect San Francisco, a great seaport city, with its hinterland, the Sacramento, San Joaquin, Livermore, Napa, Sonoma, and Santa Clara Valleys by a comprehensive system of highways and bridges. I am pleased to state that I have been affiliated with this constructive work since its inception.

I went to the State legislature and was instrumental in securing the passage of an act permitting the combining of two or more counties into bridge and highway districts. The Golden Gate Bridge District, the result of this act, consists of San Francisco, Marin, Napa, Sonoma, Mendocino, and Del Norte Counties.

It was then necessary to proceed with a bond election which required a two-thirds vote of the bridge district and resulted in the district being bonded for \$35,000,000—the estimated cost of the bridge. Mr. Speaker, from that time until this very day we have had opposition from those opposing this great public improvement. They succeeded in dragging us through the trial court and the Supreme Court of the State of California and to the Supreme Court of the United States and back again to the Federal District Court of California, and I am happy to say we won all the way—not one adverse decision.

The Golden Gate Bridge rests on military reservations on either side of the Golden Gate. It was necessary to secure a grant from the War Department, which was freely given. The War Department also allowed us a right-of-way through the Presidio and other military reservations.

Very recently, the War Department approved and Congress unanimously passed what is known as the Johnson-Welch bill, which reads in part as follows:

To grant to the State of California a retrocession of jurisdiction over certain rights-of-way granted to the State of California over certain roads about to be constructed in the Presidio of San Francisco Military Reservation and Fort Baker Military Reservation.

This bill, returning the roads to the State of California, has been approved by the President. The bill contained the following reservation:

Whenever in the judgment of the Secretary of War or his authorized representative any emergency exists which justifies it, he may assume exclusive control and management of said road and may then in his discretion prohibit, limit, or regulate traffic thereon.

The bill under consideration has been amended at the suggestion of the Navy Department and the United States Attorney General.

The proposed amendment was referred to the attorney general of the State of California for opinion. The attorney general of the State of California is a very capable lawyer and has been the attorney general of that State for approximately a third of a century. Attorney General Webb has ruled that the Department of Public Works of the State of California, under section 104 of the California State Highway Code, is not authorized to expend public moneys in the improvement of land in which the State of California has no interest. In this connection he stated:

In contemplation of law the revocable permit is a mere personal privilege to the State of California and not a right of property. It expressly states that no rights in the property itself is given but simply amounts to a personal permit, revocable instantly at the uncontrolled discretion of one Federal officer.

The difference between the so-called revocable permit and the bill under consideration with the proposed amendment is really a distinction without a difference, except that under the bill the road can and will be taken over by the State of California, reconstructed, and made a part of the State highway system and under the revocable permit this cannot be done, according to the decision of our Attorney General.

The Supreme Court of the State of California has ruled that the property within the Golden Gate Bridge and Highway District, heretofore described by me, is liable for any deficit in case the bridge does not pay, and under the decision the directors are authorized to levy a tax against the district.

When the bridge district was formed and the construction of the great Golden Gate Bridge across San Francisco's Golden Gate was planned, the directors of the bridge district counted upon the construction of a State highway across the right-of-way provided for in this bill. To deny the State of California the right to construct the Sears Point Road and make it a part of the State highway system would deprive the Golden Gate Bridge of at least 30 percent of its revenues. The road in question, when constructed, will bring travel by the most direct route from the great Sacramento Valley and from the great Northwest across the Golden Gate Bridge into San Francisco.

I accepted the amendment suggested by the Navy Department and approved by the Committee with the understanding that it would be satisfactory to and in harmony with the laws of the State of California. Since the Committee recommended the passage of the measure, the Attorney General of my State has ruled that the bill as it now is will be valueless to California because the reservation contained in the amendment suggested by the Navy Department destroys the grant of the easement and makes it a license. The bill, therefore, must be amended in the Senate to strike out a portion of section 2, which gives the Secretary of the Navy, at his option, the right to close the State highway at any time. If the bill were adopted in its present form, it would be a nullity, and no road could be built upon the easement granted, because the laws of California prohibit the use of public funds where the right-of-way is a license and not an easement. The bill was not amended upon the floor of the House because I desire to have its enactment expedited. Favorable action is necessary during the present session. The Golden Gate Bridge will be completed within a year, and the necessary highways leading to it must be ready for use by that time.

I am satisfied that the Navy Department will cooperate and agree that the bill may be amended in the Senate to comply with the ruling of the Attorney General of California.

I have the assurance of the Attorney General of California that the interests of the people of California will be protected and that the Toll Road Co. will not be paid for the Sears Point Toll Road until the title to the property is determined by the courts. The following communication had with the Attorney General makes this very clear:

JUNE 5, 1936.

U. S. WEBB,

*Attorney General, State Building, San Francisco, Calif.:*

Philip J. Fay, who represents Sears Point Toll Road has wired me today in substance that no escrow has been opened for deposit of State funds pending decision of Government's quiet title action because my pending bill to give State easement over Sears Point Road has not been enacted. I have just wired Fay as follows: "Government not an interested party to transaction between Toll Road Co. and highway commission. The pending deal is for the sale of all interests of Toll Road Co. to highway commission in toll road while the pending bill is grant from Government of easement to use and improve toll road highway by State. It is my belief that escrow should be open immediately and upon such terms as is agreeable to Attorney General Webb. Please have attorney general wire when such escrow is completed so bill may be pressed here. Action must be very prompt or bill cannot be enacted this session." In advocating Sears Point Road bill I have been proceeding under belief that California State Highway Commission had entered into written agreement with private owners of road to place money in escrow and that money so placed to be refunded to the State in case courts decide in favor of Government. In the absence of such an agreement I feel I cannot urge further consideration of bill. If bill is passed it

will be amended to comply with your suggestions contained in recent wire.

RICHARD J. WELCH, M. C.

SAN FRANCISCO, CALIF., June 7, 1936.

Hon. RICHARD J. WELCH,

*House of Representatives, Washington D. C.:*

Re tel fifth, legislative act empowers highway commission purchase Sears Point toll road and provides the money. Money for purchase available in State treasury. No reason for removing money from State treasury and placing it elsewhere. If pending bill be amended as suggested, and highway commission so wishes, road can be purchased and paid for upon such terms as may be arranged. If bill be amended as suggested, satisfactory title can be furnished. See our letter May 18.

U. S. WEBB, Attorney General.

JUNE 7, 1936.

Hon. RICHARD J. WELCH,

*House of Representatives, Washington, D. C.:*

Toll Road Co. is sending the following letter to Attorney General Webb: "Re Sears Point toll road sale to State. You will recall that the sale of this toll road to the State would have been consummated had it not been for an action to quiet title by the United States Government. This action relates to approximately 7,700 acres of land and affects a part of the toll road. It is contemplated that the Government as a result of legislation now being presented to Congress and Senate will cause the execution of a deed conveying such title as it has to the State of California for use by the highway commission of the State, and thereby eliminate any question as to the title the State will receive. Wires from Congressman WELCH, Washington, D. C., disclose that the thought has been suggested that if the Government prevails in its suit it should then receive that proportion of the purchase price of the toll road properly allocatable to the part thereof to which the Government quiets title. This is to advise you in order that there may be a public record of the position of the Sears Point Toll Road Co., that we will enter into such escrows and agreements and execute all documents necessary to protect the Government, and the State in this respect, and to give assurance to the Government the purchase price may be impounded until final judgment has been entered in the pending lawsuit." This letter serves the purpose of a present escrow and is in effect an agreement to create an escrow. Obviously neither the Government authorities nor the State authorities will permit the transaction to be consummated until the escrow is created so that there need be no apprehension in this regard.

PHILIP J. FAY.

AMENDMENT OF COASTWISE LOAD LINE ACT OF 1935

MR. BLAND submitted a conference report and statement on the bill (H. R. 11915) to amend the Coastwise Load Line Act of 1935.

RUSSELL-KRAMER BILL

MR. KRAMER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD at this point and include therein a letter from the American Legion and the Veterans of Foreign Wars which I have received.

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

There was no objection.

MR. KRAMER. Mr. Speaker, many statements and arguments have been made by Members of the House both for and against the Russell-Kramer bill. I say, in all fairness, there can be a difference in opinion; some Members may take a position either way; and although I may disagree with them, I shall also respect their position.

Many fine and broad-minded American citizens misunderstand the purpose of this bill, because of its misrepresentation by its enemies and misunderstanding by others. I shall endeavor to clarify the situation the best I can, because this legislation is aimed in the direction of preserving, and not destroying, the institutions of the Government which we have inherited and built to the present day.

The Constitution provides for religious freedom, for freedom of speech, freedom of the press, and freedom of assembly. These are a priceless heritage which must be preserved for our children, for our children's children, and future generations, and when I say that it must be made unlawful for anyone to willfully and knowingly advocate the overthrow of the Government of the United States by force or violence, whether he be citizen or alien, I am safeguarding the essential principle of our democracy that this shall continue to be a Government of the people under our Constitution, and by the people under our Constitution, and for the people under our Constitution.

To permit the willful advocacy of changing our form of government by force or violence is to permit the negation of the essential principle that there is a constitutional government which may be changed only by means provided in that document—the Constitution.

I have no objection to anyone who advocates fascism, nazi-ism, or, if you will, communism. This is his inalienable right. But I will oppose him when he proposes to substitute by force or violence any one of these systems, or any other system, for our present form of government, for then he is violating the principles of our Constitution. He is opening the way in this country for what has happened in Russia and in other European countries.

The Constitution provides that there shall be liberty of speech, but it also provides—and provides explicitly—as to how changes in the Government and the Constitution may be effected. But when the Constitution itself provides a means for its amendment, and by which changes in our Government may be lawfully effected, then it cannot be held that the provision for freedom of speech is broad enough to authorize the advocacy of nullifying other provisions in the Constitution through force.

To say that the advocacy of force in changing our Constitution or our form of government is futile, in view of the firm hold which the principles of democracy have upon the overwhelming majority of the people of this country, is to completely disregard the lessons of the history of our own times.

The czarist government was overthrown by a popular movement in which Kerensky, the great democratic leader, participated. It was a movement in which the people of that country overthrew the government. Yet a few months later Lenin and a handful of men overthrew the Kerensky government and imposed by force upon the people of Russia the government of the Soviets, which we describe generally as communism. Lenin and his associates were in the minority. They, however, seized the offices of government and although not workers but revolutionary theorists, imposed upon the people of Russia a government entitled "A government of the soldiers, workers, and peasants." It was, in fact, not that, but a government imposed by a group of revolutionary theorists upon the soldiers, workers, and peasants of that great country.

No further proof of this statement need be offered than a reference to the atrocities committed on the peasants, the greatest single group in Russia during these last 17 years, in an effort to make them conform to the new order. If a group of a few men could do that in a country the size of Russia, they could, under propitious circumstances, impose a similar revolutionary government upon the people of the United States.

Whenever in foreign countries a march was made they had but a few thousand men. Yet through the weakness and pusillanimity of the government they sought to overthrow they were permitted to assume supreme direction. In the years that have elapsed they have imposed a repugnant regime and have stifled any expression of adverse popular opinion.

In Europe the Austrian house painter, Hitler, and his organization were ridiculed for years. Yet he eventually succeeded in obtaining control of the government, and thereafter by a reign of blood and terror killed the German Republic and instituted in its place the dictatorship of the Swastika, and has been—and still is—causing great suffering, humiliation, and hardship to Jews and certain other classes, depriving them of their liberties and rights.

It can happen here. It could have happened here in 1933 with a country sunk in the depths of depression; its mills and factories closed, its farmers bankrupt and destitute, its banks and financial institutions insolvent and closing in great numbers everywhere, and its people taught by bitter experience that they could not rely upon either the integrity or the intelligence of their leaders.

That our economic cataclysm was not accompanied by a political cataclysm is due to the wisdom, the courage, and fidelity to the principles of our Constitution and our demo-

ocratic government of one man, Franklin Delano Roosevelt, President of the United States. He assumed office in our darkest hour and has led us back into the light.

If we are to protect the heritage of our fathers, if we are to protect the principles of government for which our President has fought we must insist that such changes in our Constitution, as the times may render necessary, shall be effected only by constitutional means and not imposed upon us by a minority through force of arms.

Does this mean freedom of assembly? Yes. Freedom of press? Yes. Freedom to advocate the principles of communism, nazi-ism, or fascism, or any other ism? Yes. Freedom to establish one of these, or any other forms of government in substitution of our present form by constitutional and lawful means? Yes. But freedom to impose or advocate imposing upon the American people communism, fascism, nazi-ism, or any other ism by violence and force—no; a thousand times no!

The Russell-Kramer and the Tydings-McCormack bills are on the calendar of the Rules Committee of the House, but it takes an act of the Rules Committee to bring either bill on the floor for discussion.

Mr. Speaker, may I also read for the RECORD excerpts from a few letters I have received from the following: Disabled American Veterans, American Legion, Veterans of Foreign Wars, Women's National Defense, B. P. O. Elks, and the late Nathan Burkan, prominent New York City attorney?

DISABLED AMERICAN VETERANS OF THE WORLD WAR,  
Munsey Building, Washington, May 14, 1936.

Hon. CHARLES KRAMER,  
House of Representatives, Washington, D. C.

MY DEAR MR. KRAMER: Confirming our conversation of yesterday, I would say that the D. A. V. is exerting every possible influence on the Rules Committee of the House to bring out your bill to make it a crime to advocate the overthrow of the American Government by force and violence.

It would seem as though the action of the Judiciary Committee in reporting the bill after due deliberation should be sufficient to justify a vote by the House. It appears to us that it is little more than a travesty to have the present session appropriating unprecedented amounts for the improvement and extension of the national defense to protect us from outsiders and at the same time permit active campaigning by disloyal agitators within our borders to destroy our institutions.

The D. A. V. feels that you have earned the lasting gratitude of representative Americans by your courageous and vigorous conduct in this whole matter, and we propose to continue and intensify our efforts to force the Rules Committee to give the House an opportunity to vote on your bill.

With kindest personal regards,

Cordially yours,

THOMAS KIRBY,  
National Legislation Chairman.

LOS ANGELES, CALIF., May 14, 1936.

Hon. CHARLES KRAMER,  
House of Representatives,  
Washington, D. C.

MY DEAR CONGRESSMAN: A few days ago I read that a movement had been started in Los Angeles against H. R. 6427 and that pressure was to be brought to bear on you for its withdrawal. Not doubting your steadfast qualities in the matter, I still am wondering whether anything in the way of counteraction will be of help at this time. The day the opposition came to my attention I was attending a meeting of Federated Women's Relief Corps of this vicinity. The gathering represented possibly a thousand members, and it readily voted support of H. R. 6427 and that a letter of assurance of support be sent you. If this sort of thing is helpful, please indicate. Otherwise, you are much too busy to be bothered with ineffectual things, among which may be this letter.

Good wishes for success, as always.

(Mrs. JOHN A.) JENNIE I. BERRY,  
Chairman, National Defense through Patriotic  
Education, Eschscholtzia Chapter, D. A. R.

NEWARK, N. J., March 29, 1935.

Congressman CHARLES KRAMER:  
Elks backing your sedition legislation.

EDWARD REILLY,  
Secretary, Newark Lodge 21, B. P. O. E.

NEW YORK, May 18, 1936.

Hon. CHARLES KRAMER,  
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: Against your bill H. R. 6427, to prohibit the advocacy of the overthrow of the Government by force or violence, I took the liberty of discussing your stand upon this bill and the telegram that you received from a group of well-known authors, composers, and motion-picture directors and players with Mr. Abraham Robert Simon, of Simon & Garvis, 807 Equitable Building, Hollywood, Calif.

This gentleman is a very excellent attorney and is probably known to you. He represents, among others, the Hollywood Reporter, and has considerable contacts with the literary, musical, and motion-picture people of Hollywood.

Mr. Simon tells me that in the discussions that he had with some persons regarding this bill he came to the conclusion that some of them misconceived entirely the purpose and intent of your bill. The general impression seemed to be that it was a bill designed to prevent a change of government by peaceful advocacy. No one seemed to realize that your bill is aimed against the overthrow of the Government by force or violence.

With kind regards,

Yours very sincerely,

NATHAN BURKAN.

NEW YORK, May 18, 1936.

Hon. CHARLES KRAMER,  
Congress of the United States,  
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN KRAMER: I received yours of the 14th instant and enclosures.

Mr. Berlin has assured me that he innocently signed the telegram and never understood its real tenor, purpose, or effect, and certainly had no desire to oppose any bill aimed against movements toward overthrowing this Government by violence.

He has been very active on the telephone and by letter to lay before the signers of the telegram the true facts concerning your bill, to the end that all who have signed under misconception shall have their names withdrawn from the telegram and to notify you of their regrets in having signed the telegram under misapprehension of the real facts.

I have been in touch with Mr. Berlin since I have first spoken to you. I have taken the liberty of sending him a copy of your letter.

I am confident that you will find that ere long you will receive word of apology from those of the signers who innocently have been misled.

It has been a pleasure indeed to present the real facts to those who have been misguided by one or two agitators.

With all good wishes, believe me,

Very sincerely yours,

NATHAN BURKAN.

NEW YORK, May 11, 1936.

Hon. CHARLES KRAMER,  
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: I acknowledge receipt of material pertaining to your bill 6427.

I am enclosing herewith a copy of a letter I have this day written to Mr. Irving Berlin at his request.

He told me that he was invited to a dinner in Hollywood which was attended by the signers of the telegram. Somebody delivered a long harangue on what your bill sought to do. He was under the impression that the bill nullified the fundamental rights secured by the Constitution and abridged the right of freedom of speech and assembly.

I am persuaded that neither the speaker nor any of those present ever saw your bill or knew its language, because by no stretch of the imagination does your bill abridge the freedom of speech or the freedom of assembly.

Very sincerely yours,

NATHAN BURKAN.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. SEARS. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

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

There was no objection.

Mr. SEARS. Mr. Speaker, last Tuesday, after voting, I returned to Washington on the first train to continue working for the Florida cross-State canal. I am sorry my colleague, Congressman GREEN, has not returned to Washington. I wish he were here in order that he might listen to my remarks.

Mr. Speaker, as my colleague [Mr. GREEN] has mailed out to Florida his platform, which was incorporated in the extension of remarks by Congressman JAMES P. RICHARDS, and in that platform he has stated he has always voted for the bonus, I feel in fairness to myself and my colleagues I should frankly discuss his record and the facts.

In the CONGRESSIONAL RECORD of May 22, 1935, you will find roll call no. 81 on the bonus bill. On that roll call I am recorded voting for the bill and Congressman GREEN is recorded as voting against the bill. Clearly, it is unfair to state to one's constituents that he has never voted against the bill, but has always voted a certain way, when the RECORD shows he voted another way.

I also have in my possession a letter written by Congressman GREEN, dated May 21, 1935, addressed to Mr. R. B. Skipper, Branford, Fla., on the day before he voted against the bonus bill, from which I quote in part, as follows:

We have passed the bonus bill in the House and Senate and I voted for it. It comes up on veto tomorrow and I shall, in all

probability, vote for its passage over the veto. I think it should be paid in full in cash immediately.

It is not necessary for me to remind you that the day before he voted against the bill he wrote to an ex-service man as above stated—that he thought the bonus should be paid in full in cash immediately. I would certainly not be guilty of deliberately trying to mislead anyone. Desiring to deal frankly with Mr. GREEN, while he voted against the bonus bill in 1935, which was not an election year, he voted for it in 1936, which is an election year. I shall not say whether he was wrong or whether I was wrong in voting on the bonus bill, but I do emphatically state it was unfair to lead anyone to believe you voted for the bill, when, as a matter of fact, you voted in a different way.

Let me also call your attention to the fact that in March 1934, while the bill liberalizing the compensation of ex-service men and pensions of Spanish War veterans was on the calendar, you will find in the RECORD Congressman GREEN stated in part:

I want to go on record as favoring the liberalization of compensation and pensions of Spanish War veterans.

On March 27, 1934, on roll call no. 116, Mr. GREEN voted against the bill liberalizing compensation and pensions, and I voted for the bill.

I cannot understand the reasoning of a man who states he is for something so as to secure the support of certain people, and later votes against the measure.

For the first time in the history of this country the Federal Government has recognized its obligation to the old people, the infirm, and the disabled, and a pension law has been written on the Federal statute books. I supported this law, and, while it is not all I should have liked, it was the best we could secure under the circumstances. I am sincerely interested in that unfortunate group of people no longer able to do for themselves and will continue to do everything within my power to bring about the payment of a substantial pension without delay. I will not, however, make promises I know cannot be fulfilled for the sole purpose of securing votes. I could promise a pension of \$200 and doubtless gain many votes by it, but I know, as every other Member of Congress knows, it is not possible to pass any such law. It is an admitted fact that the sales tax or the transaction tax which would necessarily have to be imposed to make such a pension possible would absolutely destroy the businessmen, the laboring men, and those who work for salaries. I want to deal frankly and fairly with my constituents and my colleagues. Let me further call your attention to the fact that my colleague, Congressman JAMES P. RICHARDS, secured the unanimous consent to place in the RECORD the record of Congressman GREEN, and on April 20, 1936, under the unanimous consent granted, Congressman GREEN placed in the RECORD his platform and a eulogy of himself and an appeal for political support based thereon. As proof of this let me simply call your attention to the first paragraph of Congressman GREEN's record, as follows:

Mr. RICHARDS. Mr. Speaker, our colleague from Florida, the Honorable R. A. (LEX) GREEN, has a record of achievement which is worthy of our commendation. Under leave to extend my remarks in the RECORD, I include the following statement of Mr. GREEN's record and services.

One-third of the extension consists of supposed statements of Congressman RICHARDS and then follows the platform of Congressman GREEN. I emphatically state that the eulogy of Congressman GREEN was not written by Congressman RICHARDS but was written by Congressman GREEN or someone secured by him to write it, and submit the following proof.

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, D. C., May 2, 1936.

Hon. W. J. SEARS,  
Member of Congress, House Office Building,  
Washington, D. C.

MY DEAR COLLEAGUE: I beg to acknowledge your letter of April 30 inquiring about certain extension of remarks in the Appendix of the CONGRESSIONAL RECORD, Seventy-fourth Congress, second ses-

sion, captioned as follows: "Congressman GREEN'S Record—Remarks of Hon. JAMES P. RICHARDS, of South Carolina, in the House of Representatives, Monday, April 20, 1936." In your letter you ask, "Did you write, read, or see this article before it was placed in the RECORD?"

I, of course, have no desire to get into any controversy where two of my colleagues are involved; but, as you have in good faith asked me these questions, I feel that in justice to all concerned I am duty-bound to answer.

On the afternoon of April 20, a few minutes before Congress adjourned, Congressman L. A. GREEN asked me to secure consent of the House to extend my remarks in order that he might thereunder insert something concerning his record. I secured this consent for him solely because such requests from a colleague are usually acceded to as a matter of courtesy. Later on this extension was called to my attention. I did not write, read, or see the article or any part of it before it was printed in the RECORD. I am now serving only my second term in Congress and therefore could not vouch for the record of any Congressman covering the period prior to my becoming a Member.

As an older Member you have been very helpful to me, and I want you to know that I appreciate the courtesies extended me by you.

With kind regards and my very best wishes, I am,  
Sincerely yours,

J. P. RICHARDS, M. C.

The above letter is self-explanatory and unmistakable evidence that Congressman GREEN took advantage of my friend Congressman RICHARDS, and under the guise of perfunctory permission usually granted by one Congressman to another, upon request, sought personal political gain by abusing the privilege.

Mr. Speaker, I have never made a promise for the purpose of securing votes; and I have never stated I voted one way when I voted another. I have never eulogized myself and tried to make my friends believe another had written the eulogy. Before doing so, I would resign from Congress. I am proud of my record, and whatever the future may hold in store for me I will leave a clear record of service to my State and will leave to my wife and family a heritage which money cannot buy. This to me is worth more than all the money in the world or any office within the gift of the people. I thank you. [Applause.]

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes.

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

There was no objection.

Mr. RANKIN. Mr. Speaker, a few moments ago the distinguished gentleman from Montana [Mr. AYERS] announced his voluntary retirement from Congress. I want to take this opportunity to express the regret of the entire membership, especially on this side of the House, at the loss of the services of the distinguished gentleman from Montana in the House of Representatives.

I do not hesitate to say that no man who has come to Congress since I have been a Member of the House has more constantly kept the "common touch" or worked harder for the best interests of the farmers and all the other toiling masses of his State and of the country than has Roy AYERS, of Montana. He has also been an ardent friend of all veterans.

He was too modest to tell the House why he is leaving, but I shall take this opportunity to say that he is not retiring from public life, but the next time we meet him we may salute him as "Governor AYERS, of Montana." [Applause.]

OSCAR GUSTAF BERGSTROM (H. DOC. NO. 504)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and the objections of the President ordered to be spread upon the Journal:

*To the House of Representatives:*

I return herewith, without my approval, H. R. 3914, an act for the relief of Oscar Gustaf Bergstrom.

This bill provides that the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Oscar Gustaf Bergstrom the sum of \$862.50, in full compensation and settlement

for all claims and demands of Oscar Gustof Bergstrom against the United States and growing out of, or arising from, the forging of his name to United States Treasury check no. 1372080, under date of February 2, 1920, said \$862.50 being paid by the Treasury to persons other than Oscar Gustof Bergstrom through no fault of his own.

Mr. Bergstrom, a World War veteran, was given a total and permanent disability rating by the Veterans' Bureau on November 1, 1918. By reason of this rating he would have been entitled from that date, had the rating continued in effect, to payment of \$57.50 per month by the Government under the terms of his war-risk insurance policy. No payment was made, however, until February 2, 1920, on which date check was drawn to Mr. Bergstrom's order in the sum of \$862.50 for the 15 monthly payments accrued for the period November 1, 1918, to January 31, 1920. The check was mailed to Mr. Bergstrom at Fort Bayard, N. Mex., and is said not to have been received by him, but that it was received, fraudulently endorsed, and cashed by other persons.

Mr. Bergstrom is said to have become aware of the issue of this check in June 1926, and failed to make claim within the limit of time prescribed in the act of June 22, 1926 (44 Stat., p. 761), which provides that—

All claims on account of any check, checks, warrant, or warrants appearing to have been paid shall be barred if not presented to the General Accounting Office within 6 years after the date of issuance of the check, checks, warrant, or warrants involved.

It would be most undesirable to establish a precedent of considering barred claims on checks where, in reliance on the bar and pursuant to law, the checks, the evidence of payment, have been destroyed.

It is furthermore of greater importance that though the veteran did not receive the benefits of the erroneous award, as is indicated by the bill, and had payment of the check not been made by the Treasury, there would be no authority for the Veterans' Administration to make payment over the period in question. This bill would, therefore, do more than authorize payment of the amount of the check. It would, for the period of payments contemplated by the check, in effect reestablish the erroneous permanent and total disability rating of November 1, 1918, and validate thereunder benefit payments which the Veterans' Administration may not make under existing law.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 8, 1936.

MR. RAMSPECK. Mr. Speaker, I move that the bill and message be referred to the Committee on Claims and ordered printed.

The motion was agreed to.

#### DROUGHT IN THE COTTON STATES

MR. FULMER. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes.

THE SPEAKER. Without objection, it is so ordered.

There was no objection.

MR. FULMER. Mr. Speaker and gentlemen of the House, I especially want to call the attention of my colleagues on this side of the House representing the Southeast to the disastrous drought that we have had for the past 60 days in a number of the cotton-growing States in that section.

I have had this matter up with a number of Members—for instance, those representing my State, North Carolina, Georgia, and Virginia—and we have had conferences with the Secretary of Agriculture about this serious situation.

For the information of those who did not take part in the conference with Secretary Wallace some days ago, I will state that the Secretary is very sympathetic toward our request for relief and apparently is very anxious to do something to help farmers who are and who will be suffering from this disastrous drought situation.

In the past we have been helpful to many other sections of the country where they have had droughts and floods, and I am hoping that Members representing the cotton States of the Southeast will join with me to the fullest extent with the hope that we may be able to have the Secretary liberalize the rules and regulations governing the administration of

the National Soil Conservation Act so as to give added benefits to those who are suffering from this drought.

While speaking with the Secretary about this serious situation he instructed Mr. Cully Cobb, who is at the head of the Cotton Division, and Mr. Hutson, who is at the head of the Tobacco Division of the Agricultural Adjustment Administration, to get in touch with the local committees in the State, as well as the Extension Service, so as to ascertain the real situation, the number of farmers in distress and the actual percentage of destruction of cotton and tobacco crops, so as to enable him to finally decide upon the maximum amount of relief that he would be able to render with the amount of money available at this time.

I was told by Mr. Cobb this morning that it was their intention at this time to permit farmers, including farmers who had not up to this time made application, to make application for the taking out of production the original acreage as well as additional acreage, cotton and tobacco, where they had not been able to secure a regular stand of cotton and tobacco.

I realize that with rains and where farmers are able to get their cotton up, even at this late date, they may be able to make a splendid crop of cotton, especially if they have proper seasons, and do not have a serious infestation of the boll weevil.

#### A REAL SURVEY REQUESTED

I am urging the Secretary of Agriculture to make a real survey of the situation so as to have the complete information as to the condition and outcome of the cotton and tobacco crops so that we may be able to secure immediate relief and some additional type of relief when we return to Congress, over and above any relief which we may secure at this time, in that, apparently, we will not be able to secure a proper amount of relief at this time because of the lack of sufficient funds to take care of the situation.

#### SUBSIDY AND GINNERS' CHECKS

Another important matter that I want to call to the attention of the Members representing these States where we have this serious drought is the failure on the part of the Agricultural Adjustment Administration to promptly get out checks known as the cotton subsidy checks due farmers as well as checks due to cotton ginnery. If we are able to have these checks mailed promptly to farmers and ginnery this will be of untold benefit, especially to these farmers who are suffering from this serious drought. This money could be used for the purpose of buying peas and other farm seed which could be planted at this time for the purpose of producing feed crops, which will be very helpful next fall.

These matters, along with many other important matters, pending in Congress, as well as in the various departments of Government, will not permit me to go down to my district at this time for the purpose of engaging in a campaign for reelection to Congress. It is true that I have opposition, and I am sure that my opponent will be covering the territory in behalf of his election to Congress. However, I feel that it is more important on my part to remain here and look after the interests of my constituents, especially on account of the serious drought that we have in South Carolina at this time, than going down to my district for the purpose of looking after my reelection to Congress.

#### LETTERS OF CONGRATULATION

I am receiving many letters from my constituents congratulating me on taking the lead in trying to secure drought relief and the fight that I am making in their interest not only in this instance, but at all times.

My people have not forgotten that following the serious storm of 1928 which brought destruction to crops in the Southeast that I introduced a bill and succeeded in securing \$6,000,000 for seed loans, the first seed loans secured for this section of the United States with the seed loan office located in Columbia, my district.

#### IMPORTANT BILLS PASSED IN CONGRESS BY ME

I want to call to the attention of my colleagues and my constituents a few more of the outstanding bills passed by me in Congress which have meant as much or more to the

cotton States than any bills passed by the Congress in the interest of agriculture.

UNITED STATES STANDARDS COTTON GRADING ACT

The United States Cotton Grading Act passed in the Sixty-seventh Congress, my first term, has saved millions annually to the cotton industry, especially cotton farmers. Prior to the passage of this bill, all cotton was sold practically round lots, and no benefits, or practically none, were paid to farmers for extra lengths of staple. All cotton exported prior to the passage of this bill, which amounted to six to eight million bales annually, was graded by a foreign board, every member of which was a foreigner, with the result that millions of dollars' worth of claims were coming back to American exporters on account of undergrading. These claims had to be paid and were paid, in the last analysis, by the cotton farmers. Since the passage of my bill every bale of exported cotton is graded in this country and certified to by the Federal Government, and accepted in every foreign country. In other words, this standard in grading and stapling of cotton has become a world standard, all of which, as stated, has saved millions of dollars for the cotton South.

THE TRIPLE A

The Agricultural Adjustment Act, known as the A. A. A., was passed by me during the Seventy-third Congress.

This bill, for the first time in the history of this great Republic, placed farmers on an equality with tariff-protected interests.

Let us take a look at the real cash benefits, tariff benefits, for my farmers, if you please, in the eight counties representing the Second Congressional District.

*Rental and benefit payments and profits on cotton options made in connection with the commodity programs from the beginning of those programs through Feb. 29, 1936, for the Second Congressional District, South Carolina, by counties*

County	Cotton <sup>1</sup>	Tobacco	Corn-hog	Peanuts	Total
Aiken	\$690,931.15		\$7,602.06	\$5,156.00	\$703,689.21
Bamberg	365,165.57	\$708.16	18,956.82		384,830.55
Barnwell	478,180.49		13,385.99	981.67	492,548.15
Calhoun	479,859.63		28,936.01	462.79	500,258.43
Lexington	295,263.95		6,812.81	379.41	302,456.17
Orangeburg	1,260,044.17	1,752.66	75,895.05	1,863.16	1,339,555.04
Richland	209,850.12		14,888.06		224,733.18
Sumter	746,670.47	65,294.74	33,239.46	251.89	845,456.56
District total	4,525,965.55	67,755.56	190,711.26	9,094.92	4,802,527.29
State total	22,893,227.63	3,221,815.65	541,392.43	13,919.89	26,670,355.60

<sup>1</sup> Includes profits on cotton options.

*Rental and benefit payments, profits on cotton options, and price-adjustment payments made in South Carolina, and farm value of the South Carolina cotton crops, 1932-35*

Rental and benefit payments:

1933 program	\$4,751,625
Profits on cotton options	4,875,072
1934 program	6,875,546
1935 program <sup>1</sup>	6,467,848
1935 price-adjustment payments <sup>2</sup>	3,145,000

Total payments 26,115,091

<sup>1</sup> Through Feb. 29, 1936.

<sup>2</sup> Estimated.

	1932	1933	1934	1935
Farm value of lint and seed	\$29,760,000	\$45,300,000	\$53,030,000	\$52,167,000
Rental and benefit payments and profits on options		9,626,697	6,875,546	9,612,848
Farm value plus payments	29,760,000	54,926,697	59,905,546	61,779,848

Increase in 1935 farm value plus payments over 1932 farm value, 108 percent.

Division of cotton, Apr. 10, 1936.

My friends, I am proud of the fact that this bill has given to the farmers of my State over twenty-six and one-half million dollars in the way of benefits. I am of the firm belief that the people of my State and my district, as well as farmers in every section of the country, will not forget what this legislation has meant to them.

This bill also authorized the Federal land banks to issue \$2,000,000,000 worth of farm-loan bonds for the purpose of making new loans to farmers and for the purpose of purchasing outstanding mortgages or trading bonds for farm mortgages. Under this provision we have taken care of more farmers in the way of direct loans and refinancing their mortgages since the passage of this bill than were made during the whole operation of the Federal land banks since the organization of those banks.

That is something to be proud of, and we are just getting under way in this line of work.

Under section 23 of the bill we provided for extension of past-due loans, taking care of past-due taxes, and so forth, all of which has saved thousands of farmers who otherwise were facing foreclosure of their land mortgages.

Section 28 of this bill authorized the pledging of these bonds to the Federal Reserve bank and currency to be issued thereon. Think of that. We are about to get farmers on an equal basis with member banks of the Federal Reserve System who are able to have the Federal Reserve System issue currency on collateral pledged by member banks.

DRAINAGE AND IRRIGATION DISTRICTS

For a number of years I have been trying to pass legislation proposing to refinance the indebtedness of drainage districts.

Section 36 authorized the R. F. C. to make loans not to exceed \$50,000,000 to drainage districts. Many of these loans have been made, buying in the outstanding bonds due by farmers located in these districts anywhere from 10 to 65 percent on the dollar, thereby saving millions for farmers and permitting these farmers to continue to own their farms.

I have one of these drainage districts in my home county, and I tell you that the refinancing of this district has kept these lands from going into the hands of a receiver and into the hands of the bondholders.

You state, "Oh, yes; but this bill—the A. A. A.—has been declared unconstitutional by the United States Supreme Court."

That is true; but there are those of us back on the farm who will never forget the real benefits secured under this bill while it was in operation, all of which will bring about a demand for something to take the place of the A. A. A.

NATIONAL RED CROSS COTTON AND WHEAT

What about my bill, passed in the Seventy-second Congress, which turned over to the National Red Cross 500,000 bales of cotton and 45,000,000 bushels of wheat to be manufactured into garments and milled into flour to be distributed to the destitute and needy people of the United States? I am sure that the textile employees living in what is known as the Horse Creek Valley section of Aiken County, S. C., my district, will not forget this Red Cross flour sent to them during the strike period at that time.

I am sure that many people received some of these benefits who were not entitled to them, but that had nothing to do with the importance of the bill. I appreciate the fact that my people have learned that the people who administer legislation passed by Congress are responsible for the manner in which Federal legislation is administered, and not the Congressman, who has nothing whatsoever to do with administering a bill after it is passed by the Congress.

I also passed a forestry bill in the first session of the Seventy-fourth Congress authorizing the furnishing of \$5,000,000 by the Federal Government without interest to buy State forest lands.

This will mean much to States like my State, that have been unable to buy forest lands because of not being able to match dollar for dollar funds furnished by the Federal Government.

The veterans' hospital located near Columbia, at a cost of \$1,300,000, under my bill will be an everlasting monument to me after I have passed over the river. This hospital has been and will continue to be an untold blessing to war veterans, and the pay rolls from this institution have been and will continue to be of untold benefit to the city of Columbia and the State of South Carolina.

There are many other important bills to my credit, including private bills, as well as pension bills too numerous to mention here.

My people realize that it takes time in Congress to gain the prestige and influence that will enable a Congressman to pass such bills as I have been referring to, and that is why they have continued my service in Congress. Naturally it takes time to know the departments of Government, make friends both in the House and in the departments of Government, so as to be able to do things.

#### BILLS NOW PENDING IN CONGRESS

I want to call your attention to some bills that I have pending in Congress on which I have not been able to secure consideration during the present session, as well as others which I expect to fight for in the next session of Congress.

#### RESEARCH LABORATORY STATION IN THE SOUTHEAST

H. R. 4748, which proposes to establish in the Southeast a large research laboratory station for the purpose of experimenting in the utilization of whole cotton. It is found by a test in a small way that whole cotton, stalks, cotton, burrows, leaves, and squares, when put through a proper process, will produce 52 percent cellulose, out of which we can manufacture millions of dollars' worth of manufactured articles. We imported last year \$65,000,000 worth of spruce to be processed into cellulose that we can substitute whole cotton for.

We must find new uses for cotton and the byproducts on the farm. Every well-organized industry has taken advantage of research work, but farmers have not because they are unorganized and have not the money.

#### NET WEIGHT SELLING OF COTTON

H. R. 8631, known as my net-weight bill. We are baling the same old bale of cotton that our grandfathers packed with a horsepower press. We continue to sell on gross weight and put on 21 pounds of ties and jute bagging at the gin and permit exporters to patch on 9 more pounds of jute, making a total of 30 pounds, shipping this useless and disgraceful tare, bagging, all over the United States and to every foreign country in the world. No other cotton country in the world sells cotton on the old costly method of gross weight.

The passage of this bill will save millions annually in freight, insurance, and waste and enable us to use about 200,000 bales of cotton, mostly low-grade cotton, in manufacturing same into cotton bagging. Let us wrap cotton in cotton.

This bill is endorsed by cotton mills, cotton buyers, cotton farmers, and the committee appointed by the President of the United States to investigate the complaints of the New England textile mills. In fact, by the cotton industry as a whole, including agricultural commissioners, and the only group opposing the bill is the jute interests.

#### PECAN STATION—ORANGEBURG COUNTY

H. R. 21, proposing to establish a pecan station at or near Orangeburg. Growing pecans can and should be made a profitable crop.

H. R. 22. A reforestation station to be established in South Carolina. We have neglected reforestation too long already. What are we doing that will prove to be expensive to future generations? Cutting down the forests without any attempt to replace same.

#### TOBACCO EXPERIMENTAL STATION—SUMTER COUNTY

H. R. 76. A tobacco experimental station for Sumter County. We can grow as good tobacco in my district as any district in the State. We can, also, grow as good tobacco in South Carolina as any State. Then, why let North Carolina get away with the cash that our people are entitled to?

#### 1937 SEED LOANS

H. R. 10213. A seed-loan bill for 1937. This type of loan has proven to be a godsend to our farmers, many of whom, had they not been able to get seed loans, would today be on relief rolls and unemployed.

#### BANKHEAD BILL COTTON TAX

H. J. Res. 535. Proposing to return to farmers all money expended for Bankhead cotton-tag tax. The Bankhead bill

was clearly unconstitutional and the Government has no right to withhold this money which belongs to those farmers who spent their hard-earned money as a tax or in buying tags.

#### LOWER FREIGHT RATES FOR SOUTH

H. R. 7883. Which proposes to make it mandatory in appointing members of the Interstate Commerce Commission to appoint not more than one member from each of the 12 land-bank districts. At the present time there are three members on this Commission from the New England States. All of these years we have not had a member on this Commission from the Southeast until recently a man was appointed from Alabama. We of the Southeast are much farther from the great eastern markets than the New England States, yet we pay per mile considerably more freight than do the shippers of the New England States. I expect to continue my fight to remedy this antiquated, this unfair, discriminatory procedure in rate making on the part of the Interstate Commerce Commission.

#### WAR CLAIMS THAT SHOULD BE PAID

H. R. 244. Authorizes the Federal Treasury to pay to St. Stephen's Lutheran Church, Lexington, S. C., \$1,800, for the burning of this church by Sherman's army.

H. R. 239. Authorizes the Federal Treasury to pay to the Ladies Ursuline Community, of Columbia, S. C., \$100,000, for damage and destruction of its property by Sherman's army.

H. R. 242. Authorizes the Federal Treasury to pay to the Washington Street Methodist Church, Columbia, S. C., \$25,000, damage and destruction to its property by Sherman's army.

#### R. F. C. LOANS REFINANCE BUSINESS PROPERTY

H. R. 11. Authorizes the R. F. C. to make loans to refinance business property. Why not? We have provided for others, and merchants at this time, more than ever before, need this assistance and at a lower rate of interest than they are now paying, in that they need what cash they may have to help carry on their business.

#### MAKE IT A FEDERAL CRIME

H. R. 3036. To make it a crime to advocate or promote the overthrow of the Government of the United States by force and violence. I contend at this time when we have in some sections of the country those who are communistically inclined and with thousands of aliens who are living in the United States who should be deported and who are coming here for the sole purpose of Russianizing this country that by all means this bill should be passed.

#### FEDERAL COURT FOR SUMTER

H. R. 6516. Proposes to hold Federal court at Sumter by creating a district embracing Sumter, Clarendon, and Lee Counties.

#### COTTON TWINE

H. R. 77. Proposes to use cotton twine in tying the mails of the United States to take the place of jute twine that is now being used. I contend that it is un-American for Uncle Sam to advocate America for Americans and then proceed to tie the mails of the United States with jute twine, a product of India.

#### PROTECTING SOUTH CAROLINIANS

H. R. 12576. Forbidding the letting of a star-route contract where the route originates within the State to a citizen from any other State. This has happened in South Carolina this year in sending a man from Arkansas into my State. This is unfair, and I am against any such procedure.

#### A TARIFF ON JUTE AND JUTE PRODUCTS

H. R. 17. A bill proposing to place a tariff on jute and jute products imported into this country. I have been fighting for this for many years, and it appears from the interest shown during this session of the Congress that the day is not far distant before we shall be able to protect our cotton farmers, cotton mills, and our cotton-mill workers from this arch enemy of the cotton South.

Why the South has gone along all of these years paying millions of dollars to tariff barons in other sections and

sitting idly by and permitting India, the next largest cotton-growing country to the United States, to ship into this country pound for pound enough jute and jute products to take our own markets away from us to the tune of 3,000,000 bales of cotton annually is beyond me.

India is increasing her cotton production and thereby taking a large part of our foreign markets away from us. Last year Japan bought 1,500,000 bales of Indian cotton and is not only increasing her sales in foreign markets, especially for our coarse cotton goods, but is mixing this type cotton with American cotton and exporting large increasing quantities into the United States at the expense of our farmers, cotton mills, and textile employees in the United States. In the meantime, as stated, we are permitting India to flood our own markets with jute and jute products grown by pauper labor. How much longer will our farmers, the cotton mills, and the unemployed cotton-mill workers stand for this?

I am willing to stand on my record and continue my fight on this most important matter. I am hoping that the people back in the cotton States will become posted on this important matter to the extent that they will see to it that their representatives in Congress shall join with me in my fight which is necessary to lick the jute interests and put this fair and constructive proposition over.

#### ORGANIZING FOR THE PROTECTION OF MY PEOPLE

I am now organizing the South, cotton mills, farm organizations, agricultural commissioners, Association for New Uses for Cotton, cotton merchants' associations, cooperative associations, as well as every other interest, other than the jute interests, with the hope that we will be able to put enough "heat" from these interested organizations in the various cotton States behind those representatives in Congress from the South, so as to be able to place a tariff on this arch enemy of the South, jute.

God forbid that we shall ever again plow under four million bales of perfectly good American cotton at the expense of the Government, farmers, cotton pickers, ginnery, and oil mills of this country; rather, let us preserve for our people our markets, as indicated. It would have been better for everyone concerned to have manufactured this cotton and cottonseed, giving same to the destitute and needy.

Today the F. E. F. A. under Hopkins is buying millions and millions of yards of cotton cloth, furnishing same to the sewing rooms of the country with the taxpayers' hard-earned money. This is being done for two reasons, first, to help those in distress and, second, to help get rid of that much cotton. This is a strange procedure in both instances, in plowing under cotton and buying cotton with the taxpayers' money when we have home markets that could be utilized to the extent of from two to three million bales.

Think what this would mean to cotton mills and textile workers, if we would thus protect our own markets. It would put 150,000 additional cotton-textile employees to work.

#### FEDERAL AID FOR RURAL POST ROADS

Besides these bills which, as stated, I now have pending, I am going to fight for other special legislation, including a bill that will do what the Congress has been promising under Federal-road-aid bills in the past—that is, to earmark a certain portion of these funds to be actually used on rural post roads, whether in or out of the road system—and I don't mean maybe.

#### CROP INSURANCE

The time has come, because of frequent storms, floods, and droughts, to pass permanent legislation insuring crops from destruction, as, for instance, the serious, extended drought in the Southeast at this time. Every other line of business is covered with insurance. To preserve any benefits that the State and Federal Government may give to farmers and to maintain and insure the debt-paying and purchasing power of farmers, as stated, this important matter must not be further delayed. Just think what it would mean to cotton farmers in the Southeast at this time, as well as business and the Government that have made millions of loans, seed loans

and other loans, to farmers, if crops were covered with insurance.

I expect to advocate this type of legislation in the next session of Congress.

#### ONE AND ONE-HALF PERCENT INTEREST RATES

I am for legislation like the Frazier-Lemke farm-mortgage refinancing bill, which was voted down during this session of Congress. There is no excuse for farmers having to pay from 3½ to 8 percent on land mortgages when others have the right to have currency issued free, except about 30 cents per thousand dollars, the cost of the paper and the expense of printing. This legislation proposes a rate of 1½-percent interest and the issuing of currency in an amount of \$3,000,000 if these bonds do not sell. I made a speech some days ago that will take care of the charges of the Liberty League and others that this bill is an inflationary bill.

#### FARM-TENANT BILL

A bill that we expect to give careful consideration to in the next Congress is a bill that will enable the Federal Government to help make landowners out of that large class of farmers who are now tenant farmers, having lost their lands during the depression beginning in 1921 under a Republican administration. Many of these farmers are worthy and capable, having lost their lands by no fault of theirs. There are lots of young men and women that will make good if they can get a chance under this type of legislation.

#### MARKETING AND DISTRIBUTION OF FARM PRODUCTS

The most important pieces of legislation that should be passed, which has been neglected all of these years, is to establish a real up-to-date marketing and distributing system for farm products. Until this is done whatever we may do for farmers will not solve the marketing problem and price fixing and price protecting of farm products, both in the interest of farmers and consumers.

I have been made a real collecting agent since I have been elected to the Congress because of the unfair treatment received by shippers of farm products, who send their claims and complaints to me.

There are thousands of useless middlemen, brokers, commission men and pin hookers, who are controlling the market and distributing of the farmers' products today, and they are sapping the very lifeblood out of both the farmer and the consumer.

Every other well-organized group has an up-to-date marketing and distributing system. Look at General Motors. They control, along with Henry Ford, the automobile business, and they fix the distribution and the price right down from the factory to the States, counties, and to the actual buyer of an automobile.

Look at the International Harvester Co. and a number of other manufacturers of farm implements. They are organized, and they completely control the distribution of their products, when and where, and at a fixed price that is absolutely destroying the unorganized farmers who have to pay unreasonable fixed prices for their farm implements. If we do not propose to enforce the antitrust laws of this country, thereby bringing about fair competition and fair prices, then I am for regimentation of these monopolistic groups and the placing of unorganized, independent merchants, farmers, and wage earners on an equal basis by the assistance of the Federal and State Governments.

These independent and unorganized classes have no bargaining power either in buying or selling. No wonder 65 percent of the farmers of South Carolina are tenants, having lost their farms, many of which were handed down from their grandfathers. No wonder independent, unorganized merchants are being forced out of business. No wonder so many strikes by the great laboring class of people are occurring from time to time. These things will continue until proper legislation is passed and until the unorganized groups are protected from the unfair, monopolistic, price-fixing groups, both in buying and selling.

Just think about what is going on and that has been going on along this line. The plowing under of 4,000,000 bales of

cotton, while we have millions of ragged American citizens, with the hope that we may be able to force cotton prices up. Just think for a moment that God Almighty has to bring about a flood, drought, or boll weevil infestation to help farmers secure a better price for the little they have left.

In the next place, when farmers are blessed with a good crop the prices go down below the cost of production, and after his products have passed through the valley of death and destruction these well-organized groups that I have been talking about, including speculators on the cotton exchanges, are able to fix prices and they become the beneficiaries of what we might call blood money.

What the farmer wants to know is when he raises a crop that he can find a buyer for it. His principal interest is obtaining a fair price for his products, plus a stable market, in which demand is closely in line with supply.

The good bills that I have referred to which I have already passed do not satisfy me, and I therefore propose, as usual, to fight and continue to use my influence with my colleagues and with the various departments of Government, which I have gained because of my long service in Congress, in bringing about these much-needed, constructive pieces of legislation.

In closing may I state that I have every reason to believe that my constituents realize that they have an honest, hard-working Congressman in Washington—one whom they can hear from, one who has been bringing the "bacon" home—and they will not forget his untiring efforts in the way of prompt and efficient service and his services along constructive legislative lines on the 25th day of August next.

#### EXTENSION OF REMARKS

MR. BEITER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD as they may exceed two pages.

THE SPEAKER. If the gentleman's remarks contain anything besides his own remarks that exceed two pages he must get permission.

MR. BEITER. These are my own remarks, Mr. Speaker.

THE SPEAKER. Then the gentleman does not need any further permission.

#### AIR RESERVE TRAINING CORPS

THE SPEAKER laid before the House the following message from the President of the United States, which was read:

#### To the House of Representatives:

I return herewith, without my approval, House bill No. 11969, entitled "An act to promote national defense by organizing the Air Reserve Training Corps."

The purpose of this measure is to create a new organization in the scheme of national defense. It contemplates the enrollment of the youth of the country between the ages of 17 and 24 years in a junior Air Reserve Training Corps, with a view to their being held available for service in the event of a national emergency.

The War Department has reported that there is no immediate military necessity for such an organization, and that its cost would be out of proportion to the results looked for. In view of the many demands to produce the most effective air defense at a minimum cost, any expenditures which are not present military necessities should be postponed. For the present the system of Air Reserves in its concept is satisfactory and needs only further amplification to make it effective. We are spending very large sums for mechanization, motorization, and modernization of equipment of all kinds, including air defense. We are meeting acute shortages in Army housing, in fortification, and officer strength. These vital matters should be provided for first.

While the estimated initial expenditure to make this measure effective is comparatively small, the demands now being made upon the Treasury to produce an effective air defense at a minimum cost are such that any expenditures which are not pressing military necessities must be postponed.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 8, 1936.

THE SPEAKER. The objections of the President will be spread upon the Journal.

MR. MC SWAIN. Mr. Speaker, I move that the message be ordered printed, and that the message, together with the bill to which it refers, be referred to the Committee on Military Affairs.

The motion was agreed to.

#### UNLAWFUL DETENTION OF FINNISH SAILING VESSELS

THE SPEAKER also laid before the House the following message of the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on War Claims:

#### To the Congress of the United States:

I transmit herewith a report of the Secretary of State in regard to claims presented to the Department of State by the Government of Finland in behalf of the owners of certain Finnish sailing vessels which are alleged to have been unlawfully detained in ports of the United States in 1918.

I recommend that, as proposed by the Secretary of State, the necessary legislation be enacted to permit the owners of the vessels to present their claims to the Court of Claims. A draft of a bill suitable for that purpose accompanies the Secretary's report.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, June 8, 1936.

#### JOSEPH W. BYRNS

MR. O'CONNOR. Mr. Speaker, I ask unanimous consent to insert in the RECORD a letter addressed to the Clerk by the Federal Home Loan Bank Board, and a resolution adopted by that Board in respect to the late Speaker BYRNS.

THE SPEAKER. Is there objection?

There was no objection.

MR. O'CONNOR. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following letter addressed to the Clerk of the House by the Federal Home Loan Bank Board and a resolution adopted by that Board in respect to the late Speaker BYRNS:

FEDERAL HOME LOAN BANK BOARD,

Washington, June 6, 1936.

HON. SOUTH TRIMBLE,

Clerk, House of Representatives,

Washington, D. C.

MY DEAR MR. TRIMBLE: I am enclosing herewith copy of a resolution adopted by the Federal Home Loan Bank Board on June 4, 1936.

Very truly yours,

R. L. NAGLE,

Secretary to the Board.

P. S.—A copy of this resolution has been sent to Mrs. Byrns.

R. L. N.

Be it Resolved, That the Federal Home Loan Bank Board hereby expresses its profound regret at the great national loss in the death of Hon. JOSEPH W. BYRNS, Speaker of the House of Representatives, and expresses its sympathy to the members of his family in this sudden and distressing affliction; and be it further Resolved, That a copy of this resolution be sent to his family and one delivered to the Clerk of the House of Representatives.

#### CONGRESSMAN MITCHELL HITS BACK

MR. MITCHELL of Illinois. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short editorial taken from the Washington Tribune of June 5 last.

THE SPEAKER. Is there objection?

There was no objection.

MR. MITCHELL of Illinois. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following editorial from the Washington Tribune of June 5 last:

With a characteristic story of two Irishmen who read on a tombstone, "Not dead, but sleeping", to which Mike commented, "If I was dead, I would not lie about it", Congressman MITCHELL closed a smashing reply to a speech that had been made by Congressman ROBISON, Republican, for Negro consumption.

As the Congress draws to a close, opportunity is seized to get into the RECORD campaign material, and the G. O. P. has amassed all its oratory to overcome the devastating attack made by Congressman MITCHELL in a former speech in which he held up the old party to scorn for its betrayal of the Negro.

Congressman ROBISON was chosen to cover Mr. MITCHELL's advance, but he and the Republicans found the first colored

Democrat to occupy a place in the House of Representatives prepared and with reinforcements. This last speech by Mr. MITCHELL not only defended his former position but drove home in telling fashion new body blows to the badly wounded fealty between the Old Guard and its long-suffering colored followers. Mr. MITCHELL demonstrated, in fact, that a new type of Negro has been born since the Republican Party decided to take the colored voter for granted. Mr. MITCHELL showed that we have come at last to understand America and the relation of political adherence to party organization upon the basis of aims, needs, and expectations here and now, not upon a basis of some past event connected with the dead.

"It is not a question of which party wants us; it is a question of which party offers us a better opportunity to rise in this country and live as citizens should live," he said, in making clear why the Negro has shifted his allegiance to the Roosevelt and Garner banner.

Congressman MITCHELL has improved as he has spoken, and Monday, June 1, conducted himself in a manner that challenges comparison with anything that has been said upon the subject of the Negro in politics. From our long experience with legislative procedure and personalities, we unhesitatingly commend him to his constituents in Chicago; not only they but we, all of us, are well represented by Congressman A. W. MITCHELL, of Illinois.

#### ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 4688. An act to authorize the operation of stands in Federal buildings by blind persons, to enlarge the economic opportunities of the blind, and for other purposes;

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

H. R. 7690. An act to authorize the coinage of 50-cent pieces in commemoration of the two hundred and fiftieth anniversary of the founding of the city of Albany, N. Y.;

H. R. 8234. An act to authorize the coinage of 50-cent pieces in commemoration of the one hundredth anniversary of the founding of the city of Elgin, Ill., and the erection of a heroic Pioneer Memorial;

H. R. 8271. An act to amend the act entitled "An act to insure adequate supplies of timber and other forest products for the people of the United States, to promote the full use for timber growing and other purposes of forest lands in the United States, including farm wood lots and those abandoned areas not suitable for agricultural production, and to secure the correlation and the most economical conduct of forest research in the Department of Agriculture, through research in reforestation, timber growing, protection, utilization, forest economics, and related subjects, and for other purposes", approved May 22, 1928;

H. R. 8455. An act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes;

H. R. 9183. An act to provide for the extension of the boundaries of the Hot Springs National Park in the State of Arkansas, and for other purposes;

H. R. 11533. An act to authorize the coinage of 50-cent pieces in commemoration of the seventy-fifth anniversary of the Battle of Gettysburg;

H. R. 11687. An act to amend the Federal Aid Highway Act, approved July 11, 1916, as amended and supplemented, and for other purposes;

H. R. 11920. An act to increase the efficiency of the Air Corps;

H. R. 12329. An act to reenact section 259 of the Judicial Code, relating to the traveling and subsistence expenses of circuit and district judges;

H. R. 12848. An act to provide an additional place of holding terms of the United States district court in the eastern district of Kentucky, and to amend section 83 of the Judicial Code, as amended; and

H. J. Res. 467. Joint resolution authorizing the erection of a memorial to the late Haym Salomon.

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1073. An act for the relief of Louis Finger; and

S. 3818. An act to provide for the adjustment and settlement of certain claims for damages resulting from the operation of vessels of the Coast Guard and Public Health Service.

#### EXTENSION OF REMARKS

##### IN MEMORIAM

Mr. FENERTY. Mr. Speaker, under general leave to extend my own remarks, I include the following tribute to our late Speaker, Hon. JOSEPH W. BYRNS:

##### IN MEMORIAM

HON. JOSEPH W. BYRNS, SPEAKER OF THE HOUSE  
(By Hon. CLARE GERALD FENERTY, of Pennsylvania)

O Death, thou wert unkind; why didst thou dim  
Those smiling eyes that saw but to console,  
Like windows pouring light from out his soul  
Into our sunless hearts? Why didst thou limn  
With icy touch those lips that knew to brim  
With love made vocal for our land? Now toll  
Ye bells!—immortal now upon our roll  
He lives; and eyes are wet with thought of him.  
Ah, Death, not thine the laurels; he shall rob  
Thee of thy verdict, nor canst thou decree  
A stillness to that heart that knew not dross—  
That sacrificial heart whose every throb  
Was but a bead in Honor's rosary,  
Whose mysteries have led him to the cross.

HON. JOSEPH W. BYRNS

Mr. O'CONNOR. Mr. Speaker, last Friday was the saddest day in the history of the House of Representatives. There is no precedent in the 147 years of its existence for such an occurrence as a Speaker dying while the House was in session. The shock of it all is still with us and will remain indelibly imprinted on our minds.

The Speakership of the House of Representatives of the United States of America is the highest office in all the world, next to President of our United States. Only great men have filled that office. No occupant was ever unworthy of the trust imposed upon him. They all realized the responsibility of presiding over the representative branch of the Federal Legislature, the body most nearly responsive to the will of the electorate.

In that long list of illustrious statesmen we now inscribe the name of JOSEPH WELLINGTON BYRNS, a Representative from the State of Tennessee and Speaker of the Seventy-fourth Congress from January 3, 1935, until 12:15 a. m. of June 4, 1936.

To know him was to love him.

In a legislative body the real esteem in which a member is held may be measured, not merely by the respect and affection of his colleagues, but more exactly by the affection in which he is held by the officials and employees from the highest clerks down to the little page boys.

When the astounding news reached this Chamber Thursday morning that our beloved Speaker was dead the grief of no Member exceeded that of the tiniest page. Such love few men bring forth.

To adequately eulogize JOE BYRNS would require the eloquence and the perception which few men possess. A mere narrative of his life and achievements is worthy, however, of record and is an inspiration to the youth of America.

Born on a farm near Cedar Hill in Robertson County, Tenn., he grew up to manhood and lived with all the problems of the farmer, whose champion he was during all his legislative career. After attending the public schools of his county he was graduated in law from Vanderbilt University in the city of Nashville, which thereafter became his home and the place in which he practiced his chosen profession—the law.

JOE BYRNS came to the House of Representatives well trained in legislative procedure. For three terms he was a member of the lower house of the Tennessee Legislature and 37 years ago was the speaker of that body. In 1900 he was elected to the senate of his State and was thereafter elected to the Sixty-first Congress. During 14 Congresses, nearly 28 years, he has represented his State and the country as a Member of the House of Representatives. Only one Member of the present House outranked him in service by one term, and only one other Member equaled his length of service.

No man ever came to the Speakership with greater training. He was successively chairman of the Appropriations Committee, majority leader, and Speaker. No Member had a greater knowledge of the procedure and practices of the House. He had lived it all. It was not theory to him. He took a leading part in the development of modern parliamentary procedure in the House.

Such was our late Speaker.

When strong men weep someone worth while has passed on, not soon to be forgotten.

So we gathered here in the Hall of the House of Representatives in the presence of his remains in joint session with the Senate of the United States, and among the invited guests were the President of the United States, his Cabinet, the Justices of the Supreme Court, the representatives of the Diplomatic Corps, the Army, the Navy, and all the branches of our Government, which he loved so much.

Few men have had this signal honor bestowed upon them. Few ever deserved it. If ever any man was entitled to the respect which was shown here, it is our beloved Speaker.

#### PROGRESS REGISTERED IN CAMPAIGN FOR EQUAL-RIGHTS AMENDMENT

Mr. LUDLOW. Mr. Speaker, occasionally, in the long sweep of years, we are privileged to witness an epochal event in the progress of the human race. Such an event when it occurs may be so overshadowed by other happenings that it will pass almost unnoticed, but gradually the cloak of temporary obscurity will disappear and it will loom up large in the perspective of history.

Such an event, in my opinion, was the action of the Judiciary Subcommittee of the House of Representatives the other day in ordering a favorable report on House Joint Resolution No. 1, the proposed equal-rights amendment to the Constitution of the United States. As the sponsor of the amendment in the lower branch of the Congress I hail the action of the subcommittee with the deepest sentiments of gratitude and with a keen appreciation of the significance of this victory in the first important battle of the campaign to raise women to a legal status comparable with that of men in all of the affairs of life.

There will be other battles—perhaps many of them—before the legal status to which women are entitled, coequal with men, is made permanent and secure in our fundamental law, but this initial victory will give heart and hope and cheer to the militant hosts who are enlisted in the cause of women, and will be a powerful incentive to spurring them on to further achievements. It is not too much to expect that the favorable action of the subcommittee in this Congress will be followed by similar favorable action by the full Committee on the Judiciary early in the next Congress, and that within a few years at the longest Congress will adopt the resolution and send the proposed equal-rights amendment out to the State legislatures for ratification.

In the evolution of the centuries women have progressed by slow and painful process, often with great travail, from the status of slaves and chattels to be the equals of men in the ballot booths, but they cannot acquire the absolute franchise of freedom to which they are entitled and the position they should occupy in society until the equal-rights amendment makes them equal with men in all things before the law.

#### OPPONENTS ARE CHALLENGED

I challenge anyone who thinks to the contrary to give one legitimate reason why women should not be raised to this position of equality with men. I defy anyone to cite a single objection that will stand the test of reason and conscience. I know that we still have among us Bourbons and Tories who would like to keep women altogether out of politics and public affairs and consign them to the perennial role of cradle rocker and kitchen mechanic, but, thank God, modern public sentiment regards women as something higher in the human equation than slaves and chattels and even the Bourbons and Tories who so long obstructed the nineteenth amendment must see the handwriting on the wall. The best evidence of this is found in the fact that no group of hard-boiled, reactionary politicians anywhere in America today is demanding the repeal of the nineteenth amendment.

History has a habit of repeating itself and I predict that the history of the nineteenth amendment will have its counterpart in the history of the equal-rights amendment. The Tories and the reactionaries will hold out for a long time against the equal-rights amendment but finally they will be obliged to accept it as the natural and inevitable corollary and complement of the equal-suffrage amendment and tranquillity will again reign and America will be better off.

When I say that America will be better off by raising women to their full stature to share coequally with men the obligations and opportunities of responsible members of society, I am not indulging in an idle and thoughtless remark, as history proves. There is no light like the light of experience. The best way to judge how women will discharge their responsibilities in the future is the way they have discharged them under the nineteenth amendment.

The more I see of women in politics and in public activities the more I am pleased to take up their battle. They are making good. They are a great leavening influence in industry and in our public life. As a rule, they stand for the better things, and by the use of the suffrage they have obtained, they improve the quality of the public service and strengthen the Nation's bulwarks. I have great faith that the righteous power of the women when once aroused will be a tremendous force in guiding the Nation to a higher and happier destiny.

The women voters of our country do not believe that our boys should be hurled into the shambles of foreign wars and their influence will be everlasting for peace. They do not condone any traffic that destroys the souls of men and women. They believe in upholding the moral standards. Given equal rights and full opportunities to exercise those rights their influence will be a constant uplifting force for high ideals of citizenship at home and peaceful relations with all the world. Is not that influence worth encouraging and cultivating?

#### WITH WOMEN ALL THE WAY

During the historic campaign that led to the adoption of the nineteenth amendment to the Constitution of the United States it was my privilege to side with members of the Woman's Party, all along the way. It was a campaign of many discouragements and grueling hardships, and hope too often deferred; of bitter disappointments that tested the mettle of our fighting comrades of the opposite sex and often made us sick at heart. Yet there was no lagging, no faltering, no showing of the white feather, for we knew that our cause was righteous, and that it is written in the book of fate that righteousness shall ultimately prevail. As a newspaper correspondent in Washington, without a thought that I would ever enter public office or seek political preferment, I gave the best that was in me to the cause; not only because I believed in the justice of the cause, but through sheer admiration for the pluck and perseverance, the sportsmanship, and the eternal grit of those feminine proponents.

I recount my small part in the struggle for equal suffrage not in a vainglorious spirit nor to attract any credit to myself, for I deserve no credit for doing a citizen's duty in a worthy movement, but to explain why I appeared as sponsor of the Lucretia Mott amendment in the Seventy-second and Seventy-third Congresses and now in the present Congress.

The first great stronghold taken in the battle for the emancipation of women was the stronghold of equal suffrage. Now, with hopes buoyed by the victories of the past, and with righteousness still written high on their banners, they are moving on to capture the second stronghold, which will make their emancipation complete, the stronghold of equal rights. Equal rights is the corollary of equal suffrage. Without equal rights, equal suffrage is incomplete. To secure equal rights it is proposed through Federal constitutional amendment to establish at one time and at one stroke rights of women coequal with men in all of the States and possessions of our country. It is proposed to wipe out forever such ridiculous and silly discriminations as today deny to women equal guardianship of their children, a responsibility for which an all-wise Providence has especially endowed them. It is proposed to take down the nonsensical barrier which 27 States have erected against women serving on juries. It is

proposed to say to every State under the American flag: You shall not discriminate in your employment statutes against women who bravely seek to earn bread for themselves and their loved ones.

It is proposed to say to all of the States: You shall give women citizenship rights, property rights, equal to those of men.

It is proposed to sponge out of our State statutes the monstrous falsehood that there should be a dual standard of morals, with legal escape for the male delinquent and legal penalty for the woman who is caught in sin. In short, it is proposed by this amendment to give to women equal rights with men in every field of law. It is only through a Federal constitutional amendment that the widely varying discriminations against women that disgrace the statute books of many States can be wiped out and equality of rights for men and women can be obtained throughout the length and breadth of the Union.

When the proponents of equal rights, remembering me kindly from the associations of the past, asked me to introduce the amendment I was glad to do so. I believe as surely as God is in His heaven that this amendment will sometime be written into the Constitution of the United States, and I will be happy if that achievement comes in my time, and especially happy if I can be an instrument, and a very humble instrument, at that, in the fulfillment of women's magnificent destiny.

#### NONDISCRIMINATION AMENDMENT

If I were to give the equal-rights amendment a new name, I think I would call it the nondiscrimination amendment. Nondiscrimination, I believe, would be a little more accurate description of the purpose of the proposed constitutional amendment than the term "equal rights."

There is no doubt that the statutes of many States—perhaps all of them—discriminate against women to their great disadvantage. One woman who is interested in the equal-rights amendment has compiled a list of 1,000 instances of rank discrimination against women in State statutes, and she has not had time to give even cursory examination to the statutes of some of the States to see what additional discriminations lurk therein.

I have already referred to the statutes of some of the States forbidding women from serving as guardians of children. How grotesque, unnatural, and perfectly foolish is such a law. Who is better qualified to serve as the guardian of a little child than a good woman with the mother sympathy and the mother heart? These discriminations exist right at our national seat of government. In the District of Columbia when a son or daughter dies without a will the father inherits to the exclusion of the mother, an outrageous rule which caused one of the courts to say:

We cannot conceive why the mother, who has spent her youth in a labor of love and devotion to her child, should, after burying it from her sight in its narrow house, be turned from her home a beggar, according to law, with neither the consolation nor compensation of sharing in the property of her dead child.

In Massachusetts, Michigan, and New York, the services and earnings of a minor child belong to the father.

#### DOUBLE STANDARD OF MORALS

The double standard of morals is recognized in some States. In Maryland a man may divorce his wife for misconduct before marriage but a divorce is not available to a woman on that ground. In Minnesota a husband whose wife is led astray may collect damages from the guilty third party. On the other hand, no wife whose husband is led astray may claim compensation from the guilty third party.

In 40 States the services of the wife in the home belong to the husband. As a result of the rule that the services of the wife belong to the husband, he usually has the right to sue for damages for injury to her. Suits of this kind are maintainable in Illinois, Colorado, Delaware, Nebraska, Michigan, Mississippi, Missouri, New York, and Tennessee.

Women are disqualified as jurors in 27 States. What reason is there in justice or common sense why women should not be allowed to serve as jurors?

But even if I chose to do so it would be manifestly impossible for me to enumerate even a tithe of the State statutes

that now discriminate against women. They are innumerable. All of us who have a sincere interest in advancing the cause of women must realize the utter nonsense of trying to wipe out these cruel and unjust discriminations by pop-gun acts of State legislatures, when it can be done so much more easily and satisfactorily by a single amendment to the Federal Constitution declaring that women shall have equal rights with men throughout the Republic.

I am one of those who believe that when Thomas Jefferson wrote into the immortal Declaration the precious doctrine that "all men are created equal" he meant both men and women. The equal-rights amendment would put women in the Constitution of the United States, from which they seem to have been singularly omitted if we are to accept judicial interpretations by political courts. This amendment would raise woman to the dignity which the Creator intended for her when He made her not man's slave but his helpmate.

#### TRIBUTE TO COWORKERS

I cannot bring these remarks to a close without paying my humble tribute to some of the women of thought and purpose who by their devotion and indomitable energy have done so much to bring about this epochal action in the direction of woman's emancipation—the favorable report from the Judiciary Subcommittee on the equal-rights resolution.

Miss Alice Paul, former chairman of the National Woman's Party, has been the directing head in marshaling the forces of women to the support of the resolution, in which activity she has displayed both courage and genius. The wise leadership of such women as Miss Paul and Mrs. Harvey W. Wiley, chairman of the national council of the National Woman's Party, has been of incalculable assistance in furthering this great cause, and I think perhaps a little extra need of praise is due to Mrs. Betty Gram Swing, who has been the active and visual representative of the Woman's Party around the halls of Congress during the equal-rights campaign. Combining a most attractive personality with keen intelligence and perseverance that knows no bounds, Mrs. Swing has given a fine demonstration of efficiency personified, and when we are passing out compliments we must not fail to place some laurels on her brow for the excellence of the service she has rendered.

#### THE FRAZIER-LEMKE BILL

Mr. THOM. Mr. Speaker, under leave to extend my remarks I desire to set forth my reasons for voting against passage of the Frazier-Lemke bill, providing for refinancing of farm mortgages. My attitude will be better understood if first we have before us a summary of the contents of this measure.

It calls for the issuance of bonds by the Farm Credit Administration, not in excess of \$3,000,000,000, to liquidate and refinance existing farm mortgages, and which bonds shall bear interest at the rate of 1½ percent and shall be secured by mortgages on farms. It is generally conceded that long-term 1½-percent bonds could not be sold at par to the investing public. If the farm-loan bonds are not, therefore, purchased by the public, the bill provides that they are to be delivered to the Federal Reserve Board in exchange for Federal Reserve notes in an amount equal to the par value of the bonds. Loans are to be made with this new money at a rate of 1½ percent interest per annum and 1½ percent principal per annum.

In the original bill, mortgages were to be in an amount equal to the fair value of farms and 75 percent of the value of improvements. Manifestly, this would leave the Government unprotected in case of shrinkage of land values. Furthermore, it would mean an abnormally high percentage of abandonments, foreclosures, and distressed loans for the reason that borrowers would practically have no equity in their farms. This unbusinesslike and financially unwise provision was deleted from the bill at the behest of the Frazier-Lemke supporters themselves, who were forced to see its unwisdom, and the percentage of loan reduced to 80 percent of the fair value of land.

Chief of my objections to the bill is that it would offer its low-interest rate to less than 40 percent of the farmers whose farms are mortgaged at the present time, and therefore the measure is highly discriminatory. To be specific, 34 percent of all farms in the United States are mortgaged, and the total indebtedness on January 1, 1935, was estimated at \$7,770,000,000. Inasmuch as only \$3,000,000,000 in funds would be available for loans under the Frazier-Lemke bill, it is apparent that mortgagors to the extent of \$4,770,000,000 in indebtedness could not be accommodated. We would then have a class of farmers favored by the Government with a 1½-percent interest rate and a still larger class struggling along with an interest rate of 4 to 8 percent.

Obviously the farmer with a high-interest rate would find himself handicapped in the matter of production costs. Farmer A, who borrowed money heretofore under contract with his bank at 5 or 6 percent, would operate at a disadvantage in selling his milk or any other product as against farmer B across the road from him, who had the benefit of a Frazier-Lemke loan at 1½ percent and, therefore, could produce his milk or other products just that much cheaper. But that is not all. The low-interest-rate farmer, in all probability, would stand a better chance to sell his farm, or certainly he could command a better price for it, by reason of the advantage of his low-interest rate. In the light of this kind of favoritism as between citizens who have a right to expect equal treatment from their Government, is it any wonder that the House of Representatives defeated the bill by a vote of 235 to 142?

But this is still not all the ruin that would be visited on at least some of the farmers. If a sufficient number of present mortgagors of the Federal land banks was favored with Frazier-Lemke loans, the land banks would receive cash for the mortgages so refinanced, and unless this money could be invested in other sound securities to yield enough to pay interest of 3 to 4½ percent on farm-loan bonds outstanding and not callable for from 8 to 10 years, the Federal land bank system would suffer collapse. With it would go the \$113,000,000 capital-stock investment of some 600,000 farmer borrowers, to say nothing of \$217,000,000 which the Government has invested. Every present borrower of the Federal land bank would, therefore, be adversely affected for the reason that he is not only a borrower but also a holder of stock.

Add to this unequal treatment of the farming class the discrimination that would result to the home owners of the cities—now 1,000,000 in number—who are paying the Home Owners' Loan Corporation, another Government institution, an interest rate of 5 percent. In the counties of Stark, Wayne, Tuscarawas, and Holmes, comprising my congressional district, there are 4,475 of these borrowers. By what manner of reasoning could we deny to them an interest rate of 1½ percent? Are they not equal citizens with the 15 percent of farmers of the country who would receive Frazier-Lemke loans? And if the Home Owners' Loan Corporation borrowers, to the extent of \$3,000,000,000, should have the same low interest rate of the Frazier-Lemke bill, why not the balance of the borrowers on homes from other non-Government institutions, amounting to an additional \$14,000,000,000 in loans?

The answer to these questions brings us squarely up against the dangers of currency inflation. If we are to legislate justly, an interest rate of 1½ percent, if it is feasible, should be extended to all farm mortgages, amounting to \$7,000,000,000, and to all home mortgages, amounting to \$17,000,000,000. This would mean additional currency in the sum of \$24,000,000,000—nearly five times the amount of Federal Reserve notes in circulation. What would be the result of this outflow of currency on our national credit?

I recognize the currency question is a baffling one. However, I am sure we can all agree that unlimited issue of currency is disastrous. If it were not, all expenses could be borne by the simple and inexpensive process of printing money. All taxes could be abolished. Inflationists say Congress ought to be able to control the amount of currency so as to avoid catastrophe.

This is a hazardous undertaking. Always there is some demand for huge expenditures for worthy or unworthy purposes. The only brake on their authorization is lack of money in the Treasury or unwillingness of Congress to levy necessary taxes. Both of these obstacles, however, can be overcome by the issuance of currency. We have seen first within the recent past the demand that the soldiers' bonus be paid in new money. This would have saved taxes. Then we see the demand for new money to finance the Frazier-Lemke bill. This, too, would have saved taxes. The end of this kind of financing was described by President Roosevelt in his veto message of May 22, 1935, to the Congress on the Patman bonus bill, providing payment of soldiers' bonus in Treasury notes, in which he wrote:

To meet a claim of one group by this deceptively easy method of payment will raise similar demands for the payment of claims of other groups. It is easy to see the ultimate result of meeting recurring demands by the issuance of Treasury notes. It invites an ultimate reckoning in uncontrollable prices and in the destruction of the value of savings, that will strike most cruelly those like the veterans who seem to be temporarily benefited. \* \* \* A government, like an individual, must ultimately meet legitimate obligations out of the production of wealth by the labor of human beings applied to the resources of nature. Every country that has attempted the form of meeting its obligations which is here provided has suffered disastrous consequences.

In conclusion, it is strange that the authors of this bill have never been willing to admit the vast benefits to the farmers of the present Farm Credit Administration, which since May 1, 1933, has made nearly 750,000 farm-mortgage loans for approximately \$2,000,000,000. Estimated scale-downs on the face of mortgages totaled \$200,000,000—a clear saving to many farmers. Annual interest reductions, as a result of such financing by the Government, amount to \$38,000,000 on the basis of the contract rate. Through this aid offered by President Roosevelt and the Congress farm foreclosures have been reduced from 38.8 foreclosures per 1,000 farms in 1932 to 19 foreclosures per 1,000 farms in 1935.

THE ST. LAWRENCE SEAWAY IS NOT A LOCAL BUT RATHER A NATIONAL QUESTION OF THE UTMOST IMPORTANCE TO THE PROSPERITY OF EVERY SECTION OF THE UNITED STATES

Mr. GEHRMANN. Mr. Speaker, the St. Lawrence seaway treaty failed of ratification not because of any lack of merit, but because in the campaign for the improvement too much stress has heretofore been laid on the purely local benefits of the seaway and not enough attention has been given to acquainting the people of those sections not immediately tributary to the Great Lakes with the benefits which will accrue to such sections. Advocates of the seaway have been fond of saying that the seaway will benefit 26 States and 44,000,000 people, when we should have been saying, as the fact is, that it will benefit 48 States and 125,000,000 of people.

If we are to succeed in this campaign, the subject must be approached from a national point of view—a view which includes the other 22 States and the other 70,000,000 of people. It is not only a question of our right to this improvement but a question of getting the support of enough Senators to ratify the treaty. The logic of the situation demands that before we can expect a Senator to vote for ratification he must be shown that the seaway will benefit the people of his particular State, and that possibly, he cannot safely oppose a project which would benefit his constituents who are producers and shippers and who are constantly looking for better markets and more prosperity.

To California we can truthfully say that the principal market for the product of its people—their oranges, grapes, and figs, is now, always has been and always will be in the mid-continent of America; to our friends from Georgia we can say that the market for peaches, peanuts, and pecans would soon be more than doubled if the treaty is ratified; to the people of Connecticut we can say that their market for dollar watches and wooden nutmegs would increase by leaps and bounds; to the people of Louisiana, that they would sell more rice, and that the port of New Orleans would do more business than ever before if the empire to the north of it were fully developed.

These Senators are reasonable, conscientious men, willing and anxious to do anything that would further the material interests of the people of their several States. They would be glad to vote for the treaty if they can be convinced that it would be for the best interests of the great mass of their people as against special interests or localities who care nothing for the general welfare.

President Roosevelt, in submitting the treaty to the Senate for ratification, had the situation clearly in mind when he said:

It is, I believe, a historic fact that every great improvement directed to better commercial communications, whether in the case of building railroads into new territory or the deepening of great rivers, or the building of canals, have all been subject to opposition on the part of local interests which conjure up imaginary fears and fail to realize that improved transportation results in increased commerce benefiting directly or indirectly all sections.

I am convinced that the building of the St. Lawrence seaway will not injure the railroads or throw their employees out of work; that it will not in any way interfere with the proper use of the Mississippi River or the Missouri River for navigation.

On the affirmative side, I subscribe to the definite belief that the completion of the seaway will greatly serve the economic and transportation needs of a vast area of the United States and should, therefore, be considered solely from the national point of view.

I have not stressed the fact that the starting of this great work will put thousands of unemployed to work. I have preferred to stress the great future advantage to our country and especially the fact that all of us should view this treaty in the light of the benefits which it confers on the people of the United States as a whole.

George Washington, 140 years ago, in recounting a journey to the Midwest, wrote:

Prompted by these actual observations, I could not help taking a more contemplative and extensive view of the vast inland navigation of these United States; and could not but be struck with the immense diffusion and importance of it, and with the goodness of that Providence, which has dealt her favors to us with so profuse a hand. Would to God we may have wisdom enough to improve them.

No section of this continent is sufficient unto itself. The wealth produced in the great Mississippi Valley continually enriches the manufacturing cities of the East and affords an outlet for the products of the West and South. This area tributary to the Great Lakes and the Mississippi River is capable of supporting a population and industry and production of wealth of four or five times the present totals.

Wisconsin does not want the waterway merely because it will give her a few seaports, but so it will give the country round about us cheaper transportation, so we can save more money to buy more cotton so the cotton farmers can get more money to buy more Wisconsin cheese, so we can get more money to buy more grapefruit so that the people of the South can buy more canned peas, so we can get more money to buy more Florida oranges, North Carolina cigarettes, Virginia apples, more subscriptions to the Saturday Evening Post—so everybody can get money to spend their summers in the North so we can get enough money to spend our winters in the South.

As has been true in the past, so it will always be true that the benefits of the production of wealth in the Mississippi Valley will spread in every direction and enrich every nook and corner of the Nation. As a pebble thrown in a pool will drive its circling waves to the edge of the water, so the prosperity of the midcontinent will be wafted to the Atlantic on the east, to the Pacific on the west, to the Arctic on the north, and the Rio Grande on the south.

The general benefits of this project are too great to admit of any meritorious sectional opposition. In the distribution of the enormous increase of wealth which this waterway will bring, all parts of the country will share. In the territory served by the inland ports of this waterway will be built an empire with the greatest purchasing power the world has ever known. The coastal cities of the Atlantic seaboard will find markets heretofore undreamed of within the borders of

their own land. The cotton, fruits, oils, and minerals of the South and West, the manufactured products of the East, will find enlarged and constantly increasing markets.

It may be said that this waterway will benefit this particular city or be a detriment to a certain other city. It is a matter of little moment that a few inland ports may be increased in population. Any growth such cities may have will be only incidental to the development of the country served by them. The benefit to any given city or State will be but a trifling thing compared with the increase in wealth of the country as a whole.

Owen D. Young, in an address on the economic situation, said:

No permanency of any trend can be guaranteed unless we have sound and fair balance between all the units of our economic body.

There is no better way to give sound and fair balance in the matter of transportation than to give to the interior what the South, West, and East already have. We have the markets of the world at our door. With the blasting away of a little barrier in the St. Lawrence River, the United States of America would have the markets of the world opening the door and coming all the way in. All existing harbors and transportation agencies will have not less but more business than ever before, because there will be vastly more business to be done.

Now let Detroit, Milwaukee, Duluth, Superior, and all the other cities and States and Senators who want this waterway for what it will do for their people or their constituents get their heads out of the sand and look for and find the benefit to the people of the States whose Senators have not before been in favor of ratification. Let us stop talking about a marooned area and our local selfish interests that only tend to stir up opposition and jealousy. Let there seemingly be no limit to the beneficent influence of this seaway, and, in the language of President Roosevelt, consider the question "solely from the national point of view."

With this attitude, with this spirit, with this purpose constantly in mind, our efforts to secure this great improvement will be crowned with success, and with the coming of the waterway will come the beginning of the impregnable commercial supremacy of the North American Continent.

HON. JOSEPH W. BYRNS

Mr. DIMOND. Mr. Speaker, among those who were fortunate enough in their lives to come in contact with the late Speaker BYRNS, I am one. I have read and heard with deep interest and with profound emotion the eloquent tributes that have been paid to Mr. BYRNS, and while I understand that in speaking of a loved companion who has gone, how easy it is to resort to fulsome and exaggerated praise, I know in my own heart that all which has been said about our departed friend is true. He did not pretend to any outstanding virtue above and beyond that possessed by most of his fellow men, but we all know that he had that virtue. We all realized it in his life and we realize it more keenly and more deeply than ever now that he is gone.

Mr. BYRNS was a great gentleman. His passing is a loss indeed to the political party to which all his life he gave allegiance; and every party, every cause, needs men of his outstanding capacity and loyalty and courage. His death is a greater loss to the Nation which he served so faithfully and so well. And in a minor, a humble way, may I now speak for my constituents in far-off Alaska and for myself and say that the death of JOE BYRNS is just as much of a grief and just as much of a loss to us as it is to the remainder of the people of the country. He visited us in Alaska years ago and we were all then charmed by the same high qualities of courtesy, of benignant bearing, of unselfishness, and of evident fineness of character which endeared him to the thousands and thousands of other people with whom he came in contact. Such men are indeed rare. They are all too rare for the welfare of society and for the safety of mankind.

The other day, at the impressive funeral services held in the Hall of the House of Representatives, our present distinguished Speaker, in a strikingly eloquent tribute to the departed, said one thing that came to me with the force of a blaze of light. He said, "There was no vanity in him." While I suppose I had never realized it before, that statement at that moment made all things clear wherein Mr. BYRNS differed from the ordinary and common run of mankind. How many are there in all the world who are not vain in one form or fashion or another? Some people are so vain that they are ludicrous; but many estimable people, many wise people, many high-minded people are tarnished to some extent by vanity. If Mr. BYRNS possessed vanity nobody has ever discovered it. And so our present distinguished Speaker, whose insight into character is so keen, looked just as deeply into the character of his beloved friend and was thus able truthfully and justly to say, "This man knew no vanity."

After all, is it not true that if we could put vanity out of our minds and hearts we would be thereby measurably enriched and ennobled? For without vanity we would not be under the cloud of that darkening selfishness which spoils so many otherwise fine characters. Without vanity we would be slow to anger, as Mr. BYRNS was; without vanity we would always be considerate of the rights and even of the weaknesses of others, as Mr. BYRNS was; without vanity we would have courage, as he had to go the even tenor of his way, following his conscience to the ultimate goal of justice and right, never doubtful, never wavering.

Mr. Speaker, I came to Washington in 1933, and all here was strange to me. But from the very day of my arrival almost I found in our late great friend a man who was solicitous for my welfare as a Member of Congress, and as a private citizen. Mr. BYRNS, from the very beginning and until the day of his death, extended to me the same careful, considerate, thoughtful courtesy that he extended to those in this body who are really important and who are really great. On many occasions he went out of his way in order to help me, in order to help the people whom I have the honor to represent. He was never too busy with problems involving the millions of other people in our land to stop for a moment and consider the welfare and to give careful thought to the people of Alaska, few as they are in number and remote as they are from the seat of the National Government.

Such men as Mr. BYRNS are indeed rare. In all of my life I have met very, very few of them. How many can we recall who possessed in equal degree the outstanding characteristics of unselfishness, courtesy, kindness, devotion to the public welfare, and entire lack of vanity, and at the same time had such a keen mind, such a retentive memory, such sound judgment, such a cultured and comprehensive and civilized outlook upon all of the affairs of the Nation, and all of the things of life?

It was said of a great American statesman in times gone by, in words or substance, that nothing base, low, or meanly selfish came near his head or his heart; and those of us who were privileged to know Mr. BYRNS know that of him also could be justly said that nothing base, or low, or meanly selfish came near his head or heart.

Mr. BYRNS was kind. As we grow old most of us more and more realize that kindness and considerate attention to the welfare of others is the best and firmest foundation for a calm mind and for a happy and well-ordered life. Those of us who have passed the midpoint of physical existence and endeavor and are descending toward the shadows, as I am and as a majority of the Members of this body are, understand more and more keenly the horror of cruelty, or even of harshness, and the essential value, and indeed the supreme achievement which virtue attains in kind action. No decent man has ever reached the meridian of life who does not regret the harsh things he has said or done, even though at the time apparently justified, or who does not remember with satisfaction his words and acts that were gracious and kindly.

In the more than 3 years that I knew Mr. BYRNS, and during sessions of Congress, was in almost daily contact with him, I never knew him to do a thing that by any stretch of the imagination could be called cruel or harsh or thoughtless. Possessed of a lightning-quick mind and keen wit, he was always careful never to use his great talent in a manner that would hurt or bring discomfort to another human being, no matter what the provocation. So when I say, as I must say, and as all of his friends will say, that Mr. BYRNS was a model of kindness, was an exemplar of thoughtful and generous life and conduct, I am paying him the ultimate tribute and the tribute which is justly due his memory.

May we not trust, Mr. Speaker, that the grief of his beloved wife and splendid son will be to some extent assuaged and softened by the modest pride which they may justly take in the remembrance of a husband and a father who was at once famous and in all things upright, at once powerful and yet beloved by his fellow men.

HONORING THE NEGRO RACE—TRIBUTE TO MATTHEW A. HENSEN,  
ASSISTANT TO ADMIRAL PEARY

MR. LARRABEE. Mr. Speaker, I wish to take this opportunity to speak of the large contribution that a certain group of American citizens have made toward the growth and progress of this country, and shall say a word about certain attitudes that have been assumed by the dominant race of these United States.

These remarks are actuated somewhat because of the interest and thrilling interview which I, as a member of the Committee on Coinage, Weights, and Measures, experienced a few days ago, when Matthew Hensen, a Negro polar explorer, who accompanied Admiral Peary on his memorable voyage, resulting in the discovery of the North Pole, appeared before our committee. The occasion for his appearance before our committee was in the interest of a bill introduced by Congressman ARTHUR W. MITCHELL, of the First District of Illinois, H. R. 12388, which bill purports to honor this hero for his expedition and accomplishments and valor in connection with the discovery of the North Pole.

In speaking of this Negro hero, Admiral Peary had this to say:

Matthew A. Hensen, my Negro assistant, has been with me in one capacity or another since my second trip to Nicaragua in 1887. I have taken him on each and all of my expeditions, except the first, and also without exception on each of my farthest sledge trips. This position I have given him primarily because of his adaptability and fitness for the work, and, secondly, on account of his loyalty. He is a better dog driver and can handle a sledge better than any man living, except some of the best Eskimo hunters themselves.

This Nation, which was most grateful to Admiral Peary for this discovery, waited 25 years to show recognition and honor to Matthew Hensen. It has occurred to me that we have waited simply because Hensen was a colored man. I am wondering if our lethargy in honoring Hensen is not characteristic of our general attitude toward that race which Hensen represents. Is it not a fact that the Negro race, whose loyalty to this country has never been questioned, often suffers the same neglect that Hensen has suffered, and is it not a fact that our neglect to recognize and honor members of this race is more or less the result of racial prejudice?

I have risen in the House today to make an appeal to the Members of this House and to urge us to be more considerate of the rights and privileges and lives of this wonderful group of people, who gave us a Fred Douglass, a Booker Washington, a Paul Laurence Dunbar, an Arthur W. Mitchell, and scores of other historical characters, whose loyalty to this country can in nowise be questioned, and whose contribution to the growth of this country must be recognized.

I should like to remind you, gentlemen, that for about a quarter of a century these people have been asking this Congress to pass an antilynching bill, which can serve but one purpose—to make them more secure in their lives against the exploitation and bloody attacks of mobs. Why do we

not act to protect them? There rests on the Speaker's desk at this time petition no. 32, which seeks to lift one of the 30 antilynching bills now in the hands of the Judiciary Committee of this House from the consideration of that committee. I call upon those of this House, on both sides of the aisle, who believe in a square deal for all the citizens of this country, to come forward and join the nearly 200 of us who have already signed this petition. Congressman MITCHELL has worked day and night among us to make favorable sentiment for the passage of this legislation. You have observed his conduct before this House; you know what valuable assistance he has given us and what statesmanship he has displayed, not alone in the interest of his own group but in the interest of American citizenship. Do we not owe it to him and do we not owe it to the more than 12,000,000 Negroes in this country, and to ourselves as believers in the enforcement of law, to not only lift this bill from the consideration of the Judiciary Committee, which up to this point has refused to act upon this legislation, to bring this bill before this House and to pass the same? Good citizens would hail the passage of this bill as one of the achievements of the age.

Again I ask you to let us not be narrow or prejudiced in our views, but let us come forward and do our duty by this group of citizens and thus acquit ourselves of the charge that we are prejudiced and can see human rights only if they appear in white skins.

#### COMMUNISTS AND THE NEW DEAL

Mr. REED of New York. Mr. Speaker, who is Prof. Bristow Adams, and what has he done to incur the displeasure of the New Deal?

I wish to say that in the first place Professor Adams is a patriotic American citizen who has rendered conspicuous and commendable public service both in times of peace and in times of war. Called upon by the New Deal administration to act as State director of the W. P. A. writers' project in the State of New York, he entered upon the discharge of his duties with his usual energy, ability, and enthusiasm. Professor Adams did not seek or solicit this position, but yielded to the call to perform a public service.

Now this distinguished citizen has been removed as State director of the W. P. A. writers' project. What is the reason for his removal? I want every true American who believes in fair play to know the facts, and from these facts to draw his own conclusion as to the objective of those who sought to have and succeeded in having Prof. Bristow Adams removed from office.

While Professor Adams is well known to journalists, educators, and agriculturists, there may be many groups who are not familiar with his record both as a private citizen and as a public servant; therefore I shall mention only briefly something of his background for the benefit of those who have not followed closely his fine career.

Professor Adams has been connected with the New York State College of Agriculture at Cornell University since 1914. He is professor of journalism and director of publications for the State College of Agriculture and Home Economics. He was connected with the United States Department of Agriculture from 1917 to 1918. He was connected with the Military Intelligence Division of the General Staff of the United States Army in 1918.

The excellent work performed by Professor Adams in promoting the interests of the dairymen of the country is well known to the leaders of this important farm activity.

Again, why have the New Deal officials insisted upon the summary removal of Professor Adams as State director of the W. P. A. writers' project? The records reveal the facts. Soon after his appointment Professor Adams discovered that the W. P. A. organization was being utilized for the promotion of communistic activities. Without haste and with his usual thoroughness, Professor Adams made a painstaking record of the acts and statements of those W. P. A. officials who were furthering communism by means of this governmental agency. Once he had assembled irrefutable evidence

to fully establish a case against the Communist officials of the W. P. A., Professor Adams submitted this evidence to Harry Hopkins, national W. P. A. Administrator. Instead of receiving commendation for his patriotic service to his country by the disclosure of the activities of the communistic plotters, Professor Adams was promptly dismissed.

The punitive action taken by the New Deal against Professor Adams was as prompt, indefensible, and tyrannical as that taken against General Hagood.

Were it not too late in this session of Congress to get action, I would demand an investigation of this arbitrary and unjust removal of Professor Adams, who honestly and fearlessly discharged his patriotic duty. The press of the country may, if it will, follow up this case, to the end that this injustice shall not stand as a further encouragement to communistic agitators.

#### OVERLAPPING AGENCIES

Mr. BACON. Mr. Speaker, I wish to direct attention to a matter of such importance that I think the RECORD ought to show the facts.

Mr. Speaker, the fact remains indisputable that we in this country have too much government. We are so much governed that never before in history, and I hope never again, have the people been subjected to so many prohibitions, inhibitions, "shall not's", and "shall do's." We not only have too much government but we have too many governmental agencies occupied with matters directly affecting the lives of the people of this country.

Mr. Roosevelt himself has admitted as much. In his speech accepting the Democratic nomination for the Presidency (Chicago, Ill., July 2, 1932), Mr. Roosevelt said:

We must abolish useless offices \* \* \*. We must merge, we must consolidate subdivisions of Government and, \* \* \* give up luxuries we can no longer afford.

At Pittsburgh, Pa., on October 19, 1932, he made the following statement:

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

On September 29, 1932, at Sioux City, Iowa, he said:

We are not getting an adequate return for the money we are spending in Washington, or to put it another way round, we are spending altogether too much money for Government services which are neither practical nor necessary. In addition to this we are attempting too many functions, and we need a simplification of what the Federal Government is giving to the people.

Despite these statements about the need for simplification of Government agencies, more than 50 additional Government departments, establishments, boards, commissions, bureaus, services, divisions, or committees have been created since March 4, 1933. By the act of March 3, 1933 (47 Stat. 1517, as amended by act of Mar. 20, 1933, ch. 3, title III, sec. 1; 48 Stat. 16), the President was given extensive powers to reorganize the Federal Government through the abolition, consolidation, and rearrangement of administrative units. Relatively little use of this power was made by the President and not until a year after the power had elapsed (Mar. 20, 1935) did he really become interested in the ending of duplicating agencies. Despite the fact that for 2 years President Roosevelt had wide powers to effectuate an extensive administrative reorganization, there is now more duplication of activity in the Government than there was in 1932.

Before March 4, 1933, there were 10 different Federal agencies to deal with the problems of power production (electricity, coal, and oil), but at present there are 23 agencies dealing with these problems.

Housing problems were being considered by 4 agencies before the New Deal, but now 15 different agencies are dealing with it.

Before Mr. Roosevelt took office there were only 2 agencies of the Government dealing with the settlement of labor disputes, but now there are 12 agencies.

Four years ago 3 Government agencies were making loans to farmers, and now there are 13 agencies making such loans.

The following table lists some of the more obvious instances where a number of different agencies are dealing with the same activity. The number of agencies concerned in 1932 and in 1935-36 is indicated in each instance.

Activity	Number of agencies concerned	
	1932	1935-36
Power	10	23
Housing	4	15
Labor disputes	2	12
Agricultural loans	4	13
Emergency construction of public works	6	15
Public lands	7	15
Soil conservation	8	15
Foreign trade	6	12
Protection of consumers' interests	6	9
Highways (a major concern)	7	13
Financial statistics of State and local government	6	13
Education	5	11
Railroads	2	5
Parks	5	10
Relief	2	10

Even when it comes to studying overlapping and duplicating Government agencies the present administration has indulged in the establishment of three different duplicating instrumentalities. At the current session of Congress Senator BYRD introduced a resolution in the Senate providing for a special Senate committee to report on the elimination of duplicating agencies and the economies that would result therefrom. This resolution was passed on February 24, 1936, and the committee has been appointed. On March 22, 1936, President Roosevelt set up another investigating committee to report to him on the same problem. Also on the same day the President sent a letter to the Speaker of the House of Representatives requesting the House to appoint a committee to cooperate with the Senate committee and with the President's Committee on Overlapping Agencies, and that committee has been appointed. Now there are three official independent overlapping committees studying the problem of overlapping Government agencies.

#### JOSEPH W. BYRNS

MR. BEITER. Mr. Speaker, with the passing of Speaker JOSEPH W. BYRNS the House has suffered a great loss and those of us who came to know him well through daily contacts in the conduct of legislation find it difficult to reconcile his death.

It is a source of pride and gratification to have known "Joe" and to have been associated with him in service.

Regardless of the many duties vested in him by virtue of the important office he held, Speaker BYRNS never neglected an opportunity to offer a helping hand to those who sought his counsel. He was honest and sincere in his beliefs and steadfast in his determination to rule with justice and equality.

Loyalty and true friendship were attributes which exemplified his character, and his accomplishments as a leader are true manifestations of the confidence and trust placed in him by his colleagues.

His rise from humble beginnings, though accompanied by heavy burdens, was steady and enduring. His unaffected simplicity and friendliness of nature endeared him to all his acquaintances.

The memory of "Joe" BYRNS will long be revered, for he was a great human and no one ever more thoroughly deserved the unanimous affection and trust of his associates.

#### THE MINNEAPOLIS & ST. LOUIS DISMEMBERMENT

MR. HILDEBRANDT. Mr. Speaker, seldom in my public career have I known of a governmental proposal that has occasioned more criticism in a definite section than that to dismember the Minneapolis & St. Louis Railroad and parcel it out to eight other railroads, causing the abandonment of over 500 miles of road.

Efficiency and economy are the usual excuses for execution of such a policy. They are being advanced in this case,

although they have already been fully refuted. Adequate aid to the Minneapolis & St. Louis Railroad, rather than a subsidy to help the eight other roads, would be cheaper in the long run, as well as fairer to the communities involved.

I am considering, however, the human aspect of the subject more than the financial side. The railroad workers who will lose their jobs; the owners of small shops in the little towns that will be wiped off the map if they are deprived of rail service; the farmers who will have to haul their products to other stations at a greater distance, costing them time and money they can ill afford; and the many others who will be hard hit through the suggested dismemberment, have a right to be considered even more than dollars and cents—and the dollars and cents argument is not a sound one in this case, either.

Grave injustice and real injury will be done thousands of people if this mistaken proposal is carried out. I have been emphatically against it from the time it was planned, and I shall continue to be. I hope that our united protests will be effective.

#### AGRICULTURAL IMPROVEMENT IN IOWA, 1932-35

MR. WEARIN. Mr. Speaker, cash receipts from the sale of principal farm products and from rental and benefit payments increased from \$275,388,000 in 1932 to \$466,849,000 in 1935, an increase of 69.5 percent, in Iowa. Cash receipts constitute 98 percent of the State's total farm cash income.

The price changes on certain commodities, which brought about a considerable share of the increased income indicated above, are strikingly illustrated in the table below:

TABLE 1.—*Average prices received by Iowa farmers on dates specified for commodities enumerated*

Commodity	Aug. 15, 1932	Mar. 15, 1933	Dec. 15, 1935
Wheat (per bushel)	\$0.37	\$0.36	\$0.93
Corn (per bushel)	.25	.13	.46
Oats (per bushel)	.12	.10	.22
Barley (per bushel)	.22	.16	.35
Rye (per bushel)	.25	.23	.39
Buckwheat (per bushel)	.45	.43	.55
Flaxseed (per bushel)	.79	.86	1.55
Potatoes (per bushel)	.48	.48	.70
Hay (all loose, per ton)	7.00	4.60	6.20
Apples (per bushel)	.65	1.05	.90
Hogs (per hundredweight)	3.90	3.20	8.80
Beef cattle (per hundredweight)	5.90	4.10	7.70
Veal valves (per hundredweight)	5.00	4.40	7.80
Milk cows (per head)	35.00	30.00	54.00
Chickens (per pound)	.108	.074	.157
Butter (per pound)	.20	.17	.33
Eggs (per dozen)	.13	.085	.26
Wool (per pound unwashed)	.08	.09	.26

For the country as a whole, the yearly average price of all groups of farm products increased from 65 to 108 percent of the pre-war level during the period, 1932-35, an increase of 66 percent. The low point occurred in March 1933, when it was only 55 percent of the pre-war level. These figures do not include rental and benefit payments. The gain in unit exchange value of farm products was somewhat less than the gain in farm prices, since prices farmers pay for commodities used in living and production also advanced about 17 percent during the period. The exchange value per unit of farm products increased from 61 percent of the pre-war level in 1932 to 86 percent in 1935, a gain of about 41 percent.

A new appreciation of farm real estate in Iowa has been one result of increased farm income. Voluntary sales and trades of farms here increased from 11.8 per thousand for the year ending March 15, 1933, to 16 per thousand for the year ending March 15, 1935. During the same period the number of forced farm sales per thousand declined from 85.7 to 40.1. For the first time since 1920, the decline in farm real-estate values halted in the year ending March 1, 1933, when the estimated value of farm real estate per acre stood at 58, the State average from 1912-14 being 100. From this low point of 58 in 1933, it rose to 67 for the year ending March 1, 1935. Further improvement in these respects is indicated for the current year.

## SOIL CONSERVATION PRACTICES UNDER THE A. A. A.

Adjustment measures enabled farmers in Iowa in 1935 to take more than 2,000,000 acres of land out of the production of corn and wheat, which deplete the soil or expose it to erosion, and to put some of it into the production of erosion-preventing and soil-improving crops, such as alfalfa, bluegrass, soybeans, clover, and lespedeza. Contracts under the Agricultural Adjustment Act specifically mentioned "erosion-preventing and soil-improving crops" as among those which might be planted on the contracted acreage.

A marked trend toward increased pasturage of all kinds is apparent in Iowa. According to the Bureau of the Census, the acreage devoted to pasturage increased from 9,508,644 acres in 1929 to 11,067,553 in 1934, more than one and one-half million acres increase.

## EXTENT OF FARMER PARTICIPATION IN PROGRAMS

From the inauguration of the adjustment programs in 1933 through January 6, 1936, a total of 331,990 crop-adjustment contracts signed by Iowa farmers were accepted by the Agricultural Adjustment Administration. Of this number, 319,910 were corn-hog contracts, 10,271 wheat contracts, and 1,809 sugar-beet contracts.

Three referenda on the continuation of crop-adjustment measures were held in Iowa under the agricultural-adjustment program. During the first 2 weeks of October 1934, corn-hog producers were asked whether they favored an adjustment program for 1935. In this referendum producers voted 2 to 1 for a program, the vote being 67,186 for a program and 30,055 against. A Nation-wide wheat referendum was conducted on May 25, 1935, in which producers were asked, "Are you in favor of a wheat-production-adjustment program to follow the present one which expires with the 1935 crop year?" In Iowa 3,416 votes were cast, all but 399 of which favored such a program. The last referendum in Iowa was that conducted on October 26, 1935, in which corn-hog producers were asked if they favored a corn-hog program for 1936. Official returns indicated that 160,768 producers favored such a program, while 26,728 opposed.

## RENTAL AND BENEFIT PAYMENTS IN IOWA

As of December 31, 1935, rental and benefit payments in Iowa aggregated \$93,292,030.60. Of this amount \$91,929,517.75 went to corn-hog farmers, \$1,123,157.83 to wheat producers, and \$239,355.02 to sugar-beet growers.

Funds to provide these rental and benefit payments were raised through processing taxes. As of December 31, 1935, processing-tax collections made at points in Iowa totaled \$30,622,085.76. Processing taxes were made through the medium of first processors, or converters of the raw products—millers, packers, cotton and tobacco manufacturers—wherever these processing establishments were located, but were paid by consumers throughout the country.

Iowa was one of the Midwestern States affected by the drought of 1934. In this emergency, A. A. A. rental and benefit payments, calculated on the farmers' production during a previous base period rather than upon the current year's production, served as a form of crop insurance. For their 1934 crop or corn, reduced to 201,480,000 bushels by the drought, Iowa farmers received only \$19,550,000 at the market; but their rental and benefit payments brought their cash income from the 1934 corn crop to \$48,184,000. This was 51 percent more than they received for their 1932 crop, amounting to 509,507,000 bushels, which was 153 percent larger.

In 1934 drought threatened Iowa farmers with the loss of thousands of cattle and sheep by thirst and starvation. With funds appropriated by Congress for the purpose, the Agricultural Adjustment Administration, in cooperation with the Agricultural Extension Service and the Federal, State, and local Emergency Relief Administrations, took measures to conserve the food supplies of the country as represented by the livestock of Iowa and other States, and at the same time to preserve foundation herds and save livestock owners from total ruin through the loss of their animals.

Under the emergency livestock purchase program the A. A. A. purchased in Iowa about 25,000 head of cattle and

sheep at a total cost of approximately \$330,000. The relief administrations provided for the slaughter and transportation of the animals and the preserving and distribution of the meat from them.

Under the seed-conservation program, also carried on with money directly appropriated by Congress, seed was selected, purchased, and distributed during the 1935 season. In Iowa about 1,358,000 bushels of seed of selected stocks were purchased and conserved, with an expenditure of about \$796,000.

## FARMERS' MONEY GOES TO TOWN

The extent to which increased farm income during the past 3 years enabled Iowa farmers to increase their purchases of city-made goods is reflected in several ways.

New automobile registrations in Iowa during the 4-year period 1932-35 have been as follows:

1932	23,679
1933	32,735
1934	48,479
1935	81,709

The increase from 1932 to 1935 was 245 percent.

According to Automobile Facts and Figures, a publication of the Automobile Manufacturers' Association, the 1934 retail automobile sales gain in Iowa was greatest in small towns and on farms. From 1933 to 1934 new passenger-car registrations on farms and in towns under 10,000 increased 57 percent, whereas in towns over 10,000 population the increase was 25 percent.

New automobile purchases, among other things, meant an increased gasoline consumption. Consumption rose from 355,568,000 gallons in 1933 to 421,152,000 in 1935, an increase of about 18.5 percent.

Sales of new ordinary-life insurance in Iowa increased from \$82,868,000 in 1933 to \$102,807,000 in 1935, an increase of 24 percent.

Another index of increased business activity, resulting in part from renewed farm purchasing power, is debits to individual accounts. Monthly statements issued by the Federal Reserve System indicate that debits to individual accounts increased greatly from 1933 to 1935. For 1933 debits in the Chicago district amounted to \$32,129,366,000. For 1935 preliminary figures indicate that they increased to \$49,643,653,000, or 30-percent increase over the 1933 figure.

Nearly every general class of Iowa business has enjoyed a constantly growing rate of increase since 1934.

Even the laggards, such as furniture and manufacturers' retail sales, are ahead of the April, May, and June quarter of 1934, the first period in which the sales tax was collected in Iowa.

A sensational spurt in the general-merchandise division in the Christmas quarter of 1935, from a total business of less than \$35,000,000 in the previous quarter up to \$43,000,000 in that period, pushed that classification into first place.

Food previously had been the leading classification except for one quarter in 1934. Officials estimate that food purchases yield between 20 and 25 percent of the sales-tax revenue, or approximately \$3,000,000 annually.

The unclassified division, the group to show the most sustained rise, includes farm machinery, fuel and ice, theaters, dance halls, and amusement parks.

## WHAT HAVE WE DONE?

MR. HILDEBRANDT. Mr. Speaker, it is a logical question for voters to ask of any administration, What have you done? Why do you expect to be retained in power?

Every citizen has a right to place this query before his Representative and his Senators, as well as before all other public officials.

Answering such an interrogation with regard to the Roosevelt administration, we may honestly and truthfully say that it has given the American people the most progressive legislation in the history of the Nation—not as progressive as should and will be eventually enacted, but the best we could get at the time, and legislation that stands in striking contrast to the reactionary, plutocratic laws and policies of the Harding, Coolidge, and Hoover administrations. Compare the human and humane attitude of President Roose-

velt and his advisers with the callous, hardened, indifferent attitude of the three preceding Executives and their associates. What a contrast. The New Deal has been imperfect and faulty, to be sure, but it constitutes a sincere effort to put human rights above property rights, and it deserves genuine appreciation and support. Much of its work has been experimental because the Nation found it necessary to go into untried fields of official endeavor, but it has blazed a new trail of social conscience and social responsibility for the exploited and the oppressed.

The clock of time will not turn backward—certainly not in social welfare. If you are not satisfied with what President Roosevelt and the Democratic Congress have done, you certainly have nothing to gain and all to lose by reverting to the policies of Hoover, Mellon, Mills, and the kings and kaisers of Wall Street whom they served. If any criticism is to be offered, it is not because we have gone too far, but because we have not gone far enough. I have been very outspoken in advising more progressiveness and liberality, and it is my confident expectation and earnest hope that the party to which I belong will swing steadily forward with increased energy after our expected victory on election day, 1936.

#### COST OF GOVERNMENT

Mr. BACON. Mr. Speaker, during the past 3 years the business undertaken by the United States Government has grown so rapidly and the figures involved have become so enormous and complicated that they are baffling even to the expert and nearly incomprehensible to the average citizen who foots the bills. As this session of Congress draws to a close, I should like to insert for the sake of the record a very brief summary of how the cost of government has grown under the administration of Franklin D. Roosevelt. I should like to compare the expansion in the cost of government with a few of the promises which were solemnly made to the electorate in 1932, not only in the Democratic platform but by Candidate Roosevelt.

The Democratic platform of 1932 had the following plank:

We advocate an immediate and drastic reduction of governmental expenditures by abolishing useless commissions and offices, consolidating departments and bureaus, and eliminating extravagance, to accomplish a saving of not less than 25 percent in the cost of Federal Government.

In his speech of acceptance on July 2, 1932, Mr. Roosevelt said about the platform: "I accept it 100 percent."

Throughout the campaign he reiterated the absolute necessity of reducing expenditures and he pledged himself, if elected, to a program of economy.

For 3 long years—

Said Mr. Roosevelt in his acceptance speech—

I have been going up and down this country preaching that government \* \* \* cost too much. I shall not stop the preaching.

He condemned the spending of the Hoover administration in the following words:

That, my friends \* \* \* is the most reckless and extravagant pace I have been able to discover in the statistical record of any peacetime government anywhere or any time.

But when Franklin D. Roosevelt became President, what did he do? Did he reduce the Hoover rate of spending by 25 percent? Did he cut the annual cost of running the United States Government to \$3,865,000,000, in accordance with his platform pledge? He did not. In his first year of office he increased the cost of government 38 percent over the cost during the last full year of the Hoover administration. In the next fiscal year the increase over the Hoover rate was 43 percent. According to estimates for the present fiscal year, the increase will be 92 percent, or nearly double the rate spent by Mr. Hoover in the year ending June 30, 1932.

Here are the figures taken from official testimony before the Congress:

Year ending June 30:	Cost of government
1932	\$5,153,645,000
1933	5,142,954,000
1934	7,105,050,000
1935	7,375,825,000
1936	9,882,000,000

In other words, the cost of government this year is approximately two and one-half times what it would have been if Franklin D. Roosevelt had performed in accordance with his promises.

It is said by the President's supporters, including the chairman of the Democratic National Committee, Mr. Postmaster General Farley, that the reason the President could not carry out his party's platform was because when he came into office he was faced with an unforeseen emergency. It is not my intention here to argue whether he should have been able to foresee such an emergency when he was promising so glibly in 1932. There is no necessity for me to argue because the President himself has effectively demolished the supporting arguments of his own friends. I should like to recall to you that 4 months after the so-called emergency the President was still paying lip service to his party's platform. In a telegram to Leon McCord, member of the Democratic National Committee from Alabama, dated July 8, 1933, Mr. Roosevelt said:

Finally I have made it clear ever since my nomination a year ago that I subscribe to the Democratic platform 100 percent.

The party platform pledged abolishing useless commissions and offices, consolidating departments and bureaus, and eliminating extravagance.

How about the performance? From March 4, 1933, to March 31, 1936, the Roosevelt administration created more than 50 additional bureaus, commissions, committees, boards, agencies, or Government corporations. Here is a partial list:

Agricultural Adjustment Administration.  
Commodity Credit Corporation.  
Federal Farm Mortgage Corporation.  
National Recovery Administration.  
National Recovery Relations Board.  
Social Security Board.  
National Bituminous Coal Commission.  
United States Employment Service.  
Federal Deposit Insurance Corporation.  
Federal Savings and Loan Insurance Corporation.  
Home Owners' Loan Corporation.  
Federal Housing Administration.  
Resettlement Administration.  
Public Works Administration.  
Tennessee Valley Authority.  
Rural Electrification Administration.  
Electric Home and Farm Authority.  
Federal Emergency Relief Administration.  
Civil Works Administration.  
Works Progress Administration.  
Federal Surplus Commodities Corporation.  
Central Statistical Board.  
Securities and Exchange Commission.  
National Archives.  
Federal Communications Commission.  
Federal Coordinator of Transportation.  
National Resources Committee.  
Railroad Retirement Board.  
National Emergency Council.

In the light of the above is it any wonder that this massive New Deal business being transacted in the name of the United States Government is costing close on to \$10,000,000,000 during this present fiscal year? Ten billion dollars that will have to be wrung from the taxpayers of today and tomorrow and tomorrow's morrow. Ten billion dollars which with other billions spent by the New Deal will act as a chain upon American progress and American youth for generations to come. Ten billion dollars that stand as a mockery to that insolent statement which Postmaster General Farley made in Salt Lake City 2 years ago:

You are having the most economical Federal administration you have had for years.

#### VIEWS RELATIVE TO SUPREME COURT DECISIONS

Mr. ROMJUE. Mr. Speaker and Members of the House of Representatives, there has been a great deal said and many editorials set forth and perhaps quite a good deal more thinking than has been written or said relative to the decisions of the Supreme Court during the Presidential administration of Franklin D. Roosevelt.

I recognize the importance of the three distinct branches of our Government, which are, as you know, legislative, executive, and judicial. Each has a very distinct function

to perform, and while that is true there is also a very interesting relationship existing between each with the others.

It seems to me that every thoughtful person should be interested in maintaining the proper checks and balances of the Government as was intended by those wise statesmen who, out of a great wealth of experience, were responsible for the establishment of the fundamental principles upon which our Government stands and operates.

It is my belief that there is no greater education one may have or secure than that of a clear understanding and comprehension of human nature itself. We may speak of our colleges and universities and our educational systems and all that, but unless a person, when they come into this world, comes in endowed by the Creator himself with the essential elements of an intellect, it surely shows that no school system can give one that which they do not possess in some measure to start with, so our training and education, while often very useful, can only expand that which nature has given, but cannot create.

It is of importance that men and women who are placed in responsible positions do not allow their opinion to get too much warped, biased, and prejudiced, and it is the duty of such to take as broad and constructive a view as possible in keeping with the affairs of justice within the limitation prescribed by the Constitution and statutes.

I recall that only a few short months ago there was quite a hue and cry went up through a great many columns of the newspapers of the country, and some critics of President Roosevelt raised their voices expressing grave fear that the Constitution of the United States might be changed under his administration, and these antagonists and opposing forces allied against President Roosevelt and the present Democratic Congress were then warning the people to have great fear that the Constitution ought not to be in any respect amended. The people were advised in regard to this and warned by those who opposed President Roosevelt and the present Democratic Congress to stand against any idea or thought of amending the Constitution, particularly was this referred to by them when the Supreme Court, by a vote of 6 to 3, ruled against what is known as the Agricultural Adjustment Act, which embodied what was generally referred to in the Middle West as the corn-hog contract legislation. It was referred to in that manner in my section of the country because of its particular application.

Well, of course, a decision by the Supreme Court of the United States in which six judges concurred in ruling against this act which Congress passed, as they believed and calculated it to be of great aid to the farmers of the country, was for the time being decisive. On the other hand, three very able and learned judges of the law, in my opinion, took just the opposite view and they held that the law was constitutional and valid, but as the decision of the majority of the Supreme Court was otherwise, of course, the ruling of the majority of the Court was recognized as binding, and in pursuance of that, this present Congress passed and President Roosevelt signed the measure known as the Soil Conservation Act, which is calculated, so far as possible, to supplant and take the place of the A. A. A. legislation.

It is my opinion that the decision rendered by the three judges was more nearly sound than that rendered by the six judges, but like everyone else, of course, I acquiesced in the decision as rendered and accepted it as the established law, at least, for the time being. If two or three of the judges rendering the majority opinion had reached the conclusion that the three judges did who rendered the minority, the A. A. A. would have been held valid and would have been recognized as valid and the law for the time being.

Recently, I read with considerable interest a speech made by a prominent Republican leader who stated that President Roosevelt should be defeated because, if he was reelected, he might have, and probably would have, the opportunity to name or appoint some more judges to the Supreme Court, and, of course, if he was elected and had that opportunity that he would likely appoint a man or men holding the same views as the minority of the three judges had held in regard to the legislation that Congress had passed.

Now, in the event Mr. Roosevelt is reelected, as I firmly believe he will be, and in the event he should name other judges to the Supreme Court to fill the place of any vacancy that may arise during his tenure of office, I hope he will name men to the bench who will take the view of the law more in line and keeping with the views of Judges Stone, Cardozo, and Brandeis.

While I have respect for constituted agencies of Government, the opinion of no one man or any group of men is so sacred as it may not be changed or reversed in a lawful manner.

The Supreme Court of the United States, and I am now speaking of the agency itself and not to the particular Judges, has not existed throughout its time without reversal of itself on some cases and that may follow again according to the judgment of the men at the time who occupy the position. The truth is that there is not a State in the Union but what has had its own supreme court, and as such at some time reversed some prior decision. I merely cite this to call attention to the fact that all decisions are not invulnerable and may be reversible.

Those opposing President Roosevelt and the present Democratic Congress, and particularly the Liberty League, some of the leading Republican politicians, and other interests were praising the Supreme Court decision in regard to the Agricultural Administration Act, claiming the decision to be fundamentally sound and the Constitution ought not be tampered with, but those thus declaring themselves were not so vitally interested in the restoration of the purchasing power of the farmers of the country as they were in other matters; they were not so interested in increased prices for products from the farm, and they did not look with such great favor upon the fact that everything produced on the farm is of much greater value now than it was when Mr. Hoover laid down the reins of Government and they were taken up by Franklin D. Roosevelt and the present Democratic Congress.

The latest decision of the Supreme Court, which has been rendered on the child-labor law, held that the State, thereby meaning any State in the Union, has no control over fixing the minimum wage. The same Supreme Court also has held that Congress has no right to enact such legislation, holding that it interfered with the free right to contract, so the net result of the decisions of the Supreme Court on the minimum wage matter, it seems, is that there is no authorization either in the State or in Congress to regulate or establish a minimum wage.

Now I find that a few prominent Republican leaders are suggesting and urging that the Constitution be changed. It will be interesting to watch the Republican Convention which assembles at Cleveland tomorrow, and see whether they are now themselves going to advocate the changing of the Constitution about which they have raised so much hue and cry and hurled blast after blast at President Roosevelt and the present Democratic Congress, merely on the basis of their imagination.

I think it will be plain to be seen that the argument these same opponents of Mr. Roosevelt urged to the effect that the Supreme Court did a great service when it overruled the Agricultural Adjustment Act, claiming at the same time it was class legislation in behalf of the farmers, now are found to be, at least some of them, ready to throw into the scrap heap the principles they have just previously advocated. On the other hand, there are others involved in some of the larger industries of the country who still hail the latest decision, in regard to the minimum wage, with delight.

As the Republican Convention assembles tomorrow it will be interesting to watch them reconcile their views on this very important subject. There is an old saying that "You cannot eat your cake and have it too", and there is also an old saying, "It makes a difference whose ox is being gored." What kind of promises may be made in the platform nobody at this time knows, but a careful study of human nature has led me to the conclusion that those who promise most usually perform the least.

It must be recognized by well-considered thought that, in the enactment of any law and in the interpretation or con-

struction of any law, the humanitarian element is entitled to recognition as well as property right; that the rights of human beings are entitled to considered and attention as well as the recognition of property, and even more so.

**THE FARM PROBLEM—ENACTMENT OF THE FRAZIER-LEMKE BILL IS NECESSARY TO THE SOCIAL AND ECONOMIC RESTORATION OF THE FARMER**

Mr. ROGERS of Oklahoma. Mr. Speaker, at the invitation of the Honorable John B. Simpson, of the Oklahoma Farmers Union, I am stating my views on the Frazier-Lemke bill. Recently Mr. Simpson wrote me suggesting that members of the farmers union and farmers generally would be interested in a short explanation and requesting me to state my position.

I view the enactment of the Frazier-Lemke bill or its principles as being necessary for the social and economic restoration of the farmer. Although many of us in the House of Representatives worked hard for the bill, it was defeated owing to the opposition of the administration. The principles of the Frazier-Lemke bill would restore prosperity to this country because it would centralize all farm indebtedness, provide low rates of interest on chattel and farm mortgages and provide a long period of time for the payment of the farm debt.

About six and one-half million people of this country are actively engaged in agriculture. Something like 30,000,000 people depend directly upon farms and farmers for a living. Credit to the farmer, such as is provided by this bill, is on an annual basis of 1½-percent interest and 1½-percent principal. It would mean that for every \$1,000 of indebtedness the farmer would make a yearly payment of \$30. It would take 47 years for the farmer to pay out of debt if he made regular payments at the regular rates provided. By being able to concentrate his chattel indebtedness—notes secured by livestock, property, and so forth—and farm mortgage to one source, and that to the Government, and by being allowed to make low payments over a long period of time, the farmer could beat back to financial security. In this respect the Frazier-Lemke bill gives the farmer much the same treatment that is accorded railroads, banks, and insurance companies. The Federal Government loans its credit to certain banks of the country as low as 27 cents for \$1,000, this being the amount paid for preparing or printing the bills or notes. Certain banks present bonds to the Treasury Department and receive bills in exchange. The Treasury Department pays interest on the bonds. The bank takes the money issued for the bonds and loans it to the people. Thereby the bank receive interest at both ends.

The Frazier-Lemke bill provides for the issuance of \$3,000,000,000 worth of farm-loan bonds. These bonds are to be sold at par. If the regular demand for the bonds does not supply the desired amount of credit, the Federal Reserve Board shall then take the bonds and issue Federal Reserve notes against them up to par value. Opponents of the bill have labeled this "inflation." It can never be called unsound money for the reason that on May 29, 1936, the Treasury Department reported it had nearly ten and one-half billion dollars of gold in reserve. On April 30, 1936, the Treasury reported that the United States owned nearly \$17,000,000,000—\$16,740,043,355. On the same date it reported that only approximately \$6,000,000,000 was actually in circulation—\$5,885,516,595. In other words, the Federal Government has nearly three times as much money as there is in actual circulation. The Federal Reserve law requires only a 40-percent gold backing for sound money. This means that for every dollar in gold in reserve there could be \$2.50 in currency issued against it and it would be sound money. In addition to the gold reserve there is approximately one and one-half billions of silver reserve. There is less than \$45 per capita actually outstanding from the Treasury Department. A great portion that is recorded as having been put in circulation by the Treasury is doing the people of this country no good. Some of it is in foreign countries. Much of it has been lost or destroyed in fires, floods, and by theft.

We can take our \$12,000,000,000 gold and silver reserve and redeem every dollar of our outstanding currency. After doing so we would have about \$6,000,000,000 left. After the Frazier-Lemke legislation is enacted we would still have gold and silver dollars for every dollar issued and \$3,000,000,000 in reserve in addition.

The Frazier-Lemke bill proposes to use the facilities of the Farm Credit Administration and the national farm-loan associations for the purpose of carrying out its provisions.

Although the Frazier-Lemke bill was recently defeated in the House of Representatives, I shall continue to direct my efforts in cooperation with the great farm organizations and farm leaders of this country until it becomes law. The people want the Frazier-Lemke bill to become law. Twenty-nine State legislatures, including Oklahoma, have passed resolutions memorializing Congress to pass it. In addition to this, the house of representatives in five other States have endorsed the bill. If Congress wants to bring a "new deal"—an American deal—to the farmers and to the country generally, it will pass the Frazier-Lemke bill.

**SPEAKER BYRNS**

Mr. McCORMACK. Mr. Speaker, the Grim Reaper, with his far-reaching and ruthless scythe, has deprived us of a great man in the sudden and untimely death of our leader and Speaker, JOSEPH WELLINGTON BYRNS, of Tennessee.

His death is a great loss to his dear ones, to his many friends, and to the entire Nation. His loss to the membership of the Congress is such that words cannot adequately express.

The life work of "Joe" BYRNS, as we all called him, and as he wanted his friends in Congress to call him, stands as a monument to the youth of the country. His life is a lesson to all, particularly to the young person starting out in life, seeking as a guide lessons from the lives of those who have preceded them.

Speaker BYRNS was born in 1869, near the northern border of the State of Tennessee. After completing high school, he worked his way through college, in 1890 receiving his LL. B. from Vanderbilt University. Immediately thereafter he started the practice of law and shortly after the opening of his law office entered the field of politics. From that time to the time of his death he served his people as a legislator in State and in Nation. In 1909 he was elected as a Representative in Congress from the Sixth District of Tennessee, representing his people from that time until he received the great call.

During his many terms as a Member of the Congress no man worked harder or more conscientiously in behalf of his people in the affairs of the country than did our late Speaker. He never forgot that he was a Representative, and, as more frequently stated, a servant of the people.

The esteem with which he was held by all was best evidenced by the confidence reposed in him by the people of his district and in his continuous election by them as their Representative in the National House of Representatives.

His long and brilliant career as a member of the Congress was marked by his tireless efforts in behalf of the Nation, bringing to him every honor, and deservedly so, within the power of his party, and of his colleagues. In 1931, after faithful service as chairman of the Committee on Appropriations, one of the most responsible positions in the House, he was chosen by the members of his party as their floor leader. However, that was only a stepping stone to having bestowed on him the greatest honor that a Member of the House can receive, election as Speaker of the House of Representatives. This honor which he earned, came to him in 1935, the duties of which he performed with honor and dignity. It was an honor which came to him as a result of years of hard work, of faithful service to party and to country, and in recognition of his brilliant record, and his natural qualifications, so frequently evidenced on the floor.

The manner in which the late Speaker presided over the House, with complete fairness and impartiality, and yet, performing the duties as leader of his party in the House,

justified the confidence and trust that the Members placed in him. He brought credit to the House and to the Democratic Party. His able and constructive conduct during the trying days of the last 2 years, during which he presided over the House as its Speaker, has been of invaluable assistance to the people of the United States.

In addition to the qualities which I have mentioned, our late friend, Speaker BYRNS, was kind, gentle, modest, and retiring. JOE BYRNS possessed the respect and the confidence of his colleagues of both parties. His firm, but kind and cooperative spirit was not only evidenced while presiding over the House, but in his contacts with Members who sought his advice and assistance, which he gave freely without regard to party affiliation. He gave to others the benefits of his wisdom and experience, and was particularly anxious to assist the younger Members of the House.

We can never forget that soft spoken and kindly mannered friend, who was a tower of strength to all of us, particularly during the last 2 years during which he presided over the House. His calmness quieted the turbulence that sometimes arises in the House. He was kind, but firm in the discharge of his duties.

The kindness and gentleness of our late friend and Speaker which endeared him to us, leaves a memory that will always remain with his friends. Able, eloquent, constructive, and courageous, he possessed a personality that inspired others to follow him with confidence. Speaker BYRNS will go down in the history of the Democratic Party as one of its foremost leaders. He will go down in the history of our country under constitutional form of Government as one of the outstanding Speakers of the National House of Representatives.

Our loss could never be more keenly felt than at the present time, when, after a quarter of a century of constructive service to the Nation our late friend was taken from us just as he was successfully bringing to an end the present difficult and trying Congress, which the late Speaker has eloquently termed "The Recovery Congress." As Members of Congress we will never forget his relationship to us as Speaker. As colleagues we will always remember his friendship.

His sudden and untimely death leaves us numb. It has taken from our presence on this earth not only an outstanding public official, to whom "a public office was a public trust", but a friend of broadness, tolerance, and kindness. Nothing can dim our memory of Speaker BYRNS, a great leader, and of "Joe" BYRNS, a true friend.

#### MY ACTIVITIES IN WASHINGTON

Mr. FERGUSON. Mr. Speaker, this résumé is by no means an attempt on my part to cover all my activities in Congress. I am only calling your attention to my major activities. I feel that you are entitled to know exactly what I did in Washington. If you care for more detailed information, just drop me a line and I will be glad to answer your questions.

#### FARM PROGRAM—SOIL CONSERVATION—PARITY PRICE—FLOOD CONTROL—FARM CREDIT AND REFINANCING

Soil conservation: Author of several bills to bring about a constructive soil-conservation program. Recognized by other Congressmen and department officials as a leader in the movement. Conferred with such men as Harry L. Hopkins, W. P. A. Administrator; Harold C. Ickes, Secretary of the Interior; Henry A. Wallace, Secretary of Agriculture; Rexford Tugwell, Resettlement Administrator; Director H. H. Bennett and Dr. N. E. Winters, of the Soil Conservation Service; Marvin Jones, chairman of the Agricultural Committee of the House; and the President of the United States on the problems of soil conservation and how it affects the Eighth Congressional District.

National results (soil-conservation program): The substitute A. A. A. program now in force is based on this soil-conservation program. Last year the soil-conservation program was considered a minor service of the Department of the Interior. Today the soil-conservation program is rec-

ognized as the proper way to combat floods and to insure future productivity of the soil.

District results (soil-conservation program): Soil-conservation C. C. C. camps at Garber and Blackwell. Demonstration areas at Guymon and a project in Dewey County serving Woodward and Major Counties. Was successful in getting \$2,000,000 for listing ground that is blowing in the dust bowl. This was the result of a year's fight. New survey being made for the Kenton Dam. Survey by two geologists from Resettlement Administration at my request are studying feasibility of drilling wells in Texas and adjoining counties for irrigation purposes. My amendment asking \$170,000 to save shelterbelt trees for farmers' use passed the House and Senate. The trees are to be used by farmers for windbreaks and field protection.

#### BILLS INTRODUCED AND ACTIVITY IN HOUSE AND BEFORE COMMITTEES

Field stations (dry-land agriculture): Appeared before Senate and House committees asking that the program be expanded. Results: A probable reduction avoided.

Shelterbelt: My amendment asking for \$170,000 to save the trees passed, after appearing before the Senate committee and convincing the committee it was necessary to restore money for the tree program.

House Joint Resolution No. 275: Asking for \$50,000,000 for the drought area.

House Joint Resolution No. 6455: To establish a permanent soil-conservation service.

House Resolution No. 6592: To preserve our national resources.

#### FLOOD CONTROL

Recognized by my fellow Members of Congress as the man who was responsible for the passage of H. R. 8455, the omnibus flood-control bill which passed the House and Senate. The bill included the Ferguson policy of flood control.

Coauthor with Senator NORRIS, of Nebraska, of H. R. 10302, a bill to control floods, develop power, and preserve the natural resources of the entire Mississippi Valley. This will receive serious consideration at the next session of Congress.

National results (flood control): House Resolution 8455 being amended to include projects on the eastern rivers that recently caused a quarter of a billion dollars in damage, and some 200 lives. Passed Congress.

As in the soil-conservation bill I sponsored and put through the House, H. R. 8455, which includes the Ferguson flood-control policy, is assisting the Government in solving the great national problem of flood control.

I was one of the speakers at the Mississippi Valley Association's annual meeting in St. Louis last November. Spoke on the problems of flood control. Also a speaker before the national rivers and harbors conference meeting.

Local results (flood control): Twenty reservoirs will eventually be built in Oklahoma.

The Optima, Fort Supply, Kenton Dam, and Great Salt Plains reservoirs will be built. With State cooperation Salt Plains should be under construction this summer.

The Braman Dam in Kay County is now under construction.

My efforts will be rewarded because of the many hours I spent studying the problems of flood control. As a member of the Flood Control Committee, and my innumerable contacts with Gen. E. M. Markham, Chief of the Army Engineers; Captain Clay, Major Somervell, General Pillsbury, and Colonel Graves, also of the Army Engineer Corps, here in Washington, all my good friends, who respect my interest and activity in flood-control legislation, are always willing to help me in solving the problem of flood control. The Members of the House recognize me as the most active member of the flood-control committee.

Bills introduced (flood control): H. R. 5712—For flood control and soil conservation in several States. Includes Fort Supply and Optima Reservoirs. Part of H. R. 8455. H. R. 6592—For flood control throughout the United States. H. R. 7628—To build a reservoir at Braman (now under con-

struction). H. R. 6728—To build a reservoir in Alfalfa County, Great Salt Plains Dam. Part of H. R. 8455. H. R. 6727—To build a reservoir in Cimarron County, Kenton Dam. H. R. 10302—To provide for a Mississippi Valley Authority.

PASTURE-PURCHASE BILL

Secretary Wallace assures me his support of my bill to have the Government buy poor land and put it back to grass for pasture. Pasture to be rented to farmers. This will let the farmers who actually live on the farm have grass for their stock. I know the farmers are going to stay in Oklahoma; only "desk" farmers talk about moving.

COST OF PRODUCTION

Joined Congressman SAM MASSINGALE in his effort to get a cost-of-production bill for farmers.

FARM CREDIT

Know Gov. W. I. Myers, Farm Credit Administrator, personally. Have made every effort to speed up the feed and seed loans. Got extra money for cattle-buying program in Oklahoma. Got feed for drought area in spring of 1935. Helped get the fallow loans to farmers. Urging Resettlement Administration to make feed and seed loans to clients not now eligible. Also had the feed and seed loan office accept all applications that were rejected by resettlement due to a lack of funds for further consideration.

LAND BANK

Aided in legislation to reduce farm-loan-credit rate to 3½ percent. Have asked Wichita Land Bank to review many appraisals. Have backed movement to help refinance their loans.

FRAZIER-LEMKE BILL

Opposed "gag" rule. The adoption of the "gag" rule held up a vote on the Frazier-Lemke bill. Personal friend of both Senator LYNN J. FRAZIER and Congressman WILLIAM LEMKE. Signed petition and voted to get this bill passed, which provides for refinancing farm loans on long-term credit and payment of 1½ percent on the capital and 1½ percent on the interest annually. Result: We will soon have lower interest rates on farm mortgages.

BILLS INTRODUCED—FARM LEGISLATION

H. R. 12200—Pasture-land bill—Government to buy marginal land and turn back to pasture.

H. R. 10502—To collect the processing tax from manufacturers.

H. R. 8544—Appropriation for the Panhandle A. and M. College.

H. J. Res. 446—To slightly change the punctuation of the Constitution which would allow the Federal Government to provide for the general welfare.

H. J. Res. 68—To help the cattle industry.

H. Con. Res. 43—To force the return of processing tax collected by packers and millers to the United States Treasury.

WHEAT-CORN-HOG CONTRACTS

Have investigated over 500 A. A. A. contracts for the farmers in the eighth district. Assisted them in getting their payments.

FARMERS' BULLETINS

Invited all farmers in the eighth district to select five bulletins and sent them copies. Have also distributed over 3,000 agriculture Year Books.

LABOR

Spoke and voted for the Wagner disputes bill. Voted for the Guffey coal bill, the Railroad Retirement Act, the Social Security Act. Fought for a higher W. P. A. wage scale for Oklahoma labor.

Recent decisions of the Supreme Court—Moorehead against The People—proves neither the Federal nor State government can pass laws regulating hours or wages until the Constitution is changed.

My constitutional change, if accepted, would permit Federal legislation that would provide for real collective bargaining, regulation of hours and wages, and abolish child labor.

Attended hearings before the committees in the interest of labor legislation.

REFINERS

Wrote a letter to the Ways and Means Committee on the Disney oil bill.

Supported legislation affecting refinery workers.

RURAL MAIL CARRIERS

Introduced a widows' (H. R. 12605) annuity bill. Appeared before committee in favor of widow annuity legislation. Attended hearings for the star-route carriers before the Post Office and Post Roads Committee. Conferred with directors of the N. R. M. C. Association, as well as with members of the executive committee of the N. S. R. C. Association here in Washington.

MERCHANTS

Supported the Robinson-Patman bill. Carefully watched all bills that affect the merchants of Oklahoma. Have checked Government contracts and cases of businessmen in the district. Contacted Federal Communications Commission for radio stations.

OIL INDUSTRY

Supported the Disney oil bill. Following is part of an editorial appearing in the Tulsa Tribune of March 19, 1935:

The Tribune would suggest that Representative PHIL FERGUSON, Democratic Congressman from Oklahoma, send Senator BORAH a copy of his recent letter to the House Ways and Means Committee, in which FERGUSON explained what the oil industry really is.

MUNICIPALITIES

Have aided almost every town in my district in getting information about various W. P. A. and P. W. A. projects. Worked with county, city, and State officials on projects that were pending before Government bureaus. Got such projects as the Newkirk Dam, the Braman Dam, a 45-percent grant for the Northwestern State Teachers College at Alva. This grant would never have been made if it were not for my efforts in bringing this case for review to Harry L. Hopkins, as it was definitely turned down before I started action.

At my instigation, Blackwell post office is to be completely reconstructed and will be in first-class condition. Alva post office was also completed due to my getting an additional \$10,000 for its completion. The Guymon, Tonkawa, and Perry post offices are now being surveyed in the light of getting new buildings.

Many worth-while projects have been constructed through the Works Progress Administration. I have always assisted the State and district officials in getting recognition here in Washington for their projects. The Eighth District of Oklahoma received \$4,011,535.58 through the W. P. A. and P. W. A. the last 2 years.

VETERANS

Fought for the soldiers' adjusted-service-certificate legislation. Have over 450 veterans' cases which I have checked with the Bureau personally. Appeared before the board of appeals for veterans in my district on several occasions. Assisted many veterans in getting duplicate discharge papers and hospital records. Have offered my services to all veterans and their dependents.

OLD-AGE PENSIONS

Backed and voted for the social-security bill, which included an old-age pension. Tried to get amendment passed so that States not having laws to receive Federal aid immediately could participate until the States passed such laws. The old people of Oklahoma will receive pensions partially paid by Federal funds when Oklahoma has an approved old-age-pension law. The amount of pension will depend on State law.

WEST POINT AND ANNAPOLIS

Gave every boy interested in West Point or Annapolis an equal chance for the place. Held competitive examinations, and the boys winning high received my recommendation. Sent two boys to West Point and one to Annapolis. This policy will be continued.

INDIANS

Actively interested in all Indian legislation. Attended hearing on all major bills. Assisted Chairman ROGERS, of the Indian Committee.

## SCHOOLS

Called Harry L. Hopkins in behalf of the distressed schools in Oklahoma. Oklahoma delegation was successful in getting \$200,000 to keep them open. Helped many communities get P. W. A. and W. P. A. loans and grants for new school buildings.

## PRIVATE BILLS

Introduced eight private bills to assist worthy cases in the Eighth District.

## COMMITTEES

I am a member of the following committees in the House: Flood Control; Census; Public Buildings and Grounds; Election of President, Vice President, and Representatives in Congress.

## SPEECHES

Made 35 speeches on the floor of the House. Appeared before over 50 committee hearings in behalf of legislation; this does not include my own committee hearings.

## C. C. C. CAMPS AND PROJECT AREAS

Without the efforts of Jack Nichols, Jed Johnson, and myself, Oklahoma would have lost one-third of her C. C. C. camps. We not only saved camps for Oklahoma but saved this constructive program for the Nation.

Have three C. C. C. camps in the Eighth District, one State park camp, and two soil-conservation camps. Another camp, Ponca Lake camp, will be reoccupied September 1. I have two project areas under the supervision of the Soil Conservation Service, one in Guymon and a split one for Woodward and Major Counties.

## GOVERNMENT ACTIVITIES RESULT IN 50 PERCENT IMPROVEMENT IN BUSINESS IN WESTERN NEW YORK

Mr. BEITER. Mr. Speaker, another Congress is about to come to a close, and while I shall not endeavor to give a commentary on its accomplishments, I do believe the record of governmental activities in my district is well worth a review at this time.

Sometimes I think government is the poorest of all salesmen. It is a fact that the average citizen pays his taxes grudgingly. If government employed high-pressure salesmen like any other industry, the salesmen would constantly be reminding their customers, the taxpayers: "Is the money we spend on delivering your mail a total loss? Do you find a program of soil and forest conservation advisable? Would you want to give up the advantages afforded you by weather reporting? Do you recall the fateful years of 1929 to 1933? Can you conscientiously disapprove the Federal Government's actions to assist farmers in bringing about an adjustment to meet an acute national emergency? Does not the park or playground—built with relief funds—pay profitable dividends? And the schools, made possible through public-works loans and grants? Does not the money that goes to such an endeavor as the C. C. C. represent capital investment? Is a forest ranger in our national parks less valuable than a night watchman in a mill? Will not the general public be benefited when the 512 hospitals are completed and operating as a part of the Public Works Administration's construction program? Where would the motor industry be today if your cars had to run through the mud and ruts of yesteryear? And who built the roads? How would our modern vessels dock and discharge their large cargoes of iron ore, grain, coal, and so forth, had not the Federal Government spent billions of dollars on our water-transportation system and in improving our harbors, both on the inland waterways and on the coastwise systems? What would be the freight rate on a barrel of flour from Buffalo to New York if we did not have the canal system? Was not the P. W. A. waterworks program a form of public improvement? Does it not promote public health? Has it not reduced fire-insurance rates and hazards? This program cost the Federal Government \$607,386,000 in grants, but does it not provide for community growth and expansion and thus strengthen real property values and broaden the base for future taxation?

And so on down the long, long list of services performed and goods conserved by what we call government.

Mr. Speaker, I could point out in any one of the 435 congressional districts a number of agencies in which the Federal Government plays a dominant role. However, I shall confine my remarks to the activities of the various Federal agencies in my own congressional district.

## UNITED STATES SPENDS MILLIONS IN HARBOR AT BUFFALO

Being an advocate of improvements of our inland waterways, I was appointed a member of the Rivers and Harbors Committee, and I am proud to state that during the fiscal years 1934 and 1935, Buffalo received one of the largest appropriations in years. Army Engineers spent more than \$1,750,000 in maintaining and improving the rivers and harbors of the Buffalo area.

The work performed during the past fiscal year in the vicinity of Buffalo, N. Y., was as follows:

Buffalo Harbor, N. Y.: An allotment of \$655,500 was received from the Public Works Administration and has been applied to breakwater construction. Work on this project was completed during August 1935. The total expenditures were \$655,500, of which \$151,009.10 was spent during 1934; \$347,771.29 during 1935; and the balance during the current fiscal year. Maintenance work during the fiscal year 1937.

Black Rock Channel and Tonawanda Harbor, N. Y.: An allotment of \$1,760,000 from the Emergency Relief Appropriation Act of 1935 was received during the summer of 1935 and is being applied to removal of shoals from the Lake Erie entrance, enlargement of the North Tonawanda turning basin, and the extension of the Bird Island pier. Work is actively in progress, the sum of \$121,582 having been expended to March 31, 1936. It is expected that this work will be completed about June 1937. In addition, the sum of \$60,132 was expended for maintenance work during the fiscal year 1935, and the sum of \$74,418 was available on June 30, 1935, for maintenance work during the current fiscal year. It is proposed to allot the sum of \$74,400 for necessary maintenance work during the fiscal year 1937.

Niagara River, N. Y.: An allotment of \$94,514.24 received from the Public Works Administration during the fall of 1933 was applied during the fiscal years 1934 and 1935 to the completion of the 12-foot Schlossers Channel from the Niagara Falls waterworks intake to the foot of Hyde Park Boulevard in Niagara Falls. The sum of \$12,786 from regular funds was also applied during the fiscal year 1935 to the completion of the east channel of Niagara River from North Tonawanda to the channel at Niagara Falls. The sum of \$14,364 was available for maintenance work during the current fiscal year, and the sum of \$9,700 is intended to be allocated for maintenance work during the fiscal year 1937.

## UNITED STATES ORDERS AID AIRCRAFT PLANTS IN BUFFALO

Buffalo's preeminence in the manufacture of aeronautical equipment of every design is recognized fully by the Army and Navy Departments, which during the fiscal year 1935 let contracts for planes and parts totaling \$3,140,000 to firms in the Buffalo area. During the fiscal year of 1934-35 the total contracts amounted to approximately \$5,000,000.

A \$759,680 contract for 40 scout observation planes and their parts was awarded to the Curtiss Aeroplane & Motor Co., Inc., as recently as May 23, 1936.

The planes will be of the same model, SOC-1, as the 135 machines built by Curtiss for the fleet under a contract last year which exceeded \$1,500,000.

There are outstanding at the present time in the Buffalo-New York area Bureau of Aeronautics contracts for: 400 parachutes valued at about \$40,000; 1 experimental airplane valued at about \$100,000; 135 observation airplanes and spare parts for those airplanes, valued at about \$3,000,000. In addition, there are a number of contracts for propellers, gun mounts, and airplane spare parts.

The contract for the parachutes is about 75 percent completed; for the experimental airplane and the 135 observation airplanes about 90 percent completed; the parts contracts are in various stages of completion.

In addition to the above, there is in the Buffalo-New York area a subcontract for 72 sets of flying-boat wings.

UNITED STATES DEPARTMENT OF AGRICULTURE AIDS 4-H CLUB WORK IN ERIE COUNTY

Extension work of the United States Department of Agriculture is carried on in every State through a distinct division of the College of Agriculture, known as the Extension Service, with a State extension director in charge. In turn, the several county boards of commissioners and local groups of interested farmers employ resident county agricultural agents, home demonstration or county 4-H club agents. In New York State, the Extension Service cooperates with local organized groups known as county farm bureaus and county home bureaus. Committees of such groups assist the State extension service and local county agents in developing local support and in carrying on a program of agricultural and home improvement which these leaders, together with the State extension service, consider most appropriate to meet the agricultural and home needs in each county.

The work of the county extension agents is reinforced by extension specialists in agriculture and home economics employed by the college. These make trips to the various counties to help the agents organize their programs of work, carry on demonstrations, hold meetings, discuss various farm problems, and provide the agents with literature and news information material.

Cooperative extension work in Erie County is particularly well organized. During 1935, there were 811 members of the Erie County Farm Bureau, 1,382 members of the Erie County Home Bureau, and 914 boys and girls 4-H club members.

The statistical reports of the county extension agents in Erie County for 1935 show the following volunteer local leaders or committeemen actively engaged in forwarding extension programs: Men, 150; women, 350; men and women in 4-H club work, 58.

The programs in agricultural extension work include the following results as shown by the statistical reports of the county extension agents:

In agriculture		
Cereals:		
Number of farmers following fertilizer recommendations.	940	
Number of farmers following disease-control recommendations.	200	
Number of farmers following improved seeds recommendations.	575	
Legume and forage crops:		
Number of farmers following fertilizer recommendations.	680	
Number of farmers following marketing recommendations.	1,200	
Potatoes:		
Number of farmers following fertilizer recommendations.	600	
Number of farmers following insect-control recommendations.	400	
Number of farmers following disease recommendations.	400	
Number of farmers following marketing recommendations.	600	
Fruits and vegetables:		
Number of farmers following fertilizer recommendations.	430	
Number of farmers following insect-control recommendations.	456	
Number of farmers following disease recommendations.	470	
Number of farmers following marketing recommendations.	550	

Two hundred and fifty-six farmers were aided with agricultural engineering information, involving an estimated service of \$118,600.

Erie County is probably the most important poultry county in the State. The extension agents report a minimum of 500 farms reached with the various recommended practices in improving poultry keeping and marketing.

In livestock husbandry 4,000 farmers are listed as following the disease-control recommendations, 200 in following the marketing recommendations, 160 were helped in obtaining purebred dairy cattle.

It is estimated that 800 farmers are using the marketing information developed by the extension service.

In home demonstration work, the agents report that 1,875 families canned or preserved fruits and vegetables following the recommendations of the extension service. Eight hundred and fifty families report storing home food supplies in accordance with instruction. One hundred and ninety-five thousand two hundred and seventy-four quarts were reported as canned or preserved valued at \$48,779.59.

Two hundred and ninety-eight individuals followed the recommendations in clothing, 196 in budgeting clothing expenditures, 275 in clothing buying, 211 in caring for clothing, 450 in selection of household furniture, 350 in repairing or refinishing furniture, 275 in improving appearance of rooms, 320 in improving walls and woodwork.

These reports do not include the work of the urban home demonstration agents employed in the city of Buffalo in cooperation with the State extension service.

BUFFALO RECEIVES \$86,057.25 FEDERAL AID FOR VOCATIONAL EDUCATION

All the types of work for which provision is made in the Smith Hughes and the George-Ellzey Acts are carried on in Erie County. The training of trade and industrial, and home economics teachers is also provided, according to Dr. J. C. Wright, assistant commissioner for vocational education.

The vocational education in Erie County for the fiscal year ended is listed as follows:

Name of school	Enroll- ment	Reimburse- ment
<b>AGRICULTURE</b>		
Akron High School, district 3, Newstead	50	\$431.21
Alden High School, district 10, Alden	45	870.65
East Aurora High School, district 1, Aurora	39	829.36
Holland High School, district 1, Holland	33	512.82
Orchard Park High School, district 1, East Hamburg	29	626.50
Springville High School, district 1, Concord	23	409.68
Total, agriculture	219	3,680.23
<b>TRADE AND INDUSTRY</b>		
Buffalo:		
Evening classes:		
Burgard	1,042	3,525.75
Peckham	329	1,347.25
Seneca	668	1,597.75
Technical	585	2,587.50
	2,624	9,058.25
Part-time, general:		
Continuation classes:		
Boys continuation	972	3,295.22
Girls continuation	2,214	3,926.59
	3,186	7,221.81
All-day classes:		
Boys, vocational	520	1,758.98
Burgard Industrial High	1,070	15,534.21
Girls, vocational	654	2,998.24
McKinley Industrial High	463	6,657.52
Peckham Industrial High	575	7,989.02
Seneca Industrial High	1,015	15,362.58
	4,297	50,300.55
Lackawanna: Part-time, general, continuation classes	233	1,200.70
Total, trade and industry	10,340	67,781.31
<b>HOME ECONOMICS</b>		
Buffalo: Evening classes	1,497	3,925.75
<b>MAINTENANCE OF TEACHER-TRAINING</b>		
Buffalo:		
State Teachers College:		
Trade and industry teacher-training	298	3,351.96
Home economics teacher-training	148	7,318.00
	446	10,669.96
<b>SUMMARY</b>		
Vocational classes	12,056	75,387.29
Teacher-training	446	10,669.96
Total		86,057.25

\$33,650,000 LOANED BY R. F. C. IN WESTERN NEW YORK AREA LAST YEAR

Last year Uncle Sam acquired a \$33,650,000 interest in the banks, trust and loan mortgage companies, and various self-liquidating projects in western New York.

During 1935-36 the Reconstruction Finance Corporation has made authorizations in the Forty-first Congressional District of New York, and in the entire city of Buffalo, including the part in the Forty-first District, as follows:

	Amount authorized	Amount withdrawn or canceled	Amount disbursed
1935			
41st district (except Buffalo)	\$27,000	\$4,500	
Buffalo	\$56,500	254,000	\$67,637.89
1936 (as of May 18)			
41st district (except Buffalo)		22,500.00	
Buffalo	80,000		24,842.11

C. C. C. SUPPLIES JOBS FOR 3,835 IN FORTY-FIRST CONGRESSIONAL DISTRICT

Outstanding among the many relief projects of the Roosevelt administration is the Civilian Conservation Corps which has sought to give employment to younger men by utilizing them in a conservation program for the Nation's timber resources.

It is estimated that from the beginning of Emergency Conservation Work, through March 31, 1936, approximately 3,835 from the Forty-first Congressional District received employment in Emergency Conservation work. Of these, it is estimated that approximately 3,446 were enrolled men and 389 nonenrolled men.

From the beginning of Emergency Conservation work, through March 31, 1935, it is estimated that the total obligations for the State of New York approximated \$23,445,000. From April 1, 1935, through May 10, 1936, the estimated obligations for the State of New York totaled \$28,500,000, thus making a grand total of \$51,945,000—April 5, 1933, through May 10, 1936.

From April 1933, through February 29, 1936, it is estimated that New York C. C. C. boys allotted home to needy dependents approximately \$14,327,000.

NATIONAL BUREAU OF STANDARDS FURNISHES INFORMATION TO MANY FIRMS IN THE FORTY-FIRST CONGRESSIONAL DISTRICT

The National Bureau of Standards has furnished information to many firms and individuals and has carried out tests for numerous manufacturers in or near Buffalo, as illustrated by the following examples.

Mr. George F. Fisk, consulting engineer of Buffalo, has served as the representative of the American Society of Municipal Engineers on the standing committee for the simplification of paving brick and has cooperated with the Bureau in keeping the simplified-practice recommendation for paving brick up to date.

As the result of correspondence, the Bureau has furnished the director of purchases, executive department, Buffalo, with lists of sources of supply of commodities covered by Federal specifications and commercial standards. This has doubtless been of considerable value to the city in its purchasing.

In the field of building construction and related subjects, information has been furnished to three firms, eight individuals, and the district engineer, department of public works, covering repairs to dwellings, construction of fireplaces and septic tanks, building paper, heating plants, and problems of home building and home ownership.

The Bureau has tested 15 samples of fuel oil for the United States district engineer at Buffalo; however, the material represented by these samples was purchased and used at various points along the Great Lakes.

Buffalo is an active center for lake shipping. The Bureau has cooperated for a number of years in achieving greater safety in marine transportation. Buffalo is also a center for the manufacture and distribution of metal office equipment and insulated safes. In this connection the Bureau has developed specifications and made inquiry into the advantages from the fire-hazard standpoint obtainable with the use of metal equipment.

VALUABLE SERVICE RENDERED BY BUREAU OF FOREIGN AND DOMESTIC COMMERCE

In the absence of specific figures it is difficult to evaluate definitely the gains made by business as a result of utilizing the services of the Bureau's district offices.

The staff of the Buffalo office consists of the district manager and two assistants, who devote all of their time to disseminating the commercial information received from the Bureau, as well as ascertaining the needs of business and in encouraging the commercial interests of the Buffalo district to utilize the services and facilities of the district office freely.

The district manager and his staff occupy a peculiarly favorable position to inform themselves of the needs of business and to serve it more quickly than the Bureau can from Washington. The office is located in the chamber of commerce and works very closely with that organization in aiding business.

The services of the district office are twofold. From its foreign offices and the Consular Service the Bureau is constantly supplied with current information on economic and trade conditions on foreign markets, and this information is promptly sent to the Buffalo office for the use of its manufacturers and exporters. Its sources of information in the domestic field are likewise extensive. A great volume of data pertaining to all lines of business is received, not only from governmental sources, but also from trade associations, research bureaus, business firms, the universities, and other outside sources, which is of great value to those engaged in developing the market at home. All of this information is analyzed and assembled into proper form at the Bureau for distribution to the business public through the Buffalo and other district offices.

The Buffalo office maintains a mailing list of 364 firms known as its exporters' index, who regularly receive, without solicitation on their part, all of the information described above. This list is being constantly added to as new firms are encouraged to use the services of the office. In the domestic field, 281 firms regularly receive a domestic commerce news letter, issued monthly from Washington, which informs those engaged in domestic marketing the latest developments in this field.

A comparison of exports from the Buffalo district with exports from the United States as a whole is shown on the table following. There was a substantial increase in exports in 1934 over the 1933 exports and the foreign trade of the country as a whole has increased in 1935 over 1934. Further gains are anticipated in 1936.

The Buffalo customs district ranks seventh in exports among the customs districts of the United States, and the port of Buffalo ranks second as a northern border port of the United States. Its rank among the ports of the United States would be higher but for the fact that certain other ports export large quantities of some particular commodity such as cotton, which makes their total higher than that of Buffalo. On the other hand, Buffalo's foreign trade is diverse, showing a wide range of products, a large part of which are exported to Canada. Its trade with that country, the second largest customer of the United States, is expected to greatly increase as a result of the consummation of the recent reciprocal-trade agreement with Canada.

President Roosevelt and Secretary Hull deserve the thanks of their countrymen for negotiating successfully a trade agreement with Canada on the basis of the principle of reciprocity. Other agreements like it have been made in the last 2 years but none comparable in importance to the Canadian pact. It is not necessary to pass judgment on every item and every schedule in the agreement to recognize that America has embarked at last on the safest and sanest program of tariff making that we have ever known. In some respects the Canadian treaty will mark a milestone in the drive this generation has been making to work its way out of the economic depression. Historians may some day say it was the turning point in an era of post-war nationalism which in the last decade reached absurd proportions, and that finally the world entered in 1935 upon a different era in which the re-

toration of world trade by the removal of artificial barriers became the paramount objective.

*United States exports, from all districts and from the Buffalo district, 1933-34, inclusive*  
[1,000 dollars]

Year	All districts	Buffalo district	Percent
1933	1,674,994	50,825	3.0
1934	2,132,800	64,839	3.0

Concessions of direct benefit to American apple growers have been obtained in every one of the 14 reciprocal-trade agreements which have been concluded under authority of the Trade Agreements Act of June 13, 1934.

**ONLY TWO BANKS CLOSED IN NEW YORK IN 1934-35—NONE IN FORTY-FIRST CONGRESSIONAL DISTRICT**

As of March 31, 1936, there were 926 operating banks in the State of New York. Of this number 791 were commercial banks and 135 were mutual savings banks. Of the total number of commercial banks in the State, 766, or over 96 percent, were insured. Of the total number of insured banks, 459 were national banks, 119 were State banks members of the Federal Reserve System, 188 were commercial banks not members of the Federal Reserve System, and 2 were mutual savings banks. Noninsured banks numbered 158, of which 25 were commercial banks and 133 mutual savings banks.

Deposits of insured commercial banks in New York amounted to \$13,177,830,000 on December 31, 1935, an increase of \$1,483,208,000 over the amount reported on December 31, 1934. Insured mutual savings banks reported deposits of \$499,051,000 on December 31, 1935. On the same date deposits of noninsured banks in New York totaled \$5,360,217,000, of which amount \$677,867,000 was held by commercial banks and \$4,682,350,000 by mutual savings banks.

During the 13-year period from January 1, 1921, through 1933, 230 banks in the State suspended. Deposits of these institutions totaled \$537,955,000. Included in these figures are 108 banks, having deposits of \$187,879,000, which closed during the banking holiday and which were not licensed to reopen by April 12, 1933, and nine nonlicensed banks, with deposits of \$10,069,000, placed in liquidation between March 15 and April 12, 1933. During the years 1934 and 1935 only two banks, having deposits of \$7,059,000, suspended. These were not insured institutions.

As of December 31, 1935, the total outstanding investment of the Reconstruction Finance Corporation in insured commercial banks in the State amounted to \$220,710,000 and extended to 431 banks. This amount was distributed as follows: \$128,125,000 in 236 national banks; \$65,800,000 in 56 State member banks; \$26,785,000 in 139 nonmember banks.

The following table indicates the number and deposits of insured and noninsured banks in Buffalo and other cities of the Forty-first Congressional District:

*Number and deposits of insured and noninsured banks, Dec. 31, 1935*

Location	All banks		Insured banks		Noninsured banks <sup>1</sup>	
	Number	Deposits	Number	Deposits	Number	Deposits
Buffalo	10	\$514,299,000	7	\$305,123,000	3	\$209,176,000
Williamsville	1	1,085,000	1	1,085,000		
Alden	1	955,000	1	955,000		
Akron	1	1,853,000	1	1,853,000		
Clarence	1	618,000	1	618,000		
Lancaster	1	1,443,000	1	1,443,000		
Total	15	520,253,000	12	311,077,000	3	209,176,000

<sup>1</sup> Represents mutual savings banks only. All commercial banks in the Forty-first Congressional District are insured.

Records of the Corporation indicate that, since January 1, 1934, when deposit insurance became operative, there have been no bank suspensions in my district.

#### POSTAL SAVINGS DECLINE DUE TO RESTORATION OF CONFIDENCE

A general restoration of public confidence and financial conditions in the Forty-first Congressional District are responsible for the decline in Postal Savings deposits in this area.

It will be noted that the following figures show a gradual decrease from June 30, 1933 to April 30, 1936, which indicates depositors are withdrawing their savings for investment purposes.

*Comparative statement of postal-savings deposits in Buffalo, N. Y., area*

	June 30, 1933	June 30, 1934	June 30, 1935	Dec. 31, 1935	Feb. 29, 1936	Apr. 30, 1936, un-audited
Akron	12,997	10,455	10,413	10,413	10,413	10,413
Alden	2,597	2,597	2,597	2,597	2,597	2,597
Angola	24,920	21,781	18,150	16,658	16,676	15,345
Buffalo	2,468,459	2,056,847	1,752,175	1,686,411	1,673,633	1,663,919
Depew	25,721	31,486	32,495	37,212	37,904	39,284
East Aurora	17,322	16,969	13,159	12,238	10,137	9,912
Hamburg	24,953	25,389	17,801	16,494	16,832	17,201
Lancaster	36,845	35,845	28,913	27,114	27,169	26,418
Niagara Falls	287,256	274,100	264,158	253,396	250,127	251,367
North Tonawanda	104,504	96,451	87,017	88,174	87,397	88,453
Orchard Park	1,151	701	442	511	261	291
Tonawanda	49,651	47,274	49,004	40,908	41,819	41,638
Total	3,056,446	2,619,898	2,276,324	2,192,126	2,174,965	2,166,838

#### FEDERAL WEATHER BUREAU AIDS LAKE SHIPPING, FARMERS, AND AIRCRAFT

A storm-warning service is maintained for lake shippers in the Great Lakes district, and Buffalo is part of this service. Storm warnings are issued for all five lakes from Chicago, but the small-craft warnings for the Buffalo district are often issued direct from the Buffalo office. Among the storm-warning stations are Dunkirk, Buffalo, Fort Niagara, Charlotte, Sodus Point, Oswego, and Ogdensburg; and these, comprising the Buffalo district, are maintained by and all warnings are issued through the Buffalo office. Besides warning flags by day and electric lights by night, warnings are phoned if it is necessary in the judgment of the official in charge.

The service is maintained 7 days a week, and warnings may be issued at any time between sunrise and 11 p. m. There are three storm-warning towers at Buffalo—on the telephone building, at the Coast Guard, and in Lackawanna.

Service to the farmers was never so good as now, since the latest forecasts and other information are sent out several times a day by the radio stations. This includes forecasts of probable high and low temperatures, frost warnings when issued, the character of weather to be expected, a shippers' forecast, and so forth.

The aviation office at the airport is one of the most complete in the country. It is maintained by cordial cooperation between the Weather Bureau and the Bureau of Air Commerce. It is never closed. Complete aviation maps from the latest teletype data are made every 6 hours for the information of pilots and other local aviation interests. Hourly weather observations are taken at Buffalo and similar reports are received by teletype from many other important points. Observations are taken if conditions change within the hour. Aviation forecasts are also made available at the office both for regular and special flights. Much of the broadcasting is done by Weather Bureau personnel. Pilot balloon runs are made at 6-hour periods, this being for the purpose of obtaining wind direction and velocity data aloft. This office also has the direct supervision of the Buffalo-Albany and Buffalo-Newark airways.

#### AT BATAVIA FACILITY 4,312 VETERANS RECEIVE HOSPITAL TREATMENT

The Federal Government does not forget its veterans.

More than \$45,000,000 was disbursed by the Veterans Administration during the fiscal year 1935 to veterans and the dependents of deceased veterans of all wars who reside in the State of New York.

In addition, as of March 31, 1936, 377,508 adjusted-service certificates, having a face value of \$381,301,305, had been

issued to veterans who gave the State of New York as their home address.

As of March 31, 1936, there were 9,001 World War veterans having service-connected disabilities, 988 with non-service-connected disabilities, and 226 peacetime veterans who were formerly classified as World War veterans receiving compensation or pension benefits through the Batavia, N. Y., regional office, serving Erie County.

As of May 2, 1936, there were 4,312 veterans receiving hospital treatment and 813 domiciliary care in the State of New York. Of these 272 were hospitalized at the Batavia facility.

The following table indicates an approximate distribution of expenditures in the State of New York during the fiscal year 1935 and the number of beneficiaries on the roll June 30, 1935.

	Number June 30, 1935	Disbursed during fiscal year 1935
<b>Compensation and pension benefits:</b>		
World War:		
Living veterans.....	28,593	\$13,795,862
Deceased veterans.....	8,472	2,775,739
War of 1812 (deceased veterans).....	1	739
Mexican War (deceased veterans).....	8	5,082
Indian wars:		
Living veterans.....	177	99,060
Deceased veterans.....	244	88,728
Civil War:		
Living veterans.....	806	968,348
Deceased veterans.....	6,958	3,315,029
Spanish-American War:		
Living veterans.....	13,230	4,580,975
Deceased veterans.....	4,205	1,223,176
Peacetime:		
Living veterans.....	2,240	482,385
Deceased veterans.....	563	158,397
<b>Total compensation and pension benefits:</b>		
Living veterans.....	45,046	19,926,630
Deceased veterans.....	20,451	7,566,940
Military and naval insurance.....	13,175	9,010,462
Adjusted service and dependent pay.....		106,251
Adjusted-service certificates (matured by death).....		2,737,513
Administration <sup>1</sup> .....		5,603,501
Construction.....		120,355
<b>Total disbursements.....</b>		<b>45,071,652</b>

<sup>1</sup> Administration includes expenditures incident to the maintenance and operation of all offices, hospitals, and all forms of medical hospital and domiciliary care.

**FEDERAL REVENUE BUREAU INCREASES REVENUE COLLECTIONS 89 PERCENT**

Total collections of internal-revenue taxes during the fiscal year 1935 amounted to \$3,299,435,572, compared with \$2,672,239,195 for the fiscal year 1934, an increase of \$627,196,377, or 23 percent. The detail of the administration of these taxes appears in the following text and the detail of receipts in the statistical tables appended to this report.

Income-tax collections for the fiscal year 1935 were \$1,099,230,383, compared with \$817,025,340 in the preceding fiscal year, an increase of \$282,205,043, or 35 percent. The greater part of this increase was due to larger current income-tax collections during the second half of the fiscal year 1935, which reflected not only the relatively higher individual incomes and corporate earnings for the calendar year 1934 but also the effects of the Revenue Act of 1934 and the Treasury's change in its administration of depreciation allowances. The latter factor, together with the special efforts of the Bureau of Internal Revenue to collect back taxes on incomes, resulted in increased collections from this source during the fiscal year 1935.

This increase was due not only to the new legislation and the special efforts of the Bureau to collect back taxes on incomes but it also reflects better economic conditions and vigorous activity on the part of the internal-revenue officers and employees.

Total taxes in Buffalo are given in the detailed tabulation of collections as follows:

	1935	1934
Corporation tax income.....	\$12,159,064.51	\$6,419,014.40
Individual income.....	7,597,999.31	6,006,302.25
Estate gift.....	2,714,730.78	2,267,571.12
Liquor.....	7,590,723.05	6,176,468.81

	1935	1934
Tobacco.....	\$30,922.98	\$31,429.33
Oleomargarine specified taxes.....	22,275.27	18,454.19
Mixed flour.....	334.00	385.00
Narcotics.....	7,848.77	6,763.01
Stamps.....	65,797.89	117,433.63
Capital-stock transfers.....	30,469.63	75,058.73
Playing cards.....	78,120.40	82,400.00
Pleasure boats.....		2,530.27
Manufacturers' excise tax.....	2,399,614.19	2,433,364.30
Admissions, etc.....	155,773.16	296,276.43
Bank checks.....	354,612.36	607,154.38
Safe-deposit boxes.....	39,556.66	36,641.53
Dividends.....	6,333.09	576,028.39
Capital stock.....	1,382,273.91	1,392,574.69
Excess profits.....	133,907.96	23,849.31
A. A. A.....	44,923,487.65	7,808,345.71
Gift tax.....	672,933.37	
Crude petroleum.....	7,504.14	
Coconut oil, etc.....	1,105,598.41	
Club dues and instruction fees.....	134,980.10	
National Firearms Act.....	250.00	

**BUREAU OF CENSUS CONDUCTS MAJOR INQUIRIES**

During the past year the Bureau of the Census has conducted three major inquiries, the results of which will yield valuable information concerning agriculture, business, and industry in the Forty-first Congressional District. I refer to the Census of Agriculture, 1935 (taken as of Jan. 1), the Census of Manufactures, 1935, and the Census of Business, 1935. The latter two inquiries are still in process. When completed they will give one of the most complete pictures of business and industry ever obtained by this Bureau.

Two other types of information are secured by the Bureau of the Census from the Forty-first Congressional District:

First. The report of the Buffalo city government which is secured annually and included in the Federal compilation of financial statistics of cities;

Second. A number of establishments in this area report to the Bureau of the Census concerning the current operation of their plants. These statistics are included in the monthly and quarterly Special Industrial Reports of the Bureau of the Census. Because of the nature of these latter inquiries the data is not published in detail by areas lest it reveal the operations of individual concerns.

**AGRICULTURAL IMPROVEMENT IN NEW YORK SINCE 1932 HAS BEEN REMARKABLE UNDER THE A. A. A.**

Cash receipts from the sale of principal farm products in New York State for 1935 rose to 68 percent of their 1929 level. This compares favorably with cash receipts for the United States as a whole, which in 1935 had risen to 66 percent of their 1929 level. Cash receipts in New York account for about 91 percent of the total cash income from farm production.

In 1929 these cash receipts of New York producers aggregated \$351,621,000. Dropping to a low point of \$175,720,000 in 1932, they rose to \$221,180,000 in 1934, and to \$240,395,000 in 1935, including \$334,000 in rental and benefit payments.

By 1932 cash farm receipts in New York had fallen to about 50 percent of their 1929 level and in the North Atlantic States generally to about 54 percent of that level. But in the country as a whole, they had tobogganed to approximately 41 percent. By 1935, while for the county as a whole they had climbed to about 66 percent of their 1929 level, for the North Atlantic States they had risen to 72 percent and for New York to about 68.4 percent of that level.

It might be pointed out that the vegetable growers, the dry edible bean industry, the canners of cherries, and the grape growers in New York have also benefited greatly.

Increased industrial activities in New York State and in the northeastern industrial area have coincided with the operation of the agricultural adjustment programs. The effect has been to increase the purchasing power of factory and industrial workers in New York State and to make them better customers for the agricultural products of the New York State farmers. This indirect influence offsets the fact that none of the adjustment programs, which related under the terms of the act to basic commodities, were applied to fruits or vegetables.

One method followed under the Agricultural Adjustment Act which has contributed to the advantage of New York producers of fruits and vegetables has been the purchase with Federal funds of price-depressing surpluses of agricultural commodities for distribution through relief channels. The effect of these purchases has been to relieve the pressure on the market for the commodities concerned. Under the provisions of section 32 of Public, 320, the act amending the Agricultural Adjustment Act of 1933, there were purchased in New York State between January 1 and April 30 of this year 304,950 bushels of apples, 144,000 pounds of cabbage, 2,376,000 pounds of carrots, 1,900,000 pounds of onions, 385,830 dozen eggs, 783,168 pounds of butter, and 189,000 pounds of dry skim milk. Except for the eggs, butter, and dry skim milk, these products were produced in New York State by New York farmers, whose markets were suffering from surpluses.

FARM CREDIT ADMINISTRATION LOANS \$958,300 TO 415 ERIE COUNTY FARMERS

The following analysis of benefits resulting from Federal land bank and land bank commissioner loans in New York is of interest to all farmers. It is estimated that the proceeds of such loans were used to refinance New York farmers' debts, as follows:

Mortgage debts to—	
Life-insurance companies	\$40,000
Commercial banks	3,749,700
Joint-stock land banks	2,102,000
Others	10,336,700
Other debts to—	
Commercial banks	2,511,200
State, county, etc., for taxes	490,400
Others	3,659,100
Total	22,889,100

This sum refinanced debts totaling \$25,830,100. Thus the amount of scale-down of principal occurring in connection with Federal land bank and land bank commissioner loans in New York from May 1, 1933, to December 31, 1935, was \$2,941,000. Since the average rate of interest on these debts was cut from 5.9 percent before refinancing to slightly less than 5 percent after refinancing with the Federal land bank and land bank commissioner, there is a resultant annual interest saving of \$441,000 to New York borrowers.

In Erie County the number and amount of loans made from May 1, 1933, to March 31, 1936, is as follows:

Institution	Number	Amount
Farm mortgage loans:		
Federal land banks (May 1, 1933-Dec. 31, 1935)	181	\$479,200
Land bank commissioner (May 12, 1933-Dec. 31, 1935)	234	379,100
Total	415	958,300
Short-term credit:		
Production credit associations (organization, Apr. 30, 1936) <sup>1</sup>	867	656,254
Emergency crop loans (Jan. 1, 1933-Sept. 30, 1935)	162	24,390
Drought relief loans (July 3, 1934-June 30, 1935)	34	4,833

<sup>1</sup> Represents total loans of the Batavia Production Credit Association which also serves the counties of Genesee, Livingston, and Wyoming.

Farm Credit Administration, division of finance and research, May 20, 1936.

UNITED STATES GUARDS BUFFALO'S FOOD STANDARDS

The effect of the enforcement of the Food and Drug Act and the other acts with the enforcement of which the Food and Drug Administration has been charged by the Congress, cannot be gauged wholly upon the work that is being done by the Buffalo station.

Of necessity the control of local problems must be left to the State and city organizations, whereas the efforts of the Food and Drug Administration are confined to the regulation of products which enter into any consuming section through the medium of interstate commerce. However, the activities of the Buffalo station in connection with the manufacturing operations of concerns in western New York do have a definite bearing on the intrastate and local shipments of such concerns.

TWO MILLION DOLLARS TO BE SPENT IN ERIE COUNTY FOR ROAD IMPROVEMENTS

The Bureau of Public Roads, Department of Agriculture, is the coordinating agency which has made possible the system of great highways which today link every section of the country.

The Bureau does not build roads, except in the national parks. It merely supervises road building to see that proper materials and methods are used, and allocates Federal funds to help the States build roads which fit into the national scheme of highways. In addition, it is now administering the expenditure of \$200,000,000 for the elimination of about 2,000 grade crossings.

The largest Federal and State allocation is in Erie County and Buffalo where \$2,000,000 is being spent on improvements. This work is under the supervision of the State highway department. In addition, the Erie County Board of Supervisors has approved a \$500,000 road and bridge building program, entirely financed by the county. Major State projects under construction include widening of Main Street to 60 feet from the Buffalo city line to Williamsville, the Broadway cut-off and bridge in Lancaster, the widening and resurfacing of Abbott Road through Lackawanna, and the reconstruction and widening of Seneca Street from the Buffalo city line to Center Street.

BUFFALO PROJECTS

Buffalo projects, not yet started but on the summer program, include elimination of grade crossings in Tiff and Ontario Streets and reconstruction of Broadway from Ellicott to Herman Streets and Niagara from Porter Street to Hertel Avenue.

A scenic highway improvement in Chautauqua County is the reconstruction of the east road, skirting Lake Chautauqua. Work now is in progress between Jamestown and Bemus Point and will be extended to Dewittville in the fall.

Niagara County State projects include resurfacing and widening of the road between Olcott and Lockport and reconstruction of Whirlpool Street from Cleveland Avenue to Spruce Avenue in Niagara Falls.

ARMORIES IN ERIE COUNTY OBTAIN \$218,267.51 FEDERAL FUNDS

In times of peace both the Army and Navy spend considerable sums of money in Erie County for maintenance and repair for the six State armories.

From July 1, 1935, to May 31, 1936, the total amount spent, which includes the pay of armory employees, was \$237,858.60. Federal funds have or will be allocated for additions and repairs to the Cavalry Armory, the One Hundred and Seventy-fourth Infantry Armory, and the armory at Tonawanda, totaling \$218,267.51. The State of New York has or will contribute sponsors' contribution on Federal projects totaling \$23,087.94. Combined expenditures total \$479,214.05.

BUFFALO HAS 57,099 MEMBERS ENROLLED IN THE AMERICAN RED CROSS

The 23 chapters organized in the 11 counties of western New York State enrolled 97,227 Red Cross members for the calendar year 1936. Fifty cents is the national apportionment of each membership payment, the balance remaining in the local chapter treasury for the support of community services. On this basis the chapters in western New York State contributed a total of \$48,613.50 for the support of the national and international responsibilities of the Red Cross.

Western New York State has also contributed \$144,621.84 for the sufferers of the flood during the spring of 1936. The Buffalo chapter, which includes all of Erie County in its jurisdiction, is outstanding among the larger cities in its enrollment of 57,099 members. Buffalo has been equally generous in its contribution for flood and disaster relief.

The traditional Red Cross services with which everyone is familiar do not vary greatly from year to year. The outstanding developments of the past year are the educational activities in which Red Cross chapters have engaged in the field of accident prevention and in the establishment of emergency first-aid stations along the highways. In western New York State, chapters cooperated with the national

organization through a program of disaster relief following the floods of last summer and fall.

WORK OF UNITED STATES DEPARTMENT OF JUSTICE IN BUFFALO GREATLY INCREASED

During recent years the work of the Federal Bureau of Investigation has been greatly increased due to the enactment by Congress and the approval by the President of a series of Federal statutes affording jurisdiction to the Federal Bureau of Investigation in the type of cases which had not, prior thereto, been covered by Federal legislation. The more prominent of these Federal laws include those relating to kidnaping, extortion, the interstate transportation of stolen property, the robbery of banks organized and operating under the laws of the United States, interstate flight to avoid prosecution or giving testimony in certain cases, and the Federal anti-racketeering act.

Statistics are not available which particularly set out the accomplishments of the Bureau in the Forty-first District of New York or the specific aid and assistance given to local law-enforcement agencies in that district. However, one of the Bureau's 37 field offices is located in Buffalo, investigating those violations over which the Bureau has investigative jurisdiction in the district covered by the Buffalo office.

In the Buffalo office during the period from July 1, 1935, to May 1, 1936, there were 761 new cases opened on complaints received. On July 1, 1935, that office had 246 pending cases, 97 of which were unassigned; and although 800 cases were closed from July 1, 1935, to May 1, 1936, there still remained 207 pending cases, 67 of which were unassigned on May 1, 1936.

There has been an average of seven special agents assigned to this district, whose investigations since July 1, 1935, have resulted in 30 convictions, the actual suspended and probationary sentences totaling 110 years 8 months 3 days; \$5,001 in claims recovered; property amounting to \$22,808, including the recovery of 34 automobiles and the location of 8 fugitives.

Probably one of the more important types of civil investigations now being conducted by the Bureau are those investigations involving fraudulent claims made in connection with war-risk insurance cases. Since this work was taken over by the Bureau on September 10, 1933, a total of 6,949 cases have been investigated, resulting in savings to the Government of \$78,879,532.04.

The activities of the Bureau are of the nature which afford law-enforcement agencies throughout the country facilities which might not otherwise be available to them. It is practically impossible to estimate the benefits received by the people of the Forty-first District through the widespread efforts being exerted by the Bureau to eradicate crime generally.

UNITED STATES CUSTOMS REPORTS IMPORTS AND EXPORTS AT BUFFALO

For customs purposes, Buffalo is included in a customs district which comprises all the counties of Niagara, Erie, Cattaraugus, and Chautauqua, with headquarters in Buffalo.

For the calendar year 1935 the total value of imports for consumption for this customs district was \$75,042,639. The total value of exports, including reexports, was \$69,805,307, according to the records of the Department of Commerce. The total customs duties collected in this customs district for this same period was \$10,357,565. Of this amount \$9,120,938 was collected at the port of Buffalo, \$1,229,802 at the port of Niagara Falls, and \$6,825 at the station of Dunkirk.

FINES AND FORFEITURES IN BUFFALO AREA TOTAL \$336,528.22

More than \$300,000 came into the Treasury Department as a result of collections made by the United States Attorney through fines and forfeitures.

These collections amounted to \$48,074.61 during the fiscal year 1935, and from July 1, 1935, to March 31, 1936, of the present fiscal year they amounted to \$288,453.61, making a grand total of \$336,528.22 for the period of 1 year and 9 months.

These collections were made solely by the United States Attorney's office in the Western District of New York, which office has an average of 17 persons employed therein and operated under a total expenditure for 1935 of \$50,445.75,

and for the first 9 months of the present fiscal year (1936) a total expenditure of \$38,126.88.

UNITED STATES BUREAUS AID LAKE SHIPPING

The Bureau of Navigation and Steamboat Inspection inspects steam vessels navigating American waters, foreign steam vessels which embark passengers at American ports, motor vessels of 15 gross tons or over carrying freight or passengers, sailing vessels of 700 tons carrying passengers or freight, and certain types of barges.

The enforcement of laws having to do with safety of vessels and their cargoes and passengers is a function of the Bureau.

A strict observance of all existing laws looking to the safety of life at sea is demanded by the department. Legislation having for its purpose additional safety requirements and the providing of the machinery necessary to secure compliance therewith has also been recommended by the Bureau.

BUSINESS CONDITIONS IN BUFFALO IMPROVED

Business conditions in Buffalo, N. Y., appear to have improved by 10 percent during the past year. Since the beginning of 1933 the improvement has been about 50 percent. The improvement in Buffalo appears to have been greater than in New York State as a whole.

This information is received from the Bureau of Labor Statistics of the United States Department of Labor and is based on the following facts:

Employment in the manufacturing industry of Buffalo during the first quarter of 1936 was 9 percent greater than during the first quarter of 1935 and 62 percent greater than during the first quarter of 1933. This employment remained 27 percent less than during the years 1925-27, however. (New York Department of Labor, Industrial Bulletin.)

Pay rolls of manufacturing industries of Buffalo during the first quarter of 1936 were 13 percent greater than during the first quarter of 1935 and twice as great as during the first quarter of 1933. Such pay rolls remained 38 percent less than the average during 1925-27, however. (New York Department of Labor, Industrial Bulletin.)

Bank clearings in Buffalo increased by 10 percent between April 1935 and April 1936. Bank clearings in the latter month were 50 percent greater than in April 1933. (Commercial and Financial Chronicle.) The increase since 1933 has been due to restoration of banking units and to the rise in the price level, as well as to the increase in the volume of trade.

Department-store sales increased by 5.7 percent between March 1935 and March 1936. In the latter month the sales of reporting stores were 43.4 percent greater than in March 1932. (Federal Reserve Bank of New York, Monthly Review.) The physical volume of sales increased from 1933 to 1936 by less than the indicated percentage since retail price rose during the period.

The improvement in building construction since 1933 has been less in Buffalo than in the United States as a whole. The estimated cost of all such construction begun during the first quarter of 1936 was 48.5 percent greater than the cost during the first quarter of 1933. The expenditures on additions, alterations, and repairs more than doubled during this period. A considerable decline occurred in the construction of new residences, however:

Type of construction	First quarter		Percentage change
	1936	1933	
New residential	\$7,800	\$42,500	-81.6
New nonresidential	123,749	91,015	+36.0
Additions, alterations, and repairs	216,454	100,760	+114.8
Total	348,003	234,275	+48.5

The manufacturing industries of Buffalo which have shown the greatest improvement in employment and pay rolls during the past year are: First, pig iron and steel; second, machinery and electrical apparatus; third, metals, machinery, and conveyances. The greatest improvement since the first

quarter of 1933 has been shown by: First, pig iron and steel; second, machinery and electrical apparatus; third, metals, machinery, and conveyances; fourth, brass, copper, and aluminum; and, fifth, automobiles and parts. The iron and steel industry in Buffalo has nearly reversed its predepression (1925-27) level of employment, in spite of the drastic decline during the depression. Employment in the food-products plants of Buffalo is only 9 percent less than the average during the years 1925-27. Unlike iron and steel, the food-products industries retained a relatively high level of employment during the depression.

*Movement of employment and pay rolls of selected manufacturing industries of Buffalo, N. Y.*

[Source: New York Department of Labor, Industrial Bulletin]

Industry	Percentage change first quarter 1936 compared with previous periods		
	First quarter 1935	First quarter 1933	Average 3 years 1925-27
Pig iron and steel:			
Employment	Percent	Percent	Percent
Pay rolls	+32	+227	-2
Machinery and electrical apparatus:			
Employment	+43	+358	-13
Pay rolls			
Metal, machinery, and conveyances:			
Employment	+32	+150	-25
Pay rolls	+40	+260	-41
Brass, copper, and aluminum:			
Employment	+12	+113	-36
Pay rolls	+15	+184	-46
Automobiles and parts:			
Employment	-28	+100	-40
Pay rolls	-35	+163	-58
Railroad equipment and repair shops:			
Employment	+4	+49	-45
Pay rolls	+16	+73	-48
Food products:			
Employment	-7	+18	-9
Pay rolls	No change	+40	-16
Chemicals and oil products:			
Employment	+10	+13	-22
Pay rolls	+12	+28	-27
All manufacturing industries:			
Employment	+9	+62	-27
Pay rolls	+13	+100	-38

BUREAU OF ANIMAL INDUSTRY SPENT \$146,354 IN BUFFALO IN 1935

The Bureau conducts work on the following projects at Buffalo, N. Y.: Control over interstate shipment of livestock to prevent spread of diseases; enforcement of 28-hour law; inspection of animals for import and export; supervision over the importation of hides and other animal byproducts, forage, and so forth; meat inspection; inspection of imported meats and meat food products; tuberculin testing at public stockyards; enforcement of the Packers and Stockyards Act.

All of these activities, with the exception of the enforcement of the Packers and Stockyards Act, are conducted under the supervision of an inspector in charge, who has a force of 15 veterinarians, 30 lay assistants, and 3 clerks.

Up to April 30 of the current fiscal year, import livestock totaling 45,768 cattle, 8,900 swine, and 524 sheep have been inspected. Supervision is maintained at 20 establishments where restricted import animal byproducts are handled.

In the control of interstate transportation of livestock and the enforcement of quarantine and transportation laws, there were inspected, during the calendar year 1935, 259,543 cattle, 416,073 sheep, and 154,671 swine. Much time was also devoted to expediting the movement through the yards to slaughtering establishments of reactors to the tests for tuberculosis and Bang's disease. Cars totaling 2,381 were cleaned and disinfected during the fiscal year 1935 in fulfillment of Bureau regulations or on request of State and railroad officials.

During the calendar year 1935 there were inspected at establishments operating under Federal meat inspection 532,444 cattle, calves, sheep, and swine, and 59,384,381 pounds of meat during such processes as curing, smoking, chopping, cooking, and rendering. The total of the amount of meat inspected includes some duplication, as, for example, the poundage of meat placed in cure is reported separately from

the same meat when it passes to the smokehouses or cooking vats.

The enforcement of the Packers and Stockyards Act, the activities of which involve supervision over the operations and practices of packers, the stockyard company, market agencies, and dealers, and rates and charges for stockyard services, is handled separately by a district supervisor.

Expenditures at Buffalo during the fiscal year 1935 were \$146,354.

UNITED STATES BUREAU OF IMMIGRATION WATCHES ADMISSION OF ALIENS, BARRING UNDESIRABLES, AND AIDS IN NATURALIZATION—BUFFALO AREA AMONG MOST IMPORTANT

Under the supervision of the district director of immigration and naturalization at Buffalo, the Buffalo district embraces 14 counties in northeastern Ohio, 5 in northwestern Pennsylvania, and 27 in western New York, in all of which since August 1933 the work which had previously been carried on by the Immigration Service and the Naturalization Service as separate organizations is now done by a unified agency. In addition, naturalization work only in five counties in northeastern New York is handled by the Buffalo district.

In the Niagara frontier—that is, the territory between Lakes Erie and Ontario—inspection officers are regularly stationed in Buffalo at the Peace Bridge, the Fort Erie Ferry, the Grand Trunk passenger station at Black Rock, and in the summertime, at Crystal Beach, Ontario. At Niagara Falls, inspection officers are regularly stationed at the Falls View Bridge, Lower Arch Bridge, and Queenston-Lewiston Bridge, and, as a summer activity only, inspection work is carried on at the Lewiston dock to take care of steamers from Toronto, Ontario, at Youngstown, N. Y., and at the *Maid of the Mist* landing at Niagara Falls, N. Y. Further, the territory between Lakes Erie and Ontario and the shore line extending for some miles along each lake are covered by the immigration border patrol, the chief function of which is to prevent the illegal entry of aliens into the United States. There is concentrated in the Niagara frontier area at the district office and at the places already mentioned, a total of 175 employees. The Niagara frontier area is among the most important in the country in the volume of travel across the international boundary. To illustrate this, it might be pointed out that in a year, in which it was estimated that 55,000,000 people crossed both the Canadian and Mexican boundaries into the United States, approximately 9,000,000, or roughly one-sixth of the entire total, entered the United States between Lake Erie and Lake Ontario. While the greater number of these are citizens of the United States returning from temporary absences in Canada, it is required, nevertheless, that each one be inspected, and a large portion of the total were aliens whose detailed examination under the immigration laws is necessary.

In addition to the inspection work there is carried on at both Buffalo and Niagara Falls the very important work of naturalizing alien applicants for citizenship; the investigation of the cases of aliens who are alleged to be or believed to be subject to deportation from the United States; the inspection of airplane arrivals from Canada; the issuance of reentry permits to aliens desiring to proceed abroad temporarily; registration of aliens who entered the United States without a record, prior to June 3, 1921, and who are entitled to legalization of their residence here; the investigation, preliminary to the issuance of certificates of citizenship, of children and women who claim to have derived citizenship in the United States through fathers and husbands; the prosecution of offenders against the Immigration and Naturalization laws; and other activities necessarily allied with the foregoing.

Buffalo is the distributing point for the deportation to Canada of aliens coming from all parts of the United States whose destination is the eastern section of the Dominion, or who are to be deported to European countries via Canadian seaports. These aliens are brought to Buffalo on trans-continental trains, and officers of the Buffalo District proceed with deportation to Canada of their conveyance to Canadian seaports.

During the 10 months from July 1, 1935 to April 30, 1936, there were conducted in the Niagara area over 1,600 investigations; 157 aliens were deported; 196 were allowed to leave voluntarily in lieu of deportation; 187 applications for registry in cases involving entry without record, prior to June 3, 1921, were received; 1,720 were admitted to citizenship, and 87 petitions for citizenship were denied; a total of 367 alien applicants for admission to the United States were denied entry at Buffalo and Niagara Falls during the period mentioned.

The immigration border patrol, during the period from July 1, 1935, to April 30, 1936, patrolled in the Niagara frontier area a total of 170,702 miles by automobile, 11,751 miles on foot, and 1,988 miles by boat; 21,236 freight trains, 6,051 passenger trains, 2,172 automobiles, 2,500 boats, and 1 airplane were examined by the patrol, and a total of 65,030 persons were questioned; 39 aliens seeking to enter the United States illegally were apprehended and a number of these had previous criminal records or had at some prior date been deported from the United States. There was seized, in addition, alcohol valued at \$728; \$50,000 worth of lottery tickets, and \$62.70 in United States stamps, all of which were being smuggled into the United States. Upon information furnished by the immigration border patrol, that organization participated in the seizure of raw wool valued at \$3,000 which had been smuggled into the country. Thirteen persons were delivered to State and municipal police by the patrol, this number including two automobile thieves, two petty thieves, and one mentally defective person. Immigration border-patrol officers effected, as well, during the period mentioned, the rescue from drowning in the Niagara River of two persons.

Contact is maintained by all branches of the Service in the area with the local police, the State police, and other Federal, State, and local law-enforcement authorities with a view to giving them every assistance in their work and to investigate the cases of aliens who may be subject to deportation or other action which may come to the attention of those agencies. Periodical surveys are made to the various institutions in the area, including the New York State Prison at Attica, the Erie County Penitentiary at Wende, N. Y., the Buffalo State Hospital, the Niagara County Sanitarium, and the House of Refuge at Albion, and various county jails, with a view to learning whether any inmates are subject to action by this Service.

**BUREAU OF BIOLOGICAL SURVEY PROTECTS ALL SPECIES OF GAME BIRDS IN BUFFALO AREA**

This Bureau is deeply concerned with the conservation and protection of all species of birds, its authority is centered in the Migratory Bird Treaty Act, and therefore extends only to those species enumerated in article 1 of the treaty. The protection of upland game birds is reposed in the various States, all of which have excellent laws on the subject, and all of which maintain even larger warden forces than does the United States for the protection of migratory species. This Department prescribes regulations under the treaty and act for the hunting of certain of the migratory game birds, and these regulations, when approved and proclaimed by the President, have the force and effect of law. Violations of these regulations are punishable as prescribed in section 6 of the act. For the enforcement of these regulations the Bureau maintains a force of 26 United States game management agents located at strategic points throughout the country—one of whom is located at Owego, N. Y.

These game management agents not only enforce the treaty act and regulations, but also the Lacey Act regulating the interstate shipment of wild animals and parts thereof. Police powers with respect to shipments in interstate commerce were extended to these agents by an amendment to the Lacey Act, approved June 15, 1935. Under the authority of the Lacey Act, the Bureau conducts intensive investigations of all shipments involving furs shipped in violation of State laws. The general practice is to refer such violations to the State authorities for prosecution, but in some cases Federal prosecution is had.

The activities of the Bureau and of the Department in the protection of game birds are not confined entirely to law enforcement. One of the major activities has been the restoration of our depleted waterfowl resources by the acquisition and establishment of breeding and nesting areas under a broad program. Activities also include a comprehensive educational program through the publication and distribution of literature, radio broadcasts, motion pictures, and lectures and addresses before conservation and sporting organizations. In addition to this, the Bureau maintains very cordial cooperative relations with the various State game departments, not only in the enforcement of game laws but in the gathering and dissemination of information concerning feeding and nesting conditions.

Game-management courses sponsored by the Bureau are now being conducted in nine land-grant colleges, whereby the youth of the country may be taught the principles of wildlife conservation and restoration.

Concerning plant pests, probably the most effective curb is the protection afforded song and insectivorous birds under the Migratory Bird Treaty Act. The value of these birds in the destruction of plant pests is incalculable, and their protection under the treaty is one of the major activities of the Bureau. The control of plant pests is also a function of the Bureau of Entomology and Plant Quarantine.

**JOSEPH W. BYRNS**

**Mr. LUNDEEN.** Mr. Speaker, ladies and gentlemen of the House, in the summer of 1935 a young man, Ernest Ward Lundein, conceived the idea that he wanted the signature and fingerprints of the Speaker of the House of Representatives. Mrs. Lundein and I put him aside by saying, "Well, you had better see the Speaker and get them yourself", hardly thinking that the young lad would venture into the Speaker's private sanctum. Then one morning when breakfasting at the Mayflower Hotel we saw Speaker BYRNS and his good wife. We told him about the desire of the young man. The Speaker immediately reached for a pencil and paper and took our son's name and address. We learned later that his autographed photograph went forward to Junior, together with a letter.

One day I entered the Speaker's elevator in the Capitol, and the Speaker turned from a group of Democratic leaders and said to me, "Say, LUNDEEN, I have just had a letter from your young son, and it was a corker." We wanted, of course, to know the contents of the letter, but the Speaker insisted that it was private correspondence. There resulted from this little exchange a friendship between the young man and the Speaker, and whenever Ernest, Jr., came to the Capitol from the Valley Forge Military Academy, where he is now studying, he would immediately hurry to the Speaker's office, greet him, and relate to him his progress in the academy.

On another occasion, January 3, 1936, when the President addressed a joint session of the Congress, I took Junior to the Capitol, where we found guards and police and a barred way. Only Members of Congress were allowed to pass. I said, "Junior, I don't know if I can get you through; mother has my only pass."

"Oh, daddy," he said, "I'll get through all right—the Speaker's my friend." And so it was. The Speaker was our friend, the friend of every Member, the friend of our boys, the friend of all citizens, remembered and beloved by all.

That so busy a man, with all the cares of state, should take of his precious time to talk to a young lad, to inspire him, and to say to him, as he once did, "Select your ladder, and climb to the top", is typical of great leaders in American public life, but especially so of JOE BYRNS. He was a lovable and admirable gentleman, beloved by all, fair in his decisions from the chair. For 25 years JOSEPH W. BYRNS was a Member of Congress from his great Tennessee constituency, which draws its inspiration from the hermitage of Andrew Jackson.

America was shocked at his sudden passing. When he left he fell, as does the great pine looming against the western

skies, and falling, leaves a vacant space on the horizon. His passing leaves a pall of gloom over the last days of this Congress. He rests in his beloved soil of Tennessee. He is home with his friends, gathered to his fathers. But he is not forgotten in Minnesota, not so long as the young lad whom he befriended and inspired remains to remember him. He is not forgotten and will be remembered by millions everywhere who recall his genial smile and his courteous, gentlemanly manner.

## HON. JOSEPH W. BYRNS

Mr. KENNEDY of New York. Mr. Speaker, we assembled in this legislative Hall of the Nation on June 5 to pay respect to the memory of our late Speaker, JOSEPH W. BYRNS, of Tennessee. Today the duty which the hour imposes upon me is a labor of love, and I gladly welcome the opportunity to pay tribute to his noble attributes of mind and heart.

I had the pleasure of serving with Speaker BYRNS since the Seventy-first Congress. For the past 2 years, as neighbors, we occupied adjoining apartments at the Hotel Mayflower, and, meeting frequently, I had the opportunity to observe and grew to admire the sterling qualities of his character. I shall leave to others the pleasure of reciting the accomplishments of his long public career while I content myself with calling attention to what seemed to me the dominant element of his life—a genial, social kindness of his nature.

It is a noble tribute to a man when it can be said that his life was marked by uniform kindness, and the more you know of him the better you grow to like him. This can be said of our worthy friend, whose memory we cherish and whose life of service and whose brotherly kindness we admire.

I have sometimes thought that the element of kindness is the noblest element of our nature; that the best and sweetest thing in this world is simple, common, everyday kindness. Kindness is the most beautiful flower that grows and blooms in the soil of the soul. It is the one celestial flower that blooms over the walls of paradise and fell from the garden of the skies; its petals caught and carried the fragrance of heaven, and it fills the earth with incense of gladness when it sweeps the existence of time and reaches through boundless space even from the pit of hell to the gates of heaven and sits enthroned the best influence that sweetens life or molds the soul—kindness.

And so I can pay my friend no finer tribute than to say that in daily life he exemplified the spirit of kindness in his contact with his fellow men.

He believed with Washington Irving that—

A kind heart is a fountain of gladness suffusing everything.  
Around it with pleasure and freshens everything into smiles.

I know he thought with Hans Christian Andersen that—

The best love man can offer  
To a God of love, be sure.  
Is mercy to God's little ones  
And kindness to God's poor.

Congressman BYRNS' kindness to little ones was constantly brought to my attention. I have a little son, now 7 years old, who was a great admirer of the Speaker. Every time Mr. BYRNS met John in the elevator, in the lobby, or even on the street, he took the time to stop, have a little chat, admire John's baseball suit, and ask him if he, too, was going to be a Congressman.

And so his life can teach us all that which we all should know: That kindness is beautiful—beautiful like the memory of your dear old mother's face; that kindness is the open door to happiness; that kindness is the golden key that unlocks and gives you the passport to all hearts, to friendship with the world's noblest and best, to happiness on earth, success in life, and entrance through the gates of heaven.

And so, thus living a life of service and kindness, his buoyant, courteous manner never deserted him when the end came—

Like a shadow thrown softly and sweetly  
From a passing cloud, death fell upon him—

And when for JOSEPH W. BYRNS the gold bowl was broken and the silver cord loosed, he, too, could approach his grave—

Like one who wraps the drapery of his couch  
About him, and lies down to pleasant dreams.

And when his path of life led to the door of the night of death, it opened for him into the gateway of glorious immortality. And we who knew and loved him trust in that hope born of Christian faith that he found that—

Death is but an angel, who to man at last his freedom brings  
The grave is but a nest in which the soul shall find its wings.

## JOSEPH W. BYRNS

Mr. COOPER of Tennessee. Mr. Speaker, I desire to take advantage of this opportunity to raise my voice in brief tribute to the life, character, and public service of my warm personal friend and distinguished colleague from Tennessee, the Honorable JOSEPH W. BYRNS, Speaker of the House of Representatives, who recently passed away.

When I became a Member of Congress 8 years ago Mr. BYRNS then had a distinguished record of 20 years of continuous service as a Member of this body. Although I had known him very pleasantly for many years before my period of service began, I became much closer associated with him, and my acquaintance with him ripened into one of the closest and warmest friendships it has ever been my privilege to enjoy.

Mr. BYRNS came from as fine a stock of Tennessee people and as splendid a type of true patriotic citizenship as could be found anywhere. As a boy in his native Robertson County, Tenn., he worked on a farm and met the problems of life with that high degree of courage and devotion to duty that formed the character of the man which sustained him through the years of his great and useful life. He was a man of splendid educational and mental attainment and possessed the highest attributes of Christian character.

The public service of Mr. BYRNS extended over a long period of years. He served as a member of the House of Representatives of the Tennessee Legislature and as speaker of that body. He also served as a member of the State Senate of Tennessee. His distinguished service to the State as a member of the legislature merited for him his election as a Member of Congress, where he established a record which has been equaled by few men in the history of our country. Early in his congressional career he became a member of the important Committee on Appropriations and later served as chairman of this committee. He was recognized as one of the outstanding authorities of the country on all matters coming under the jurisdiction of this committee. He served with great distinction as majority leader and was the honored and beloved Speaker of the House of Representatives at the time of his death. He was a truly great statesman and most valuable public servant. I have often said that I regarded JOE BYRNS, as he was affectionately called by all of us, as the most popular Member with whom I had ever been privileged to serve. He represented the great Hermitage district of Tennessee, which was the home of Andrew Jackson, for a period of 28 years of continuous service. This is the longest period of time that any man has ever served in Congress from the State of Tennessee. It was my privilege to be a member of the congressional committee that made the last long journey from Washington to Nashville with his remains for the funeral service. The immense throng of people present on this occasion in Nashville, numbering many thousands of his neighbors and friends, gave unmistakable evidence of his popularity and the very high esteem in which he was held by all who knew him.

He fell at his post of duty just as he would have preferred to go. His congressional district, the State of Tennessee, and the Nation have suffered a great loss in his untimely death.

His great life will ever be an inspiration to his devoted wife and his noble son, and may well be emulated by those who come after him.

## JOE BYRNS AS I REMEMBER HIM

Mr. RANDOLPH. Mr. Speaker, I recall the precious friendship with JOE BYRNS, our late Speaker of the House of Representatives. It is always unfortunate that only after such an association has been severed there comes the full realization of how much we treasured it.

I am remembering now my visit to Washington shortly after having been elected in November of 1932. I was youthful and inexperienced in the new duties which I was to perform. When I went to see JOE BYRNS he did not hurry me out of his office with a quickly worded parting, but with kindly attitude he went over carefully the procedure and rules in this body and impressed upon me the importance of the task, and then it was that I realized he had a keen interest in younger men. I thought back to the congressional campaign of 1930 and my unsuccessful effort in that year, and I recalled the help he had extended at that time.

My friendship and affection for him increased with our association, and I shall never forget his personal visit to my congressional district in 1934, when he delivered three splendid addresses in my behalf within 24 hours at my home town of Elkins and at Martinsburg and Keyser.

Many, many times during the coming months was I to seek his kindly counsel and sound advice.

It always means much to a younger man to have the aid of someone who is older, and this is particularly true in public life. I know that to we younger Members of Congress JOE BYRNS was a real friend, and by his life he lived to the fullest the words of an old poem, which follows:

An old man, going a lone highway,  
Came, at the evening, cold and gray,  
To a chasm, vast and deep and wide,  
Through which was flowing a sullen tide.  
The old man crossed in the twilight dim;  
The sullen stream had no fears for him;  
But he turned, when safe on the other side,  
And built a bridge to span the tide.  
"Old man", said a fellow pilgrim, near,  
"You are wasting strength with building here;  
Your journey will end with the ending day;  
You never again must pass this way;  
You have crossed the chasm, deep and wide,  
Why build you the bridge at eventide?"

The builder lifted his old gray head:  
"Good friend, in the path I have come", he said,  
"There followeth after me today  
A youth, whose feet must pass this way.  
This chasm, that has been naught to me,  
To that fair-haired youth may a pitfall be.  
He, too, must cross in the twilight dim;  
Good friend, I am building the bridge for him."

Certainly JOE BYRNS was a builder of bridges.

JOSEPH W. BYRNS

Mr. DARROW. Mr. Speaker, this Government has suffered an irreparable loss in the death of our dearly beloved colleague and distinguished Speaker, the Honorable JOSEPH W. BYRNS. No more faithful, trustworthy, or capable Representative ever served his constituency, his State, or his country. His fine qualities of earnestness, perseverance, and fairness were always readily apparent, and he richly deserved the honors accorded him by his election, first, as majority leader in the House, as well as his subsequent elevation to the Speakership.

One of the greatest rewards service in this honorable body accords is the opportunity for the formation of beautiful friendships, wherein political ties are entirely forgotten and Members may enjoy true companionship and pleasant associations. In my 22 years of service here I was privileged to know JOE BYRNS as a real friend. I shall ever hold in pleasant memory his beautiful character, his human sympathy, as well as his deep devotion to those who were near and dear to him.

Within the past year the Speaker kindly consented to my request that one of my constituents be permitted to make a mask of him, and as I have a reproduction of that mask in my office here I shall continually be reminded of his many kindnesses to me, his achievements, and the rewards which came to him, as well as our beautiful friendship.

## FLOOD VICTIMS RECEIVE PROMPT RELIEF

Mr. SNYDER of Pennsylvania. Mr. Speaker, the March floods throughout the Nation left destruction in their path.

This was especially true in eastern United States, where the floods were most severe.

The city of Johnstown, Pa., was one of the cities that was damaged most. The stream that carries the big waters to Johnstown that caused the flood and destruction has its headwaters in my district, Somerset County, Pa. This stream, Stony Creek by name, and its tributaries drain the mountain side and plateaus of all northern Somerset County, and during heavy rains and especially when these rains come in the spring when the mountains are covered with snow, a considerable amount of damage is done to the farmers and home owners along the shores of these streams.

Of course, some of the suburbs of Johnstown lie in my district, and it is the firm belief of the people living in Stony Creek that we must have flood control on Stony Creek and a few of its branches if we are going to prevent a repetition of the terrible disaster of March 1936.

If the Federal Government would spend just one one-hundredth in building dams of what the flood destruction was, we could make the valley of Johnstown safe. In other words, the loss caused by the flood in March was more than 100 times greater than would be the cost to build flood-control dams.

On this basis I introduced into Congress, after the March floods, the following bill:

A bill for a complete survey of Stony Creek watershed, from its mouth, where it empties into the Conemaugh, in Johnstown, Pa.

*Be it enacted, etc.*, That the Secretary of War be, and he is hereby, authorized and directed to make a complete survey of Stony Creek watershed, Somerset County, Pa., from its mouth, where it empties into the Conemaugh, in Johnstown, Pa., with a view of the Government flood-control agency building not less than two nor more than four flood-control dams at the proper places designated by the Army Engineers on Stony Creek or its tributaries, for the purpose of preventing disastrous floods like those which swept down on Johnstown, Pa., in 1889 and 1936.

Of course, there was no time after the flood to get it through this session of Congress, but in the Seventy-fifth Congress we hope to see this measure passed or else included in a general flood-control measure.

Mr. Speaker, the promptness with which the Federal Government comes to the rescue of flood victims is indeed worthy of comment. This I find is true all over the Nation wherever the floods raged.

No wonder the flood victims and all who were directly or indirectly affected are strong for our administration.

In my own congressional district the following sums have been approved and granted since May of this year:

Somerset County, Pa.:	
Reconstruction of streets, sidewalks, alleys, Benson Burrough	\$30,309
Construction of a new channel in Willis Creek, Glen-coe	10,550
Bridge construction	6,611
Bridge construction	7,115
Turkeyfoot Township	7,912
Allegheny Township	5,899
Cring Township	5,050
Summit Township	7,852
Middlecreek Township	4,042
Allegheny Township	7,998
Do	9,034
Route 88819	7,115
Fayette County, Pa.:	
Construction of highway, Franklin Township	16,964
Bridge construction:	
Uniontown	3,947
Do	5,227
Do	5,553
Menallan Township	4,468
Over Bigger Run	8,132

These are the sums allotted to date to my district. As the months go on this will be multiplied. The nice thing about it is there is not a superabundance of red tape. I find the Department handling this, here in Washington, very efficient as well as very much interested.

Mr. Speaker, we talk about working 6 hours a day. I happen to know that in many of these emergency depart-

ments they work 12 hours a day and some of the emergency heads do, as well as Congressmen do in the closing days of the session. They work 14 or 16 hours a day.

## ADJOURNMENT

Mr. O'CONNOR. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 52 minutes p. m.), in pursuance of House Concurrent Resolution 53, the House adjourned until Monday, June 15, 1936, at 12 o'clock noon.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

865. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill to authorize the acquisition of lands in the San Francisco Bay area as a site for a naval supply base and to authorize the construction and installation of facilities for a naval supply base thereon; to the Committee on Naval Affairs.

866. A letter from the Chairman of the Reconstruction Finance Corporation, transmitting pursuant to the provisions of section 201 (b), title II, of the Emergency Relief and Construction Act of 1932, the report of its activities and expenditures for April 1936 (H. Doc. No. 505), was taken from the Speaker's table, referred to the Committee on Banking and Currency, and ordered to be printed.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII.

Mr. DISNEY: Committee on Ways and Means. H. R. 10483. A bill to provide revenue from the importation of crude petroleum and its products; without amendment (Rept. No. 2953). Referred to the Committee of the Whole House on the state of the Union.

Mr. JONES: Committee on Agriculture. H. R. 12694. A bill to authorize the Secretary of Agriculture to extend and renew for the term of 10 years a lease to the Chicago, Milwaukee & St. Paul Railway Co. of a tract of land in the United States Department of Agriculture Range Livestock Experiment Station, in the State of Montana, and for a right-of-way to said tract, for the removal of gravel and ballast material, executed under the authority of the act of Congress approved June 9, 1926; without amendment (Rept. No. 2954). Referred to the Committee of the Whole House on the state of the Union.

Mr. MANSFIELD: Committee on Rivers and Harbors. H. R. 12873. A bill to authorize completion, maintenance, and operation of certain facilities for navigation on the Columbia River, and for other purposes; with amendment (Rept. No. 2955). Referred to the Committee of the Whole House on the state of the Union.

Mrs. NORTON: Committee on the District of Columbia. H. R. 12888. A bill to provide for the erection of a building to be used exclusively for the recorder of deeds; without amendment (Rept. No. 2956). Referred to the Committee of the Whole House on the state of the Union.

Mrs. NORTON: Committee on the District of Columbia. House Joint Resolution 602. Joint resolution to provide for the maintenance of public order and the protection of life and property in connection with the Presidential inaugural ceremonies in 1937; without amendment (Rept. No. 2957). Referred to the Committee of the Whole House on the state of the Union.

Mrs. NORTON: Committee on the District of Columbia. House Joint Resolution 604. Joint resolution authorizing the granting of permits to the Committee on Inaugural Ceremonies on the occasion of the inauguration of the President-elect in January 1937, and for other purposes; without amendment (Rept. No. 2958). Referred to the Committee of the Whole House on the state of the Union.

Mr. MITCHELL of Tennessee: Committee on Agriculture. S. 3784. An act to extend the benefits of the Adams Act,

the Purnell Act, and the Capper-Ketcham Act to the Territory of Alaska, and for other purposes; without amendment (Rept. No. 2959). Referred to the Committee of the Whole House on the state of the Union.

Mr. DE ROUEN: Committee on the Public Lands. S. 4707. An act for the relief of certain purchasers of lots in Harding town site, Florida, and for the relief of the heirs of Lewis G. Norton; without amendment (Rept. No. 2960). Referred to the Committee of the Whole House on the state of the Union.

Mr. BLOOM: Committee on Foreign Affairs. S. 4667. An act to prohibit the commercial use of the coat of arms of the Swiss Confederation pursuant to the obligation of the Government of the United States under article 28 of the Red Cross Convention signed at Geneva, July 27, 1929; without amendment (Rept. No. 2961). Referred to the House Calendar.

Mr. BLAND: Committee on Merchant Marine and Fisheries. H. R. 12951. A bill to extend the laws governing inspection of vessels, and for other purposes; without amendment (Rept. No. 2962). Referred to the Committee of the Whole House on the state of the Union.

## PUBLIC BILLS AND RESOLUTIONS

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

By Mr. DE ROUEN: A bill (H. R. 12956) to provide for the addition or additions of certain lands to the Fort Donelson National Military Park in the State of Tennessee, and for other purposes; to the Committee on the Public Lands.

By Mr. DIRKSEN: A bill (H. R. 12957) to provide for a preliminary examination of the Mackinaw River in Illinois with a view to flood control and to determine the cost of such improvement; to the Committee on Flood Control.

By Mrs. GREENWAY: A bill (H. R. 12958) providing for relief in cases of desert-land applications or entries of lands within Verde River irrigation and power district, Arizona; to the Committee on the Public Lands.

By Mr. MALONEY: A bill (H. R. 12959) to authorize the Parish of Jefferson to have and to lease the mineral and oil rights for drilling, production, and handling of same on certain lands being a canal right-of-way in the State of Louisiana; to the Committee on Military Affairs.

By Mr. SNYDER of Pennsylvania: A bill (H. R. 12960) for a complete survey of Stony Creek watershed from its mouth where it empties into the Conemaugh in Johnstown, Pa.; to the Committee on Flood Control.

Also, a bill (H. R. 12961) to provide for the location and survey by the Bureau of Public Roads of a system of three transcontinental and six north-south highways; to the Committee on Roads.

By Mr. THURSTON: A bill (H. R. 12962) to amend the act entitled "An act to promote the conservation and profitable use of agricultural land resources by temporary Federal aid to farmers and by providing for a permanent policy of Federal aid to States for such purposes"; to the Committee on Agriculture.

By Mr. WILCOX: A bill (H. R. 12963) to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and acts amendatory thereof and supplementary thereto; to the Committee on the Judiciary.

By Mr. DICKSTEIN: Resolution (H. Res. 546) to authorize an investigation of the "Black Legion", and for other purposes; to the Committee on Rules.

By Mr. DISNEY: Resolution (H. Res. 547) providing for the consideration of H. R. 10483, a bill to provide revenue from the importation of crude petroleum and its products; to the Committee on Rules.

By Mr. SABATH: Resolution (H. Res. 548) authorizing further expenditures of \$25,000 to be paid out of the contingent fund of the House for the continuance of the investigation by the Select Committee to Investigate Real Estate Bondholders' Reorganizations; to the Committee on Accounts.

By Mr. DIRKSEN: Joint resolution (H. J. Res. 622) proposing an amendment to the Constitution of the United States relative to disapproval of items in general appropriation bills; to the Committee on the Judiciary.

By Mr. LUCKEY: Joint resolution (H. J. Res. 623) proposing an amendment to the Constitution permitting the President of the United States to disapprove or reduce any item of any appropriation bill passed by Congress; to the Committee on the Judiciary.

By Mr. DICKSTEIN: Concurrent resolution (H. Con. Res. 55) to authorize a joint committee to investigate the "Black Legion", and for other purposes; to the Committee on Rules.

#### PRIVATE BILLS AND RESOLUTIONS

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

By Mr. BROWN of Michigan: A bill (H. R. 12964) granting a pension to Martha Bertha Rapin; to the Committee on Pensions.

By Mr. FERGUSON: A bill (H. R. 12965) granting a pension to C. R. McGill; to the Committee on Pensions.

#### PETITIONS, ETC.

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

11048. By Mr. BEITER: Petition of Branch No. 71 of Neon Workers, of Buffalo, N. Y., supporting the Wagner-Ellenbogen housing bill; to the Committee on Banking and Currency.

11049. By Mr. KENNEY: Petition of the Ridgefield Park Council, No. 123, Ridgefield Park, N. J., favoring Senate bill 4011 and House bill 11172, and the defeat of the Kerr bill; to the Committee on Immigration and Naturalization.

11050. By Mr. McCORMACK: Memorial of the Senate of Massachusetts, memorializing Congress in opposition to certain pending legislation relative to price fixing of coal; to the Committee on Ways and Means.

11051. By Mr. PFEIFER: Petition of the Brooklyn Metal Trades Council, Navy Yard, New York, urging favorable action on the Dickstein Resolution No. 527; to the Committee on Immigration and Naturalization.

11052. Also, petition of the Geiger Products Co., Inc., New York, urging support of the Bailey amendment; to the Committee on Ways and Means.

11053. Also, telegram from Bertram Reinitz, editor, Garment Trade Review, New York City, concerning the Pope amendment in the revenue bill; to the Committee on Ways and Means.

11054. Also, telegram from Samuel Klein, executive director, Industrial Council of Cloak, Suit, and Skirt Manufacturers, Inc., New York City, concerning the Pope amendment in the revenue bill; to the Committee on Ways and Means.

11055. Also, telegram from Joseph L. DuBow, executive director, Merchants Ladies' Garment Association, Inc., New York City, concerning the Pope amendment in the revenue bill; to the Committee on Ways and Means.

11056. Also, telegram from Alexander Printz, chairman, National Coat and Suit Industry Recovery Board, of New York City, concerning the Pope amendment in the revenue bill; to the Committee on Ways and Means.

11057. By Mr. SADOWSKI: Petition of the Associated Credit Bureaus of Michigan, Inc., favoring the construction of the Straits of Mackinac Bridge; to the Committee on Interstate and Foreign Commerce.

11058. By Mr. SIROVICH: Petition of the East Side Housing Conference of New York, Fourteenth District, supporting the Wagner housing bill; to the Committee on Banking and Currency.

11059. By the SPEAKER: Copy of proceeding of the Thirty-ninth Annual Convention of the Tennessee Federation of Labor held in Chattanooga May 4-6, 1936; to the Committee on Banking and Currency.

11060. Also, petition of the International Falls Local, No. 49, of International Falls, Minn.; to the Committee on Ways and Means.

11061. Also, resolution of the city of Macon, Ga., favoring enactment of the United States Housing Act, being bill 4424, by WAGNER, and bill 12164, by ELLENBOGEN; to the Committee on Banking and Currency.

11062. Also, petition of the Portsmouth Central Labor Union, of Portsmouth, Va., endorsing the Wagner-Ellenbogen housing bill; to the Committee on Banking and Currency.

11063. Also, petition of the South Carolina Tuberculosis Association, of Columbia, S. C., endorsing House bill 12460; to the Committee on Interstate and Foreign Commerce.

#### SENATE

MONDAY, JUNE 15, 1936

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

Almighty God, our Heavenly Father, who art all-wise, all-knowing, and all-loving: Abide with us this day, as again we commit ourselves to Thy gracious keeping. Grant that amid all life's storms and troubles we may rest in Thee, safe under Thy care, governed by Thy will, guarded by Thy love.

Breathe upon us with the breath of Thy Holy Spirit, that Thy presence may be power, by which we shall be directed with gentle compulsion to the completion of the work Thou hast called upon us to perform.

We ask it in the name of the Master of all good workmen, Jesus Christ, Thy Son, our Lord. Amen.

#### THE JOURNAL

On request of Mr. ROBINSON, and by unanimous consent, the reading of the Journal of the proceedings of Monday, June 8, 1936, was dispensed with, and the Journal was approved.

#### CALL OF THE ROLL

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

THE VICE PRESIDENT. The clerk will call the roll.

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

Adams	Carey	Holt	Pope
Ashurst	Chavez	King	Radcliffe
Austin	Clark	La Follette	Reynolds
Bachman	Connally	Lewis	Robinson
Bailey	Copeland	Lottin	Russell
Barbour	Couzens	Lonergan	Schwellenbach
Barkley	Davis	Long	Sheppard
Benson	Dieterich	McAdoo	Shipstead
Bilbo	Donahey	McGill	Smith
Black	Duffy	McKellar	Steiner
Bone	Fletcher	McNary	Thomas, Okla.
Borah	Frazier	Maloney	Thomas, Utah
Brown	George	Metcalfe	Townsend
Bulkeley	Gerry	Moore	Truman
Bulow	Gibson	Murray	Vandenberg
Burke	Guffey	Neely	Wagner
Byrd	Hale	Norris	Walsh
Byrnes	Hastings	Nye	Wheeler
Capper	Hatch	O'Mahoney	
Caraway	Hayden	Pittman	

Mr. LEWIS. I announce that the Senator from Alabama [Mr. BANKHEAD], the Senator from Colorado [Mr. COSTIGAN], the Senator from Mississippi [Mr. HARRISON], and the Senator from Nevada [Mr. McCARRAN] are absent because of illness, and that the Senator from Virginia [Mr. GLASS], the Senator from Oklahoma [Mr. GORE], the Senator from Kentucky [Mr. LOGAN], the junior Senator from Indiana [Mr. MINTON], the Senator from Iowa [Mr. MURPHY], the Senator from Louisiana [Mr. OVERTON], the Senator from Maryland [Mr. TYDINGS], and the senior Senator from Indiana [Mr. VAN NUYS] are necessarily detained from the Senate.

Mr. AUSTIN. I announce that the Senator from New Hampshire [Mr. KEYES] is necessarily detained from the Senate, and that the Senator from Iowa [Mr. DICKINSON] and the Senator from Maine [Mr. WHITE] are necessarily absent.

Mr. McNARY. I announce that the Senator from California [Mr. JOHNSON] is absent on account of illness.